

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN
HELD ON TUESDAY, SEPTEMBER 5, 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 7:33 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, Information and Technology Director Harper, Department of Public Works Director Webb, Director of Solid Waste Bobeck, Interim Golf Course Operations Manager Kettler, Charles E. Raines Company Engineer Sabak, Cornerstone Environmental Group Project Manager Bowyer and Central Operations Director Peters, Attorney Pentiuik

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

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

AWARDS AND PRESENTATIONS AND PROCLAMATIONS:

None.

MINUTES:

Motion by Councilmember Blanchette, seconded by Councilmember Coffey, that the **Minutes** of the Regular Meeting of **August 21, 2017**, and the condensed version for publication, be **Approved**.
Carried unanimously.

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that the **Minutes** of the Special Meeting of **August 28, 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.

ORGANIZATIONAL BUSINESS:

None.

CONSENT AGENDA:

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

- Award Cooperative Bid Purchase of a **Golf Course Utility Vehicle** from **J. W. Turf, Inc.**, in the amount of **\$20,722.05**.
- Approve Budget Amendments as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2017/18 Fire				
Proceeds - Debt Financing	101-000-698.100	\$ 0.00	\$ 107,320.00	\$ 107,320.00
Turnout Gear	101-336-970.520	\$ 28,851.00	\$ 107,320.00	\$ 78,469.00
KS State Bank - Pricipal Debt Pymt	101-300-998.600	\$ 0.00	\$ 26,963.00	\$ 26,963.00
KS State Bank - Interest Debt Pymt	101-300-998.610	\$ 0.00	\$ 1,847.00	\$ 1,847.00

JUSTIFICATION: To account for the financing of the fire turnout gear.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2017/18 Golf Course				
Irrigation Repair Parts	584-542-760.510	\$ 8,000.00	\$ 18,000.00	\$ 10,000.00

JUSTIFICATION: To pull forward unencumbered funds in the 2016/17 gas powered bunker rake line item into the 2017/18 budget. These funds will be used to cover the cost of the broken pump on the Blue 9 that needed to be replaced.

Carried unanimously.

RESOLUTIONS:

Motion by Councilmember Blanchette, seconded by Councilmember Elmer Trombley, that the resolution **Electing to Comply with the Provisions of Public Act 152 of 2011**, be Approved.

RESOLUTION 17-31
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% 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 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 5th day of September, 2017.

ATTEST:

Andrew M. Swift, Mayor

I hereby certify that the foregoing is a true and complete resolution adopted by City Council for the City of Riverview at a regular meeting held this 5th day of September, 2017.

S E A L

Cynthia M. Hutchison, City Clerk

ADMINISTRATION:

None.

ORDINANCES:

Motion by Councilmember James Trombley, seconded by Coffey, that the City Clerk be Authorized to give the Second Reading, by title only, of Proposed Ordinance No. **695**, regarding Providing Additional **Terms** and **Clarification** for **Litter**, be Approved.

Carried unanimously.

PROPOSED ORDINANCE NO. 695

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND READOPTION OF SECTIONS 46-101 THROUGH 46-108, ARTICLE IV, "LITTER" IN CHAPTER 46 "SOLID WASTE" TO PROVIDE ADDITIONAL TERMS AND CLARIFICATION FOR LITTER.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendments: That Sections 46-101 through 46-108 of Article IV "Litter" in Chapter 46, "Solid Waste" be repealed and readopted to hereafter read as follows:

Chapter 46 Solid Waste
Article IV. Litter

Sec. 46-101. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. Unchanged.
2. Unchanged.
3. *Front Door* means a door to any residential structure on private property that faces a street or private street or, if no door faces a street or private street, then the door to the structure that is nearest to a street or private street.
4. *Lawn Extension* means the portion of any street right-of-way that is not paved or intended for traffic.
5. *Solicited Printed Matter* means any printed matter that is delivered to any person or private property with the express invitation or permission in writing or otherwise, of the person or an owner, occupant, or lessee of the private property.
6. *Unsolicited Printed Matter* means any printed matter that is delivered to any person or private property without the express invitation or permission, in writing or otherwise, of the person, or an owner, occupant, or lessee of the private property.

Sec. 46-102. – Violation and penalty. Unchanged.

Sec. 46-103. – Prohibition generally.

- (a) It shall be unlawful for any person knowingly, without the consent of the public authority having supervision of public property or the owner of private property, to dump, deposit, place, throw or leave or cause or permit the dumping depositing, placing throwing or leaving of litter on any public or private property or water other than property designated and set aside for such purposes.
- (b) Solicited Printed Matter
 - (1) Except as otherwise provided in this section, no person shall cause solicited printed matter to be thrown or deposited upon any sidewalk, street, portion of the street commonly referred to as the lawn extension, public park or other public place.
 - (2) It shall not be unlawful for a person to:
 - a. Deposit solicited printed matter into a receptacle that is attached to a mailbox post or support but separate from the mailbox and that is located in that portion of the street commonly referred to as the lawn extension.
 - b. Deposit solicited printed material into a receptacle on the sidewalk into which the person is authorized to deposit it to make copies available to the public and

which is lawfully located on the sidewalk.

- c. Hand out or distribute solicited printed matter to any person willing to accept it.
- d. Cause solicited printed matter to be thrown or deposited upon that portion of private property that is not a sidewalk, street, or lawn extension if the delivery of the printed matter is made pursuant to an express invitation or permission for delivery.

(c) Unsolicited Printed Matter

- (1) No person shall cause unsolicited printed matter to be deposited upon any private property except by:
 - a. Placing and securing it on the porch nearest the front door, or
 - b. Attaching it securely to the front door, or
 - c. Putting it through a mail slot on the front door, or
 - d. Putting it between the exterior front door and the interior front door, or
 - e. Handing it personally to the owner, occupant, or lessee of the private property.
- (2) No person shall cause unsolicited printed matter to be thrown or deposited upon any sidewalk, street, the portion of the street commonly referred to as the lawn extension, public park or other public place.
- (3) No person shall cause unsolicited printed matter to be placed upon, attached to, or hung from a mailbox or any apparatus that supports the mailbox.
- (4) It shall not be unlawful for a person to:
 - a. Deposit unsolicited printed matter into a receptacle on the sidewalk into which the person is authorized to deposit it and which is lawfully located on the sidewalk.
 - b. Hand out or distribute unsolicited printed matter to any person willing to accept it.
 - c. Throw or deposit unsolicited printed matter in or upon any vehicle.

- (d) Rebuttal Presumption. When solicited or unsolicited printed matter is in a location where it is prohibited, a rebuttable presumption arises that the person who published or distributed it or on whose behalf it is published or distributed caused it to be thrown or deposited there.

Sec. 46-104. – Removal of accident debris from roadway. Unchanged.

Sec. 46-105. – Falling into path of vehicles. Unchanged.

Sec. 46-106. – Posting of notice and maintenance of receptacles by public authorities. Unchanged.

Sec. 46-107. – Duty of business owners. Unchanged.

Sec. 46-108. – Junk accumulation. 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, sentence, 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 21, 2017 shall be given a second reading on September 5, 2017, shall be adopted on September 5, 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 September 5, 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 September 5, 2017.

Cynthia M. Hutchison, CMC
City Clerk

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Proposed Ordinance **No. 695** be **Adopted**.
Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that the City Clerk be Authorized to give the **First Reading**, by title only, of Proposed Ordinance **No. 696** regarding the placement of a **Stop Sign** at the intersection of **Brandywine** and **Hamilton**.
Carried unanimously.

PROPOSED ORDINANCE NO. 696
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF
THE CITY OF RIVERVIEW TO AMEND SECTION 66-3 TO
RATIFY AND APPROVE TRAFFIC CONTROL ORDER NUMBER
422

OTHER BUSINESS:
None.

CLOSED SESSION:
Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that the meeting be **Recessed** into **Closed Session** for the Purpose of Discussing **Property Acquisition**.
Carried unanimously.

The meeting recessed at 8:10 p.m.

The meeting reconvened at 8:44 p.m.

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

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, that Authorizes the Mayor and Clerk to Execute the **Purchase Agreement** for the **Acquisition** of certain Real **Property** based on the terms and conditions as set forth in Closed Session this evening.
Carried unanimously.

ADJOURNMENT:
Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that the meeting be Adjourned at 8:45 p.m.
Carried unanimously.

Andrew M. Swift, Mayor

Cynthia M. Hutchison, CMC, City Clerk