

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN,
HELD ON MONDAY, NOVEMBER 6, 2006 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, Rudicil, Swift, James Trombley

Excused: Councilmembers Coffey (Working), Elmer Trombley

Also Present: City Manager Workman, City Clerk Bratcher, Human Resources Director Hajkus, Police Chief Ginestet, Fire Chief Bosman, Fire Inspector Jenson, Finance Director D. Drysdale, Acting Community Development Director M. Drysdale, Department of Public Works Director Hunter, Director of Solid Waste Bobeck, Assessor/Purchasing Director Kuch, Recreation Director Dickman, IT Director Harper, Acting Golf Course Superintendent Ford, Attorneys Pentiuk and Morgan, Wade-Trim Engineer Eskin

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

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

AWARDS, PRESENTATIONS, AND PROCLAMATIONS

A **Certificate** of Recognition was prepared for Mr. **George Schwenkel** for his service on the Local Officers' Compensation Commission from December 16, 1985 to May 20, 2006.

Motion by Councilmember Blanchette, seconded by Councilmember Rudicil, to accept a **donation** of **\$500.00** from Mr. Scott **Cunningham** of Allstate Insurance to the **Police** Department.

Carried unanimously.

MINUTES:

Motion by Councilmember Blanchette, seconded by Councilmember Rudicil, that the **Minutes** of the regular meeting of **October 23, 2006**, and the **Minutes** of the **Special** Meeting of **November 2, 2006** along with their condensed versions 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.

Attorney Morgan gave an overview on the distribution of Arbitration Packages and process regarding the **Sibley Limestone** Litigation.

ORGANIZATIONAL BUSINESS:

Motion by Councilmember Swift, seconded by Councilmember James Trombley to appoint **Ms. Cynthia M. Loeschner** to the **Beautification Commission** for a **three year** term set to expire July 31, 2009.

Carried unanimously

CONSENT AGENDA:

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

- Proposal and execution of Agreement for Municipal Productivity **Software** with **BS&A Software** in the amount of **\$19,590.00**.
- Acceptance of proceeds from **auction** of **Surplus Equipment** in the amount of **\$1,830.39**.
- **Budget Amendments** as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2006/07 General Fund -- Community Development:</u>				
Engineering Fees	101-447-815.000	\$ 0.00	\$ 50,000.00	\$ 50,000.00
Full-Time Salaries	101-447-725.000	107,043.00	57,043.00	(50,000.00)
Net decrease (increase) to Fund Balance				\$ 0.00

Justification: To transfer funds to cover the anticipated expenditures for assistance provided to the Community Development Department.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2006/07 General Fund -- Bldg & Engineering:</u>				
Contractual Services	101-448-818.000	\$ 6,750.00	\$ 8,000.00	\$ 1,250.00
Full-Time Salaries	101-448-725.000	105,870.00	104,620.00	(1,250.00)
Net decrease (increase) to Fund Balance				\$ 0.00

Justification: To transfer funds for the use of short-term temporary help in the Building and Engineering Department

C.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2006/07 CDBG Fund -- Revenues:</u>				
CDBG 2004 Program Revenue	275-000-665.004	\$ 0.00	\$ 20,300.53	\$ 20,300.53
CDBG 2005 Program Revenue	275-000-665.005	0.00	76,808.29	76,808.29
<u>2006/07 CDBG Fund -- Projects:</u>				
Senior Programs	275-712-854.028	\$ 11,695.00	\$ 18,503.29	\$ 6,808.29
Colonial Village	275-712-989.096	0.00	20,000.00	20,000.00
ADA Sidewalks	275-712-993.202	0.00	19,789.53	19,789.53
ADA Chairlift	275-712-993.205	0.00	511.00	511.00
ADA Swingset Compliance	275-712-993.206	0.00	5,000.00	5,000.00
ADA Doors	275-712-993.207	0.00	20,000.00	20,000.00
ADA Exiting	275-712-993.208	0.00	15,000.00	15,000.00
Restroom Doors -- Senior Center	275-712-993.209	0.00	10,000.00	10,000.00
Net decrease (increase) to Fund Balance				\$ 0.00

Justification: To carry forward CDBG projects whose funds were budgeted in prior years but not spent. Carried unanimously.

RESOLUTIONS:

Motion by Councilmember James Trombley, seconded by Councilmember Rudicil to adopt **Resolution No. 06-14** recommending approval of a **transfer of Liquor License** for **Dolce Vita** Restaurant as follows: transfer ownership of 2006 12 months resort Class C licensed business (MCL 436.1531(3); minimum seating: 100; non transferable), located at 17780 Fort, Riverview, Mi 48193, Wayne County, from **Cangialosi, Inc.** to **P & R, Inc.**

Carried unanimously.

Motion by Councilmember Swift, seconded by Councilmember Blanchette to adopt the following **Resolution** to authorize city acceptance of membership and adoption of **Bylaws** in the **Alliance of Downriver Watersheds (ADW)** and further **appoint** the DPW Director and DPW Supervisor as designated **representative** and alternate representative respectively.

RESOLUTION NO. 06-15 ACCEPTANCE OF MEMBERSHIP AND ADOPTION OF BYLAWS ALLIANCE OF DOWNRIVER WATERSHEDS

WHEREAS, the Charter County of Wayne, Wayne County Metropolitan Airport Authority (“Authority”), City of Allen Park, City of Dearborn Heights, City of Ecorse, City of Inkster, City of Lincoln Park, City of Melvindale, City of Romulus, City of Southgate, City of Taylor, City of Westland, City of Wyandotte within the Ecorse Creek watershed signed a Memorandum of Agreement (herein after, MOA) to form the Ecorse Creek Watershed Inter-Municipality Committee (ECIC), effective September 9, 2003 and amended January 28, 2005, to establish a permanent mechanism for communities in the Ecorse Creek watershed to cooperatively meet state storm water discharge permit requirements and encourage protection and restoration of river benefits for residents of the watershed;

WHEREAS, Brownstown Township, Grosse Ile Township, Huron Township, City of Gibraltar, City of Riverview, City of Romulus, City of Southgate, City of Taylor, City of Woodhaven, City of Wyandotte, Woodhaven-Brownstown School District, Charter County of Wayne, and Wayne County Metropolitan Airport Authority within the Combined Downriver watershed signed a Memorandum of Agreement to form the Combined Downriver Watershed Inter-Municipality Committee (CDWIC), effective March 30, 2004 and amended July 16, 2004 to cooperatively meet state storm water discharge permit requirements and encourage protection and restoration of river benefits for residents of the watershed;

WHEREAS, Berlin Township, Brownstown Township, Huron Township, Sumpter Township, Van Buren Township, City of Flat Rock, City of Gibraltar, City of Rockwood, City of Romulus, City of Woodhaven, Village of South Rockwood, Woodhaven-Brownstown School District, and Charter County of Wayne signed a Memorandum of Agreement to form the Lower Huron River Watershed Inter-Municipality Committee (LHRWIC), effective April 27, 2004 to cooperatively meet state storm water discharge permit requirements and encourage protection and restoration of river benefits for residents of the watershed;

WHEREAS, after over two years of successful operation of all three watershed Inter-Municipality Committees, the watershed management plans must now be implemented and the Inter-Municipality Committees Act, PA 1957, No. 200 (MCL 123.631, et seq.) under which the existing IMCs were formed does not provide for implementing some of the required activities under the watershed management plans;

WHEREAS, Watershed Alliance legislation passed the Michigan House of Representatives and the Michigan Senate and was signed into law by the Governor on January 3, 2005, as Act No. 517, Public Acts of 2004;

WHEREAS, a subcommittee formed of members of the ECIC, CDWIC, and LHRWIC completed drafting of the attached Alliance of Downriver Watersheds bylaws, and the ECIC, CDWIC, and LHRWIC recommended adoption by the appropriate governing bodies of those public agencies within the three watersheds eligible for membership;

WHEREAS, the formation of the Alliance of Downriver Watersheds under this new state law will provide the public agencies within the watersheds the authority to directly seek grants, enter into contracts, and manage its own resources;

THEREFORE BE IT RESOLVED, that the City Council for the City of Riverview formally adopts bylaws for, and accepts membership in the Alliance of Downriver Watersheds.

FURTHER BE IT RESOLVED, that consistent with the terms of the Alliance of Downriver Watershed bylaws, the City Council for the City of Riverview formally authorizes Mayor Tim Durand, to designate a representative and an alternate representative to the Alliance of Downriver Watersheds, and additional persons to represent the City of Riverview, if needed, as an alternate to assure voting representation.

FINALLY, BE IT RESOLVED, that City of Riverview continuing membership will be evidenced by payment of its voluntary assessment on an annual basis to the Alliance of Downriver Watersheds.

Adopted this 6th day of November, 2006.

Mayor Tim Durand
Carried unanimously.

Judith A. Bratcher, City Clerk

Motion by Councilmember Blanchette, seconded by Councilmember Swift to **adopt** the following **Resolution** authorizing the **Storm Water Facilities Maintenance Agreement**.

RESOLUTION NO. 06-16
AGREEMENT FOR LONG TERM
STORM WATER FACILITIES MAINTENANCE

WHEREAS, Chapter 7 of the Wayne County Storm Water Management Ordinance, Enrolled Ordinance No. 2000-652 (October 23, 2003) (“Wayne County Ordinance”), requires storm water management systems to be maintained in perpetuity to ensure that the systems function properly as designed;

WHEREAS, Rule 801 of the Wayne County Storm Management Administrative Rules (“Administrative Rule”) requires applicants for storm water construction approval to submit long term maintenance plans as part of an application for storm water construction approval;

WHEREAS, Fifth Third Bank has applied to Wayne County Department of Public Services for a storm water construction approval with respect to a project named Fifth Third Bank located at 17825 Fort Street in Riverview Michigan;

WHEREAS, Developer’s application for storm water construction approval has been assigned Wayne County Review number R06-050.

WHEREAS, Developer submitted a plan to the County and City of Riverview entitled Storm Water Management (“Plan”) for long term maintenance of storm water management system(s) at the Project pursuant to Rule 801, which Plan has been tentatively approved by the County pending issuance of this agreement and has been accepted by the City of Riverview; and

WHEREAS, the City of Riverview has agreed to assume jurisdiction and accept responsibility for long term maintenance of the storm water management system(s) at the Project in perpetuity; and,

WHEREAS, the City of Riverview and the Developer shall enter into a Storm Water Facilities Maintenance Agreement and Plan;

NOW THEREFORE BE IT RESOLVED, that the City of Riverview assumes jurisdiction over and accepts responsibility for long term maintenance of storm water management system(s) at the Project pursuant to the Wayne County Ordinance, the Administrative Rules, the Plan, and the storm water construction approval issued by Wayne County; subject to the Developer entering into the abovementioned agreement with the City; and

BE IT FURTHER RESOLVED, that approval be and is hereby granted by the City Council, authorizing City Clerk to execute, on behalf of the City of Riverview, Permit [No,C43-611] for long term maintenance of storm water management system issued by Wayne County for the Project.

Adopted this 6th day of November, 2006.

Mayor Tim Durand
Carried unanimously.

Judith A. Bratcher, City Clerk

ADMINISTRATION:

Motion by Councilmember James Trombley, seconded by Councilmember Blanchette, that a **Public Hearing** be called on December 4, 2006, 7:30 p.m., to consider the proposed **2007-2008** Community Development Block Grant (**CDBG**) budget.

Carried unanimously.

ORDINANCES:

Motion by Councilmember James Trombley, seconded by Councilmember Swift to authorize the **First Reading**, by title only, of **Proposed Ordinance No. 599** – to add **Materials Acceptable** at the Land Preserve.

Carried unanimously

The City Clerk gave the First Reading of Proposed Ordinance No. 599.

PROPOSED ORDINANCE NO. 599

AN ORDINANCE TO AMEND THE RIVERVIEW CODE OF ORDINANCES, SECTION 46-74 OF ARTICLE III, LAND PRESERVE, UNDER CHAPTER 46, TO ADD SLUDGES, INDUSTRIAL PROCESS WASTES, AND OFF SPECIFICATION MATERIALS TO THE LIST OF MATERIALS THAT ARE ACCEPTABLE AT THE RIVERVIEW LAND PRESERVE.

OTHER BUSINESS:

None.

CLOSED SESSION:

Motion by Councilmember James Trombley, seconded by Councilmember Blanchette to **adjourn** into **Closed Session** to discuss **Pending Litigation**.

Carried unanimously.

ADJOURNMENT:

Meeting **adjourned** at 8:15 p.m.

Tim Durand, Mayor

Judith A. Bratcher, City Clerk