

CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN,
 HELD ON MONDAY, OCTOBER 20, 2008 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 Swift, Elmer Trombley, James Trombley

Excused: Councilmembers Blanchette (Work), Coffey (Work), Rudicil (Ill)

Also Present: City Manager Workman, City Clerk Bratcher, Human Resources Director Hajkus, Finance Director D. Drysdale, Public Works Director Hunter, Director of Solid Waste Bobeck, Assessor/Purchasing Director Kuch, Recreation Director Dickman, IT Director Harper, Golf Course Director Ford, Library Director Borger, CBDG Consultant Kibby, Cornerstone Environmental Group Project Director Larky, Charles E. Raines Engineer Sabak, Attorney Pentiuk

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

The **Invocation** was given by Councilmember Elmer Trombley.

AWARDS, PROCLAMATIONS AND PRESENTATIONS:

None.

MINUTES:

Motion by Councilmember James Trombley, seconded by Councilmember Swift, that the **Minutes** of the regular meeting of **October 6, 2008** 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:

Motion by Councilmember Elmer Trombley, seconded by Councilmember James Trombley, that Ms. **Heather A. Dunlop** be appointed to the **Library** Commission to fill an unexpired term set to expire July 31, 2009.

Carried unanimously.

Motion by Councilmember Swift, seconded by Councilmember Elmer Trombley, that Ms. **Carol Mayerich**, current alternate member, be appointed as a regular member on the Zoning **Board of Appeals** with her current expiration date of July 31, 2010.

Carried unanimously.

CONSENT AGENDA:

Motion by Councilmember Swift, seconded by Councilmember Elmer Trombley, that the following item on the **Consent Agenda** be approved:

- Authorize **5-Year Financial Forecast Study** of the General Fund to be prepared by **Plante & Moran**, PLLC for an amount not to exceed **\$18,800.00**.
- Approve **Budget Amendments** as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2008/09 CDBG Fund:				
Street Repairs	275-712-818.021	\$ 64,610.00	\$ 122,111.00	\$ 57,501.00
Net decrease (increase) to Fund Balance				\$ 57,501.00

JUSTIFICATION: To carry forward CDBG funding that was approved and budgeted in the prior fiscal years.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 General Fund -- Finance:</u>				
Consulting Study	101-253-818.155	\$ 0.00	\$ 18,800.00	\$ 18,800.00
Net decrease (increase) to Fund Balance				\$ 18,800.00

JUSTIFICATION: To appropriate funds to have consultants prepare a 5-year forecast of the general fund revenues & expenditures.

C.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 General Fund -- Human Resources:</u>				
Employee Service Awards	101-270-742.000	\$ 1,500.00	\$ 1,950.00	\$ 450.00
Background Investigations	101-270-803.500	1,500.00	1,050.00	(450.00)
Net decrease (increase) to Fund Balance				\$ 0.00

JUSTIFICATION: To transfer funds to be used towards the purchase of service awards.

D.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 Land Preserve Fund:</u>				
Methane Wellfield Expansion	596-526-994.077	\$ 0.00	\$ 54,284.02	\$ 54,284.02
Net decrease (increase) to Fund Balance				\$ 54,284.02

JUSTIFICATION: To carry forward funds from 2007/08 for the methane well field expansion.

E.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 Water & Sewer Fund -- Water Dept:</u>				
Parking / Meals Reimbursement	592-536-861.000	\$ 400.00	\$ 1,400.00	\$ 1,000.00
Travel, Education & Training	592-536-862.000	2,300.00	1,300.00	(1,000.00)
Net decrease (increase) to Fund Balance				\$ 0.00

JUSTIFICATION: To transfer funds to cover the costs of meal tickets, per the union agreement.

F.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 General Fund -- Fire Dept:</u>				
EMT Pay	101-336-725.135	\$ 37,300.00	\$ 37,700.00	\$ 400.00
Firemen -- Misc Part-time Wages	101-336-725.140	23,225.00	22,825.00	(400.00)
Net decrease (increase) to Fund Balance				\$ 0.00

JUSTIFICATION: To transfer additional funds for the payments to Fire Dept. personnel who maintain their EMT license, per the union agreement.

G.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2008/09 Water & Sewer Fund -- Water Dept:</u>				
Water Study	592-536-820.000	\$ 0.00	\$ 22,950.00	\$ 22,950.00
Net decrease (increase) to Fund Balance				\$ 22,950.00

JUSTIFICATION: To appropriate funds for the study of a new water treatment plant partnership. This study was initially approved by Council in June 2008, but the study did not start until this fiscal year.

Carried unanimously.

RESOLUTIONS:

The request from **Gabriel Richard Hockey** Boosters seeking Council recommendation for approval as a non-profit organization was **removed** from the agenda at the request of the City Manager due to an incomplete application.

ADMINISTRATION:

Motion by Councilmember James Trombley, seconded by Councilmember Swift, that transfer of Program Year 2006 **Community Development Block Grant (CDBG)** funds of approximately **\$57,501.00** from the **Housing Rehabilitation** - Community activity to a new Program Year 2006 activity for **Street Improvements** within the eligible areas of the city and posting of the **Final Statement** of Objectives be approved.

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Elmer Trombley, that **Change Order #3** in the amount of **\$57,501.00** with **G. V. Cement** to include administrative and engineering fees, be approved for 2007 Street Sectioning CDBG Project for revised quantities. Cost to be recovered from reimbursement by Wayne County voucher process resulting in no additional cost to the city.

Carried unanimously.

Motion by Councilmember Swift, seconded by Councilmember Elmer Trombley, that a two (2) year Agreement for **Natural Gas** with **Exelon Energy** Company at a rate of \$8.45/MMBtu (**\$0.845**) be approved. Further, staff be authorized to execute said agreement.

Carried unanimously.

Motion by Councilmember Swift, seconded by Councilmember Elmer Trombley, that **Council Policy No. 78 – Identity Theft Prevention** Program in compliance the Federal Trade Commission's Red Flag Rule (Part 681 of Title 16 of the Code of Federal Regulations) for the Fair and Accurate Credit Transactions Act of 2003 (FACTA) be adopted.

Carried unanimously.

Motion by Councilmember James Trombley, seconded by Councilmember Swift, that the renewal of an **Environmental Escrow Agent** Agreement with **National City Corporation** be approved for the Land Preserve trust account.

Carried unanimously.

ORDINANCES:

Motion by Councilmember Elmer Trombley, seconded by Councilmember James Trombley, that authorization of the First Reading, by title only, of Proposed **Ordinance No. 615** amending Sections 14-425, 14,427 and 14-428 of the City of Riverview Code of Ordinances regarding Sexually Oriented Businesses be authorized.

The City Clerk gave the First Reading, by title only.

PROPOSED ORDINANCE NO. 615

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY AMENDING SECTION 14-425 "INDIVIDUAL BOOTHS, ROOMS OR CUBILCES PROHIBITED" OF ARTICLE IX. "SEXUALLY ORIENTED BUSINESSES" IN CHAPTER 14 "BUSINESSES" TO PROVIDE THAT THE CONFIGURATION OF ANY ROOM WHERE MECHANICAL OR ELECTRONIC IMAGE-PRODUCING DEVICE DISPLAYS SPECIFIED SEXUAL ACTIVITIES OR SPECIFIED ANATOMICAL AREAS IN SUCH A MANNER THAT THERE IS AN UNOBSTRUCTED VIEW FROM AN OPERATOR'S STATION OF EVERY AREA OF THE PREMISES; ADDING A NEW SECTION 14-427 "NO TOUCHING OF PERFORMERS BY PATRONS"; ADDING A NEW SECTION 14-428 "PROHIBITION ON TOTAL NUDITY".

Carried unanimously.

Motion by Councilmember Swift, seconded by Councilmember James Trombley, that authorization of the First Reading, by title only, of Proposed **Ordinance No. 616** regarding State Law Misdemeanors Prohibited in the City and Punishable by Local Ordinance be authorized.

The City Clerk gave the First Reading, by title only.

PROPOSED ORDINANCE NO. 616

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE ADDITION OF SECTION 38-6 OF ARTICLE I "IN GENERAL" IN CHAPTER 38 "OFFENSES AND MISCELLANEOUS PROVISIONS" TO ADD A SECTION MAKING ALL STATE LAW MISDEMEANORS PROHIBITED IN THE CITY AND PUNISHABLE BY LOCAL ORDINANCE.

Carried unanimously.

Motion by Councilmember Elmer Trombley, seconded by Councilmember Swift, that authorization of the First Reading, by title only, of Proposed **Ordinance No. 617** regarding the Riverview Employees' Retirement Section be authorized.

The City Clerk gave the First Reading, by title only.

PROPOSED ORDINANCE NO. 617

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE REPEAL AND READOPTION OF SUBSECTIONS (a)(4) AND (a)(5) OF SECTION 2-267 "COMPOSITION" TO CLARIFY THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF THE RIVERVIEW

EMPLOYEES RETIREMENT SECTION TO RECOGNIZE THAT GOLF COURSE UTILITY SERVICE MEMBERS HAVE BEEN TRANSFERRED TO THE LANDFILL MAINTENANCE STAFF; UNDER CHAPTER 2 "ADMINISTRATIONS" ARTICLE VI "EMPLOYEE BENEFITS", DIVISION 2 "RETIREMENT SYSTEM"

Carried unanimously.

OTHER BUSINESS:

None.

CLOSED SESSION:

Motion by Councilmember Elmer Trombley, seconded by Councilmember James Trombley, to **recess** into **Closed Session** to discuss **Collective Bargaining**.

Carried unanimously.

The City Council **recessed** into Closed Session at 7:59 p.m.

The City Council **reconvened** at 8:20 p.m.

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

Motion by Councilmember Elmer Trombley, seconded by Councilmember Swift, to **concur** with the recommendations of the City Manager and Human Resource Director to **ratify** and confirm the **Collective Bargaining** Agreement reached with the Governmental Employee Labor Council representing the City's **Clerical Union** through December 13, 2011.

Carried unanimously.

ADJOURNMENT:

Motion by Councilmember Elmer Trombley, seconded by Councilmember Swift, that the meeting be **adjourned**.

Carried unanimously.

Meeting **adjourned** at 8:23 p.m.

Tim Durand, Mayor

Judith A. Bratcher, City Clerk