

**CITY OF TRENTON, MICHIGAN
REGULAR MEETING
April 20, 2009**

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, McLeod, Taylor, and Teifer.

Absent: Councilman LeFevre.

Moved by Councilman Gillespie, seconded by Councilwoman McLeod, to excuse the absence of Councilman LeFevre.

Carried unanimously.

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

Other Officers Present: John Dahlquist, City Assessor; Randy Schoen, City Treasurer; Wallace Long, City Attorney; Robert Cady, City Administrator; Christine Arnoczki, City Controller; William Hogan, City Engineer; Bruce Vick, Fire Chief; Jeff Davis, Deputy Fire Chief; Scott Church, Human Resource Specialist; Joann Perna, Assistant Parks and Recreation Director; William Lilienthal, Police Chief; James Nardone, Deputy Police Chief; and Alan Bober, Department of Public Services Director.

MINUTES

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to approve the minutes of the Regular Meeting of April 6, 2009.

Carried unanimously.

PRESENTATIONS AND PROCLAMATIONS

Moved by Councilman Gillespie, seconded by Councilman Taylor, to make the Presentations part of the regular minutes.

Carried unanimously.

Trenton High School Hockey Team State Champions

Mayor Brown presented Certificate of Commendations to Varsity Head Coach Mike Turner and to the members of the Trenton High School 2008-2009 Varsity Hockey Team recognizing their achievement as the 2009 MHSAA State Champions. The members of the team are Blake Wojtala, Brett Berger, Kevin Dunn, Ben McPartlin, Kyle Cleland, Christian Laub, Kyle McKibbin, Kody Polin, Carlo DeGrazia, Martin Gruse, Dan Bak, Robbie Lindsay, Blake Rusnak, Jon Hultgren, Josh McPartlin, Kris Wilson, Jon Wilson, Ryan Kelley, Cam Wojtala, Evan Plassman, Zac Mulka, Team Manager Chris Holmes, and Assistant Coaches Rod Wakeham and Chad Clements.

City Beautiful Commission "Get it Planted"

Nikki Bonomo, representing the City Beautiful Commission, spoke to the Mayor and Council regarding their upcoming event called "Get it Planted" that will be held on Saturday May 16th, 2009, and asked for volunteers.

APPOINTMENTS:

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to approve the reappointments of Christine Arnoczki, Gerald Brown, and William LeFevre to the Brownfield Redevelopment Authority for the term ending May 1, 2012.

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

Motion carried.

COMMUNICATIONS AGENDA

GENERAL

B-1. 33RD DISTRICT COURT: Fines and Costs, March 2009

GROUPS AND ORGANIZATIONS

C-1. TRENTON GOODFELLOWS: Annual Drive

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

D-1. ATTORNEY: Ordinance 718, Coordination of Massage Parlor Licensure with Public Act 471

D-2. PARKS AND RECREATION: 2009 Fireworks Display

D-3. DPS: Request to Dispose of Used Tractors

D-4. DPS: Request to Award Mowing Contract

COMMUNICATIONS

(B-1)
33RD DISTRICT COURT
Fines and Costs, March 2009

Moved by Councilwoman McLeod, seconded by Councilman Gillespie, to receive and place on file the fines and costs, March 2009, submitted by the 33rd District Court showing the City of Trenton receiving \$3,162.31.

Carried unanimously.

(C-1)
TRENTON GOODFELLOWS
Annual Drive

Moved by Councilman Gillespie, seconded by Councilwoman McLeod, to grant permission to the Trenton Goodfellows Association to conduct their annual Goodfellow Paper Sale, in the City of Trenton, on Friday, November 20, and Saturday, November 21, 2009, and to approve the request to use D.P.S. personnel and trucks to deliver Goodfellows food on Thursday, December 17, 2009, or in the event of inclement weather, Friday, December 18, 2009, pending Civic Commission approval.

Carried unanimously.

(D-1)
ATTORNEY
Ordinance 718, Coordination of Massage Parlor Licensure with Public Act 471

**CITY OF TRENTON
ORDINANCE NO. 718**

AN ORDINANCE TO AMEND SECTION 22-271 OF DIVISION 2 OF CHAPTER 22 OF THE TRENTON CITY CODE, TO COORDINATE THE CITY'S LICENSURE OF MASSAGE PARLORS WITH PUBLIC ACT 2008, 471.

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

Section 1. Sec. 22-271 of Division 2 of Chapter 22 of the Trenton City Code entitled "Licenses" shall be amended to coordinate the licensure of City massage parlors with State licensure of massage therapists, pursuant to Public Act 2008, 471, and shall read as follows:

DIVISION 2. LICENSES

Sec. 22-271. Required.

(a) No person shall own or operate any massage parlor without first obtaining an annual license for such parlor.

(b) No person shall engage in the practice of massage therapy as defined in Public Act 2008, 471, in any massage parlor, unless that person is licensed by the State of Michigan, pursuant to Public Act 471, and no person or operator shall employ any person to engage in such practices unless such person is also so licensed. This section shall not prohibit an apprentice who is duly registered under this article, from engaging in such practices.

(c) Instructors in any school in which the practices defined in Public Act 471 are taught, shall also obtain a business license under this section.

(d) (Same).

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 immediate effect as an emergency Ordinance, pursuant to Section 7.3 of the City's Charter.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton this 20th day of April, 2009.

Moved by Councilwoman McLeod, seconded by Councilwoman Baun-Crooks, to approve the emergency reading of Ordinance 718, Coordination of Massage Parlor Licensure with Public Act 471.

Carried unanimously.

(D-2)

PARKS AND RECREATION
2009 Fireworks Display

**CITY OF TRENTON
RESOLUTION 2009-14**

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 Saturday, July 4, 2009, with a rain date on July 5, 2009.

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 Saturday, 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 20th day of April, 2009.

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to adopt the resolution designating the fireworks as an special event; approve the contract with Colonial Fireworks Company for the 2009 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 approve the expenditure of \$3,000.00; and authorize the Mayor and the City Clerk to sign the Agreements on behalf of the City.

Carried unanimously.

(D-3)
DPS

Request to Dispose of Used Tractors

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to authorize the disposal of two older tractors and a loader by a special auction at Martin's Towing.

Carried unanimously.

(D-4)

DPS

Request to Award Mowing Contract

Moved by Councilman Taylor, seconded by Councilman Gillespie, to concur with the Department of Public Services Director and approve Proposal B, and award the mowing contract for section 7 and 8, Anderson Park and the rest of Affholter Park in section 5 to DJ's Lawn Service in the amount of \$22,730.00, and to defer the purchase of a riding mower to the budget sessions.

Roll Call: Gillespie, Yes; McLeod, No; Taylor, Yes; Teifer, No; Baun-Crooks, No and Brown, Yes.

Motion failed.

AUTHORIZED DISBURSEMENTS

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, that the Authorized Disbursements, per the April 20, 2009, schedule, be approved.

MONROE BANK & TRUST: Cash Disbursements	\$281,871.94
General Fund	62,105.09
Major Street Fund	1,678.23
Local Street Fund	132.50
Kennedy Rec. Complex Fund	8,720.85
Library Operating Fund	1,395.76
Tax Receiving Fund	14,932.12
Special Revenue Funds	1,460.20
Trust and Agency Funds	4,000.00
Grant Funds	3,629.46
Capital Project Fund	39,455.80
DDA Fund	60.30
Water & Wastewater Fund	115,030.82
Motor Vehicle Pool	29,072.07
Restricted Self Ins.	2,867.00

Motion carried.

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to approve the disbursement payable to Certified Alarm in the amount of \$2,668.26.

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

Motion carried.

FINANCIAL STATEMENT

Moved by Councilman Taylor, seconded by Councilwoman McLeod, to receive and place on file the Financial Statement dated March 31, 2009.

Carried unanimously.

REPORTS

Moved by Councilman Taylor, seconded by Councilman Gillespie, to receive and place on file the DPS Report, March 2009; Parks and Recreation Report, March 2009; Fire Department Report, March 2009; the Police Department Report, March 2009; and the Commission and Board Report, April 20, 2009.

Carried unanimously.

OTHER COUNCIL BUSINESS

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to hold a Closed Session immediately following the regular meeting for the purpose of discussing negotiations.

Carried unanimously.

COMMENTS FROM THE COUNCIL AND OFFICIALS

- | | |
|---------------------|---|
| Councilman Teifer | * It's Our Duty to Cut the Grass |
| Councilwoman McLeod | * Connie Nieman and Marge Riske Passed Away and Will be Missed |
| Mayor Brown | * Mrs. Wilson Passed Away and Will be Missed |
| City Clerk Stack | * Census Bureau is in Town, Address Canvass |
| DPS Director Bober | * May 16 th , Tires Accepted for Recycle at Transfer Station |
| Fire Chief Vick | * Firefighter Annual Hockey Tournament April 23-26; Andy Ross Ride, June 27 th |

PUBLIC COMMENT

- | | |
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| Dan Reno | * Waste Water Treatment Plant Budget Line Items |
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MOTION TO ADJOURN BY Councilman Taylor, seconded by Councilwoman Baun-Crooks, at 8:57 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. COMCAST: New Service Offering. (03/31/2009)
2. THE GUIDANCE CENTER: Appreciation of Support. (04/09/2009)
3. CLEAN WATER ACTION: Annual Canvass. (04/09/2009)