

**CITY OF TRENTON, MICHIGAN
REGULAR MEETING
February 19, 2008**

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

Present on roll call by City Clerk Stack: Mayor Brown, Councilpersons: Baun-Crooks, Gillespie, LeFevre, McLeod, Taylor, and Teifer.

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

Absent: None.

Other Officers Present: John Dahlquist, City Assessor; Randy Schoen, City Treasurer; Wallace Long, City Attorney; Robert Cady, City Administrator; Christine Arnoczki, City Controller Paul Haley, Emergency Management Coordinator; William Hogan, City Engineer; Bruce Vick, Fire Chief; Patrick Hawkins, Parks and Recreation Director; William Lilienthal, Police Chief; Alan Bober, DPS Director, and Patrick Raftery, WWTP Superintendent.

MINUTES

Moved by Councilman Gillespie, seconded by Councilwoman McLeod, to approve the minutes of the Regular Meeting of February 4, 2008.

Carried unanimously.

BID OPENING

Scott Face Masks

Moved by Councilwoman Baun-Crooks, seconded by Councilwoman McLeod, to authorize the City Clerk to open the sealed bid for the Scott Face Masks.

Carried unanimously.

Westshore Services Inc.	\$8,085.00
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Moved by Councilman Gillespie, seconded by Councilwoman McLeod, to refer the bid to the Fire Department for review and recommendation.

Carried unanimously.

APPOINTMENTS

Moved by Councilwoman McLeod, seconded by Councilwoman Baun-Crooks, to approve the reappointment of Robert Cady to the Building Authority.

Roll Call: Baun-Crooks, Yes; Brown, Abstain; Gillespie, Yes; LeFevre, Yes; McLeod, Yes; Taylor, Yes; and Teifer, Yes.

Motion carried.

COMMUNICATIONS AGENDA

GENERAL

B-1. 33RD DISTRICT COURT: Fines and Costs, January 2008

GROUPS AND ORGANIZATIONS

C-1. AMERICAN LEGION/TRENTON VFW: Poppy Day Sale

DEPARTMENT HEADS, OFFICIALS, C.S.S. REFERRAL

- D-1. CITY CLERK: No Reason Absentee Voting
- D-2. ADMINISTRATOR: Michigan Municipal League Membership Renewal
- D-3. PARKS & RECREATION: 2008 Fireworks Display
- D-4. PARKS & RECREATION: Disposal and Potential Sale of Lights
- D-5. WWTP: Request to Purchase Blower Check Valve
- D-6. POLICE: In-Car Computers
- D-7. ATTORNEY: Ordinance 712, Board of Review Alternate (1st Rdg)
- D-8. ENGINEER: City Hall HVAC Replacement, Recommend Design Services

LATE COMMUNICATIONS

L-1. PARKS & RECREATION: Magazine Bid Recommendation

COMMUNICATIONS

(B-1)

33RD DISTRICT COURT
Fines and Costs, January 2008

Moved by Councilman LeFevre, seconded by Councilwoman McLeod, to receive and place on file the fines and costs, January 2008, submitted by the 33rd District Court showing the City of Trenton owing \$6,555.37.

Carried unanimously.

(C-1)
AMERICAN LEGION/TRENTON VFW
Poppy Day Sale

Moved by Councilwoman Baun-Crooks, seconded by Councilwoman McLeod, to grant permission to the American Legion and the Trenton V.F.W. Post 1888, to sell poppies in the City of Trenton on May 8th through May 10th, 2008, pending Civic Commission approval.

Carried unanimously.

(D-1)
CITY CLERK
No Reason Absentee Voting

**CITY OF TRENTON
RESOLUTION 2008-9**

WHEREAS, The City Council of the City of Trenton believes that every opportunity should be provided to encourage voter participation;

WHEREAS, The City of Trenton vigilantly advocates for the fundamental right of voters;

WHEREAS, Michigan Law in some cases forces its residents to choose between going to work or losing their Constitutional right to vote;

WHEREAS, The City of Trenton is the home of a major hospital that employs Trenton registered voters who are required to work during the hours the polls are open for voting and are therefore disenfranchised from voting as there is no provision under law for them to vote an Absentee Ballot;

WHEREAS, There are other occupations that routinely require employees to work during the hours that the polls are open, these occupations can include police and fire personnel and other shift workers that work to such an extent that they are unable to vote during the time the polls are open;

WHEREAS, The City of Trenton has many voters whose polling locations are located some distance from their homes and traveling to their precinct on Election Day could be a hardship;

WHEREAS, The statutory reasons for acquiring an Absentee Ballot do not take into account voters without transportation and their inability to travel from their homes to their precincts;

WHEREAS, The unfortunate option available for voters in these circumstances is to either not vote or to commit a misdemeanor crime by fraudulently applying for an Absentee Ballot as a means to execute one of their fundamental rights as a United States citizen;

WHEREAS, Voters should be able to vote without being forced to choose between losing their job and committing a misdemeanor crime;

WHEREAS, State law was recently enacted to require proof of residence when voting in person and there is a fundamental obligation to respect the intent of this statute when modifying absentee voting requirements; and

WHEREAS, At least 23 states currently allow for a form of early voting;

NOW, THEREFORE, BE IT RESOLVED, That the Trenton City Council hereby supports No Reason Absent Voting, provided that this option requires the application be submitted in person at a government facility (i.e. Clerk's office) with requisite proof of residence, and encourages our representatives to do the same; and

BE IT FURTHER RESOLVED, That the City of Trenton hereby petitions the State of Michigan Legislature to adopt legislation providing for No Reason Absent Voting in person at a government facility (i.e. city, village or township hall) and/or a period of early voting, thus assuring that the fundamental right of all voters are not diminished due to unwarranted restrictions in Election Law; and

BE IT FURTHER RESOLVED, That HB 4048 or HB 4134 will accomplish the objectives as set forth above, provided that they are amended and therefore the Trenton City Council hereby encourages our legislators to actively work to amend these bills as noted above and then to actively support the passage of this proposed legislation, if amended as noted here, on behalf of the voters of the City of Trenton and the State of Michigan; and

BE IT FINALLY RESOLVED, That Trenton City Council hereby directs the City Clerk to forward a copy of this resolution to Governor Jennifer Granholm, Secretary of State Terri Lynn Land, Senator Bruce Patterson, State Representative Barbara Farrah, and the Michigan Municipal League.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton, this 19th day of February, 2008.

Moved by Councilwoman Baun-Crooks, seconded by Councilwoman McLeod, to concur with the recommendation of the City Clerk to request the State of Michigan Legislature to adopt legislation providing for No Reason Absent Voting in person at a government facility.

Carried unanimously.

(D-2)
ADMINISTRATOR
Michigan Municipal League Membership Renewal

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to approve the payment of the membership renewal for the period of April 1, 2008, to March 31, 2009, to the Michigan Municipal League in the amount of \$6,479.00, which includes the Annual Dues and the Environmental Assessment only.

Carried unanimously.

(D-3)

PARKS & RECREATION
2008 Fireworks Display

**CITY OF TRENTON
RESOLUTION 2008-10**

WHEREAS, the City wishes to make arrangements for the annual Independence Day Fireworks Display; and

WHEREAS, such arrangements require certain designations and approvals from various agencies.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Trenton, that the Fourth of July Fireworks Display is hereby approved for Friday, July 4, 2008, with a rain date on July 5, 2008.

BE IT FURTHER RESOLVED, that the event is designated as a "Special Event" pursuant to Trenton Ordinance No. 537 of 1994 (the "Ordinance"), and that the below mentioned park, street and highway surfaces be subject to the provisions of the Ordinance.

BE IT FURTHER RESOLVED, that the City of Trenton designate Rotary Parks as the site for the Fireworks Display.

BE IT FURTHER RESOLVED, that Riverside Drive from Walnut to Elm Street; and Harrison, Atwood, Cherry and Elm Streets, and St. Joseph Streets, east of Riverside, are within the designated Special Event area.

BE IT FURTHER RESOLVED, that the City of Trenton prohibit public boat launching from Rotary Park on Friday, July 4th, from 6:00 p.m. until 11:00 p.m.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton, this 19th day of February, 2008.

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to approve the contract with Colonial Fireworks Company for the 2008 Fireworks Display, and authorize the expenditure of \$12,000.00; to approve the Hold Harmless and Indemnification Agreement with Hurst Marine for the barge; and authorize the Mayor and the City Clerk to sign the Agreements on behalf of the City.

Carried unanimously.

(D-4)

PARKS & RECREATION
Disposal and Potential Sale of Lights

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to authorize the Parks and Recreation Department to dispose of excess lighting fixtures from the Kennedy Recreation Center by utilizing the services of Ebay and auctioning the items to the highest bidder.

Carried unanimously.

(D-5)

WWTP

Request to Purchase Blower Check Valve

Moved by Councilman Gillespie, seconded by Councilman Taylor, to concur with the recommendation of the Superintendent of the Waste Water Treatment Plant and waive the usual bidding procedure in the best interest of the City and authorize the purchase of three flowmatic check valves from Motor City Pipe, who provided the lowest quote in the amount of \$15,036.00, with funds from the Equipment Maintenance Account (592-529-933.000), and to reject the other quotes.

Carried unanimously.

(D-6)

POLICE

In-Car Computers

Moved by Councilman LeFevre, seconded by Councilwoman McLeod, to authorize the Police Department to advertise for bid for two in car computers with GPS and wireless connectivity compatible with the current consortium system with the funding being provided from the Federal Forfeiture Funds Account (289-307-985.032) with reimbursement from the Downriver Community Conference COPS Grant Program.

Carried unanimously.

(D-7)

ATTORNEY

Ordinance 712, Board of Review Alternate (1st Rdg)

**CITY OF TRENTON
ORDINANCE NO. 712**

AN ORDINANCE TO AMEND CHAPTER 2 OF THE TRENTON CITY CODE ENTITLED "ADMINISTRATION", ARTICLE IX, ENTITLED "BOARDS AND COMMISSIONS", BY CREATING A NEW DIVISION 9 ENTITLED "BOARD OF REVIEW", TO PROVIDE FOR A MECHANISM FOR THE PURPOSE OF CREATING "ALTERNATE" POSITIONS FOR USE BY THE CITY'S BOARD OF REVIEW IN THE EVENT OF CONFLICT OR ABSENCE.

THE CITY OF TRENTON, COUNTY OF WAYNE ORDAINS AS FOLLOWS:

Section 1. Chapter 2, Article IX, entitled "Boards and Commissions", of the Trenton City Code, shall be amended by creating a new Division 9 entitled "Board of Review", for the purpose of creating "Alternate" positions for use by the City's Board of Review in the event of conflict or absence, which shall read as follows:

Division IX, Board of Review.

Section 2-601. Establishment of Alternates.

The City Council shall appoint not more than two Alternate Members to the Board of Review for the same term as regular members of the Board of Review.

Section 2-602. Qualifications of Alternates.

Each Alternate Member shall be a property tax payer of the City and shall qualify by taking the constitutional oath of office within ten days following appointment.

Section 2-603. Vacancies

The City Council shall fill any vacancy which occurs in the alternate membership in the Board of Review.

Section 2-604. Eligibility.

A member of the City Council, or spouse, mother, father, sister, brother, son, or daughter of a Council member, including an adopted child of member, or of the Assessor, is not eligible to serve as an alternate member or to fill any vacancy

Section 2-605. Duties.

An Alternate Member may be called upon by the Assessor to perform the duties of a regular member of the Board of Review in the absence of a regular member or, for purposes of reaching a decision in issues protested in which a regular Board member has abstained for reasons of conflict of interest.

Section 3. Saving Clause. Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. 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 state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

Section 5. Conflicting Ordinances. All prior existing ordinances adopted by the City of Trenton inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Section 6. This ordinance shall be given first reading on the 19th of February, 2008, final reading of the 3rd of March, 2008, published on the 16th day of March, 2008, and become effective on March 17, 2008.

Moved by Councilwoman McLeod, seconded by Councilman LeFevre, to approve the first reading of Ordinance 712, Board of Review Alternate.

Carried unanimously.

(D-8)
ENGINEER

City Hall HVAC Replacement, Recommend Design Services

Moved by Councilwoman McLeod, seconded by Councilman Gillespie, to move forward with Professional Design Services and to award the services to R.J. Howey, Inc. in the amount of \$94,000.00.

SUBSTITUTE MOTION

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to refer the contract from R.J. Howey, Inc. to the City Attorney for review and to report back to Council with a recommendation at the next Council Meeting.

Carried unanimously.

(L-1)
PARKS AND RECREATION
Magazine Bid Recommendation (Calendar)

Moved by Councilman LeFevre, seconded by Councilman Taylor, to concur with the recommendation of the Recreation Director to waive the bidding process in the best interest of the city and extend the bid with Dearborn Lithograph in the amount of \$8,800.00, for the printing of the "Buzz", with funds from the Recreation Printing Account (1010-691-729.000).

Carried unanimously.

AUTHORIZED DISBURSEMENTS

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, that the Authorized Disbursements, per the February 19, 2008, schedule, be approved.

MONROE BANK & TRUST: Cash Disbursements	\$627,706.53
General Fund	52,161.56
Major Street Fund	1,844.25
Local Street Fund	3,518.38
Kennedy Rec. Complex Fund	9,243.08
Library Operating Fund	2,288.75
Tax Receiving Fund	432,768.18
Special Revenue Funds	2,179.60
Grant Funds	70,320.56
Capital Project Fund	1,244.25
DDA Fund	140.00

SINC Fund	3,253.00
Water & Wastewater Fund	21,227.80
Motor Vehicle Pool	5,315.83
Restricted Self Ins.	22,261.28

Carried unanimously.

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to approve the February 19, 2008, disbursement payable to Certified Alarm in the amount of 60.00.

Roll Call: Gillespie, Abstain; LeFevre, Yes; McLeod, Yes; Taylor, Yes; Teifer, Yes; Baun-Crooks, Yes; and Brown, Yes.

Motion carried.

FINANCIAL SUMMARY

January 31, 2008

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to receive and place on file the Financial Summary dated January 31, 2008.

Carried unanimously.

REPORTS

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to receive and place on file the Commission and Board Reports, February 19, 2008.

Carried unanimously.

Moved by Councilman Taylor, seconded by Councilwoman McLeod, to receive and place on file the DPS Time Report, January 2008; the Police Department Time Report, January 2008; and the Fire Department Time Report, January 2008.

Carried unanimously.

COMMENTS FROM THE COUNCIL AND OFFICIALS

Councilman Taylor	* Budget Forecast – When Available?
Councilman LeFevre	* Pauline Arthurs is recovering from a broken hip
Councilwoman McLeod	* Scarecrow Festival Letter
Assessor John Dahlquist	* Assessment Notices going out March 1 Board of Review Dates

PUBLIC COMMENT

Randy Schoen

- * Turn Off the Violence – Family Fun Fair this Saturday – 11 am to 3 p.m.

MOTION TO ADJOURN BY: Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to adjourn at 9:15 p.m.

APPROVED BY:

GERALD R. BROWN, MAYOR

KYLE F. STACK, CITY CLERK

MINUTES PREPARED BY: Patricia M. Gearhart, Deputy City Clerk
APPROVED ON: _____