

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL  
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN  
HELD ON DAY, MONDAY, MARCH 19, 2018 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 Swift

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

Also Present: City Manager Drysdale, City Clerk Hutchison, Police/Fire Chief Rosebohm, Human Resources Director Mayerich, Finance/ Purchasing Director McMahon, Parks and Recreation Director Dickman, Information and Technology Director Harper, Department of Public Works Director Webb, Director of Solid Waste Bobeck, Interim Golf Course Operations Manager Kettler, Carlisle Wortman Community Development Director Scurto, Charles E. Raines Company City Engineer Sabak, Cornerstone Environmental Group Sr. Project Manager Wintheiser, Project Manager Bowyer, Attorney Pentiuik

The **Pledge of Allegiance** was led by a group of Third Graders from Forest Elementary School.

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

Mayor Swift announced that the Closed Session has been removed from the agenda.

**AWARDS AND PRESENTATIONS AND PROCLAMATIONS:**

None.

**MINUTES:**

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that the **Minutes** of the Regular Meeting of **March 5, 2018**, and the condensed version for publication, be **Approved**.  
Carried unanimously.

**PUBLIC HEARINGS:**

None.

**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 Workman, that the **Consent Agenda** be Approved as follows:

- Authorize the Preparation of **Plans** and **Specifications**, the **Solicitation** of **Bids** and Performing Contract Administration, Inspection, Testing, Marking and As Built Measurements by **Charles E. Raines Company** in the amount of **\$36,210.00** for the **2018 Sidewalk Replacement** Program.

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

Nays: Councilmember Towle

Motion carried.

**RESOLUTIONS:**

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that a resolution to Authorize the City's Representative to the Downriver Utility Wastewater Authority (**DUWA**) to **Vote in Favor** of the **Definitive Transfer Agreement** that has been negotiated with Wayne County for the **Purchase** of the **Downriver Sewage Disposal System**, be Adopted.

RESOLUTION NO. 18-06  
RESOLUTION OF THE CITY OF RIVERVIEW  
TO AUTHORIZE ITS REPRESENTATIVE TO THE  
DOWNRIVER UTILITY WASTEWATER AUTHORITY TO VOTE ON THE  
DEFINITIVE TRANSFER AGREEMENT WITH WAYNE COUNTY

WHEREAS, 1955 PA 233, as amended (“Act 233”) authorizes an authority to acquire sewage disposal systems as defined within said act and to improve, enlarge, expand, and operate such systems; and

WHEREAS, by the terms of Act 233, the Downriver Utility Wastewater Authority ("DUWA"), its constituent municipalities being the cities of Belleville, Ecorse, Lincoln Park, River Rouge, Southgate, Wyandotte, Allen Park, Taylor, Dearborn Heights, Romulus, Riverview, and the Charter Townships of Van Buren and Brownstown ("Communities") are authorized to enter into a contract for the acquisition; improvement, enlargement or extension of a sewage disposal system and for the payment of the cost thereof by the Communities, with interest; and

WHEREAS, the DUWA desires to acquire the Downriver Sanitary Disposal System (“System”) from the County of Wayne, a Michigan county corporation (the “County”); and

WHEREAS, each of the Communities have a representative on the DUWA Board which will vote May 10, 2018 on the Definitive Transfer Agreement with Wayne County for the acquisition of the System; and

WHEREAS, each of the Communities in 2017 have unanimously approved a Service Agreement with DUWA for the use and charges associated with the System; and

NOW, THEREFORE, BE IT RESOLVED that the CITY OF RIVERVIEW ("Municipality") hereby agrees that:

The Municipality’s member to the DUWA Board shall vote in favor of the Definitive Transfer Agreement that has been negotiated with Wayne County for the purchase of the Downriver Sanitary Disposal System.

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

NAYS: None.

EXCUSED: None.

ABSTAIN: None.

ADOPTED this 19<sup>th</sup> day of March, 2018.

ATTEST:

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

I, Cynthia M. Hutchison, Clerk for the City of Riverview, hereby certify that the foregoing is a true and accurate copy of a Resolution adopted by the City Council for the City of Riverview at a regular meeting held on the 19th day of March, 2018, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been available as required by said Act.

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Cynthia M. Hutchison, City Clerk

**ADMINISTRATION:**

None.

**ORDINANCES:**

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that the Clerk be Authorized to give the **Second Reading**, by title only, of Proposed **Ordinance No. 702**, Amending **Minor In Possession** Ordinance Section **38-392**, regarding **Alcohol**.

Carried unanimously.

## PROPOSED ORDINANCE NO. 702

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND READOPTION OF SECTION 38-392, PURCHASE, POSSESSION OR CONSUMPTION OF ALCOHOL BY MINORS; FALSE IDENTIFICATION; TO MAKE THE SECTION CONSISTENT WITH STATE LAW

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I: Amendment: That Section 38-392, Purchase, possession or consumption of alcohol by minors; false identification, Chapter 38, "Offenses and Miscellaneous Provisions", Article IX, Minors, Division 2, Alcoholic Liquor, is hereby repealed and re-adopted to hereafter read as follows:

CHAPTER 38 OFFENSES AND MISCELLANEOUS PROVISIONS  
ARTICLE IX. MINORS  
DIVISION 2. ALCOHOLIC LIQUOR

Section 38-392 Purchase, possession or consumption of alcohol by minors; false identification

- (a) A person less than 21 years of age shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content, except as provided for below in this section. A person 16 years of age or younger who violates this section is guilty of a civil infraction, and is subject to the penalties prescribed in Section 1-8. A person between the ages of 17 and less than 21 years of age who violates this section is responsible for a civil infraction or guilty of a misdemeanor as follows, and punishable by the following fines and sanctions, and is not subject to the penalties prescribed in Section 1-8:
- (1) For the first violation, the minor is responsible for a civil infraction and shall be fined not more than \$100.00. A court may order a minor under this subdivision to participate in substance use disorder services as defined in section 6230 of the public health code, 1978 PA 368, MCL 333.6230, and designated by the administrator of the office of substance abuse services, and may order the minor to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (d). A minor may be found responsible or admit responsibility only once under this subdivision.
  - (2) If a violation of this subsection occurs after 1 prior judgment, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than 30 days if the court finds that the minor violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, by a fine of not more than \$200.00, or both. A court may order a minor under this subdivision to participate in substance use disorder services as defined in section 6230 of the public health code, 1978 PA 368, MCL 333.6230, and designated by the administrator of the office of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (d).
  - (3) If a violation of this subsection occurs after 2 or more prior judgments, the minor is guilty of a misdemeanor. A misdemeanor under this subdivision is punishable by imprisonment for not more than 60 days, if the court finds that the minor violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, by a fine of not more than \$500.00, or both, as applicable. A court may order a minor under this subdivision to participate in substance use disorder services as defined in section 6230 of the public health code, 1978 PA 368, MCL 333.6230, and designated by the administrator of the office of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (d).
  - (4) A misdemeanor violation of section (a) successfully deferred, discharged, and dismissed under subsection (c) is considered a prior judgment for the purposes of subsection (a) (3).
- (b) Unchanged.  
(c) Unchanged.

- (d) Unchanged.
- (e) Unchanged.
- (f) A peace officer who has reasonable cause to believe a minor has consumed alcoholic liquor or has any bodily alcohol content may request that individual to submit to a preliminary chemical breath analysis. If a minor does not consent to a preliminary chemical breath analysis, the analysis shall not be administered without a court order, but a peace officer may seek to obtain a court order. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a civil infraction proceeding or criminal prosecution to determine if the minor has consumed or possessed alcoholic liquor or had any bodily alcohol content.
- (g) Unchanged.
- (h) Unchanged.
- (i) Unchanged.
- (j) Unchanged.
- (k) Unchanged.
- (l) Unchanged.
- (m) Unchanged.
- (n) Unchanged.

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 any 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 March 5, 2018, shall be given a second reading on March 19, 2018, shall be adopted on March 19, 2018, and shall be published and become effective March 19, 2018. 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 19<sup>th</sup> day of March, 2018.

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 March 19, 2018.

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Cynthia M. Hutchison, City Clerk

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Proposed **Ordinance No. 702**, be **Adopted**.  
**Carried unanimously.**

**OTHER BUSINESS:**  
None.

**CLOSED SESSION:**  
None.

**ADJOURNMENT:**  
Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that the Meeting be adjourned at 7:45 p.m.

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Andrew M. Swift, Mayor

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Cynthia M. Hutchison, CMC  
City Clerk