

REGULAR MEETING OF THE RIVERVIEW CITY COUNCIL
CITY OF RIVERVIEW, WAYNE COUNTY, MICHIGAN,
HELD ON MONDAY, APRIL 2, 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, Rudicil, Elmer Trombley, James Trombley

Excused: Councilmembers Coffey (Work), Swift (Work)

Also Present: City Manager Workman, City Clerk Bratcher, Police Chief Ginestet, Fire Chief Bosman, Finance Director D. Drysdale, Acting Community Development Director M. Drysdale, Public Works Director Hunter, Public Works Supervisor Phillips, Director of Solid Waste Bobeck, Assessor/Purchasing Director Kuch, Recreation Director Dickman, IT Director Harper, Wade-Trim Engineer Eskin, Attorney Pentiuik

The **Pledge of Allegiance** was led by Mayor Durand .

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

AWARDS, PROCLAMATIONS AND PRESENTATIONS:

None.

MINUTES:

Motion by Councilmember James Trombley, seconded by Councilmember Rudicil, that the **Minutes** of the regular meeting of **March 19, 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:

Motion by Councilmember James Trombley, seconded by Councilmember Rudicil, to reappoint Mr. **Bo Schimers** to the **Economic Development Corporation and Brownfield Redevelopment Authority Committee** for a term set to expire **April 1, 2013**.

Carried unanimously.

CONSENT AGENDA:

At the request of the City Manager, the following was removed from the Consent Agent:

- **Telecommunication Site Access License Agreement with Alarmnet, Inc.**

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

- **Change Order #9** for Riverview **Road Paving** Program reconciling final quantities with net decrease of **\$84,703.05**.
- **Budget Amendments** as follows:

A.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
<u>2006/07 General Fund -- City Clerk:</u>				
Auto Expense Mileage	101-215-861.000	\$ 250.00	\$ 550.00	\$ 300.00
Travel, Education & Training	101-215-862.000	3,000.00	2,700.00	(300.00)
Net decrease (increase) to Fund Balance				\$ 0.00

Justification: To transfer funds for travel related to records retention and election training for new employees in the City Clerk's department.

B.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2006/07 General Fund -- Recreation:				
Maintenance Service Contracts	101-751-760.100	\$ 5,000.00	\$ 5,500.00	\$ 500.00
Pond Light Rental	101-751-819.020	1,200.00	700.00	(500.00)
Net decrease (increase) to Fund Balance				\$ 0.00

Justification: To transfer funds for cell phone and portable toilet rentals.

C.

Description	Account Number	Current Appropriation	Amended Appropriation	Amendment or Change
2006/07 Capital Improvement & Equipment Fund:				
Fountain Aerator Pump	402-901-970.600	\$ 0.00	\$ 7,000.00	\$ 7,000.00
Demolition of Structures	402-901-970.405	25,000.00	18,000.00	(7,000.00)
Net decrease (increase) to Fund Balance				\$ 0.00

Justification: To transfer funds for the purchase of a replacement aerator pump at the Reflection Pond. Carried unanimously.

RESOLUTIONS:

Motion by Councilmember Rudicil, seconded by Councilmember Blanchette, that the following **Resolution No 07-09 to Consolidate and Re-establish Precincts** be **adopted**.

RESOLUTION NO. 07-09

RESOLUTION TO CONSOLIDATE AND RE-ESTABLISH PRECINCTS WITHIN THE CITY OF RIVERVIEW

WHEREAS, it has been determined to be in the best interest of the City of Riverview to amend precinct boundaries;

NOW, THEREFORE, BE IT RESOLVED, that the following voting precincts be consolidated and re-established in the City of Riverview;

Precinct No. 1 - Shall embrace all property bounded on the north by the centerline of Pennsylvania Road, on the east by the centerline of Quarry Road, on the south by the centerline of Longsdorf Street, and on the west by the centerline of the northbound lane of Fort Street.

Precinct No. 2 (Combination of Precinct No. 2 with former Precinct No. 4) - Shall embrace all property bounded on the north by the southerly centerline of Longsdorf Street and the centerline of Pennsylvania Road to the corporation line between the City of Riverview and the City of Wyandotte, on the east by the Detroit River, on the south by the centerline of Sibley Road and the corporation line between the City of Riverview and the City of Trenton, on the west by the centerline of Fort Street to Longsdorf Street and the centerline of Quarry Road to from Longsdorf Street to Pennsylvania Road.

Precinct No. 3 – Shall embrace all property bounded on the north by the centerline of Pennsylvania Road, on the east by the centerline of the southbound lane of Fort Street, on the south by the westbound lane of Williamsburg Drive and on the west by the vacated alley between Devonshire Street and Poplar Street and the centerline of Fordline Road.

Precinct No. 4 – (Former Precinct No. 7) Shall embrace all property bounded on the north by the centerline of Pennsylvania Road, on the east by the vacated alley between Devonshire Street and Poplar Street and on the centerline of Fordline Road, on the south by the westbound lane of Williamsburg Drive, as extended, and on the west by the corporation line between the City of Riverview and the Township of Brownstown.

Precinct No. 5 – Shall embrace all property bounded on the north by the eastbound lane of Williamsburg Drive, as extended, on the east by the centerline of the southbound lane of Fort Street, on the south by the centerline of Sibley Road, and on the west by the centerline of Grange Road.

Precinct No. 6 – Shall embrace all property bounded on the north by the centerline of Sibley Road, on the east by the centerline of the southbound lane of Fort Street, on the south by the corporation line between the City of Riverview and the City of Trenton, and on the west by the corporation line between the City of Riverview and the Township of Brownstown .

Precinct No. 7 – (School Board Elections only) – Shall embrace all property located in the City of Trenton, bounded on the north by the centerline of Sibley Road on the east by the Detroit River, on the south by the centerline of King Road, and on the west by the centerline of northbound Fort Street.

BE IT FURTHER RESOLVED:

That the polling place for Precinct No. 1 be located in the Memorial Elementary School, 13413 Colvin, Riverview, Michigan.

That the polling place for Precinct No. 2 be located in the Riverview Community High School, 12431 Longsdorf, Riverview, Michigan.

That the polling place for Precinct No. 3 be located in the Seitz School, 17800 Kennebec, Riverview, Michigan.

That the polling place for Precinct No. 4 be located in the Seitz Middle School, 17800 Kennebec, Riverview, Michigan.

That the polling place for Precinct No. 5 be located in the Riverview Municipal Building, 14100 Civic Park Drive, Riverview, Michigan.

That the polling place for Precinct No. 6 be located in the Forest Elementary School, 19400 Hampton, Riverview, Michigan.

That the polling place for Precinct No. 7 (School Board Elections only, for those voters in North Trenton) be located in the Haas Park Building, 86 Washington Street, Trenton, Michigan.

BE IT FURTHER RESOLVED, that the City Clerk be directed to make the proper division of the registered electors into the seven (7) precincts and forward a certified resolution to the State of Michigan Bureau of Elections and to Wayne County Elections. Further, the Clerk be directed to notify the affected electors of the change of precincts in accordance with state law.

BE IT FURTHER RESOLVED, that the aforesaid consolidation and re-establishment of precincts shall not be applicable to the May 8, 2007 School Board Election but shall apply to all other subsequent primaries and elections.

Adopted by the Riverview City Council at its duly convened regular meeting held on Monday, April 2, 2007 at 7:30 p.m.

Tim Durand, Mayor

Judith A. Bratcher, City Clerk

Ayes: Mayor Durand, Councilmembers: Blanchette, Rudicil, Elmer Trombley

Nays: Councilmember James Trombley

Motion carried.

ADMINISTRATION:

Mayor Durand announced that action on the **Council Representative appointment** to the Ad Hoc **Civil Engineering** Committee will be taken pending full Council attendance.

ORDINANCES:

Motion by Councilmember James Trombley, seconded by Councilmember Elmer Trombley, to **Authorize the Second Reading**, by title only, of Proposed **Ordinance No. 603** regarding **Shoveling and Blowing Snow into Streets**.

Carried unanimously.

The City Clerk gave the Second Reading by title only:

PROPOSED ORDINANCE NO. 603

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE ADDITION OF SECTION 38-4 OF ARTICLE I, "IN GENERAL", IN CHAPTER 38, "OFFENSES", TO PROHIBIT THE SHOVELING AND BLOWING OF SNOW INTO STREETS.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I: AMENDMENT: That Section 38-4, Shoveling and Blowing of Snow into Streets, under Chapter 38, Offenses and Miscellaneous Provisions, Article I, In General, is hereby created to hereafter read as follows:

Section 38-4. Shoveling and Blowing of Snow In to Streets.

- A) It shall be unlawful for any person to shovel, push, blow, move or otherwise project snow into any street within the City.
- B) A person who violates this section shall be responsible for a municipal civil infraction.

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 March 19, 2007 shall be given a second reading on April 2, 2007, shall be adopted on April 2, 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 2nd 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 2, 2007.

Judith A. Bratcher, City Clerk

Motion by Councilmember James Trombley, seconded by Councilmember Elmer Trombley, to **Adopt** Proposed **Ordinance No. 603**.
Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Rudicil, to **Authorize** the **Second Reading**, by title only, of Proposed **Ordinance No. 604** regarding **Snow and Ice Removal from Sidewalks**.
Carried unanimously.

The City Clerk gave the Second Reading by title only:

PROPOSED ORDINANCE NO. 604
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE AMENDMENT OF SECTION 54-8 OF ARTICLE I "IN GENERAL" IN CHAPTER 54 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" TO PROVIDE 24 HOURS FOR REMOVAL OF SNOW AND ICE FROM SIDEWALKS.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I: AMENDMENT: That Section 54-8, Removal of snow and ice in sidewalk area required by abutting property owners or occupants; removal by City and assessment of costs, under Chapter 54, Streets, Sidewalks and other Public Places, Article I, In General, is hereby amended to read as follows:

Section 54-8. Removal of snow and ice in sidewalk area required by abutting property owners or occupants; removal by city and assessment of costs.

- (a) The occupant of any premises, or the owner of any unoccupied premises, is required to keep the sidewalks in front of, or adjacent to such premises cleared, so far as is practicable and reasonable, from snow and ice to facilitate pedestrian use. Where there are no sidewalks, the occupant or owner as aforementioned, is required to clear a path free from snow and ice where a sidewalk would otherwise be, to facilitate pedestrian use. Whenever any snow or ice has fallen or accumulated it shall be cleared within 24 hours after it has fallen or accumulated. If the owner or occupant fails to comply with this requirement, the city may remove snow or ice and charge the cost against the abutting property as provided in Chapter 50, Article V of this Code.
- (b) Violations of this section are a municipal civil infraction for which a person is responsible for a civil fine of \$50.00.

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 March 19, 2007 shall be given a second reading on April 2, 2007, shall be adopted on April 2, 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 2nd 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 2, 2007.

Judith A. Bratcher, City Clerk

Motion by Councilmember Blanchette, seconded by Councilmember Rudicil, to **Adopt Proposed Ordinance No. 604.**

Carried unanimously.

Motion by Councilmember Blanchette, seconded by Councilmember Trombley, to **Authorize the First 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 First 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.

Motion by Councilmember Blanchette, seconded by Councilmember Rudicil, to **Authorize the First 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 First 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.

OTHER BUSINESS:

Motion by Councilmember Rudicil, seconded by Councilmember James Trombley, to authorize the Mayor and Clerk to execute a response to the **AT&T** of Michigan proposed **Franchise Agreement** based upon the recommendation of the City Manager and the City Attorney within the time constraints.

Carried unanimously.

CLOSED SESSION:

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

Carried unanimously.

The City Council **recessed** into **Closed Session** at **7:56 p.m.**

The City Council **reconvened** at **8:12 p.m.**

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

Motion by Councilmember Elmer Trombley, seconded by Councilmember Blanchette, to concur with the recommendation of the City Attorney to authorize the Finance Director to **transfer** the necessary funds from Concentration Account No. 3463974 in the matter of **Dyna Grind vs. City of Riverview**.

Carried unanimously.

ADJOURNMENT:

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

Carried unanimously

Meeting **adjourned** at **8:14 p.m.**

Judith A. Bratcher, City Clerk