

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL  
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN  
HELD ON MONDAY, DECEMBER 4, 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 Coffey, Towle, Elmer Trombley, Workman

Excused: Councilmembers Blanchette (Ill), James Trombley (Ill)

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

The **Pledge of Allegiance** was led by Councilmember Coffey.

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

**AWARDS AND PRESENTATIONS AND PROCLAMATIONS:**

None.

**MINUTES:**

Motion by Councilmember Coffey, seconded by Councilmember Workman, that the **Minutes** of the Organizational Meeting of **November 20, 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:**

Motion by Councilmember Elmer Trombley, seconded by Councilmember Workman, that Mr. **David Hohmann** be appointed to the **Parks and Recreation** Commission for an unexpired term set to expire **July 31, 2019**.

Carried unanimously.

Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that Ms. **Kimberly Hohmann** be appointed to the **Parks and Recreation** Commission for an unexpired term set to expire **July 31, 2019**.

Carried unanimously.

**CONSENT AGENDA:**

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

- Acceptance and Approval of **W F Whelan Company \$500.00 Corporate Sponsorship** of the 2017 Riverview Tree Lighting.
- **Ratify** Emergency Repair of **Concrete Driveway** at the **Land Preserve** with **Dominic Gaglio Constructions, Inc.**, in the amount of **\$7,520.00**.
- Authorize **Engineering Fees** for the Preparation of **Asset Management Plan (AMP)** of Asset Inventory, Asset Condition Assessment and Criticality, Level of Service Goals, five and twenty year Capital Improvement Plans, and Funding Structure and Rate Methodology, for the City **Water System** to **Charles E. Raines Company** for a cost not to exceed **\$15,000.00**.
- Approve Budget Amendment as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2017/18 Land Preserve				
Pollution Liability Insurance	596-526-914-010	\$ 0.00	\$ 31,591.18	\$ 31,591.18

JUSTIFICATION: To add a pollution liability insurance line item to the land preserve budget. The addition of this account and policy was discussed at the November 20, 2017 Land Preserve Committee meeting.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2017/18 Water & Sewer				
Water Main Project Engineering	592-536-999.059	\$ 0.00	\$ 15,000.00	\$ 15,000.00

JUSTIFICATION: To enter the engineering fees associated with the Asset Management Plan for the water system.

C.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2017/18 Water & Sewer				
Contractual Services - MDEQ SAW Grant	592-527-818.003	\$ 0.00	\$ 937,829.54	\$ 937,829.54
Consulting	592-536-818.155	\$ 8,000.00	\$ 13,290.10	\$ 5,290.10

JUSTIFICATION: To pull unencumbered funds from the 2016/17 into the 2017/18 budget Carried unanimously.

**RESOLUTIONS:**

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that the Resolution to Acknowledge the **Continuation** of the **Riverview Towers Co-Op Apartments Pay-in-Lieu of Taxes (Pilot) Agreement**, be Adopted.

RESOLUTION NO. 17-38  
A RESOLUTION TO ACKNOWLEDGE THE CONTINUATION  
OF THE PAY IN LIEU OF TAXES (PILOT) AGREEMENT FOR  
RIVERVIEW TOWERS CO-OP APARTMENTS

WHEREAS, the City of Riverview has previously amended its Ordinance No. 142 by enacting Ordinance No. 229 and has thereby ordained that the single and limited class of newly-constructed housing projects built specifically as retirement homes for the elderly of low or moderate income which otherwise qualify for tax exemption under the State Housing Development Authority Act have been granted tax exemption pursuant to Section 15a(1) of the Act (MCLA 125.1415a (1)) notwithstanding the earlier, but now amended provisions of Ordinance No. 142; and

WHEREAS, CSI Support and Development Services, a consumer cooperative nonprofit Michigan corporation, has constructed, owns and operates a housing project for the elderly of low or moderate income to be known as the "Riverview Towers Co-op Apartments" on certain property located within the boundaries of the City of Riverview; and

WHEREAS, CSI Support and Development Services financed the said housing project with federal and/or Michigan State Housing Development Authority (MSHDA) assistance; and

WHEREAS, CSI Support and Development Services has agreed to pay to the City of Riverview on account of the housing project an annual service charge for municipal services in lieu of all taxes from and after the commencement of the construction of the housing project and for the duration of the mortgage loan obtained through the Michigan State Housing Development Authority and as long as it received federal or State assistance; and

WHEREAS, the City Council of the City of Riverview understands that CSI Support and Development Services and the Michigan State Housing Development Authority are relying upon the grant of tax exemption to the Riverview Towers Co-op Apartments housing project in order to establish the operational feasibility of the housing project; and

WHEREAS, the City Council of the City of Riverview has by Ordinance No. 229 amended Ordinance No. 142 so that the said housing project is qualified for tax exemption as provided in the State Housing Development Authority Act; and

WHEREAS, CSI Support and Development Services has notified the City of Riverview that it intends to perform an extensive renovation using MSHDA financing; and

WHEREAS, Section 58-48, (d) of the City of Riverview Code of Ordinances states that the PILOT agreement shall remain in effect so long as the Michigan State Housing Development Authority has any interest in the property.

NOW, THEREFORE, BE IT RESOLVED that the City of Riverview acknowledges that the proposed renovation utilizing financing from the Michigan State Housing Development Authority meets the criteria of the Sec. 59-49 (d) of the City of Riverview Code of Ordinances and that the PILOT Program remains in effect until such time as it is determined not to meet the criteria.

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

NAYS: None

EXCUSED: Councilmembers Blanchette, James Trombley

ADOPTED this 4<sup>th</sup> day of December, 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 4th day of December, 2017.

S E A L

\_\_\_\_\_  
Cynthia M. Hutchison, CMC  
City Clerk

Motion by Councilmember Coffey, seconded by Councilmember Workman, that **Resolution No. 17-39**, Authorizes the Mayor to **Execute**, on behalf of the City of Riverview, **Amendment No. 1** of the **Water Service Contract** with the **Great Lakes Water Authority**.

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

NAYS: None

EXCUSED: Councilmembers Blanchette, James Trombley

ADOPTED this 4<sup>th</sup> day of December, 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 4th day of December, 2017.

S E A L

\_\_\_\_\_  
Cynthia M. Hutchison, CMC  
City Clerk

**ADMINISTRATION:**

Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that **Third Party Liability Coverage Policy** with **Crum & Forster Specialty Insurance** Company for a three (3) year rate in the amount of **\$94,773.55**, be Approved.

Carried unanimously.

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that a **Public Hearing** be called for **January 16, 2018**, and for **February 5, 2018**, for the Purpose of Announcing the **2018 Program Year Community Development Block Grant (CDBG) Program Objectives** and Accept Comments on Potential Projects.

Carried unanimously.

Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, to **Waive** Purchasing Manual Section XIII: **“Ethics”** to allow attendance at a Holiday Open House hosted by **Riverview Towing** on **December 15, 2017**, be Approved.

Carried unanimously.

Motion by Councilmember Workman, seconded by Councilmember Coffey, that Authorization for **Engineering Fees** for the Geographic Information System (**GIS**) **mapping** of the **Water System** to **Charles E. Raines** Company for a cost not to exceed **\$58,000.00**, be Approved.

Carried unanimously.

**ORDINANCES:**

Motion by Councilmember Coffey, seconded by Workman, that the City Clerk be Authorized to give the Second Reading, by title only, of Proposed Ordinance No. **694**, regarding **Ground Mounted Solar Energy Systems**, be Adopted.

Carried unanimously.

PROPOSED ORDINANCE NO. 694

AN ORDINANCE TO AMEND THE CITY OF RIVERVIEW’S ZONING ORDINANCE BY THE REPEAL AND RE-ADOPTION OF SECTION 7.02D “SPECIAL LAND USES” OF ARTICLE 7 “M-1 AND M-2, INDUSTRIAL DISTRICTS”; BY ADDING SECTION 8.411 “GROUND MOUNTED SOLAR ENERGY SYSTEMS” TO SECTION 8.400 “INDUSTRIAL, RESEARCH AND LABORATORY USES” OF ARTICLE 8 “DESIGN STANDARDS FOR SPECIFIC USES”; AND BY THE REPEAL AND RE-ADOPTION OF SECTION 25.02 “DEFINITIONS” OF ARTICLE 25 “CONSTRUCTION OF LANGUAGE AND DEFINITIONS” TO ADD ADDITIONAL DEFINITIONS.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendment: That the following Articles and Sections of the City’s Zoning ordinance be amended as follows: Section 7.02 D “Special Land Uses” of Article 7 “M-1 and M-2, Industrial Districts” be repealed and readopted; that Section 8.411 “Ground Mounted Solar Energy Systems” be added to Section 8.400 “Industrial, Research and Laboratory Uses” of Article 8 “Design Standards For Specific Uses”; and that Section 25.02 “Definitions”, of Article 25 “Definitions” be repealed and readopted; to hereafter read as follows:

**Zoning**

Article 7 M-1 AND M-2, INDUSTRIAL DISTRICTS

Section 7.02 - General Industrial (M-2) District.

- A. Unchanged
- B. Unchanged
- C. Unchanged
- D. Special Land Uses.

The following uses may be permitted in the M-2 District by the Planning Commission, subject to the conditions specified for each use; review and approval of the site plan by the Planning Commission; any special conditions imposed by the Planning Commission to fulfill the purposes of this Ordinance; and the procedures and requirements set forth in Section 20.02 (Special Land Uses):

1. All uses permitted subject to special conditions in the M-1 (Light Industrial) District, as specified in Section 7.01D.
2. Railroad freight terminals and transfer facilities.
3. Water and sewage treatment plants, and similar municipal uses.
4. Outdoor storage, dismantling or recycling of automobiles, trucks, recreational vehicles, boats and other motor vehicles, manufactured houses and similar items, subject to the standards of Section 8.404 (Outdoor Storage, Dismantling or Recycling).
5. Recycling collection facilities and composting centers, subject to the standards of Section 8.405 (Recycling Collection Facilities and Composting Centers).
6. Slaughter houses, rendering plants, tanneries, stock yards, glue factories, soap factories, oil refineries or other similar factories, subject to the standards of Section 8.407 (Slaughter Houses...or Other Similar Factories).
7. Shipping container yards, and outdoor storage of containerized shipping units, subject to the standards of Section 8.408 (Shipping Container Yards).
8. Recreational boating facilities, such as public or private facilities for the berthing, protection or

servicing of recreational boats, yachts, cruisers, inboards, outboards and sailboats, and public or private recreational facilities directly related to recreational boating activities.

9. Adult regulated uses, subject to the standards of Section 8.301 (Adult Regulated Uses).

10. Large Solar Energy Systems.

11. Other uses of a similar and no more objectionable character to the above uses, as determined by the Planning Commission. The Planning Commission may impose a setback in excess of minimums specified herein, and any performance standards so as to insure public health, safety and general welfare.

## Zoning

### ARTICLE 8 “DESIGN STANDARDS FOR SPECIFIC USES”

#### SECTION 8.400 “INDUSTRIAL, RESEARCH AND LABORATORY USES”

**Amendment to Zoning Ordinance Article 8:** Section 8.400 “Industrial, Research and Laboratory Uses” is amended by adding the following new Section 8.411:

#### **Section 8.411- Ground Mounted Solar Energy Systems.**

The following requirements shall apply to all Large Solar Energy Systems.

A. Purpose and Intent: The purpose and intent of this Section is to establish standards for the siting, installation, operation, repair, decommissioning and removal of Large Solar Energy Systems within General Industrial Districts as a Special Land Use.

B. Site Plan Drawing and Supporting Materials: All applications for a Large Solar Energy Systems use must be accompanied by detailed site plans, drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan, displaying the following information:

1. All requirements for a site plan contained in Article 20 of the City’s Zoning Ordinance.
2. All lot lines and dimensions, including a legal description of each lot or parcel comprising the Large Solar Energy System.
3. Names of owners of each lot or parcel within the city that is proposed to be within the Large Solar Energy System.
4. Vicinity map showing the location of all surrounding land uses.
5. Location and height of all proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing, and all above-ground structures and utilities associated with a Large Solar Energy System.
6. Horizontal and vertical (elevation) to scale drawings with dimensions that show the location of the proposed Solar Array(s), buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property.
7. Location of all existing and proposed overhead and underground electrical transmission or distribution lines within the Large Solar Energy System and within 1,000 feet of the outside perimeter of the Large Solar Energy System.
8. Proposed setbacks from the Solar Array(s) to all existing and proposed structures within the Large Solar Energy System.
9. Land elevations for the Solar Array(s) location and the relationship to the land elevations of all existing and proposed structures within the Large Solar Energy System.
10. Access driveways within and to the Large Solar Energy System, together with a detailed narrative regarding dimensions, composition, and maintenance of each proposed

driveway. All access drives shall be subject to Wayne County Road Commission approval, and shall be planned so as to minimize the use of lands for that purpose.

11. Planned security measures to prevent unauthorized trespass and access and to warn of potential dangers during the construction, operation, removal, maintenance or repair of the Large Solar Energy System.
  12. A written description of the maintenance program to be used for the Solar Array(s) and other components of the Large Solar Energy System, including decommissioning and removal when determined by the city to be obsolete, uneconomic or abandoned. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the Large Solar Energy System becomes obsolete, uneconomic or abandoned.
  13. A copy of the manufacturer's safety measures.
  14. Planned lighting protection measures.
  15. Additional detail(s) and information as required by the Special Land Use requirements of the City's Zoning Ordinance.
- C. Application Escrow Account: An escrow account shall be deposited with the city's Community Development Department by the Applicant when the Applicant applies for a Special Land Use approval for a Large Solar Energy System. The monetary amount deposited by the Applicant in escrow with the city shall be the amount estimated by the city to cover all reasonable costs and expenses associated with the Special Land Use review and approval process, which costs shall include, but are not limited to, reasonable fees of the City Attorney, City Planner and City Engineer, as well as costs for any reports or studies that are reasonably related to the zoning review process for the application. Such escrow amount shall be in addition to any established filing or application fees. At any point during the Special Land Use review process, the city may require that the Applicant place additional funds into escrow with the city if the existing escrow amount deposited by the Applicant is deemed insufficient by the city. If the escrow account needs replenishing and the Applicant refuses to do so promptly, the Special Land Use process shall cease unless and until the Applicant makes the required additional escrow deposit. Any applicable zoning escrow Resolutions or other Ordinances adopted by the city must also be complied with by the Applicant.
- D. Compliance with the County Building Code and the National Electric Safety Code: Construction of a Large Solar Energy System shall comply with the National Electric Safety Code and the County Building Code (as shown by approval by the County) as a condition of any Special Land Use Permit under this section.
- E. Certified Solar Array Components: Components of a Solar Array 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.
- F. Height: Maximum height of a Solar Array, other collection device, components or buildings of the Large Solar Energy System shall not exceed fifteen (15) feet at any time or location on the property, as measured from the natural grade at the base of the Solar Array, device, component or building measured.
- G. Lot Size: A Large Solar Energy System shall be located on one or more parcels with an aggregate area of ten (10) acres or greater.
- H. Setbacks: A minimum setback distance of one hundred fifty (150) feet from all R-1 to R-4 zoning districts and public rights-of-way, two hundred fifty feet from the Detroit River, natural watercourses and natural features and seventy five (75) feet from all other property boundaries on the outside perimeter of the Large Solar Energy System shall be required for all buildings and Solar Arrays. The Planning Commission may adjust a setback based on good reasoning and provide the spirit and intent of Zoning Ordinance is preserved.
- I. Screening/Security: A Large Solar Energy System shall be completely enclosed by perimeter security fencing to restrict unauthorized access. Such fencing shall be 6 (six) feet in height.

Electrified fences, or any fence upon which spikes, nails, razor wire or other sharp or pointed instruments or security materials are fixed, attached or placed shall be prohibited. Barbed wire shall be prohibited, except in industrial districts where the Planning Commission may approve the use of barbed wire at the top of a fence extending over the property to be enclosed. The perimeter of Large Solar Energy Systems shall also be screened and buffered by installed evergreen vegetative plantings whenever existing natural forest vegetation does not otherwise continuously obscure the Large Solar Energy System's entire perimeter from adjacent parcels, subject to the following requirements:

1. Unless screened and buffered at all times by natural forest vegetation meeting the minimum spacing and height requirements, and having a substantially similar obscuring effect of an evergreen vegetative buffer installed pursuant to this Section, a continuous evergreen vegetative buffer shall be installed and maintained at all times at the perimeter of the all Large Solar Energy Systems, including without limitation between such Large Solar Energy Systems and adjacent residential or commercial/industrial areas and/or public highways or streets. Nothing contained herein shall be construed to prevent reasonable access to any Large Solar Energy System as approved by the Special Land Use Permit.
  2. The evergreen vegetative buffer shall be composed of evergreen trees or shrubs that at planting shall be a minimum of six (6) feet in height. The evergreen trees or shrubs shall be spaced no more than ten (10) feet apart on center (from the central trunk of one plant to the central trunk of the next plant). Within five (5) years of planting, required evergreen vegetative screening shall be no less than fifteen (15) feet tall.
  3. Failure to continuously maintain the required evergreen vegetative buffer shall constitute a violation of this Ordinance and sufficient grounds for revocation of any Special Land Use previously granted.
- J. Signage: No lettering, company insignia, advertising or graphics shall be on any part of the Solar Arrays or other components of the Large Solar Energy System.
- K. Noise: No component of any Large Solar Energy System shall emit noise exceeding forty-five (45) dBA as measured at the outside perimeter of the project.
- L. Lighting: All lighting for parking lots, driveways, external illumination of buildings, or the illumination of signs shall be directed away from and be shielded from adjacent properties and shall be so arranged as to not adversely affect driver visibility on adjacent public roads in accordance with Article 16.
- M. Distribution, Transmission and Interconnection: All collection lines and interconnections from the Solar Array(s) to any electrical substations shall be located and maintained underground inside the Large Solar Energy System. The Planning Commission may waive this requirement if it determines that it would be impractical or unreasonably expensive to install, place or maintain such collection lines and interconnections underground.
- N. Abandonment and Decommissioning: Following the operational life of the project, the Applicant shall perform decommissioning and removal of the Large Solar Energy System and all its components. The Applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review and approval prior to issuance of the Special Land User approval. Under this plan, all structures and facilities shall be removed, including any structures below-grade, and removed offsite for disposal. No concrete, piping and other materials may be left in place. Any Solar Array or combination of Photovoltaic Devices that is not operated for a continuous period of twelve (12) months shall be considered abandoned and shall be removed under the Decommissioning Plan. The ground must be restored to its original condition within one hundred eighty (180) days of abandonment or decommissioning.
- O. General Standards: The Planning Commission shall not approve any Large Solar Energy System unless it finds that all of the general standards for Special Land Uses contained in Article 20 of this Ordinance are met.
- P. Safety: The Planning Commission shall not approve any Large Solar Energy System Special Land Use Permit unless it finds the Large Solar Energy System will not pose a safety hazard or unreasonable risk of harm to the occupants of any surrounding properties or area wildlife.

- Q. Conditions and Modifications: Any conditions and modifications approved by the Planning Commission shall be recorded in the Planning Commissions' meeting minutes. The Planning Commission may, in addition to other reasonable conditions, require landscaping, walls, fences and other improvements that are reasonable in relation to and consistent with the nature of the applicable or adjacent zoning districts. After approval, at least three (3) copies of the final approved Site Plan shall be signed and dated by the Chairman of the Planning Commission and authorized representative of the Applicant. One copy shall be kept on file by the City Clerk, and one copy shall be returned to the Applicant's authorized representative.
- R. Inspection: The city shall have the right at any reasonable time to inspect the premises on which any Large Solar Energy 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.
- S. Maintenance and Repair: Each Large Solar Energy System must be kept and maintained in good repair and condition at all times. If the Community Development Director determines that a Large Solar Energy System fails at any time to meet the requirements of this Ordinance and the Special Land Use approval, or that it poses a potential safety hazard, the Applicant shall shut down the Large Solar Energy System within 48 hours after notice by the Director and not operate, start or restart the Large Solar Energy System until the condition has been corrected. Applicant shall keep a maintenance log on the Solar Array(s), which shall be available for the city's review on a monthly basis. Applicant shall keep all sites within the Large Solar Energy System neat, clean and free of refuse, waste or unsightly, hazardous or unsanitary conditions.
- T. Continuing Security and Escrow: If any Large Solar Energy System is approved for construction under this Section, Applicant shall be required to post continuing security and a continuing escrow deposit prior to commencement of construction, which shall remain in effect until the Large Solar Energy System has been finally removed, as provided below:
1. Continuing Security: If a Special Land Use is approved pursuant to this section, the Planning Commission shall require security in the form of a cash deposit, irrevocable letter of credit, or surety bond acceptable to the city, which will be furnished by the Applicant to the city in order to ensure full compliance with this section and all conditions of approval. When determining the amount of each required security, the city may also require an annual escalator or increase based on the Consumer Price Index (or the equivalent or its successor). Such financial guarantee shall be deposited or filed with the City Clerk after a Special Land Use Permit has been approved but before construction commences on the Large Solar Energy System. At a minimum, the financial security shall be in an amount determined by the city to be reasonably sufficient to restore the property to its previous condition prior to construction and operation of the Large Solar Energy System. Such financial security shall be kept in full force and effect during the entire time that the Large Solar Energy System exists or is in place, and such financial security shall be irrevocable and non-cancelable.
  2. Continuing Escrow Deposit: A continuing escrow deposit shall be held by the city and shall be funded in cash by the Applicant prior to the commencement of construction of any Large Solar Energy System and shall be maintained by the owner or operator until the Large Solar Energy System has been permanently decommissioned and removed. The monetary amount placed by the Applicant in escrow with the city shall be estimated by the city to cover all reasonable costs and expenses associated with continuing enforcement of this Ordinance and the terms of the Special Land Use approval, which costs can include, but are not limited to, reasonable fees for the City Attorney, City Planner and City Engineer, as well as costs for any reports or studies that the city determines are reasonably related to enforcement of the Ordinance and the Special Land Use approval. If the clerk is required to expend any portion of the escrow deposit or if the existing escrow amount paid by the Applicant proves to be insufficient to cover the city's enforcement costs, the city may require the Large Solar Energy System Applicant to place additional monies into escrow with the city.
  3. Continuing Obligations: Failure to keep any required financial security and escrow deposit in full force and effect at all times while a Large Solar Energy System exists or is in place shall constitute a material and significant violation of the Special Land Use approval and this Ordinance, and will subject the Large Solar Energy System Applicant, owner and operator to all remedies available to the city, including enforcement action and revocation of the Special Land Use approval.



- U. Conditions: In addition to the requirements of this Section, the Planning Commission may impose additional reasonable conditions on the approval of a Large Solar Energy System as a Special Land Use approval.
- V. City Exemption: Development on City of Riverview property is exempt from the requirements of the City's Zoning Ordinance.
- W. Other Requirements: Each Large Solar Energy System shall also comply with all applicable federal, state and county requirements, in addition to other applicable city ordinances.

**Zoning**  
**Article 25 Definitions**

**Section 25.02 Definitions.**

Add the following definitions to the existing definitions, which remain unchanged:

*Large Solar Energy System.* A utility-scale solar energy system where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, for the sale, delivery or consumption of the generated energy by more than one end user.

*Photovoltaic Device.* A system of components that generates electric energy from incident sunlight by means of the photovoltaic effect, whether or not the device is able to store the electric energy produced for later use.

*Solar Array.* Any number of Photovoltaic Devices connected together to provide a single output of electric energy or other energy.

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 21, 2017, shall be given a second reading on December 4, 2017, shall be adopted on December 4, 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 4<sup>th</sup> day of December, 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 December 14, 2017.

\_\_\_\_\_  
Cynthia M. Hutchison, CMC  
City Clerk

Motion by Councilmember Workman, seconded by Councilmember Coffey, that Proposed Ordinance No. 694 be Adopted.  
Carried unanimously.

Motion by Councilmember Elmer Trombley, seconded by Councilmember Workman, that the Clerk be Authorized to give the **First Reading**, by title only, of Proposed Ordinance **No. 698** regarding **Traffic Control Order No. 423** (No Parking signs on Kingswood due to fire safety and operations.)  
Carried unanimously.

PROPOSED ORDINANCE NO. 698  
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 423

Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that the Clerk be Authorized to give the **First Reading**, by title only, of Proposed Ordinance No. 699 regarding the adoption of the **2015** version of the **Property Maintenance Code**.  
Carried unanimously.

PROPOSED ORDINANCE NO. 699  
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND RE-ADOPTION OF SECTION 86-82 OF ARTICLE III "PROPERTY MAINTENANCE" IN CHAPTER 86 "BUILDINGS AND BUILDING REGULATIONS" TO ADOPT THE 2015 VERSION OF THE PROPERTY MAINTENANCE CODE.

**OTHER BUSINESS:**

None.

**CLOSED SESSION:**

None.

**ADJOURNMENT:**

Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that the meeting be Adjourned at 7:54 p.m.  
Carried unanimously.

---

Andrew M. Swift, Mayor

---

Cynthia M. Hutchison, City Clerk