

**CITY OF TRENTON, MICHIGAN  
REGULAR MEETING  
March 21, 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 8:01 p.m. on the above date in the City Hall Council Chambers.

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

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

Absent: Councilperson McLeod.

Moved by Councilperson Gillespie, seconded by Councilperson Taylor, to excuse the absence of Councilperson McLeod.

Carried unanimously.

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to excuse the absence of City Treasurer, Randy Schoen.

Carried unanimously.

Other Officers Present: John Dahlquist, City Assessor; Robert Cady, City Administrator; Wallace Long, City Attorney; Christine Arnoczki, City Controller; William Hogan, City Engineer; Bruce Vick, Fire Chief; Scott Church, Human Resources Director; Patrick Hawkins, Parks and Recreation Director; James Nardone, Deputy Police Chief; and Eric Witte, Department of Public Services Director.

**MINUTES**

Moved by Councilperson Taylor, seconded by Councilperson Gillespie, to approve the minutes of the Public Hearing and Regular Meeting of March 7, 2011.

Carried unanimously.

**PRESENTATIONS**

Oakwood Healthcare Systems To Fire Department

Moved by Councilperson Gillespie, seconded by Councilperson Baun-Crooks, to make the Presentation part of the regular minutes.

Carried unanimously.

Scott Stockinger, RN-AEMT representing Oakwood Healthcare Systems gave an overview of the Physio Control Lifepack Monitor/Defibrillators that have been awarded to the Fire Department at a savings in the amount of \$70,000.00. Rob Bruley, representing the Fire Department discussed what the donation meant to the Department.

### APPOINTMENTS

Moved by Councilperson Taylor, seconded by Councilperson Gillespie, to concur with the recommendation of the Mayor and approve the appointment of Deanna Roussey to the Library Commission for a term to expire on March 1, 2014.

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

Motion carried.

### COMMUNICATIONS AGENDA

#### AUTHORITIES, CITY COMMISSIONS, BOARDS, COMMITTEES

A-1. COMPENSATION COMMISSION: Recommendation to Council

#### GENERAL

- B-1. 33<sup>RD</sup> DISTRICT COURT: Fines/Costs/Fees for February 2011
- B-2. THE GUIDANCE CENTER: 2010-2011 Voluntary Assessment

#### GROUPS AND ORGANIZATIONS

- C-1. KIWANIS CLUB: Annual Peanut Sale
- C-2. AMERICAN LEGION LADIES AUXILIARY: Request to Adopt the Oddfellow Masonic Cemetery
- C-3. MOSLEM SHRINERS: Annual Hospital Fund Drive

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

- D-1. ATTORNEY: Ordinance 750, Adoption of 2009 Edition of the International Fire Code (2nd Rdg)
- D-2. ATTORNEY: Ordinance 705-2, Amendment to Section 110-252, Principal Uses Permitted, in a B-1 Local Business District (2nd Rdg)
- D-3. ATTORNEY: Ordinance 752, Adoption of Michigan Building Code and Michigan Residential Code 2009 Editions (2nd Rdg)
- D-4. ADMINISTRATOR: Insurance Renewal
- D-5. CONTROLLER: Fiscal Year 2011-2012 Budget
- D-6. DPS: New Backhoe Loader Purchase
- D-7. MAYOR: Proposed Study Session Agenda, March 28, 2011

**COMMUNICATIONS**

(A-1)

COMPENSATION COMMISSION  
Recommendation to Council

Moved by Councilperson Teifer, seconded by Councilperson Baun-Crooks, to receive and place on file the recommendation from the Compensation Commission regarding the salary for the Elected Officials.

Carried unanimously.

(B-1)

33<sup>RD</sup> DISTRICT COURT  
Fines/Costs/Fees for February 2011

Moved by Councilperson LeFevre, seconded by Councilperson Gillespie, to receive and place on file the fines, costs, fees for February 2011, showing the City of Trenton owing \$6,540.95, and the Cost Recovery Fees Collected.

Carried unanimously.

(B-2)

THE GUIDANCE CENTER  
2010-2011 Voluntary Assessment

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to approve the payment of the 2010-2011 Voluntary Assessment in the amount of \$8,000.00, to The Guidance Center.

Carried unanimously.

(C-1)

KIWANIS CLUB  
Annual Peanut Sale

Moved by Councilperson Taylor, seconded by Councilperson Gillespie, to approve the request from the Kiwanis Club of Trenton to hold their annual peanut sale in the City of Trenton on May 16, through May 21, 2011, with no standing on street corners, pending Civic Commission approval and under the direction of the Police Department.

Carried unanimously.

(C-2)

AMERICAN LEGION LADIES AUXILIARY  
Request to Adopt the Oddfellow Masonic Cemetery

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to grant permission to the Harold J. Chatell Post 426 American Legion to adopt the Oddfellow Masonic Cemetery located on West Jefferson and place flags on the veteran's graves.

Carried unanimously.

(C-3)

MOSLEM SHRINERS  
Annual Hospital Fund Drive

Moved by Councilperson Taylor, seconded by Councilperson Gillespie, to grant permission to the Moslem Shrine Temple to conduct their annual Hospital Fund Drive, in the City of Trenton, on June 16 through June 18, 2011, in front of local businesses with permission only, without standing on street corners, with no Sunday Sales, pending Civic Commission approval and under the direction of Police Department.

Carried unanimously.

(D-1)

ATTORNEY

Ordinance 750, Adoption of 2009 Edition of the International Fire Code (2nd Rdg)

**CITY OF TRENTON  
ORDINANCE NO. 750**

**AN ORDINANCE OF THE CITY OF TRENTON ADOPTING THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF TRENTON; AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS.**

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

**Section 1.** Section 42-181 of Article III entitled "Fire Prevention Code" is hereby repealed and the following shall be substituted in its stead:

**Section 42-181 International Fire Code, Adopted.**

That a certain document, three (3) copies of which are on file in the office of the City Clerk and Fire Chief of City of Trenton, being marked and designated as the *International Fire Code 2009 Edition*, including Appendix Chapters A-G, as published by the

International Code Council, be and is hereby adopted as the code of the City of Trenton for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; each and all of the regulations, provisions, penalties, conditions, and terms of said fire code on file in the office of the City Clerk and Fire Chief are hereby referred to, adopted and made a part hereof as if fully set out in this article, with additions, assertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** That the following sections are hereby revised:

Section 101.1 (Name of Jurisdiction) Insert: City of Trenton

Section 109.3 (Specify Offense) Insert: Misdemeanor

(Specify Amount) Insert: \$500

(Specify Number of Days) Insert: 93

Section 111.4 (Specify Amount) Insert: Not less than \$100 per day

(Specify Amount) Insert: Not more than \$500 per day

**Section 3.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 4.** 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 5. 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 6. 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 7. 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 8. Readings.** This Ordinance shall be given a first reading on March 7, 2011, shall be enacted on March 21, 2011 and shall be published on or before April 3, 2011 and shall be effective April 4, 2011.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton this 21st day of March, 2011.

Moved by Councilperson Taylor, seconded by Councilperson Gillespie, to approve the second reading of Ordinance 750, Adoption of 2009 Edition of the International Fire Code.

Carried unanimously.

(D-2)

ATTORNEY

Ordinance 705-2, Amendment to Section 110-252, Principal Uses Permitted, in a B-1 Local Business District (2nd Rdg)

**CITY OF TRENTON  
ORDINANCE NO. 705-2**

**AN ORDINANCE TO AMEND SECTION 110-252 OF THE TRENTON CITY CODE ENTITLED "PRINCIPAL USES PERMITTED" TO ADD BUSINESS SCHOOLS AND COLLEGES OR PRIVATE SCHOOLS TO THE PERMISSABLE USES IN A B-1 LOCAL BUSINESS DISTRICT, IN THE TRENTON CITY ZONING CODE, WHICH SHALL READ AS FOLLOWS:**

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

**Section 1.** Section 110-252 of the Trenton City Zoning Code entitled "Principal uses permitted." shall be amended to add business schools and colleges or private schools operated for profit as a permissible use in the district as a Subsection 9, and renumber the remaining sections, which shall read as follows:

**Sec. 110-252 Principal uses permitted.**

In a B-1 Local Business District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided by this chapter.

- (1) *(same)*
- (2) *(same)*
- (3) *(same)*
- (4) *(same)*
- (5) *(same)*
- (6) *(same)*
- (7) *(same)*
- (8) *(same)*
- (9) Business schools and colleges or private schools, operated for profit.
- (10) Other uses that are directly similar to the above uses.
- (11) Accessory structures and uses customarily incident to the above permitted uses.

**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 March 7, 2011, shall be enacted on March 21, 2011 and shall be published on or before April 3, 2011 and shall be effective April 4, 2011.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton this 21<sup>st</sup> day of March, 2011.

Moved by Councilperson Gillespie, seconded by Councilperson Taylor, to approve the second reading of Ordinance 705-2, Amendment to Section 110-252, Principal Uses Permitted, in a B-1 Local Business District.

Carried unanimously.

(D-3)

ATTORNEY

Ordinance 752, Adoption of Michigan Building Code and Michigan Residential Code 2009 Editions (2nd Rdg)

**CITY OF TRENTON  
ORDINANCE NO. 752**

**AN ORDINANCE TO AMEND CHAPTER 18, ENTITLED: "BUILDINGS AND BUILDING REGULATIONS", DIVISION 2, ENTITLED: "STATE HOUSING LAWS", SECTION 18-171, ENTITLED "ADOPTION", OF THE CITY CODE TO INCORPORATE THE 2009 EDITIONS OF THE STATE BUILDING CODES.**

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

**Section 1.** Section 18-171 of the City Code is hereby amended to provide as follows:

**Sec. 18-171 Adoption.** The Michigan Building Code and Michigan Residential Code, 2009 Editions, are hereby adopted, incorporated by reference, and shall be applied and enforced by the City pursuant to 1999 PA 245, together with their rules, promulgated pursuant to 1999 PA 230.

**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 March 7, 2011, shall be enacted on March 21, 2011 and shall be published on or before April 3, 2011 and shall be effective April 4, 2011.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton this 21<sup>st</sup> day of March, 2011.

Moved by Councilperson Taylor, seconded by Councilperson Gillespie, to approve the second reading of Ordinance 752, Adoption of Michigan Building Code and Michigan Residential Code 2009 Editions.

Carried unanimously.

(D-4)  
ADMINISTRATOR  
Insurance Renewal

Moved by Councilperson Gillespie, seconded by Councilperson LeFevre, to concur with the recommendation of the City Administrator to renew the city's property and liability insurance for one year, with Travelers in the amount of \$276,305.00.

Carried unanimously.

(D-5)  
CONTROLLER  
Fiscal Year 2011-2012 Budget

Moved by Councilperson Taylor, seconded by Councilperson Teifer, to receive and place on file the Mayor's proposed Fiscal Year 2011-2012 Budget, and set the date for a public hearing on Monday, May 23, 2011, at 7:45 p.m.

Carried unanimously.

(D-6)

DPS

New Backhoe Loader Purchase

Moved by Councilperson Gillespie, seconded by Councilperson Teifer, to concur with the recommendation of the Department of Public Services Director and approve the purchase of a backhoe loader through the MiDeal State of Michigan extended purchasing program in the amount of \$89,585.00.

SUBSTITUTE MOTION

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to refer the request to the Budget Session for consideration.

Carried unanimously.

(D-7)

MAYOR

Proposed Study Session Agenda, March 28, 2011

Moved by Councilperson Baun-Crooks, seconded by Councilperson Teifer, to concur with the recommendation of the Mayor and approve the agenda for the Council Study Session for Monday, March 28, 2011, at 7:30 p.m., to discuss the budget schedule.

Carried unanimously.

**AUTHORIZED DISBURSEMENTS**

Moved by Councilperson LeFevre, seconded by Councilperson Gillespie, that the Authorized Disbursements, per the March 21, 2011, schedule, be approved

MONROE BANK & TRUST: Cash Disbursements	\$500,111.96
General Fund	64,430.45
Major Street Fund	779.31
Kennedy Rec Complex	8,000.06
Library Operating Fund	36,871.58
Tax Receiving Fund	199,510.83
Special Revenue Fund	5,659.20
Grant Funds	1,988.37
SINC Fund	20,500.00
Water & Wastewater Fund	142,916.09
Motor Vehicle Pool	16,588.65
Restricted Self Insurance	3,587.41

Carried unanimously.

Moved by Councilperson LeFevre, seconded by Councilperson Gillespie, to approve the disbursements payable to B & D Vacuum in the amount of \$179.99.

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

Motion carried.

Moved by Councilperson LeFevre, seconded by Councilperson Baun-Crooks, to approve the disbursements payable to Certified Alarm in the amount of \$540.00.

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

Motion carried.

### REPORTS

Moved by Councilperson LeFevre, seconded by Councilperson Taylor, to receive and place on file, the Financial Statement dated February 28, 2011, the Commission and Board Reports, March 21, 2011; Fire Department Report, February 2011; and the Police Department Report, February 2011.

Carried unanimously.

### COMMENTS FROM THE COUNCIL AND OFFICIALS

- |                              |   |
|------------------------------|---|
| Councilperson Taylor         | * Requested Time Line for the Status of former Riverside Hospital Site  |
| Councilperson LeFevre        | * Thanked Mike Timko for Cleaning up Broken Glass in Neighborhood; THS Band Fundraiser, April 2 <sup>nd</sup> ; Great Job by Nate Stemen, trenton.patch.com |
| City Assessor John Dahlquist | * Board of Review   |
| Mayor Brown                  | * Congratulated State Champions, Thunder Bantam Hockey Team   |

### PUBLIC COMMENT

- |             |                                    |
|-------------|------------------------------------|
| Bill Jasman | * Queen of Hearts Raffle           |
| Nate Stemen | * Live Blogging on Council Meeting |

**MOTION TO ADJOURN** by Councilperson Gillespie, seconded by Councilperson Baun-Crooks at 9:11 p.m.

APPROVED BY:

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

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

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

**INFORMATION ITEMS:**

1. WOW: Migration of Basic Cable channel to digital. (03/07/2011)