

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN
HELD ON MONDAY, AUGUST 20, 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, Human Resource Director Mayerich, Police/Fire Chief Rosebohm, Finance/Purchasing Director McMahon, Recreation Director Dickman, Information and Technology Director Harper, Department of Public Works Director Webb Interim Golf Course Operations Manager Kettler, Charles E. Raines Company Engineer Sabak, Cornerstone Environmental Group Project Manager Bowyer, Attorney Pentiuik

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

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

AWARDS AND PRESENTATIONS AND PROCLAMATIONS:

Recreation Director Dickman recognized the **2018 Downriver Senior Olympian 25 Medal** Winners hosted by the City of Flat Rock on July 23 through July 27, 2018:

Denise Bowen	Darlene Swift
Frank Christensen	Elmer Trombley
Jackie Gies	Donna Turner
Robert Gies	Mary Kay Underwood
Rita Laing	Bill Wilson
VirgieAnn O'Connor	Margaret Wlodkowski
Andy Swift	

MINUTES:

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that the **Minutes** of the Regular Meeting of **August 6, 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.

ORGANIZATIONAL BUSINESS:

None.

CONSENT AGENDA:

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

- Approve Execution of a Letter of Agreement between the City of Riverview and the **Riverview Junior Football Association**.
- Approve Execution of an Operation Agreement between the City of Riverview and the **Riverview Co-op Nursery, Inc.**
- Authorize Solicitation of **Bids** for a **Regenerative Street Sweeper**.
- Authorize Solicitation of **Bids** for one (1) **Replacement Bulldozer** with the option to Purchase One (1) Additional Bulldozer.
- Authorize Solicitation of **Bids** for **Aerial Photography** and **Digital Mapping Specifications**.
- Approve Budget Amendments as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2018/19 Recreation				
Park Improvements	101-751-972.010	\$ 32,000.00	\$ 39,746.00	\$ 7,746.00

JUSTIFICATION: To pull forward unspent funds from the 2017/18 budget year into the 2018/19 budget. This money was ear marked for cement work around the new splash pad that was unable to be completed prior to the start of this fiscal year.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2018/19 Insurance				
General Liability Insurance	677-865-914.000	\$ 405,000.00	\$ 414,912.00	\$ 9,912.00

JUSTIFICATION: To increase the general liability insurance line item to cover the premium, of additional property that was added to the City insurance plan.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2018/19 Major & Local Streets				
Joint / Crack Sealing	202-463-818.035	\$ 15,000.00	\$ 22,800.00	\$ 7,800.00
Joint / Crack Sealing	203-463-818.035	\$ 15,000.00	\$ 33,200.00	\$ 18,200.00

JUSTIFICATION: To pull forward unspent funds from the 2017/18 budget year into the 2018/19 budget in the Joint/Crack Sealing line items, for both the Major (202) and Local (203) Streets Funds Carried unanimously.

RESOLUTIONS:

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that Resolution 18-17, Electing to Comply with the **Provisions of Public Act 152 of 2011**, be Adopted as follows:

**RESOLUTION NO. 18-17
RESOLUTION TO ADOPT THE 80/20 COST SHARING MODEL
AS SET FORTH IN SECTION 4 OF PUBLIC ACT 152 OF 2011**

WHEREAS, the State of Michigan has enacted the Publicly Funded Health Insurance Contribution Act, Act 152 of 2011, (the “Act”);

WHEREAS, the Act provides for limits on the amount that a local unit of government may pay or contribute to a medical benefit plan for its employees;

WHEREAS, Local units of government are given three options for complying with the requirements of the Act, depending on the impact of the Act on the employees of each public employer;

WHEREAS, those three options are as follows:

- 1) Section 3 – “Hard Caps” Option-limits a public employer’s total annual health care costs for employees based on coverage levels as defined in the Act;
- 2) Section 4 – “80 percent-20 percent” Option-limits a public employer’s share of total annual health care costs to not more that 80 percent. This option requires an annual majority vote of the governing body;
- 3) Section 8 – “Exemption” Option-a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body; and

WHEREAS, the City desires to comply with the provisions of the Act and adopt the 80-20 percent option as its choice of compliance under the Act and to avoid penalties for non-compliance.

NOW, THEREFORE, BE IT RESOLVED that the Riverview City Council elects to comply with the requirements of the Publicly Funded Health Insurance Contribution Act by adopting the 80/20 percent cost sharing model set forth in Section 4 of Public Act 152, subject to any applicable limitations contained in Section 5 of the Act pertaining to collective bargaining agreements.

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

NAYS: None.

EXCUSED: None.

ADOPTED this 20th day of August, 2018.

ATTEST:

Andrew M. Swift, Mayor

ADMINISTRATION:

Motion by Councilmember Elmer Trombley, seconded by Councilmember Workman, that Change Order No. 1 to Dominic **Gaglio** Construction, Inc., in the Amount of **\$117,000.00** for Additional Street Section as part of the **2018 Street Sectioning** Program and Approve Funds not to Exceed **\$9,000.00** to **C.E. Raines** for **Field Engineering** for Additional Sectioning Work, be Approved.

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Authorization for Environmental Engineering Services with **Cornerstone Environmental Group** (A Tetrtech Company) in the Amount of **\$1,678,585.00** be Approved as follows:

General Site Support Engineering	596-526-816.000	\$117,760.00
Air Pollution Control Compliance	596-526-816.000	89,160.00
Leachate Management Regulatory Support and Discharge Sampling	596-526-816.300	63,428.00
Routine Landfill Grade/Vol Surveying & Aerial Photo	596-526-816.000	20,390.00
Routine Inspections	596-526-816.000	20,630.00
Environmental Monitoring	596-526-816.000	73,510.00
Health & Safety	596-526-816.000	19,720.00
Construction Forecasting, Volume Estimates	596-526-816.000	19,290.00
Nike Site Final Cover Maintenance	596-526-816.260	46,680.00
Site Vertical Surveying	596-526-816.450	21,220.00
Special Waste Review	596-526-816.000	17,550.00
Landfill A Gas System Expansion Engineering	596-526-994.089	124,000.00
Entrance Facilities – Engineering	596-526-994.206	<u>110,000.00</u>
Total New Work Authorizations		\$774,338.00

CONTINUING WORK AUTHORIZATIONS

City Owned LFGTE Project	596-526-994.201	\$355,775.00
New Haul Road (Engineering)	596-526-994.091	20,000.00
Cell 7 Phase 3 Prelim Construction Engineering	596-526-994.098	400,000.00
Golf Course Pipeline to Flare-Engineer	596-526-004.203	40,000.00
Landfill Expansion Preliminary Engineer.	596-526-994.084	50,000.00
Storm water System Upgrades – Construc.	596-526-989.310	<u>68,472.00</u>
Total Continuing Work Authorization		\$934,247.00

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Authorization for **Civil Engineering Services** with **Charles E. Raines** Company in the Amount of **\$237,776.00** be Approved.

Carried unanimously.

ORDINANCES:

Motion by Councilmember Elmer Trombley, seconded by Councilmember Workman, that the Clerk be Authorized to give the **Second** Reading, by title only, of Proposed Ordinance No. **704**, to Amend the City of Riverview’s **Zoning Ordinance** by amending Sections 3.02 Regarding “**Off-Street Parking Requirements**” and 14.04 “**Parking Lot landscaping**” and “**Landscaping and Screening**” and 24.06 “**Accessory Structures and Uses**”.

Carried unanimously.

ORDINANCE NO. 704
ZONING ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE FOR THE CITY OF RIVERVIEW BY THE REPEAL AND RE-ADOPTION OF SECTION 13.02, “OFF-

STREET PARKING REQUIREMENTS”, OF ARTICLE 13, “STREETS, ROADS, OFF-STREET PARKING AND LOADING”; AND BY THE REPEAL AND RE-ADOPTION OF SECTION 14.04, “GENERAL REQUIREMENTS”, OF ARTICLE 14, “LANDSCAPING AND SCREENING”; AND BY THE REPEAL AND RE-ADOPTION OF SECTION 24.06, “ACCESSORY STRUCTURES AND USES”, OF ARTICLE 24, “GENERAL PROVISIONS”, TO UPDATE THE SECTIONS.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendments. That Section 13.02, “Off-Street Parking Requirements”, of Article 13, “Streets, Roads, Off-Street Parking and Loading”, and Section 14.04, “General Requirements” of Article 14, “Landscaping and Screening”, and Section 24.06 “Accessory Structures and Uses”, of Article 24, “General Provisions”, of the Zoning Ordinance are each hereby repealed and re-adopted to hereafter read as follows:

Zoning
Article 13 Streets, Roads, Off-Street Parking and Loading

Section 13.02 - Off-Street Parking Requirements.

A. Scope of Off-Street Parking Requirements.

Compliance with the off-street parking regulations shall be required as follows:

1. (Unchanged)
2. (Unchanged)
3. (Unchanged)
4. Review Compliance. Compliance with the requirements in this Article shall be subject to site plan review and approval as specified in Section 20.01 (Site Plan Review).
5. Required Parking Spaces. The required parking facilities shall be defined as a minimum and maximum number.
6. The Planning Commission may adjust the required number of off-street parking spaces provided one of the following two standards is met:
 - a. Standards of Section 13.02.B.5. Collective Use of Off-Street Parking is met.
 - b. A parking study provided by the applicant and approved by the Planning Commission is provided.

B. General Requirements. (Unchanged)

C. Number of Spaces Required.

The following standards shall be used in determining the required number of parking spaces:

1. (Unchanged)
2. (Unchanged)
3. (Unchanged)
4. (Unchanged)
5. (Unchanged)
6. (Unchanged)
7. Electric Vehicle Charging Stations. In the event electric charging stations are proposed, such spaces shall be included in the required number of off-street parking spaces. Such spaces shall meet the required dimensions of a standard parking space.

- D. Layout and Construction. (Unchanged)
- E. Recreational Vehicle Parking in Residential Districts. (Unchanged)

Zoning
Article 14 Landscaping and Screening

Section 14.04 - General Requirements.

- A. General Site Requirements. (Unchanged)
- B. Landscaping Adjacent to Road Rights-of-Way. (Unchanged)
- C. Berms. (Unchanged)
- D. Greenbelts. (Unchanged)
- E. Screening. (Unchanged)
- F. Parking Lot Landscaping.

In addition to required screening, all off-street parking areas shall be landscaped as follows:

- 1. (Unchanged)
- 2. (Unchanged)
- 3. (Unchanged)
- 4. (Unchanged)
- 5. Stormwater Management. The site plan shall adhere to the City of Riverview Stormwater Management Implementation Guide and Low Impact Development Manual for Michigan produced by the Southeast Michigan Council of Governments.

- G. Landscaping of Rights-of-Way. (Unchanged)
- H. Maintenance of Unobstructed Visibility for Drivers. (Unchanged)
- I. Potential Damage to Utilities. (Unchanged)
- J. Landscaping of Divider Medians and Culs-de-Sac. (Unchanged)
- K. Irrigation. (Unchanged)
- L. Street Trees in Single-Family Districts. (Unchanged)

Zoning
Article 24 General Provisions

Section 24.06 – Accessory Structures and Uses.

Accessory structures and uses shall comply with the following regulations:

- A. General Requirements. (Unchanged)
- B. Detached Accessory Structures. (Unchanged)
- C. Attached Accessory Buildings and Uses. (Unchanged)

D. Accessory Structures.

1. General requirements. Accessory structures (for example, tennis courts, wind generators, antennae, solar panel system) shall be located in the rear yard and shall comply with height, setback, and lot coverage requirements for accessory structures and uses as listed above, unless otherwise permitted in this Ordinance.
2. (Unchanged)
3. Solar panel systems. Freestanding and roof-mounted solar panel systems, which are not defined as a Large Solar Array, shall be defined as accessory structures and located subject to the following standards.
 - a. Freestanding solar panel systems shall be located in the rear yard, subject to the setback requirements for accessory buildings.
 - b. Rooftop solar panel system attached to a pitched roof shall be flush-mounted and shall not overhang the roof edge.
 - c. Rooftop solar panel systems attached to a flat roof shall be set back a minimum six (6) feet from the roof edge and shall not be visible from ground level of adjacent property or public rights-of-way or public land.
 - d. All applications shall meet requirements for a site plan as found in Article 20 of the City's Zoning Ordinance.
 - e. Construction shall comply with the National Electric Safety Code or International Fire Code.
 - f. Components shall be approved by the Institute of Electrical and Electronics Engineers ("IEEE"), Solar Rating and Certification Corporation ("SRCC"), Electronic Testing Laboratories ("EIL"), or other similar certification organization acceptable to the city.
 - g. No advertising is permitted on a solar panel system.
 - h. The city shall have the right at any reasonable time to inspect the premises on which any solar panel system is located. The city may hire one or more consultants to assist with any such inspections at the Applicant's or project owner's expense.
 - i. Each solar panel system shall be kept and maintained in good repair and condition at all times. If the Community Development Director or designee determines that a solar panel system fails to meet the requirements of this Ordinance, or that it poses a potential safety hazard, the property owner or operator shall shut down the solar panel system within 48 hours after notice from the Director or designee and shall not operate, start or restart the solar panel system until the condition has been corrected.
 - j. A solar panel system determined to be abandoned or decommissioned shall be removed with the underlying roof and structure restored in compliance with the City of Riverview Building Codes within a period of time as determined by the Community Development Director or designee. Removal of solar panel system requires applicable city permits.
 - k. Each solar system shall comply with all applicable federal, state and county requirements, in addition to other applicable city ordinances.

E. Swimming Pools. (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 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 August 6, 2018, shall be given a second reading on August 20, 2018, shall be adopted on August 20, 2018, 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 August, 2018.

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Proposed **Ordinance No. 704** be **Adopted**.
Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Coffey, that the City Clerk be Authorized to give the **First** Reading, by title only, of Proposed **Ordinance No. 705** – to Amend Traffic Control Order **Number 346**.
Carried unanimously.

PROPOSED ORDINANCE NO. 705
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF RIVERVIEW TO AMEND SECTION 66-3 TO AMEND TRAFFIC CONTROL ORDER NUMBER 346

Motion by Councilmember Workman, seconded by Councilmember James Trombley, that the City Clerk be Authorized to give the First Reading, by title only, of Proposed **Ordinance No. 706**, to Amend the Code of Ordinances for the City of Riverview by the **Addition** of **Section 22-273** of Article VII, “Noise” in Chapter 22, “Environment,” to **Prohibit Unreasonable Noise Within the City**.
Carried unanimously.

PROPOSED ORDINANCE NO. 706
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE ADDITION OF SECTION 22-273 OF ARTICLE VII, “NOISE” IN CHAPTER 22, “ENVIRONMENT,” TO PROHIBIT UNREASONABLE NOISE WITHIN THE CITY

OTHER BUSINESS:
None.

CLOSED SESSION:
Motion by Councilmember Elmer Trombley, seconded by Councilmember James Trombley, that the meeting **Adjourn** into **Closed Session** for the Purpose of Discussion the City Manager’s **Performance Evaluation**, at his request, and **Personnel Matters**.
Carried unanimously.

ADJOURNMENT:
The meeting adjourned at 8:00 p.m.

Andrew M. Swift, Mayor

Carol Mayerich, Human Resources Director
Acting for the City Clerk