

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
 CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN
 HELD ON MONDAY, MARCH 20, 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 7:30 p.m.

Presiding: Mayor Swift

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

Also Present: City Manager Drysdale (7:30 p.m.), City Clerk Hutchison, Police/Fire Chief Rosebohm, Finance/Purchasing Director McMahon, Department of Public Works Director Webb, Parks and Recreation Director Dickman, Director of Solid Waste Bobeck (7:30 p.m.), Interim Golf Course Operations Manager Kettler, Carlisle Wortman Community Development Director Scurto, Cornerstone Environmental Group Project Manager Bowyer (7:30 p.m.), Charles E. Raines Company City Engineer Sabak, Attorney Pentiuik

The **Pledge of Allegiance** was led by Councilmember Elmer Trombley.

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

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 6, 2017**, 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 Blanchette, seconded by Councilmember Workman, that the Consent Agenda be Approved as follows:

- Approve **Special Events** Application from **Gabriel Richard** High School for a 5K Color Run using City Property on **June 3, 2017**.
- Award Cooperative Bid Purchase of **Toro Propass 200 Spreader** from **Spartan Distributors** in the amount of **\$13,541.90**.
- Award Cooperative Bid Purchase of a **2017 Ford Interceptor SUV Patrol Vehicle** from **Gorno Ford** in the amount of **\$27,595.00**.
- Approve Budget Amendments as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2016/17 CDBG				
CDBG 2014 Program Revenue	275-000-665.014	\$ 0.00	\$ 16,970.00	\$ 16,970.00
CDBG 2015 Program Revenue	275-000-665.015	0.00	17,858.00	\$ 17,858.00

JUSTIFICATION: To recognize revenues that have been finally reimbursed to the City from Wayne County.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2016/17 Recovered Liens				
Recovered Liens	275-000-699.010	\$ 1,000.00	\$ 53,944.00	\$ 52,944.00

JUSTIFICATION: To recognize additional revenue from recovered liens. The finance department believes that this increase in lien payment activity is due to the recovery in the housing market and that homeowners are paying these liens off in preparation for the potential sale of the property. Carried unanimously.

RESOLUTIONS:

Motion by Councilmember Coffey, seconded by Councilmember Blanchette, that Resolution No. 17-11, Establishing a **Plant Rehabilitation District** for **W.F. Whelan Company**, be Adopted as follows:

RESOLUTION NO. 17-11
RESOLUTION ESTABLISHING A PLANT REHABILITATION DISTRICT
FOR W.F. WHELAN COMPANY (“WHELAN”)

- WHEREAS, pursuant to PA 198 of 1974, as amended, this City Council has the authority to establish “Plant Rehabilitation Districts” within the City of Riverview;
 - WHEREAS, Whelan has petitioned this City Council to establish a Plant Rehabilitation District on its property located in City of Riverview hereinafter described;
 - WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish this district;
 - WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the News-Herald and/or public posting of the hearing on the establishment of the proposed district;
 - WHEREAS, on March 6, 2017 a public hearing was held at which all owners of real property within the proposed Plant Rehabilitation District and all residents and taxpayers of City of Riverview were afforded an opportunity to be heard thereon;
 - WHEREAS, the City Council deems it to be in the public interest of the City of Riverview to establish the Plant Rehabilitation District as proposed; and
- IT IS HEREBY DETERMINED that the property comprising not less than fifty percent (50%) of the state equalized valuation of the property within the proposed Plant Rehabilitation District is obsolete.
- NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverview that the following described parcel of land situated in City of Riverview, Wayne County, and State of Michigan, to wit:

Parcel A:

That part of Fractional Section 5, Town 4 South, Range 11 East, City of Riverview, Wayne County, Michigan, described as beginning at a point on the easterly line of West Jefferson Ave., 106 feet wide, distant S. 89°43'00" E. 2712.84 feet along the North line of Fractional Section 5, S. 31°01'00" W. 955.24 feet, S. 29°07'00" W. 836.23 feet and S. 28°55'40" W. 153.97 feet along the easterly line of West Jefferson Ave. from the N.W. corner of Fractional Section 5, Town 4 South, Range 11 East, and proceeding thence S. 71°58'56" E. 603.19 feet; thence S. 89°43'10" E. 703.90 feet to the U.S. Harbor Line; thence along said line S. 31°41'30.4" W. 1424.51 feet; thence N 60°54'20" W. 1141.34 feet to the easterly line of West Jefferson Ave.; thence along said line N. 28°55'40" E. 967.90 feet to the point of beginning.

Parcel B:

That part of Fractional Section 5, Town 4 South, Range 11 East, City of Riverview, Wayne County, Michigan, described as beginning at a point on the westerly line of West Jefferson Ave., 106 feet wide, distant S. 89°43'00" E. 2589.52 feet along the

North line of Fractional Section 5, S. 31°01'00" W. 893.98 feet, S. 29°07'00" W. 838.16 feet and S. 28°55'40" W. 224.24 feet along the westerly line of West Jefferson Ave. from the N.W. corner of Fractional Section 5, Town 4 South, Range 11 East, and proceeding thence along said Westerly line S. 28°55'40" W. 877.47 feet; thence N. 60°54'20" W. 235.44 feet; thence N. 50°54'20" W. 62.56 feet; thence along a tangent curve to the left, radius 731.44 feet, arc 127.66 feet, chord N. 55°54'20" W. 127.50 feet; thence N. 0°47'17" W. 207.14 feet; thence N. 22°26'15" E. 53.63 feet; thence N. 47°47'13" E. 130.79 feet; thence N. 59°25'24" E. 73.48 feet; thence N. 75°22'45" E. 62.15 feet; thence N. 63°11'20" E. 281.60 feet; thence N. 33°27'10" E. 48.46 feet; thence N. 16°47'40" E. 88.98 feet; thence along a curve concave to the south, radius 1226.14 feet, arc 102.64 feet, chord S. 72°17'21" E. 102.61 feet; thence along a tangent curve to the right, radius 268.14 feet, arc 41.27 feet, chord S. 65°28'54" E. 41.23 feet; thence S. 61°04'20" E. 122.72 feet to the point of beginning.

Except:

That part of Fractional Section 5, Town 4 South, Range 11 East, City of Riverview, Wayne County, Michigan, described as: Beginning at a point on the Westerly line of Jefferson Ave., 106 feet wide, distant South 89°43'00" East 2589.52 feet along the North line of Fractional Section 5, South 31°01'00" West 893.98 feet, South 29°07'00" West 838.16 feet and South 28°55'40" West 894.84 feet along the westerly line of West Jefferson Ave. from the Northwest corner of Fractional Section 5, Town 4 South, Range 11 East, and proceeding thence along said Westerly line South 28°55'40" West 206.86 feet; thence North 60°54'20" West 235.44 feet; thence North 50°54'20" West, 62.56 feet; thence along a tangent curve to the left, radius 731.44 feet, arc 127.66 feet, chord North 55°54'20" West 127.50 feet; thence North 00°47'17" West 207.14 feet; thence South 67°05'40" East 110.77 feet; thence South 63°09'48" East 173.14 feet; thence South 57°44'18" East 243.91 feet to the point of beginning.

Parcels A and B are together with any/all benefits afforded by Grant of Easement recorded in Liber 24050, Page 336, Wayne County Records.

The property addresses and tax parcel numbers listed below are provided solely for informational purposes, without warranty as to accuracy or completeness. If the information listed below is inconsistent in any way with the legal description listed above, the legal description listed above shall control.

Property Addresses: 17423 Jefferson Avenue and Jefferson Avenue (vacant), Riverview, Michigan

Tax Parcel Nos.: 51-007-99-0006-000 and 51-007-99-0007-703

is established as a Plant Rehabilitation District pursuant to the provisions of PA 198 of 1974, as amended, to be known as Whelan Plant Rehabilitation District No. 1.

AYES:

NAYS:

EXCUSED:

RESOLUTION DECLARED ADOPTED.

ATTEST:

Andrew M. Swift, Mayor

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Riverview, County of Wayne, Michigan, at a regular meeting held on March 20, 2017.

Cynthia M. Hutchison, City Clerk

Motion by Councilmember Blanchette, seconded by Councilmember Elmer Trombley, that Resolution No. 17-12, Approving Application of **W.F. Whelan Company** for **Industrial Facilities Exemption Certificate** for a **Rehabilitation Facility**, be Adopted as follows:

RESOLUTION NO. 17-12
RESOLUTION APPROVING APPLICATION OF W.F. WHELAN COMPANY
FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR A REHABILITATION FACILITY

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on March 6, 2017 this City Council by resolution established the Whelan Plant Rehabilitation District No. 1;

WHEREAS, W.F. Whelan Company has filed an application for an Industrial Facilities Exemption Certificate with respect to a rehabilitation facility to be acquired and installed within the Whelan Plant Rehabilitation District No. 1;

WHEREAS, before acting on said application, the City of Riverview held a hearing on March 6, 2017, at the Riverview City Hall City Council Chambers, in Riverview, MI, at 7:30 P.M, at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application;

WHEREAS, construction of the facility and installation of new machinery and equipment had not begun earlier than six (6) months before March 6, 2017, the date of acceptance of the application for the Industrial Facilities Exemption Certificate;

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in City of Riverview; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Riverview, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Riverview that:

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Riverview, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Riverview.
2. The application from W.F. Whelan Company for an Industrial Facilities Exemption Certificate, with respect to a Rehabilitation Facility on the following described parcel of real property situated within the Whelan Plant Rehabilitation District No. 1, to wit:

Property Addresses: 17423 W. Jefferson Avenue and W. Jefferson Avenue (vacant), Riverview, Michigan;

Tax Parcel Nos.: 51-007-99-0006-000 and 51-007-99-0007-703

Parcel A:

That part of Fractional Section 5, Town 4 South, Range 11 East, City of Riverview, Wayne County, Michigan, described as beginning at a point on the easterly line of West Jefferson Ave., 106 feet wide, distant S. 89°43'00" E. 2712.84 feet along the North line of Fractional Section 5, S. 31°01'00" W. 955.24 feet, S. 29°07'00" W. 836.23 feet and S. 28°55'40" W. 153.97 feet along the easterly line of West Jefferson Ave. from the N.W. corner of Fractional Section 5, Town 4 South, Range 11 East, and proceeding thence S. 71°58'56" E. 603.19 feet; thence S. 89°43'10" E. 703.90 feet to the U.S. Harbor Line; thence along said line S. 31°41'30.4" W. 1424.51 feet; thence N 60°54'20" W. 1141.34 feet to the easterly line of West Jefferson Ave.; thence along said line N. 28°55'40" E. 967.90 feet to the point of beginning.

Parcel B:

That part of Fractional Section 5, Town 4 South, Range 11 East, City of Riverview, Wayne County, Michigan, described as beginning at a point on the westerly line of West Jefferson Ave.,

106 feet wide, distant S. 89°43'00" E. 2589.52 feet along the North line of Fractional Section 5, S. 31°01'00" W. 893.98 feet, S. 29°07'00" W. 838.16 feet and S. 28°55'40" W. 224.24 feet along the westerly line of West Jefferson Ave. from the N.W. corner of Fractional Section 5, Town 4 South, Range 11 East, and proceeding thence along said Westerly line S. 28°55'40" W. 877.47 feet; thence N. 60°54'20" W. 235.44 feet; thence N. 50°54'20" W. 62.56 feet; thence along a tangent curve to the left, radius 731.44 feet, arc 127.66 feet, chord N. 55°54'20" W. 127.50 feet; thence N. 0°47'17" W. 207.14 feet; thence N. 22°26'15" E. 53.63 feet; thence N. 47°47'13" E. 130.79 feet; thence N. 59°25'24" E. 73.48 feet; thence N. 75°22'45" E. 62.15 feet; thence N. 63°11'20" E. 281.60 feet; thence N. 33°27'10" E. 48.46 feet; thence N. 16°47'40" E. 88.98 feet; thence along a curve concave to the south, radius 1226.14 feet, arc 102.64 feet, chord S. 72°17'21" E. 102.61 feet; thence along a tangent curve to the right, radius 268.14 feet, arc 41.27 feet, chord S. 65°28'54" E. 41.23 feet; thence S. 61°04'20" E. 122.72 feet to the point of beginning.

Except:

That part of Fractional Section 5, Town 4 South, Range 11 East, City of Riverview, Wayne County, Michigan, described as: Beginning at a point on the Westerly line of Jefferson Ave., 106 feet wide, distant South 89°43'00" East 2589.52 feet along the North line of Fractional Section 5, South 31°01'00" West 893.98 feet, South 29°07'00" West 838.16 feet and South 28°55'40" West 894.84 feet along the westerly line of West Jefferson Ave. from the Northwest corner of Fractional Section 5, Town 4 South, Range 11 East, and proceeding thence along said Westerly line South 28°55'40" West 206.86 feet; thence North 60°54'20" West 235.44 feet; thence North 50°54'20" West, 62.56 feet; thence along a tangent curve to the left, radius 731.44 feet, arc 127.66 feet, chord North 55°54'20" West 127.50 feet; thence North 00°47'17" West 207.14 feet; thence South 67°05'40" East 110.77 feet; thence South 63°09'48" East 173.14 feet; thence South 57°44'18" East 243.91 feet to the point of beginning.

Parcels A and B are together with any/all benefits afforded by Grant of Easement recorded in Liber 24050, Page 336, Wayne County Records.

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of 10 years.

AYES:

NAYS:

EXCUSED:

RESOLUTION DECLARED ADOPTED.

ATTEST:

Andrew M. Swift, Mayor

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of City of Riverview, County of Wayne, Michigan, at a regular meeting held on March 20, 2017.

Cynthia M. Hutchison, City Clerk

Motion by Councilmember Coffey seconded by Councilmember Elmer Trombley, that Resolution No. 17-13, Approve a **Brownfield Plan** for **17423 W. Jefferson** Avenue and a **vacant parcel** of land on the west frontage of Jefferson Avenue from the Materials Processing, Inc., be Adopted as follows; and Authorization of Execution of **Reimbursement Agreement** with **W.F. Whelan Company**, be Approved.

RESOLUTION NO. 17-13
A RESOLUTION TO APPROVE A BROWNFIELD PLAN BY
THE CITY OF RIVERVIEW PURSUANT TO AND IN
ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE
PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996,
AS AMENDED

WHEREAS, The City of Riverview City Council, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Finance Act, being Act 381 of the

Public Acts of the State of Michigan of 1996, as amended (the “Act”), has previously created and formally resolved to participate in the Brownfield Redevelopment Authority (BRA) of the City of Riverview (the “Authority”) and have designated that all related activities shall proceed through the BRA;

WHEREAS, the Authority, pursuant to and in accordance with Section 13 of the Act, has reviewed, adopted and recommended for approval by the City Council of the City of Riverview, the Brownfield Plan (the “Plan”) attached hereto, to be carried out within the City of Riverview, related to the development project on the industrial property located at 17423 Jefferson Avenue and Vacant Property – Jefferson Avenue, (the “Site”), as more particularly described and shown in the attached Plan;

WHEREAS, the City of Riverview City Council has reviewed the Plan, and have been provided reasonable opportunity to express their views and recommendations regarding the Plan and in accordance with Sections 13(13) of the Act;

WHEREAS, the City of Riverview City Council has noticed and held a public hearing in accordance with Section 13(10,11,12 and 13) of the Act;

WHEREAS, the City of Riverview Brownfield Redevelopment Authority has approved a resolution supporting adoption of the Plan;

WHEREAS, the City of Riverview City Council has made the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, was feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposed of the Act;
5. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, as a result of its review of the Plan, the City of Riverview City Council does hereby approve the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Plan Approved. Pursuant to the authority vested in the City of Riverview City Council, by the Act, the Plan is hereby approved in the form attached to this Resolution.
2. Severability. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
3. Repeals. All resolutions or parts of resolutions I conflict with any of the provisions of this Resolution are hereby repealed.

AYES:

NAYS:

EXCUSED:

RESOLUTION DECLARED ADOPTED.

ATTEST:

Andrew M. Swift, Mayor

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the

City Council of the City of Riverview, County of Wayne, Michigan, at a regular meeting held on March 20, 2017.

Cynthia M. Hutchison, City Clerk

ADMINISTRATION:

Motion by Councilmember Blanchette, seconded by Councilmember Workman, that the Waiver of Purchasing Manual Section XIII: "Ethics" to allow attendance at an **Appreciation Barbeque Luncheon** hosted by **Rivergate Health Care Center** and **Rivergate Terrace** at the Riverview Municipal Building on **June 7, 2017**, be Approved.

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Authorization for Execution of **Agreement** for **Solid Waste Management Services** for Downriver Municipalities for the City of **Ecorse**, be Approved.

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Authorization for Execution of **Agreement** for **Solid Waste Management Services** for Downriver Municipalities for the City of **Flat Rock**, be Approved.

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Authorization for Execution of **Agreement** for **Solid Waste Management Services** for Downriver Municipalities for the City of **Lincoln Park**, be Approved.

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Authorization for Execution of **Agreement** for **Solid Waste Management Services** for Downriver Municipalities for the City of **Wyandotte**, be Approved.

Carried unanimously.

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that Authorization for Execution of **Agreement** for **Landfill Disposal Services** with **Stevens Disposal** and **Recycling, Inc.**, be Approved; subject to satisfactory completion of administrative review,

Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Workman, that the **Sale** of **Lots 306** and **307** in the **Riverview Highlands Subdivision**, commonly known as **14206 Greentrees Avenue**, in the amount of **\$50,000.00**, be Approved; subject to final legal review.

Carried unanimously.

ORDINANCES:

Motion by Councilmember Blanchette, seconded by Councilmember Workman, that the City Clerk be Authorized, to give the **Second Reading**, by title only, of Proposed **Ordinance No. 693** regarding **Amending the Zoning Map** for **12516** and **12524 Nixon Avenue** to a **RM-1** Multiple Family Residential District.

Carried unanimously.

CITY OF RIVERVIEW
ZONING ORDINANCE NO. 693

AN ORDINANCE TO AMEND THE CITY OF RIVERVIEW'S ZONING ORDINANCE TO REZONE TWO SPECIFIC PARCELS OF LAND FROM THE EXISTING M-1 DISTRICT (LIGHT INDUSTRIAL) TO RM-1 DISTRICT (MULTIPLE-FAMILY RESIDENTIAL) BY REVISING THE ZONING DISTRICT MAP

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Adoption: That the Zoning District Map of the City of Riverview is hereby modified and amended so as to hereafter designate by appropriate legend and markings the following described

parcels of land which were previously zoned M-1 (Light Industrial) as being now rezoned to RM-1 (Multiple Family Residential) to wit:

06P46B2 E 40.0 FT OF LOT 46 ISLANDVIEW FARMS SUB T4S R11E L30 P25 Liber 30 Page 25 Wayne County Records” Commonly known as: 12516 NIXON AVENUE, RIVERVIEW, MICHIGAN and 0646B1B W 41 FT OF THE E 81 FT OF LOT 46 ISLANDVIEW FARMS SUB T4S R11E L30 P25 Liber 30 Page 25 Wayne County Records” Commonly known as: 12524 NIXON AVENUE, RIVERVIEW, MICHIGAN.

And the previous designation of M-1 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 March 6, 2017, shall be given a second reading on March 20, 2017, shall be adopted on March 20, 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 20th day of March, 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 March 20, 2017.

Cynthia M. Hutchison, CMC
City Clerk

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Proposed **Zoning Ordinance No. 693**, be Adopted.
Carried unanimously.

OTHER BUSINESS:

At the duly convened meeting of the City Council for the City of Riverview held on **March 20, 2017**, the following resolution was moved by Councilmember Blanchette, supported by Councilmember Workman, and adopted upon the following vote:

- AYES: Mayor Swift, Councilmembers Blanchette, Coffey, Towle, Elmer Trombley, James Trombley, Workman
- NAYS: None
- ABSENTIONS: None
- ABSENCES: None

RESOLUTION NO. 17-14
A RESOLUTION ANNEXING PROPERTY OF CHARTER TOWNSHIP
OF BROWNSTOWN TO CITY OF RIVERVIEW

WHEREAS, the City of Riverview is a home rule city under the provisions of the Home Rule City Act, 1909 PA 279, as amended;

WHEREAS, under the provisions of Section 9(8) of the Home Rule City Act, MCL 117.9(8), the City by resolution may annex territory located in a township if the territory is vacant, City-owned land adjacent to the City with no one residing on the land;

WHEREAS, the City of Riverview is the fee owner of real property lying within the Charter Township of Brownstown, Wayne County, which is legally described in attached Exhibit A and is depicted in Certified Survey attached as Exhibit B;

WHEREAS, the territory is vacant property upon which no one and no elector resides;

WHEREAS, the territory is adjacent to and is contiguous with the corporate limits of the City of Riverview;

WHEREAS, the City of Riverview desires to annex the territory into the City so that it may effectively control and govern its property for all lawful purposes including future use and development;

WHEREAS, the City of Riverview and the Charter Township of Brownstown entered into a Settlement Agreement and Release of All Claims on or about January 27, 2017;

WHEREAS, said Settlement Agreement and Release of All Claims provided that a certain Memorandum of Understanding referencing a certain Excavation and Development Agreement executed by and between the City of Riverview and the Charter Township of Brownstown, both dated April 17, 1989, including any and all amendments thereto, expired on April 16, 2014, and have since then been of no legal force or effect;

WHEREAS, said Excavation and Development Agreement, section VI A states:

Riverview shall provide and impose a covenant and restriction on the land as described in Exhibit A, which shall prohibit the use of that land as a landfill site, disposal area, collection center or solid waste transfer facility for the deposit of rubbish, garbage, solid waste . . .”

WHEREAS, said Excavation and Development Agreement, section VI B states:

This covenant and restriction shall be deemed to be a covenant running with binding the land for perpetuity, and shall be recorded in the office of the Wayne County Register of Deeds;

WHEREAS, said Excavation and Development Agreement, section X states:

This Agreement shall terminate . . . (e) after twenty-five years following the date of this agreement . . .

WHEREAS, a subsequent Covenant and Restriction on Real Property was entered on February 24, 1992, and recorded in the office of the Wayne County Register of Deeds, liber 25656, pages 366-368, and said Covenant was adopted for the sole purpose of compliance with said April 17, 1989, Excavation and Development Agreement, sections VI A and B;

WHEREAS, said Memorandum of Understanding and Excavation and Development Agreement executed by and between the City of Riverview and the Charter Township of Brownstown, both dated April 17, 1989, including any and all amendments thereto, therefore expired by their own terms on April 16, 2014, and have since been of no legal force or effect; and

WHEREAS, said Memorandum of Understanding and Excavation and Development Agreement executed by and between the City of Riverview and the Charter Township of Brownstown, both dated April 17, 1989, including any and all amendments thereto, expired by the mutual consent of the City of Riverview and the Charter Township of Brownstown pursuant to a Settlement Agreement and Release of All Claims on or about January 27, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

RIVERVIEW, MICHIGAN, AS FOLLOWS:

1. That the annexation of the territory owned by the City of Riverview legally described in attached Exhibit A and depicted in attached Exhibit B, is hereby approved.
2. The territory owned by the City of Riverview legally described in attached Exhibit A and depicted in attached Exhibit B is hereby annexed from the Charter Township of Brownstown, Wayne County, Michigan, to the City of Riverview, Wayne County, Michigan, pursuant to the authority of MCL 117.9(8).
3. The covenant and restriction stated in 1989, The Excavation and Development Agreement expired and terminated on April 16, 2014, and said expiration and termination were mutually acknowledged and agreed to by the City of Riverview and the Charter Township of Brownstown in their Settlement Agreement and Release of All Claims dated January 27, 2017.
4. The City Clerk is hereby authorized and directed to file a certified copy of this Resolution, together with the attached exhibits and any other documents as may be required to evidence the annexation of the territory fully and accurately, with the Office of the Great Seal, the Wayne County Clerk, the Wayne County Register of Deeds, Charter Township of Brownstown Clerk, and with such other governmental units, departments or agencies as may be appropriate.
5. All resolutions which, in whole or in part, are in conflict with this Resolution are hereby revoked to the extent of any such conflict.

CERTIFICATION

I, Cynthia M. Hutchison, City Clerk for the City of Riverview, Michigan, hereby certifies this to be a true and complete copy of Resolution No. 17-14, duly adopted by unanimous vote at a regular meeting of the Riverview City Council on the 20th day of March, 2017.

Date: March 20, 2017

ATTEST: _____
Cynthia M. Hutchison
Clerk for the City of Riverview

This document drafted by:
Randall A. Pentiuik, City Attorney
2915 Biddle Avenue, suite 200
Wyandotte, MI 48192
(734) 281-7100

CLOSED SESSION:
None.

ADJOURNMENT:
Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that the Meeting be Adjourned at 7:46 p.m.
Carried unanimously.

Andrew M. Swift, Mayor

Cynthia M. Hutchison, CMC
City Clerk