

**CITY OF TRENTON  
REGULAR MEETING  
DECEMBER 1, 2014**

After the Pledge of Allegiance to the Flag, the Regular Meeting of the City Council of Trenton, Michigan, was called to order by Mayor Kyle Stack, at 8:00 p.m. on the above date in the City Hall Council Chambers.

Present on roll call by City Clerk Patricia Gearhart: Councilpersons Timber Baun-Crooks, Dan Gillespie, Robert Howey, William LeFevre, MaryEllen McLeod, Steven Rzeppa, and Mayor Kyle Stack.

There being a quorum present, the Council was declared in session.

Absent: None.

Other Officers Present: John Dahlquist, City Assessor; Michael McCullough, City Treasurer; Karen Sall, Deputy City Treasurer; James Wagner, City Administrator; Wallace Long, City Attorney; Scott Church, Human Resources Manager; William Hogan, City Engineer; Jeff Evans, Fire Chief; Joann Gonyea, Parks and Recreation Director; Tim Beaker, Recreation Business Operations Manager; James Nardone, Police and Fire Services Director; and Steven Voss, Police Chief.

**MINUTES**

Moved by Councilperson McLeod, seconded by Councilperson Howey, to approve the minutes of the Regular Meeting of November 17, 2014.

Carried unanimously.

**APPOINTMENTS**

**Building Authority and Traffic Commission**

Moved by Councilperson Gillespie, seconded by Councilperson Howey, to approve the Mayor's re-appointments of Jim Wagner, to the Building Authority; Linda Bradley, Lawrence Bradley, Ronald Lammers, and Richard Assenmacher, to the Traffic Commission; for terms ending December 1, 2017.

Roll call: Gillespie, Yes; Howey, Yes; LeFevre, Yes; McLeod, Yes; Rzeppa, Yes; Stack, Abstain; and Baun-Crooks, Yes.

Motion carried.

**COMMUNICATIONS AGENDA**

**GENERAL**

- B-1. 33<sup>RD</sup> DISTRICT COURT: Fines, Costs, Fees, October 2014
- B-2. RESA: Summer Tax Collection Request

**GROUPS AND ORGANIZATIONS**

C-1. THS GIRLS SOCCER TEAM: Bottle Drive Request

**DEPARTMENT HEADS & OFFICIALS**

- D-1. CITY ADMINISTRATOR: Request for Public Hearing, Community Development Block Grant  
D-2. CITY CLERK: Proposed 2015 Schedule for Council Meetings  
D-3. CITY ENGINEER: Vacation of Elm Street, east of Superior St., 2619 Superior (Putz)  
D-4. CITY ENGINEER: Petition to Vacate Alley, Lot 23, E Sullivan Sub., 2633 Dickinson (Spalsbury)  
D-5. CITY ENGINEER: Wayne County 2015 Annual Permits  
D-6. CITY ADMINISTRATOR: Contract Marketing KRC/Dietz & Trott

**COMMUNICATIONS**

(B-1)  
33<sup>RD</sup> DISTRICT COURT  
Fines, Costs, Fees, October 2014

Moved by Councilperson LeFevre, seconded by Councilperson McLeod, to receive and place on file the Fines, Costs, Fees, October 2014, submitted by the 33<sup>rd</sup> District Court showing the City of Trenton receiving \$19,521.34.

Carried unanimously.

(B-2)  
RESA  
Summer Tax Collection Request

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to reject the request from RESA to include property taxes in the summer collection process for tax year 2015.

Carried unanimously.

(C-1)  
THS GIRLS SOCCER TEAM  
Bottle Drive Request

Moved by Councilperson McLeod, seconded by Councilperson Howey, to allow students from Trenton High School Girls Soccer Team to speak about their bottle drive request.

Team Captain Kayla Czarnik spoke to the Mayor and City Council regarding the teams request to conduct a bottle drive to raise funds to adopt a Trenton family for Christmas.

Moved by Councilperson McLeod, seconded by Councilperson Howey, to concur with the recommendation of the Civic Commission and grant permission to the THS Girls Soccer Team, to conduct a bottle drive collection in the City of Trenton, distributing flyers on Saturday, December 6, 2014, and collecting the bottles on Saturday, December 13, 2014, from 11:00 a.m. till 3:00 p.m., under adult supervision and under Police Department direction.

Carried unanimously.

(D-1)

CITY ADMINISTRATOR

Request for Public Hearing, Community Development Block Grant

Moved by Councilperson Gillespie, seconded by Councilperson Rzeppa, to schedule Public Hearings on Monday, January 5, 2015 at 7:45 p.m. and Monday, January 19, 2015 at 7:45 p.m. for the purpose of taking public comment on the proposed use of the 2015-2016 Block Grant funds to be received from Wayne County in the estimated amount of \$107,000.00.

Carried unanimously.

(D-2)

CITY CLERK

Proposed 2015 Schedule for Council Meetings

MAIN MOTION

Moved by Councilperson McLeod, seconded by Councilperson Rzeppa, to approve the proposed 2015 Council Meeting Schedule as follows: Monday, January 5, 2015; Monday, January 19, 2015; Monday, February 2, 2015; Tuesday, February 17, 2015; Monday, March 2, 2015; Monday, March 16, 2015; Monday, April 6, 2015; Monday, April 20, 2015; Monday, May 4, 2015; Monday, May 18, 2015; Monday, June 1, 2015; Monday, June 15, 2015; Monday, July 6, 2015; Monday, July 20, 2015; Monday, August 3, 2015; Monday, August 17, 2015; Tuesday, September 8, 2015; Monday, September 21, 2015; Monday, October 5, 2015; Monday, October 19, 2015; Monday, November 9, 2015; Monday, November 23, 2015 (Swearing in of New Elected Officials at 7:00 p.m.); Monday, December 7, 2015; and Monday, December 21, 2015; starting at 8:00 p.m.

AMENDMENT TO MOTION

Moved by Councilperson McLeod, seconded by Councilperson Rzeppa, to move the Regular Council Meeting scheduled for Monday, April 6, 2015 to Monday, April 13, 2015.

Carried unanimously.

MAIN MOTION AS AMENDED

Carried unanimously.

(D-3)

CITY ENGINEER

Vacation of Elm Street, east of Superior St., 2619 Superior (Putz)

**CITY OF TRENTON  
RESOLUTION NO. 2014-33**

**WHEREAS**, the City Council of the City of Trenton deems it to be in the public interest to vacate the following described portion of a public street, to wit:

All that part of Elm Street 82.5 FT. wide, lying between the SOUTH LINE OF LOT 65 AND THE NORTH LINE OF LOT 66, E. SULLIVAN'S SUBDIVISION IN THE S.W. ¼ of FRAC. SECTION 18 MANGUAGON TWP. (Now the City of Trenton) WAYNE COUNTY MICH. RECORDED IN LIBER 39 OF PLATS, PAGE 39 WAYNE COUNTY, all in the City of Trenton, Wayne County, Michigan; and

**WHEREAS**, a public hearing regarding the vacation of the aforesaid portion of Elm street was held on June 20, 2011, and

**WHEREAS**, it was resolved by the Council that the property be vacated subject to access easements for "railroad, public utilities and surface drainage purposes", and

**WHEREAS**, said vacation is additionally subject to and conditioned upon the permanent absence, and prohibition against the construction, of any structures on the property together with the assumption of responsibility by the owner or tenant for damages to, or restoration of, any improvements made to the property, which damages may occur in the course of maintenance, repair or replacement of utilities located thereon.

**NOW THEREFORE BE IT RESOLVED**, that the Council of the City of Trenton does hereby grant Petitioners request to vacate the above described portion of Elm Street subject the conditions set forth above including those existing easements for access for rail, public utilities and surface drainage.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded by the City Clerk to the Wayne County Register of Deeds for recording and a copy also be forwarded to the State Treasurer.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton this 1st day of December, 2014.

Moved by Councilperson Baun-Crooks, seconded by Councilperson Gillespie, to approve the request to vacate the above described portion of Elm Street subject to the conditions set forth above including those existing easements for access for rail, public utilities and surface drainage.

Carried unanimously.

(D-4)

CITY ENGINEER

Petition to Vacate Alley, Lot 23, E Sullivan Sub., 2633 Dickinson (Spalsbury)

Moved by Councilperson Gillespie, seconded by Councilperson Rzeppa, to concur with the recommendation of the City Engineer and refer the Petition to Vacate Alley, Lot #22, 23, E. Sullivan's Subdivision, 2633 Dickinson, Kevin Spalsbury, to the Planning Commission for review and recommendations.

Carried unanimously.

(D-5)

CITY ENGINEER

Wayne County 2015 Annual Permits

**CITY OF TRENTON  
RESOLUTION 2014-34**

**COMMUNITY RESOLUTION  
AUTHORIZING EXECUTION OF  
ANNUAL MAINTENANCE PERMITS**

**WHEREAS**, the City of Trenton, (hereinafter the "Community") periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the "County") for permits to conduct emergency repairs and annual maintenance work on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

**WHEREAS**, pursuant to Act 51 of 1951, being MCL 247.651 *et seq*, the County permits and regulates such activities and related temporary road closures;

**NOW THEREFORE**, in consideration of the County granting such Permit, the Community agrees and resolves that:

To the extent allowed by law, it will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

from any and all claims and losses occurring or resulting to any and all persons, firms, or corporations furnishing or supplying work, services, materials or supplies to the Community as the result of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road, except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities.

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor's behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this resolution as part of a Permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

The resolution shall stipulate that the requesting city, incorporated village or township shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force from this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

**BE IT FURTHER RESOLVED**, that the following position(s) are authorized to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community: William R, Hogan PE, City Engineer.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton, this 1<sup>st</sup> day of December, 2014.

**CITY OF TRENTON  
RESOLUTION 2014-35**

**COMMUNITY RESOLUTION  
AUTHORIZING EXECUTION OF  
ANNUAL PAVEMENT RESTORATION PERMIT**

**WHEREAS**, the City of Trenton, (hereinafter the “Community”) periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the “County”) for permits to conduct permanent pavement repairs due to emergency repairs on local and County roads located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

**WHEREAS**, pursuant to Act 51 of 1951, being MCL 247.651 *et seq*, the County permits and regulates such activities and related temporary road closures;

**NOW THEREFORE**, in consideration of the County granting such Permit, the Community agrees and resolves that:

To the extent allowed by law, it will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

from any and all claims and losses occurring or resulting to any and all persons, firms, or corporations furnishing or supplying work, services, materials, or supplies to the Community as the result of the Community’s installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney’s fees and related costs arising out of, under, or by reason of the Community’s installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road, except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities.

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor’s behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this resolution as part of a Permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

The resolution shall stipulate that the requesting city, incorporated village or township shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force from this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

**BE IT FURTHER RESOLVED**, that the following position(s) are authorized to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community: William R. Hogan PE, City Engineer.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton, this 1<sup>st</sup> day of December, 2014.

**CITY OF TRENTON  
RESOLUTION 2014-36**

**COMMUNITY RESOLUTION  
AUTHORIZING EXECUTION OF  
ANNUAL SPECIAL EVENTS PERMITS**

**WHEREAS**, the City of Trenton, (hereinafter the “Community”) requests an annual permit from the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the “County”) 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, and the County road or road-right-of-way is located entirely within the boundaries of the Community;

**WHEREAS**, pursuant to Act 200 of 1969, being MCL 247.323 et seq, the County permits and regulates such activities, banners and related temporary road closures:

**NOW THEREFORE**, in consideration of the County granting such an Annual Permit, the Community agrees and resolves that:

To the extent allowed by law, it will fulfill all permit requirements and will save harmless, represent and defend the County of Wayne and all of its officers, agents and employees:

from any and all claims and losses occurring or resulting to any and all persons, firms, or corporations furnishing or supplying work, services, materials or supplies to the Community as the result of the Community’s installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road; and

from any and all claims of every kind for injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the Community's installation, construction, operation, repair or maintenance activities which are being performed under the terms of the Permit on, over, and/or under the County right-of-way or any local road, except claims resulting from the direct negligence or willful acts or omissions of said County performing permit activities.

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors or any other person not a party to the Permit without its specific prior written consent and notwithstanding the issuance of the Permit.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the Permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

The resolution shall stipulate that the requesting city, incorporated village or township shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

The resolution shall stipulate that the requesting city, incorporated village or township shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This resolution shall continue in force from this date until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any permit which has already been issued or activity which has already been undertaken.

**BE IT FURTHER RESOLVED**, that the following position(s) are authorized to apply to the County of Wayne Department of Public Services Engineering Division Permit Office for the necessary permit to work within County road right-of-way or local roads on behalf of the Community: William R, Hogan PE, City Engineer.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton, this 1<sup>st</sup> day of December, 2014.

Moved by Councilperson Gillespie, seconded by Councilperson Baun-Crooks, to approve the Wayne County 2015 Annual Permits: Model Community Resolutions Authorizing Execution of Annual Maintenance Permit #A-15071, The Annual Pavement Restoration Permit #A-15126, and The Annual Permit for Special Events #A-15156.

Carried unanimously.

(D-6)

CITY ADMINISTRATOR  
Contract Marketing KRC/Dietz & Trott

Moved by Councilperson LeFevre, seconded by Councilperson Baun-Crooks, to approve the agreement between Dietz & Trott Marketing and the City of Trenton, for the purposes of marketing the Kennedy Recreation Center, for a period of November 1, 2014 through December 31, 2015, with an additional one year renewal option.

Carried unanimously.

**DISBURSEMENTS AND STATEMENTS**

Moved by Councilperson LeFevre, seconded by Councilperson McLeod, to approve the Authorized Disbursements, per the December 1, 2014 schedule, in the amount of \$260,604.78.

Carried unanimously.

**REPORTS**

Moved by Councilperson LeFevre, seconded by Councilperson McLeod, to receive and place on file the Commission and Board Reports, December 1, 2014.

Carried unanimously.

**COMMENTS FROM THE COUNCIL AND OFFICIALS**

- |                         |  |
|-------------------------|--|
| Councilperson Gillespie | * Will not be at December 15 <sup>th</sup> Council Meeting.  |
| Councilperson LeFevre   | * Christmas Parade is Saturday, December 6, 2014.  |
| Councilperson Rzeppa    | * Food Pantry's in need of volunteers and donations at St. Tim's and St. Phillip's; Asked Administration for update on recycling bids and Riverside Hospital news.   |
| Administrator Wagner    | * Recycling bids expected by January 2015; Gave status report of Riverside Hospital site.  |
| Mayor Stack             | * Thanked everyone for their support, thoughts and prayers.  |
| City Clerk Gearhart     | * Animal licenses expire December 31, 2014, new tags are available at the Clerk's Office; Next Council Meeting is Monday, December 15 <sup>th</sup> ; Thanked everyone who helped with the Goodfellow drive, donations may be sent to P. O. Box 370, Trenton or dropped off at the Clerk's Office. |

RECORD OF CITY COUNCIL PROCEEDINGS  
CITY OF TRENTON, MICHIGAN  
HELD ON THE 1<sup>ST</sup> DAY OF DECEMBER 2014

- Assessor Dahlquist \* Board of Review is Tuesday, December 9, 2014.
- Treasurer McCullough \* Tax bills have been mailed.
- Parks & Rec. Director Gonyea \* Holiday Events update: Country Christmas, Petting Zoo, Reindeer Games, Santa, Skate with Santa, Skating Exhibition.
- Engineer Hogan \* Leaf collection update.
- Fire Chief Evans \* Visit with Santa on Sunday, December 7, 2014, from 4:00 to 8:00 p.m. at Fire Station 1, King Road, collecting can goods for food pantry.

**COMMENTS FROM THE PUBLIC**

- Larry Bennett \* Riverside Hospital Site Concerns.
- Tim Buhse \* Detroit Steel Company Concerns.

**MOTION TO ADJOURN** by Councilperson McLeod, seconded by Councilperson Baun-Crooks, at 8:32 p.m.

APPROVED BY:

\_\_\_\_\_  
KYLE F. STACK, MAYOR

\_\_\_\_\_  
PATRICIA M. GEARHART, CITY CLERK

MINUTES PREPARED BY: Debra R. Devitt, Deputy City Clerk  
APPROVED ON: \_\_\_\_\_

**INFORMATIONAL ITEMS:**

1. WAYNE COUNTY ELECTION DIVISION: Certified Results of the November 4, 2014 General Election.
2. WOW: Price Changes (11/21/2014).
3. COMCAST: Price Changes (11/20/2014).