



**CITY COUNCIL *REGULAR* MEETING
DECEMBER 19, 2022/7:00 P.M.
RIVERVIEW CITY HALL
COUNCIL CHAMBERS
14100 CIVIC PARK DR.
RIVERVIEW, MI 48193-7600
734-281-4201**

AGENDA

- 1. CALL TO ORDER/ROLL CALL.**
- 2. PLEDGE OF ALLEGIANCE:** Councilmember Norton
- 3. INVOCATION:** Councilmember Gunaga

4. AWARDS, PRESENTATIONS, AND PROCLAMATIONS.

4.1 PRESENT CERTIFICATES OF RECOGNITION TO THE 2022 HOME DECORATING CONTEST WINNERS – RECREATION.

COMMUNITY IMPACT/ BACKGROUND: This year represents the nineteenth year of the Holiday Decorating Contest sponsored by the Beautification Commission. Representatives from the Beautification Commission, Recreation Commission, Council and Mayor selected the following residents to be recognized as the 2022 Holiday Home Decorating Winners:

Beautification Commission Winners:

17604 Clark – Nancy Jo Smith
17610 Smith – Charles & Maxine Crane
18143 Mulberry – Nicholas & Emilee Flint
15111 Old Town – Edward Falletich
19219 Coachwood – Christopher & Deanna Widenhofer

Mayor’s Choice Award:

17064 Fort St. Parthenon Coney Island and Restaurant

ACTION REQUESTED: City Council is requested to allow the presentation of certificates to the 2022 Home Decorating Contest Winners.

ATTACHMENTS: Certificates of Recognition.

5. APPROVAL OF MINUTES.

5.1 APPROVE MINUTES OF THE 12/05/22 REGULAR RIVERVIEW CITY COUNCIL MEETING AND THE CONDENSED VERSION FOR PUBLICATION - CITY CLERK.

6. PUBLIC HEARINGS.

6.1 CONDUCT A PUBLIC HEARING FOR THE PURPOSE OF SOLICITING INPUT FROM THE RESIDENTS FOR THEIR OPINIONS ON WHETHER THE CITY OF RIVERVIEW SHOULD OPT IN AND ALLOW THE SALE OF RECREATIONAL MARIJUANA WITHIN THE CITY – MAYOR.

COMMUNITY IMPACT/BACKGROUND: The Ad Hoc Marijuana Businesses Committee has created a Proposed Cannabis Ordinance for review and discussion.

The Council held a Special Study Session on November 15, 2022 wherein the Committee presented its report and recommended that the proposed ordinance be approved to be placed on the next regular Council Meeting agenda. It was given a first reading on December 5, 2022 and is placed on tonight’s agenda for the second reading and adoption. At the December 5, 2022 Council Meeting, the Council decided to hold a public hearing tonight to solicit public comments on the ordinance.

ACTION REQUESTED: The City Council is requested to conduct a Public Hearing on December 19, 2022 for the purpose of soliciting input from the residents for their opinions on whether the City of Riverview should opt in and allow the sale of recreational marijuana within the city.

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	12/13/22
Financial Certification	N/R	
City Attorney Endorsement	N/R	
Department Recommendation	X	12/13/22
Advisory Commission Recommendation	N/R	

7. PUBLIC COMMENTS.**8. ORGANIZATIONAL BUSINESS.**

None.

9. CONSENT AGENDA.**9.1 ACCEPT THE ANNUAL FINANCIAL AUDIT REPORT FOR THE CITY OF RIVERVIEW FOR FISCAL YEAR ENDING JUNE 30, 2022 – FINANCE.**

COMMUNITY IMPACT/BACKGROUND: Public Act 2 of 1968 requires that local governmental entities obtain an independent financial audit of all accounts and operating funds on an annual basis. The firm of Plante and Moran PLLC has performed an independent audit for the fiscal year ending June 30, 2022 for the City.

The City has again obtained an “unmodified” opinion on the financial statements. This type of opinion is issued by an auditor when the financial statements presented are free of material misstatements and are represented fairly in accordance with the Generally Accepted Accounting Principles (GAAP), which in other words means that the entity's financial condition, position, and operations are fairly presented in the financial statements.

In addition, the City was not required to perform a Single Audit this year, as the amount of Federal Funds expended by the City did not exceed \$750,000. Copies of the Audit Report and Management Letter were presented to the Audit Committee on December 16, 2022 and reviewed with Plante and Moran.

The City Council is requested to consider the acceptance of the Financial Report for the City of Riverview for the fiscal year ending June 30, 2022. Plante & Moran will be attending an upcoming Study Session to review the audit report and management letter with the City Council and will also be available to answer any questions.

ACTION REQUESTED: City Council is requested to accept the financial audit report for the fiscal year ending June 30, 2022.

ATTACHMENTS: None.

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	12/14/22
Financial Certification	X	12/14/22
City Attorney Endorsement	N/R	
Department Recommendation	X	12/14/22
Advisory Commission Recommendation	X	12/16/22

9.2 APPROVE CHANGE ORDER #2 FOR ADDITIONAL DESIGN, PLANNING, AND PROPOSAL OF CONDENSATE WASTE TREATMENT SYSTEM BY CLEAR WATER SERVICES LLC AT THE LEACHATE PRETREATMENT BUILDING FOR A COST OF \$39,054.62 – LAND PRESERVE.

COMMUNITY IMPACT/BACKGROUND: On 04/18/2022, City Council awarded RFP 355 Leachate Pretreatment Facility to Clear Water Services LLC in the amount of \$586,312.00, plus 10% contingency of \$58,631.00, for a total award of \$644,943.00.

At the direction of RLP, Clear Water Services performed engineering analysis and lab testing to determine if condensate could be treated with the leachate. The proposed change order covers their time spent performing preliminary lab analysis, bench testing for equipment configurations, and proposal development to add the condensate treatment. This work was proposed by RLP to see if the increased up-front cost to expand the treatment would offset the cost to haul condensate off-site. (Condensate is hauled off site because it has a higher percentage of solids and would clog the existing carbon filters.)

The Ad Hoc Land Preserve Committee concurred with this request at their 12/12/2022 meeting. The first change order was denied by the Committee at their 09/12/2022 meeting.

Funds have been budgeted and appropriated in the appropriate account for the 2022/23 fiscal year.

ACTION REQUESTED: City Council is requested to approve change order #2 for additional design, planning, and proposal of condensate waste treatment system by Clear Water Services LLC at the leachate pretreatment building for a cost of \$39,054.62.

ATTACHMENT: Clear Water Services Change Order #2.

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	12/14/22
Financial Certification	X	12/14/22
City Attorney Endorsement	N/R	
Department Recommendation	X	12/14/22
Advisory Commission Recommendation	X	12/12/22

9.3 APPROVE BUDGET AMENDMENTS – FINANCE.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2022/23 Golf				
Bank Service Charge	584-542-860.000	\$ 8,000.00	\$ 0.00	\$ (8,000.00)
Public Relations	584-542-854.000	\$ 0.00	\$ 8,000.00	\$ 8,000.00

JUSTIFICATION: This amendment is to correct a budget error for the Golf Course. A total of \$8,000 was budgeted in the Bank Service Charges line item, which was the wrong line. It should have been in the Public Relations line item.

ACTION REQUESTED: The Finance Director/Purchasing Agent requests that the budget amendments presented above be placed before the City Council at their City Council meeting for their consideration.

RECOMMENDATION: Approval of budget amendments as presented, in compliance with PA 621 of 1978.

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	12/14/22
Financial Certification	X	12/14/22
City Attorney Endorsement	N/R	
Department Recommendation	X	12/14/22
Advisory Commission Recommendation	N/R	

10. RESOLUTIONS.

10.1 APPROVE PERFORMANCE RESOLUTION FOR GOVERNMENT BODIES FOR THE WAYNE COUNTY ANNUAL PAVEMENT RESTORATION PERMIT, ANNUAL MAINTENANCE WORK IN RIGHT-OF-WAYS PERMIT, AND ANNUAL SPECIAL EVENTS PERMIT - DEPARTMENT OF PUBLIC WORKS.

COMMUNITY IMPACT/ BACKGROUND: In an effort to expedite the process, the Wayne County DPS Engineering Division Permit Office is combining the Annual Maintenance Permit, Annual Pavement Restoration Permit, and Annual Special Events Permit into one single application.

The purpose of the Annual Pavement Restoration Permit is for authorization to occupy Wayne County road right-of-ways for the purpose of pavement repair and restoration.

The purpose of the Annual Maintenance Work in Right-of-Ways Permit is for authorization to perform work on Wayne County right-of-ways. This permit allows the City of Riverview to perform work such as repairing water main breaks, sewer maintenance, and sidewalk repair in Wayne County right-of-ways.

The purpose of the Annual Special Events Permit is for authorization to temporarily close a County road for a parade, event, celebration, block party or similar activity or to erect a banner within the County road right-of-way, where the County road, or road-right-of-way, is located entirely within the boundaries of the Community.

This resolution requires the City of Riverview to fulfill all permits’ requirements and to save harmless, represent, and defend the County of Wayne.

ACTION REQUESTED: City Council is requested to consider adopting the resolution.

ATTACHMENTS: Resolution, 2023 Wayne County Annual Permit Package, Resolution from Wayne County, and Michigan Municipal Risk Management Authority Certificate of Coverage.

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	12/15/22
Financial Certification	N/R	
City Attorney Endorsement	N/R	
Department Recommendation	X	12/15/22
Advisory Commission Recommendation	N/R	

10.2 APPROVE PERFORMANCE RESOLUTION AND PERFORMANCE AND INDEMNIFICATION COMMITMENT FOR GOVERNMENT BODIES FOR STATE OF MICHIGAN (MDOT) ANNUAL PERMIT FOR WORK ON STATE HIGHWAYS - DEPARTMENT OF PUBLIC WORKS.

COMMUNITY IMPACT/BACKGROUND: The purpose of the Annual Permit is for authorization to perform work on State of Michigan Highways (M-85 – Fort Street). This resolution requires the City of Riverview to fulfill all permit requirements and to be responsible for any claims arising out of their own acts and/or omissions during the performance of this agreement.

ACTION REQUESTED: City Council is requested to consider adopting the resolution.

ATTACHMENT: Resolution from State of Michigan (MDOT).

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	12/15/22
Financial Certification	N/R	
City Attorney Endorsement	N/R	
Department Recommendation	X	12/15/22
Advisory Commission Recommendation	N/R	

10.3 ADOPT PROPOSED RESOLUTION TO REVISE CHARGES AT RIVERVIEW LAND PRESERVE - LAND PRESERVE.

COMMUNITY IMPACT/BACKGROUND: The Resolution to Establish Charges at the Riverview Land Preserve has been revised with some higher landfill rates for pre-paid customers only. The proposed resolution will allow the Land Preserve to more easily adapt to overall rising market conditions and to changes in specific waste stream pricings in particular.

The resolution was reviewed by the City Attorney and approved by the Land Preserve Committee at their 12/12/22 meeting.

ACTION REQUESTED: The City Council is requested to approve the revised Rate Resolution to establish charges at the Riverview Land Preserve.

ATTACHMENT: Proposed Resolution.

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	12/14/22
Financial Certification	N/R	
City Attorney Endorsement	X	12/14/22
Department Recommendation	X	12/14/22
Advisory Commission Recommendation	X	12/12/22

11. ADMINISTRATION.

11.1 AUTHORIZE EXECUTION OF STANDBY LETTER OF CREDIT TERM SHEET WITH PNC – LAND PRESERVE.

COMMUNITY IMPACT/BACKGROUND: In June 2022, the State of Michigan issued the Land Preserve its updated financial requirements for its post-closure financial liability totals. Due to a substantial increase in the inflation factor used to calculate these figures, the combined totals for the perpetual care and financial assurance accounts are short of the requirements. On June 30, 2022, the new total requirement was \$18,864,809 and the combined account totals were \$16,430,280. It is expected that the inflation factor used in the calculation will increase again next year and push the future liability to greater than \$22,000,000.

Two other options exist to bring the Land Preserve into compliance with this requirement, acquiring a surety bond or a standby letter of credit. After an extensive search, the cheapest surety bond solicitation that was offered required a yearly fee of 1% of the total needed, or roughly \$190,000 for this year. Staff approached all of the banks the City has relationships with and the lowest offer was from PNC for a standby letter of credit for 55 basis points (0.55%), or roughly \$103,756 for this year.

There are one-time fees that City Council will be authorizing with this resolution, PNC Legal Fees that range between \$10,000 and \$13,000 for the creation of the standby letter of credit, a \$100 Issuance Fee, and a \$25 Courier Fee.

The Ad Hoc Land Preserve Committee concurred with this request at their 12/12/2022 meeting

ACTION REQUESTED: The City Council is requested to consider authorizing the execution of the standby letter of credit term sheet with PNC for the amounts detailed above.

ATTACHMENT: PNC Standby Letter of Credit Term Sheet.

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	12/14/22
Financial Certification	X	12/14/22
City Attorney Endorsement	N/R	
Department Recommendation	X	12/14/22
Advisory Commission Recommendation	X	12/12/22

11.2 APPROVE BID AWARD AND AUTHORIZE EXECUTION OF THREE-YEAR AGREEMENT WITH SPARTAN 6 SECURITY FOR SECURITY SERVICES AT THE LAND PRESERVE, FOR A YEARLY COST OF \$119,891.50 – LAND PRESERVE.

COMMUNITY IMPACT/BACKGROUND: On 09/19/2022, City Council authorized the solicitation of bids for a three year contract for security services at the Riverview Land Preserve. The guards patrol the grounds of the landfill during non-operational hours, ensuring that buildings, gates, and grounds are secure.

The invitation to bid was posted 10/05/2022 on the City’s website and MITN. Four (4) bids were received, opened, and read aloud on 10/20/2022.

Spartan 6 Security was the lowest bidder and it was determined by the Ad Hoc Land Preserve Committee at their meeting on 12/12/2022 that it would be in the City’s best interest to award them the contract in the amount of \$119,891.50 per year for a total of three (3) years.

An executed copy of the standard agreement is on file in the office of the Purchasing Director. Funds have been allocated for this service in the 2022/23 fiscal year.

ACTION REQUESTED: The City Council is requested to consider bid award and execution of agreement for security services with Spartan 6 Security at the Land Preserve for a three-year period for the yearly amount of \$119,891.50 for each year of the contract; subject to future budget appropriations.

ATTACHMENT: Bid Proposal Form.

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	12/14/22
Financial Certification	X	12/14/22
City Attorney Endorsement	N/R	
Department Recommendation	X	12/14/22
Advisory Commission Recommendation	X	12/12/22

12. ORDINANCES.

12.1 AUTHORIZE SECOND READING, BY TITLE ONLY, AND ADOPTION OF PROPOSED ORDINANCE NO. 737 - AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL OF ARTICLE XIV, “PROHIBITION OF MARIHUANA BUSINESSES AND ESTABLISHMENTS”, OF CHAPTER 14 “BUSINESSES”, AND THE ADOPTION OF A NEW

ARTICLE XIV, “CANNABIS BUSINESSES”, TO PROVIDE FOR THE LICENSING AND REGULATION BY THE CITY OF CERTAIN ADULT-USE CANNABIS BUSINESSES OPERATED IN ACCORDANCE WITH STATE LAW AND SUBJECT TO RESTRICTIONS ON LOCATION PURSUANT TO CERTAIN DISTANCE REQUIREMENTS AND TO THE CITY’S ZONING DISTRICT REQUIREMENTS - AD HOC MARIJUANA BUSINESSES COMMITTEE.

COMMUNITY IMPACT/BACKGROUND: City Council created an Ad Hoc Committee to study the benefits and costs of allowing cannabis businesses to locate in the City of Riverview. The Committee met continuously from July 2022 through November 2022. The result was a Draft Ordinance allowing provisioning centers and micro-businesses. The Draft Ordinance was presented to the full City Council for discussion at the November 21, 2022 Study Session. Council approved formally adopting the ordinance through standard procedures.

ACTION REQUESTED: The City Council is requested to authorize the second reading, by title only, and adoption of Proposed Ordinance No. 737.

ATTACHMENT: Proposed Ordinance No. 737.

ENDORSEMENTS:

	Required	Date
City Manager Endorsement	X	11/21/22
Financial Certification	N/R	
City Attorney Endorsement	N/R	
Department Recommendation	X	11/21/22
Advisory Commission Recommendation	X	11/03/22

13. OTHER BUSINESS.

14. CLOSED SESSION.

None.

15. ADJOURNMENT.