

**CITY OF TRENTON, MICHIGAN  
REGULAR MEETING  
February 22, 2011**

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: Councilpersons: Baun-Crooks, McLeod, Taylor and Teifer.

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

Absent: Councilpersons Gillespie and LeFevre.

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks to excuse the absence of Councilperson Gillespie and LeFevre.

Carried unanimously.

Other Officers Present: John Dahlquist, City Assessor; Randy Schoen, City Treasurer; Wallace Long, City Attorney; Robert Cady, City Administrator; Paul Haley, Emergency Management Coordinator; Christine Arnoczki, City Controller; William Hogan, City Engineer; Bruce Vick, Fire Chief; Scott Church, Human Resources Director; Patrick Hawkins, Parks and Recreation Director; William Lilienthal, Police Chief; and Eric Witte, Department of Public Services Director.

**MINUTES**

Moved by Councilperson Taylor, seconded by Councilperson McLeod, to approve the minutes of the Regular Meeting of February 7, 2011.

Carried unanimously.

**COMMUNICATIONS AGENDA**

**AUTHORITIES, CITY COMMISSIONS, BOARDS, COMMITTEES**

A-1 PLANNING COMMISSION: Annual Report to City Council

**GENERAL**

B-1 33<sup>rd</sup> DISTRICT COURT: Fines/Costs/Fees January 2011

**GROUPS AND ORGANIZATIONS**

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

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

- D-1 ATTORNEY: Ordinance No. 745, Amendment to the Duties of the City Treasurer (2<sup>nd</sup> Rdg)
- D-2 ATTORNEY: Ordinance No. 746, Amendment to the Salary of the City Clerk (1<sup>st</sup> Rdg)
- D-3 ATTORNEY: Ordinance No. 747, Amendment to Utilities to Regulate Residential and Non-Residential Water Shut-Offs (1<sup>st</sup> Rdg)
- D-4 ATTORNEY: Ordinance No. 748, Amendment to International Property Maintenance Code 2009 (1<sup>st</sup> Rdg)
- D-5 D.P.S.: Request for Disposal of Vehicle

**LATE COMMUNICATIONS**

- L-1 CABLE COMMISSION: Purchase of Camera for Council Chamber Recommendation
- L-2 ATTORNEY: Ordinance No. 749, Amendment to Appendix A of the City Code Entitled "Fees and Charges" for the purpose of updating assessments made by the City (1<sup>st</sup> Rdg)

**COMMUNICATIONS**

(A-1)

PLANNING COMMISSION  
Annual Report to City Council

Moved by Councilperson Taylor, seconded by Councilperson McLeod, to receive and place on file the Planning Commission Annual Report, for the fiscal year of July 1, 2009 through June 30, 2010.

Carried unanimously.

(B-1)

33<sup>rd</sup> DISTRICT COURT  
Fines/Costs/Fees January 2011

Moved by Councilperson McLeod, seconded by Councilperson Taylor, to receive and place on file the fines, costs, fees, January 2011, submitted by the 33<sup>rd</sup> District Court, showing the City of Trenton owing \$9,214.78.

Carried unanimously.

(C-1)

AMERICAN LEGION / VFW Post 1888  
Annual Poppy Day Sale

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to grant the request from the American Legion Auxiliary Unit 426 and Veterans of Foreign Wars Post 1888, for the sale of Poppies during the period of May 5<sup>th</sup> through May 7<sup>th</sup>, 2011, under the direction of the Police Department.

Carried unanimously.

(D-1)

ATTORNEY

Ordinance No. 745, Amendment to the Duties of the City Treasurer (2<sup>nd</sup> Reading)

**CITY OF TRENTON  
ORDINANCE NO. 745**

**AN ORDINANCE TO AMEND ARTICLE III OF CHAPTER 2 OF THE  
TRENTON CITY CODE ENTITLED "OFFICERS AND EMPLOYEES" BY  
AMENDING SECTION 2-63 TO SET FORTH THE DUTIES OF  
TREASURER AND CONTROLLER'S OFFICE FOLLOWING  
REORGANIZATION.**

Whereas, the City of Trenton has determined that it can better serve the community while reducing the cost of local government through reorganization and consolidation of certain services, and

Whereas, Section 4.9 of the City Charter provides that the Council may by ordinance, create additional administrative offices and departments, and may combine any administrative offices and departments in any manner it deems necessary or advisable for the proper and efficient operation of the city, and prescribe the functions of each office and department and the duties, authorities and responsibilities of the officers of each department, and

Whereas, in accordance with Section 4.9, the City wishes to consolidate and transfer several current responsibilities of the Treasurer to the Office of the City Controller, with the objective of eliminating duplication of tasks and achieving greater efficiencies in the financial operations of the City.

**THE CITY OF TRENTON, WAYNE COUNTY, MICHIGAN, HEREBY ORDAINS:**

**Section 1.** Section 2-63 of the Trenton City Code entitled Salary of the Treasurer shall be deleted, renamed and amended to transfer certain duties of the City Treasurer to the Office of the Controller, which Section shall then read as follows:

**Sec. 2-63 Duties of the Treasurer.**

As part of the 2011 consolidation and reorganization of City Departments, and pursuant to Section 4.9 of the Charter, the duties of the City Treasurer shall be reduced to those which may be required under State Law and those incorporated in the City's Charter at Section 4.16.(a)(c)(d) and(e). All other duties and responsibilities performed by the Treasurer at the time of enactment of this Ordinance, including but not limited to, those set forth in Charter Section 4.16(b) for the collection of fees and other receivables, shall hereinafter be transferred to, consolidated and reside with, and become duties and responsibilities of the office of the City Controller, to be performed in addition to those currently held and performed by the Controller and set forth in Section 4.13 of the Charter.

**Section 2. 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. Pursuant to Section 13(5) of the Act, if Section

8 of the Act is found to be invalid or unconstitutional, the modification of fees under Section 11 above shall be void from the date the modification was made.

**Section 3.** **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 4.** **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 5.** **Readings.** This Ordinance shall be given a first reading on January 24, 2011, shall be enacted on February 22, 2011, and shall be published on or before March 6, 2011, and shall be effective November 14, 2011.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton this 22nd day of February, 2011.

Moved by Councilperson McLeod, seconded by Councilperson Taylor, to approve the second reading of Ordinance 745, Amendment to the Duties of City Treasurer.

Carried unanimously.

(D-2)

ATTORNEY

Ordinance No. 746, Amendment to the Salary of the City Clerk (1<sup>st</sup> Reading)

**CITY OF TRENTON  
ORDINANCE NO. 746**

**AN ORDINANCE TO AMEND SECTION 2-62 OF THE TRENTON CITY CODE ENTITLED "SALARY OF CITY CLERK" TO SET FORTH COMPENSATION GUIDELINES AND BENEFITS.**

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

**Section 1.** Section 2-62 of the Trenton City Code entitled "Salary of City Clerk" shall be repealed in its entirety and the following shall be substituted in its stead:

**Sec. 2-62. City Clerk.**

- (a) Compensation of the city clerk shall be determined by the city's local officer's compensation commission in accordance with Section 2-65 of the code and for each of two (2) different levels of achievement: i) Certified Municipal Clerk, by the Institute of Municipal Clerks, and accreditation by the state as an Election Inspector Training Coordinator; ii) not a Certified Municipal Clerk and accredited Training Coordinator.
- (b) Fringe benefits shall include health, prescriptive drug, dental and optical insurance coverages, which are subject to periodic adjustment, and shall

mirror those provided to other non-union employees, incorporating equivalent benefit levels, co-payments, deductibles and premium sharing, as well as a group life insurance policy rounded to the nearest one thousand dollars (\$1,000.00) of salary, including accidental death and dismemberment during their term of office, shall be paid for the city clerk. The city clerk may elect supplemental life insurance through the city's group insurance carrier subject to the provisions of the insurance company, but the cost of the supplemental coverage must be paid by the city clerk.

**Section 2.** **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 3.** **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 4.** **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 5.** **Readings.** This Ordinance shall be given a first reading on February 22, 2011 shall be enacted on March 7, 2011 and shall be published on or before March 20, 2011 and shall be effective November 14, 2011.

Moved by Councilperson McLeod, seconded by Councilperson Taylor, to approve the first reading of Ordinance 746, Amendment to the Salary of the City Clerk.

Carried unanimously.

(D-3)

ATTORNEY

Ordinance No. 747, Amendment to Utilities to Regulate Residential and Non-Residential Water Shut-Offs (1<sup>st</sup> Reading)

**CITY OF TRENTON  
ORDINANCE NO. 747**

**AN ORDINANCE TO AMEND CHAPTER 98 ENTITLED "UTILITIES", IN ARTICLE 2, DIVISION 1 OF THE CITY CODE BY ADDING NEW SUBSECTIONS 98-34(c), (d), (e) and (f), TO REGULATE RESIDENTIAL AND NONRESIDENTIAL WATER SHUT-OFFS.**

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

**Section 1.** Article 2, Division 1 of Chapter 98 of the Trenton City Code shall be amended by retitling and adding to Section 98-34, additional subsections regulating

suspension and disconnection of service to residential and non-residential premises located within the City, which shall read as follows:

**Sec. 98-34. Disconnection of Water Service; reconnection fees.**

(a) *(Same)*

(b) *(Same)*

(c) Any premises which is known to be vacant and having a past due water balance, or has no heat or electrical service, may have the supply of water withheld or suspended by the city in order to reduce or eliminate water losses incurred by freezing and breakage, or damage to the structure on the premises. The controller's office will advise the water department of any of its invoices returned by the US Postal Service as "undeliverable" or marked "vacant", for action. Water service shall not be restored to the premises until such time as all invoices due and owing have been paid in full.

(d) Any premises, occupied or vacant, in which the plumbing is damaged and in need of repair such that is causing un-metered water loss, or damage to premises; or is non-compliant with the city's plumbing code so as to adversely affect public health, including those involving back flow or cross connections, may have the supply of water withheld or suspended by the city.

(e) Any premises which exhibits meter tampering, theft of water, or for which access to inspect and/or test the meter or plumbing is denied to water department personnel or their agents, may have the supply of water withheld or suspended.

(f) Any non-residential premises for which water payments are more than 3 billing cycles in arrears, may have the supply of water withheld or suspended by the city, provided a notice is mailed no less than 21 days before the suspension of service and a copy of the notice is conspicuously posted on the property no less than 7 days before the suspension of service.

**Section 2. 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 3. 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 4. 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 5. Readings.** This Ordinance shall be given a first reading on February 22, 2011, shall be enacted on March 7, 2011, and shall be published on or before March 20, and shall be effective March 21, 2011.

Moved by Councilperson McLeod, seconded by Councilperson Taylor, to approve the first reading of Ordinance 747, Amendment to Utilities to Regulate Residential and Non-Residential Water Shut-Offs.

Carried unanimously.

(D-4)

ATTORNEY

Ordinance No. 748, Amendment to International Property Maintenance Code 2009  
(1<sup>st</sup> Reading)

**CITY OF TRENTON  
ORDINANCE NO. 748**

**AN ORDINANCE OF THE CITY OF TRENTON ADOPTING THE 2009 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF BY AMENDING SECTION 18-151 OF THE CITY CODE AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.**

**THE CITY OF TRENTON, WAYNE COUNTY, MICHIGAN DOES ORDAIN  
AS FOLLOWS:**

**Section 1.** Section 18-151 of Article V entitled "Housing and Property Maintenance," is hereby repealed and the following shall be substituted in its stead:

**Section 18-151. International Property Maintenance Code.**

(a) *Adoption.* That a certain document, three (3) copies of which are on file in the office of the City Clerk of City of Trenton, being marked and designated as the *International Property Maintenance Code, 2009 Edition*, as published by the International Code Council, be and is hereby adopted as the code of the City of Trenton for regulating the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of all building and structures; providing for the issuance of permits and collection of fees therefore; each and all of the regulations, provisions, penalties, conditions, and terms of said maintenance code on file in the office of the City Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with additions, assertions, deletions and changes prescribed in subsection (b) of this ordinance.

(b) *Same*

**Section 2.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

**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. Readings.** This Ordinance shall be given a first reading on February 22, 2011, shall be enacted on March 7, 2011, and shall be published on or before March 20, 2011, and shall be effective March 21, 2011.

A full copy of the text of the ordinance with amendments and 2009 Edition of the International Property Maintenance Code is available for review in the office of the City Clerk.

Moved by Councilperson Taylor, seconded by Councilperson McLeod, to approve the first reading of Ordinance 748, Amendment to International Property Maintenance Code 2009.

Carried unanimously.

(D-5)

D.P.S.

Request for Disposal of Vehicle

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to concur with the recommendation of the DPS Director and authorize the disposal of a 1997 Freightliner Tractor, by utilizing the services of Martin's Towing.

Carried unanimously.

(L-1)

CABLE COMMISSION

Purchase of Camera for Council Chamber Recommendation

Moved by Councilperson Baun-Crooks, seconded by Councilperson McLeod, to concur with the recommendation of the Cable Commission and award the proposal to Advanced Lighting and Sound, to purchase a camera for Council Chambers, in the amount of \$3,305.00 with funding from Machinery and Equipment Account 101-740-982.000.

Carried unanimously.

(L-2)

ATTORNEY

Ordinance No. 749, Amendment to Appendix A of the City Code Entitled "Fees and Charges" for the purpose of updating assessments made by the City. (1<sup>st</sup> Reading)

**CITY OF TRENTON  
ORDINANCE NO. 749**

**AN ORDINANCE TO AMEND CERTAIN SECTIONS OF APPENDIX A OF THE CITY CODE ENTITLED "FEES AND CHARGES" FOR THE PURPOSE OF UPDATING ASSESSMENTS MADE BY THE CITY.**

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

**Section 1.** Certain sections of Appendix A of the Trenton City Code entitled "Fees and Charges" shall be modified to update the City's assessments for certain permits and services, which shall read as follows:

**Sec. A-14. Water connect and disconnect fees.**

- (a) Whenever water is turned off for any premises because of any violation of chapter 98, article II, pertaining to water service, a foreclosure, or a resident request, the fee to cover the cost of labor for turning the water "off" or "on" during normal business hours, shall be \$ 35.00, or \$ 125.00 if undertaken during holidays or outside normal business hours. In the event both the "turn off" and "turn on" are accomplished within any one regular shift, or within any one 4 hour over-time shift, a single charge shall be will be applied
- (b) The fee for a "final read" of a meter shall be \$ 35.00.
- (c) The fee for a final read in conjunction with a shutoff shall be \$ 45.00.

**Section 2.** **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 3.** **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 4.** **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 5. Readings.** This Ordinance shall be given a first reading on February 22, 2011, shall be enacted on March 7, 2011, and shall be published on or before March 20, 2011, and shall be effective March 21, 2011.

Moved to Councilperson McLeod, seconded by Councilperson Baun-Crooks, to approve the first reading of Ordinance 749, Amendment to Appendix A of the City Code Entitled "Fees and Charges" for the purpose of updating assessments made by the City.

Carried unanimously.

### **AUTHORIZED DISBURSEMENTS**

Moved by Councilperson McLeod, seconded by Councilperson Taylor, that the Authorized Disbursements, per the February 22, 2011, schedule, be approved and to include the disbursements payable to B & D Vacuum in the amount of \$32.00 and to Certified Alarm in the amount of \$185.00.

|   |                |
|---|----------------|
| MONROE BANK & TRUST: Cash Disbursements | \$5,458,855.52 |
| General Fund                            | 78,551.12      |
| Major Street Fund                       | 813.04         |
| Kennedy Rec Complex                     | 13,306.35      |
| Library Operating Fund                  | 5,914.17       |
| Tax Receiving Fund                      | 5,251,812.72   |
| Special Revenue Fund                    | 11,737.88      |
| Grant Funds                             | 5,989.77       |
| D.D.A. Fund                             | 70.00          |
| SINC Fund                               | 4,019.96       |
| Water & Wastewater Fund                 | 31,100.90      |
| Motor Vehicle Pool                      | 24,473.09      |
| Restricted Self Insurance               | 31,283.52      |

Carried unanimously.

### **REPORTS**

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to receive and place on file the Financial Statement, dated January 31, 2011; Commission and Board Reports, February 22, 2011; DPS Report, January, 2011; and Police Department Report, January 2011.

Carried unanimously.

### **OTHER COUNCIL BUSINESS**

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to hold Closed Session immediately following the meeting for the purpose of discussing pending litigation and negotiations.

Carried unanimously.

**COMMENTS FROM THE COUNCIL AND OFFICIALS**

- Councilperson Baun-Crooks \* Thanking THS Basketball Team for helping at Hockey Showcase with parking.  
4<sup>th</sup> Annual Trenton Rotary Beach Blast this Saturday.
- Assessor John Dahlquist \* Board of Review March 15<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup>. Evening Board of Review March 16<sup>th</sup> and 22<sup>nd</sup>.  
Assessment notices will be sent out at end of month.
- DPS Director Eric Witte \* Hazardous Waste Days:  
February 26<sup>th</sup> in Riverview, Electronics Only  
March 26<sup>th</sup> in Belleville.  
April 30<sup>th</sup> in Trenton, Tire Collection.  
June 18<sup>th</sup> at Henry Ford Community College.
- Recreation Director Hawkins \* Hockey Showcase, 40 Teams, Great Event.

**PUBLIC COMMENT**

James Bufford,  
Wayne County Homeland Security

Wayne County Phone Calling System

**MOTION TO ADJOURN BY** Councilperson McLeod, seconded by Councilperson Baun-Crooks, at 8:41 p.m.

APPROVED BY:

\_\_\_\_\_  
GERALD R BROWN, MAYOR

\_\_\_\_\_  
KYLE F. STACK, CITY CLERK

MINUTES PREPARED BY: Debra Devitt, Secretary  
APPROVED ON: \_\_\_\_\_

**INFORMATION ITEMS:**

1. ROBERT A. FICANO: Household Hazardous Waste Collections. (02/07/2011)
2. ROBERT A. FICANO: Free Expanded Electronic Waste Collections. (02/08/2011)
3. M.L.C.C.: Permit authorization for Sunday sales. (12/28/2010)