

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN
HELD ON TUESDAY, SEPTEMBER 6, 2022 A.D.
IN THE COUNCIL CHAMBERS OF
THE PETER ROTTEVEEL MUNICIPAL BUILDING
14100 CIVIC PARK DRIVE, RIVERVIEW, MICHIGAN 48193-7600

The meeting was called to order at 7:00 p.m.

Presiding: Mayor Swift

Present: Councilmembers Blanchette , Gunaga, ONeil, Robbins

Excused: Councilmembers Norton (Personal Business), Workman (Vacation)

Also Present: Interim City Manager Dobek, City Clerk Hutchison, Land Preserve Marketing Director Kugelman, Police Chief Allen, Fire Chief Lammers, Human Resource Director Mayerich, Information and Technology Director Harper, Parks and Recreation Director Dickman, Department of Public Works Director Webb, Golf Course Director Kettler, Carlisle Wortman Community Development Director Scurto, Cornerstone Environmental Group Project Manager Bowyer, Charles E. Raines Company City Engineer Sabak, Attorney Pentiuik

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

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

AWARDS AND PRESENTATIONS AND PROCLAMATIONS:

The Mayor and Chief Allen were presented with a \$600.00 donation from the Riverview Kiwanis for the purpose of purchasing two honor guard uniforms for the Police Department.

Motion by Councilmember Blanchette, seconded by Councilmember ONeil, that the Acceptance of the Donation of **\$600.00** from the Riverview **Kiwanis** for the purchase of two **honor guard uniforms** for the police department be approved.

Carried unanimously.

MINUTES:

Motion by Councilmember ONeil, seconded by Councilmember Gunaga, that the **Minutes** of the Regular Meeting of **August 15, 2022**, 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 Gunaga, seconded by Councilmember ONeil, that the **Consent Agenda** be Approved as follows:

- Approve Special Events Application from the **Rotary Club** of **Southgate** for the **Faith and Blue Picnic** on September 17, 2022, at Young Patriots Park and the Riverview Community Center.
- Approve Special Events Application from Eve Howell of the Glen's Subdivision for a **Glen's Park Sleepout** on **October 7, 2022**, with Rain Date of October 14, 2022.
- Authorize Solicitation of Proposals for three (3) **Fire House Bay Doors**.
- Award Cooperative Bid Purchase for One (1) **2022 Ford Explorer** from **Gorno Ford** for the amount of **\$36,895.00**.
- 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 **Riverview Co-op Nursery, Inc.** for the 2022-23 school year.

Carried unanimously.

RESOLUTIONS:

Motion by Councilmember Blanhcette, seconded by Councilmember Gunaga. That Resolution No. 22-18, regarding the 80/20 Cost Sharing Model as Set Forth in Section 4 of Public Act 152 of 2011, be Adopted.

RESOLUTION NO. 22-18
 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, Gunaga, ONeil, Robbins

NAYS: None

EXCUSED: Councilmember Norton, Workman

ADOPTED this 6th day of September, 2022.

ATTEST:

 Andrew M. Swift, Mayor

I, Cynthia M. Hutchison, duly authorized City Clerk of the City of Riverview, do hereby certify the foregoing Resolution is a true copy of a resolution adopted by the Riverview City Council at their regular meeting of September 6, 2022.

(S E A L)

 Cynthia M. Hutchison, City Clerk

ADMINISTRATION:

None.

ORDINANCES:

Motion by Councilmember Workman, seconded by Councilmember O'Neil, that Authorization for the Clerk to give the **Second Reading**, by title only, of Proposed **Zoning Ordinance No. 735**, regarding Section 24.06 Accessory Structures and Uses” to provide for the Allowance of **Pool Decks for Above-Ground Pools Not to Exceed Four Feet in Height**, be Approved.

Carried unanimously.

PROPOSED ZONING ORDINANCE NO. 735

AN ORDINANCE TO AMEND THE ZONING ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND RE-ADOPTION OF SECTION 24.06, “ACCESSORY STRUCTURES AND USES,” SUBSECTION E, “SWIMMING POOLS,” OF ARTICLE 24, “GENERAL PROVISIONS,” AND SECTIONS 9.205, “PERMITTED YARD ENCROACHMENTS,” OF ARTICLE 9 “SCHEDULE OF REGULATIONS,” TO PROVIDE FOR THE ALLOWANCE OF POOL DECKS FOR ABOVE-GROUND POOLS NOT TO EXCEED FOUR (4) FEET IN HEIGHT

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Amendments. That Section 24.06, “Accessory Structures and Uses”, Subsection E, “Swimming Pools”, of Article 24, “General Provisions”, and Section 9.205, “Permitted Yard Encroachments”, of Article 9 “Schedule of Regulations”, of the Zoning Ordinance are hereby repealed and re-adopted to hereafter read as follows:

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. (Unchanged)
- E. Swimming Pools.

Private pools shall be permitted as an accessory use within the side or rear yard only, provided that they comply with the State Construction Code enforced by the City, and meet the following requirements:

1. Setbacks and location. The pool wall shall not be located closer than 6'-0" to any lot line nor located on any easement. There shall be a distance of not less than 4'-0" between the outside pool wall and any other building located on the same lot.
2. Height. A pool access deck providing access to an above-ground pool shall not exceed four (4) feet in height. A safety rail shall not exceed 4 feet 6 inches.
3. Fencing. For the protection of the general public, all yards containing permanent swimming pools shall be completely enclosed by a fence not less than four (4) feet in height. Any gate required shall be of a self-closing and latching type, with the latch located on the pool side of the gate at least three (3) inches below the top of the gate. Openings in the gate shall not allow passage of a four (4) inch diameter sphere. This provision may be waived by the Building Official if the entire premises of the residence is enclosed.

Where an aboveground pool structure is the barrier, or the barrier is mounted on top of the pool, the

means of access, ladder or steps, shall be capable of being secured, locked, or removed to prevent access when the pool is not in use. Fencing that complies with the above requirements may enclose the ladder or steps.

Article 9 Schedule of Regulations

Section 9.205 - Permitted Yard Encroachments.

Fire escapes, chimneys, balconies, egress window wells, architectural features, and similar projections shall be considered part of the primary building for purposes of determining yard and setback requirements. However, limited projections into certain required yards shall be permitted as follows:

Projection	Yard	Restrictions
Air conditioners (pad mounted), generators, and similar equipment	Rear, Side	Not permitted in any required front yard. Units located within any required side yard shall be screened by landscaping, fencing, or similar means approved by the Building Official.
Access drives	All	None
Arbors and trellises	All	See Section 9.304 (Corner Clearance Areas)
Awnings and canopies	All	May project up to 10% into any required yard
Bay windows ¹	All	See footnote 1, below
Balconies	Rear	May project up to six (6) feet into required rear yard
Belt Courses	All	May project up to one (1) foot into any required yard
Boiler Flues	All	May project up to three (3) feet into any required yard
Chimneys	All	May project up to three (3) feet into any required yard
Cornices ¹	All	May project up to three (3) feet into any required yard
Eaves, overhanging	All	May project up to three (3) feet into any required yard
Egress Window Wells	All	May project up to three (3) feet into any required yard
Elevator Shafts	Rear	May project up to six (6) feet into required rear yard
Fences		See Article 15 (Walls and Fences)
Fire Escapes, Fire Towers	Rear	May project up to six (6) feet into any required rear yard
Flagpoles	All	See Section 9.204 (Height Exceptions)
Gardens	All	See Section 9.304 (Corner Clearance Areas)
Gutters	All	May project up to three (3) feet into any required yard
Hallways, connecting	Rear	May project up to six (6) feet into any required rear yard
Handicapped access ramps ²	All	See footnote 2, below
Hedges	All	See Section 9.304 (Corner Clearance Areas)
Leaders	All	May project up to three (3) feet into any required yard
Light poles, ornamental	All	None
Lintels	Rear	May project up to six (6) feet into any required rear yard
Ornamental Features	Rear	May project up to six (6) feet into any required rear yard
Paved terraces, open porches, patios, decks, and steps ³	All	See footnote 3, below
Porches, front (enclosed)	Front	May project up to 25% into the required front yard
Pilasters	All	May project up to three (3) feet into any required yard
Propane tanks	All	Not permitted in front yards in Residential Districts
Signs (approved)		See Article 17 (Signs)
Sills	All	May project up to three (3) feet into any required yard
Stairways, open unroofed	Rear	May project up to six (6) feet into any required rear yard
Television or radio towers or antennae	Rear	Not permitted in any required front or side yards in Residential Districts
Trees, shrubs, and flowers	All	See Section 9.304 (Corner Clearance Areas)
Walls		See Article 15 (Walls and Fences)
Wind Generators	Rear	See Section 9.204 (Height Exceptions)
Window air conditioning units	All	None

Notes Related to above Table:

1. Bay windows. (Unchanged)

- a. (Unchanged)
 - b. (Unchanged)
2. Handicapped access ramps. (Unchanged)
3. Unenclosed terraces, porches, patios, decks, and steps. Unenclosed terraces, porches, patios, decks, and steps may project into a yard subject to the following conditions:
- a. Such structure shall not exceed three (3) feet above the surrounding finished grade except for pool decks which may be up to four (4) feet in height, per Section 24.06 (E).
 - b. Such structure shall not be located closer than five (5) feet from the side, or street lot line.
 - c. Such structure shall not be located closer than ten (10) feet from the rear lot line.
 - d. Such structure shall not be located closer than six (6) feet from any accessory building.
 - e. Such structures shall not be covered by a roof.

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. Codification; Scrivener's Errors:

- (a). Article I of this Ordinance shall be codified, and all other sections shall not be codified.
- (b). The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier.
- (c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

ARTICLE VI. Reading and Publication: This Ordinance shall be given a first reading on August 15, 2022, shall be given a second reading on September 6, 2022, shall be adopted on September 6, 2022, 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 6th day of September, 2022.

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 6, 2022.

Cynthia M. Hutchison, City Clerk

Motion by Councilmember Blanchette, seconded by Councilmember ONeil, that Proposed Ordinance No. 735 be Adopted.
Carried unanimously.

OTHER BUSINESS:

None.

CLOSED SESSION:

None.

ADJOURNMENT:

Motion by Councilmember Blanchette, seconded by Councilmember ONeil, that the meeting be adjourned.
Carried unanimously.

The meeting adjourned at 7:22 p.m.

Andrew M. Swift, Mayor

Cynthia M. Hutchison, City Clerk