

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN,
HELD ON MONDAY, APRIL 16, 2007 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 Durand

Present: Councilmembers Blanchette, Coffey, Rudicil, Swift, Elmer Trombley, James Trombley

Also Present: City Manager Workman, City Clerk Bratcher, Human Resources Director Hajkus, Police Chief Ginestet, Fire Chief Bosman, Finance Director D. Drysdale, Acting Community Development Director M. Drysdale, Public Works Director Hunter, Director of Solid Waste Bobeck, Assessor/Purchasing Director Kuch, Recreation Director Dickman, IT Director Harper, Acting Golf Course Director Ford, Wade-Trim Engineer Eskin, Cornerstone Environmental Group Project Manager Larky, Attorney Pentiuik

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

The **Invocation** was given by Councilmember Swift

AWARDS, PROCLAMATIONS AND PRESENTATIONS:

Fire Chief Bosman and Fire Department staff conducted a demonstration of newly acquired **Turnout Gear**, **Breathing Apparatuses** and **Chemical and Biological Protective Clothing**. Said **equipment** was purchased with **FEMA Grant Funds** and **Region 2 Bio-Terrorism Urban Area Community Incentive (USAI) funds**.

MINUTES:

Motion by Councilmember Blanchette, seconded by Councilmember Coffey, that the **Minutes** of the regular meeting of **April 2, 2007** along with the condensed version for publication be **approved** as presented.

Carried unanimously.

PUBLIC HEARINGS:

None.

PUBLIC COMMENTS:

At this time, Mayor Durand asked if anyone wished to address the City Council.

ORGANIZATIONAL BUSINESS:

None.

CONSENT AGENDA:

Mayor Durand announced the following items were **removed** from the **Consent Agenda**:

- **Lot Combination at 18720 Krause** – Elevator Concepts
- **Telecommunications Site Access Agreement with Alarmnet, Inc.**

Motion by Councilmember FORMTEXT Coffey, seconded by Councilmember Blanchette, that the following items on the **Consent Agenda** be **approved**:

- **Donation of equipment from Arkema:** Police laptop computer and Fire Departments thermal imaging camera.
- **Acceptance of Grant Funding** in the amount of **\$370.37** from Heath Emergency Medical Services (**HEMS**) for completion of National Incident Management Systems (**NIMS**) Training.
- Proposal award and execution of **Agreement for Physician Services with Henry Ford Health Systems** for a three year period.
- Bid award for Six-inch **Pump** for the Land Preserve to **Premier Pump Co.** for the Bid amount of \$21,465.00 as endorsed by the Land Preserve Committee Meeting of April 9, 2007.
- Bid award for a **Police Vehicle** to **Gorno Ford** in the amount of **\$23,998.31**.
- **Travel request** for Councilmembers Elmer **Trombley** and **Swift** to attend **Waste Expo 2007** in Atlanta, Georgia, for the anticipated cost of **\$1,650.00 per person**.
- **Budget Amendments** as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2006/07 Land Preserve Fund:</u>				
Temporary Employees	596-526-817.050	\$ 30,000.00	\$ 50,000.00	\$ 20,000.00
Diesel Fuel & Oil	596-526-775.100	548,850.00	528,850.00	(20,000.00)
Net decrease (increase) to Fund Balance				\$ 0.00

Justification: To transfer funds for the use of temporary labor to pick up wind-blown papers at the landfill through the balance of the fiscal year.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2006/07 General Fund -- Fire Dept:</u>				
Operating Supplies	101-336-740.000	\$ 7,450.00	\$ 7,570.00	\$ 120.00
Stretcher Maintenance	101-336-793.000	500.00	380.00	(120.00)
Net decrease (increase) to Fund Balance				\$ 0.00

Justification: To transfer funds for the purchase of operating supplies through the balance of the fiscal year.

C.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2006/07 Land Preserve Fund:</u>				
Pump	596-526-972.060	\$ 0.00	\$ 21,465.00	\$ 21,465.00
Net decrease (increase) to Fund Balance				\$ (21,465.00)

Justification: To carry-forward funds that were approved in the fiscal year 2005/06 budget but not spent.

Carried unanimously.

RESOLUTIONS:

None.

ADMINISTRATION:

None.

ORDINANCES:

Motion by Councilmember Swift, seconded by Councilmember Blanchette, to **Authorize the First Reading**, by title only, of Proposed **Ordinance No. 607** regarding Issuance of a **Provisional Business License**.

Carried unanimously.

The City Clerk gave the First Reading by title only:

PROPOSED ORDINANCE NO. 607

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND READOPTION OF SECTION 14-40 OF ARTICLE II, "LICENSES AND PERMITS" IN CHAPTER 14 "BUSINESSES" TO PROVIDE FOR THE ISSUANCE OF A PROVISIONAL BUSINESS LICENSE TO A PERSON OR ENTITY WHOSE TAXES ARE BEING APPEALED TO THE APPROPRIATE STATE AGENCY OR TRIBUNAL.

Motion by Councilmember Blanchette, seconded by Councilmember James Trombley, to **Authorize the Second Reading**, by title only, of Proposed **Ordinance No. 605** to amend the City of Riverview **Zoning Ordinance** regarding issuance of **Permits and Certificates of Occupancy**.

Carried unanimously.

The City Clerk gave the Second Reading, by title only:

PROPOSED ORDINANCE NO. 605

AN ORDINANCE TO AMEND THE CITY OF RIVERVIEW ZONING ORDINANCE (ORDINANCE #580, EFFECTIVE 1-23-05) BY THE ADDITION OF PARAGRAPHS (I) AND (J) TO SECTION 24.01 "ADMINISTRATIVE REGULATIONS" OF ARTICLE 24 "GENERAL PROVISIONS" TO PROVIDE FOR THE REQUIREMENT OF PERMITS AND CERTIFICATES OF OCCUPANCY TO BE ISSUED BY THE BUILDING OFFICIAL IN RELATION TO THE USE OF CERTAIN LAND, BUILDINGS AND STRUCTURES.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I: AMENDMENT: That Section 24.01 “Administrative Regulations” of Article 24 “General Provisions” is hereby amended to hereafter read as follows:

Section 24.01. Administrative Regulations.

A.-H. (Unchanged).

I. Permits.

The following shall apply in the issuance of any permit:

1. Permits for new use of land. No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use based upon appropriate reviews.
2. Permits for new use of buildings. No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use.
3. Permits required. No building or structure, or part thereof, shall be here after erected, altered, moved or repaired unless a building permit shall have been first issued for such work. The terms “altered” and “repaired” shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the City of Riverview building code, housing law or this ordinance, except for minor repairs or changes not involving any of the aforesaid features.

J. Certificates.

No land, building, or part thereof, shall be occupied by or for any use unless and until a certificate of occupancy or certificate of zoning occupancy approval has been issued for such use based upon appropriate review.

The following shall apply in the issuance of any certificates:

1. Certificates required. No building or structure, or part thereof, which is hereafter erected, or altered, shall be occupied or used or the same caused to be done, unless and until a certificate of occupancy shall have been issued for such building or structure. Certificate of occupancy shall be required for new construction, substantial improvements and any change in occupancy of any building, structure or land in all office-service, business and industrial districts.
2. Certificates including zoning. Certificates of occupancy, as required by the city building code for new buildings or structures, or parts thereof, or for alterations to or changes of use of existing buildings or structures, shall also constitute certificates of zoning occupancy approval as required by this ordinance. A certificate of zoning occupancy approval shall be required for existing buildings or use of land.
3. Certificates for existing buildings. Certificates of occupancy and/or zoning occupancy approval shall be required and issued for existing buildings, structures, or parts thereof, or existing uses of land in all districts other than residential districts if it is found that such buildings, structures, or parts thereof, or such use of land, represent conformity with the provisions of this ordinance.
4. Record of certificates. A record of all certificates issued shall be kept on file in the office of the building official, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the property involved.
5. Certificates for dwelling accessory buildings. Buildings or structures accessory to dwellings shall not require separate certificates of occupancy but may be included in the certificate of occupancy for the dwelling when shown on the plot plan and when completed at the same time as such dwellings.

- 6. Application for certificates. Application for certificates of occupancy and/or zoning occupancy approval shall be made in writing to the building official on forms furnished by that department, and such certificates shall be issued upon completion of appropriate reviews. Inaccurate or incomplete information presented on any plan application shall void an approval which was based on the information presented. Work if in progress shall cease immediately and a new complete application is required.

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 April 2, 2007 shall be given a second reading on April 16, 2007, shall be adopted on April 16, 2007 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 16th day of April, 2007.

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 April 16, 2007.

Judith A. Bratcher, City Clerk

Motion by Councilmember Coffey, seconded by Councilmember Elmer Trombley, that Proposed **Ordinance No. 605** be **adopted**.
Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Swift, to **Authorize** the **Second Reading**, by title only, of Proposed **Ordinance No. 606** regarding **Water and Sewer Rates and New Water Meter Installation Delay Assessment**.
Carried unanimously.

The City Clerk gave the Second Reading, by title only:

PROPOSED ORDINANCE NO. 606
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY REPEALING SECTION 70-36, WATER AND SEWAGE CAPITAL IMPROVEMENT FEE, AND TO READOPT SECTION 70-36, WATER METER REPLACEMENT PROGRAM, UNDER ARTICLE II, WATER AND SEWER RATES OF CHAPTER 70, UTILITIES, SO AS TO PROVIDE MEANS TO ENCOURAGE CUSTOMER ASSISTANCE IN INSTALLING MORE EFFICIENT WATER METERS AND TO AMEND SECTION 26-6, WATER AND SEWER RATES AND METER CHARGES BY ADDING A NEW WATER METER INSTALLATION DELAY ASSESSMENT.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I. Repeal and Readoption: That section 70-36 be repealed and readopted, and that Section 26-6 be amended, so as to hereafter read as follows:

Chapter 70. Utilities

Article II. Water and Sewer Rates

Section 70-36. Water Meter Replacement Program.

To increase the efficiency of the water billing system, the City has undertaken a program by which water meters which emit a radio signal shall replace the existing water meters in order that the cost associated with meter reading can be reduced as a means of providing rate stability to consumers. The City has engaged a vendor to perform the installation, and established procedures for each customer of the City's water system to be notified of the program and to make arrangements to install the new water meter at no cost to the customer. Beginning with the May 2007 billing period, and continuing each billing period thereafter, any customer who has failed, neglected or refused to provide access to allow for the installation of the new water meter, shall be assessed a surcharge in addition to all other charges and fees as set forth in section 26-6 until such time as the customer has provided access to allow for the installation of the new water meter.

Chapter 26. Fees

Section 26-6. Water and Sewer rates and meter charges.

New Water Meter Installation Delay Assessment: For each calendar month, or portion thereof, occurring on or after May 1, 2007, during which a water customer has not provided access to allow for the installation of a new water meter which emits a radio signal, the additional sum of fifteen (\$15) dollars shall be added to the customer's bill, as provided for in section 70-36 of the Code of Ordinances. For the calendar year 2008, the aforesaid assessment shall be increased to twenty (\$20) dollars per month or portion thereof, and after calendar year 2009, the aforesaid assessment shall be increased to twenty-five (\$25) dollars per month or portion thereof.

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 April 2, 2007, shall be given a second reading on April 16, 2007, shall be adopted on April 16, 2007 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 16th day of April, 2007.

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 April 16, 2007.

Judith A. Bratcher, City Clerk

Motion by Councilmember James Trombley, seconded by Councilmember Rudicil, that Proposed **Ordinance No. 606** be adopted.

Carried unanimously.

OTHER BUSINESS:

Motion by Councilmember Swift, seconded by Councilmember Coffey, to concur with the recommendation of the DPW Director and City Engineers to utilize **Six S** Settlement Agreement **funding** with the appropriation of additional City funds be used for the **Street Sectioning** of approximately 40% of **Huntington** Street.

Carried unanimously.

Motion by Councilmember Elmer Trombley, seconded by Councilmember James Trombley, that due to scheduling conflicts with Councilmember Coffey that Mayor **Durand** be **appointed** as **Council Representative** to the Ad Hoc **Civil Engineering** Committee in Councilmember Coffey's place.
Carried unanimously.

CLOSED SESSION:

Motion by Councilmember James Trombley, seconded by Councilmember Coffey, to **recess** into **Closed Session** (at the request of the **City Manager**) to discuss the City Manager's **Performance Review**.
Carried unanimously.

The City Council **recessed** into **Closed Session** at **8:05** p.m.

The City Council **reconvened** at **8:24** p.m.

Presiding: Mayor Durand
Present: Councilmembers Blanchette, Coffey, Rudicil, Swift, Elmer Trombley, James Trombley

Motion by Councilmember Swift, seconded by Councilmember Rudicil, to authorize the Mayor and Clerk to execute a **new** three-year **Contract** between the City of Riverview and the **City Manager** that reflects the terms and conditions of the current contract, effective April 17, 2007 to April 17, 2010.
Carried unanimously.

ADJOURNMENT:

Motion by Councilmember Elmer Trombley, seconded by Councilmember Coffey, that the meeting be **adjourned**.
Carried unanimously.

Meeting **adjourned** at **8:27** p.m.

Tim Durand, Mayor

Judith A. Bratcher, City Clerk