

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
 CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN
 HELD ON MONDAY, NOVEMBER 5, 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, Elmer Trombley, James Trombley, Workman

Excused: Councilmember Towle (Out of Town)

Also Present: City Manager Drysdale, City Clerk Hutchison, Police Chief Rosebohm, Fire Chief Lammers, Finance/Purchasing Director McMahan, Information and Technology Director Harper, Parks and Recreation Director Dickman, Department of Public Works Director Webb, Interim Golf Course Operations Manager Kettler Carlisle Wortman Community Development Director Scurto, Charles E. Raines Company City Engineer Sabak, Library Director Frattarelli (arrived 7:38), Cornerstone Environmental Group Sr. Project Manager Wintheiser, Project Manager Bowyer, Attorney Pentiuik

The **Pledge of Allegiance** was led by Misses Raegan and McKenna Kozicki.

The **Invocation** was given by Councilmember Coffey

AWARDS AND PRESENTATIONS AND PROCLAMATIONS:

None.

MINUTES:

Motion by Councilmember Coffey, seconded by Councilmember Blanchette, that the **Minutes** of the Regular Meeting of **October 15, 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 Blanchette, that the Consent Agenda be Approved as follows:

- Award Cooperative Bid and Approve Execution of Agreement with **Kronos Incorporated** for a **City-Wide Time Keeping System** in the total amount of **\$34,873.45**.
- Approve Budget Amendment as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2018/19 Golf Course				
Cash Registers	584-542-987.300	\$ 5,000.00	\$ 0.00	\$ (5,000.00)
Food Equipment	584-542-972.200	\$ 0.00	\$ 5,000.00	\$ 5,000.00

JUSTIFICATION: To increase the golf course food equipment line item and decrease the cash registers line item by the same amount. This amendment is necessary because the golf course ice machine stopped working and needs to be replaced.

Carried unanimously.

RESOLUTIONS:

None.

ADMINISTRATION:

Motion by Councilmember Blanchette, seconded by Councilmember Workman, that Authorization for Execution of **Agreement for Solid Waste Management Services with Signature Services** be Approved.

Carried unanimously.

ORDINANCES:

Motion by Councilmember James Trombley, seconded by Councilmember Blanchette, that the Clerk be Authorized to give the **Second Reading**, by title only, of Proposed **Ordinance No. 707 – Amend Pay-In-Lieu of Taxes (PILOT) Language** related to **Riverview Towers Co-op**.

Carried unanimously.

PROPOSED ORDINANCE NO. 707

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND READOPTION OF SECTION 58-48 “SERVICE CHARGES IN LIEU OF TAXES” OF DIVISION 2 “RIVERVIEW COOPERATIVE” OF ARTICLE II “TAX EXEMPTIONS AND PAYMENTS IN LIEU OF TAXES”, IN CHAPTER 58 “TAXATION”, TO UPDATE THE SECTION

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendment. That Section 58-48 “Service Charges in Lieu of Taxes”, of Division 2 “Riverview Cooperative”, of Article II “Tax Exemptions and Payments in Lieu of Taxes”, of Chapter 58, “Taxation” is hereby repealed and readopted to hereafter read as follows:

Chapter 58 Taxation

ARTICLE II. - TAX EXEMPTIONS AND PAYMENTS IN LIEU OF TAXES
DIVISION 2. - RIVERVIEW COOPERATIVE

Sec. 58-48. - Service charges in lieu of taxes.

- (a) It is hereby determined that the city shall collect, with respect to the Riverview Cooperative Apartments (the “Project”), from and after the acquisition of the housing project within the city, an annual service charge in lieu of all real property taxes, to be paid by Riverview Towers Limited Dividend Housing Association Limited Partnership (the “Successor Owner”), its successors or assigns. Personal property taxes shall be assessed only in accordance with the other provisions of this Code.
- (b) The annual service charge established under this section shall be paid to the city on or before August 15 of each year and shall be in an amount equal to the following:
 - (1) For the first ten (10) years following acquisition of the Project by the Successor Owner, the annual service charge shall be four percent (4%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge;
 - (2) For the eleventh (11th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be four and two-tenths percent (4.2%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge;
 - (3) For the twelfth (12th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be four and four-tenths percent (4.4%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge;
 - (4) For the thirteenth (13th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be four and six-tenths percent (4.6%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge;
 - (5) For the fourteenth (14th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be four and eight-tenths percent (4.8%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge;

- (6) For the fifteenth (15th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be five percent (5%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge;
- (7) For the sixteenth (16th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be five and two-tenths percent (5.2%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge;
- (8) For the seventeenth (17th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be five and four-tenths percent (5.4%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge;
- (9) For the eighteenth (18th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be five and six-tenths percent (5.6%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge;
- (10) For the nineteenth (19th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be five and eight-tenths percent (5.8%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge; and
- (11) From and after the twentieth (20th) year following acquisition of the Project by the Successor Owner, the annual service charge shall be six percent (6%) of ninety-five percent (95%) of the annual contributions contract applicable to the housing project less the cost of fuel, electricity, and the state service charge.

Acquisition of the Project by the Successor Owner shall be deemed to occur when the Successor Owner accepts a legally enforceable deed conveying the Project to the Successor Owner. Terms not expressly defined in this section shall have the meaning ascribed in the Michigan State Housing Development Authority Act of 1966 (Act 346 of 1966) MCL 125.1401, et.al (the "Act").

- (c) The Successor Owner, shall, on an annual basis, certify to the city the amount of the annual service charge computed pursuant to this section and the amounts of the components used in such computation.
- (d) If there is a default for a period in excess of 60 days in the payment of the service charge in lieu of taxes established by this section, the city shall be entitled to collect a penalty of \$500.00 per month for each and every month that the period of default continues. If the amount of such delinquency and penalty shall amount to \$50,000.00, the city shall levy a special tax in that amount against the real estate.
- (e) This section, except as to the percentage amount of the annual contribution as aforesaid, shall remain in effect and shall not terminate so long as the mortgage loan from the Michigan State Housing Development Authority remains outstanding or the housing project is subject to the income and rent limits of Section 42 of the Internal Revenue Code of 1986, as amended. If the state should enact legislation granting tax relief to the elderly, which tax relief could inure to the benefit of the city without affecting the feasibility of or prejudicing the eligibility of the Riverview Cooperative Apartments housing project to receive federal or state assistance, then the city council may amend this section or similar provisions so as to obtain the greatest benefit for the citizens of the city, and in accordance with state statutes, consistent with the objective of these sections to preserve the federal and state assistance for, and the operational feasibility of, the Riverview Cooperative Apartments housing project.
- (f) Notwithstanding the provisions of Section 15(a) of the Act to the contrary, a contract between the City of Riverview and the Successor Owner and its successors, with MSHDA as a third-party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

ARTICLE II. Penalty: A person violating this ordinance shall be deemed guilty of a misdemeanor and

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 October 15, 2018, shall be given a second reading and adopted on November 5, 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 5th day of November, 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 November 5, 2018

Cynthia M. Hutchison, City Clerk

Motion by Councilmember Coffey, seconded by Councilmember Workman, that Proposed Ordinance **No. 707** be Adopted.
Carried unanimously.

Motion by Councilmember Coffey, seconded by Councilmember Workman, that the Clerk be Authorized to give the **Second Reading**, by title only, of Proposed **Ordinance No. 708** – regarding the **Prohibiting of Marihuana Businesses** and Establishments pursuant to the Michigan Regulation and Taxation of Marihuana Act, Ballot Proposal 1 of 2018.
Carried unanimously.

PROPOSED ORDINANCE NO. 708
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY AMENDING CHAPTER 14, “BUSINESSES”, BY ADDING ARTICLE XIV., “PROHIBITION OF MARIHUANA BUSINESSES AND ESTABLISHMENTS”, TO PROHIBIT MARIHUANA BUSINESSES AND ESTABLISHMENTS IN THE CITY PURSUANT TO THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT, BALLOT PROPOSAL 1 OF 2018

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I: AMENDMENT: That Article XIV., “Prohibition of Marihuana Businesses and Establishments” is added under Chapter 14 “Businesses”, to hereafter read as follows:

Chapter 14 “Businesses”

Article XIV. “Prohibition of Marihuana Businesses and Establishments”

Section 14-660. Prohibition of Marihuana Businesses and Establishments.

Pursuant to the Michigan Regulation and Taxation of Marihuana Act, Section 6.1, the city elects to prohibit marihuana businesses and establishments within its boundaries.

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 October 15, 2018 shall be given a second reading on November 5, 2018, shall be adopted on November 5, 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 5th day of November, 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 November 5, 2018.

Cynthia M. Hutchison, City Clerk

Motion by Councilmember Coffey, seconded by Councilmember Workman, that Proposed Ordinance No. 708 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.
Carried unanimously.

Meeting adjourned at 7:47

Andrew M. Swift, Mayor

Cynthia M. Hutchison, CMC, City Clerk