

**CITY OF TRENTON, MICHIGAN
REGULAR MEETING
April 21, 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; Kelly Fedele, Assistant City Engineer; Bruce Vick, Fire Chief; Jeff Davis, Deputy Fire Chief; Scott Church, Human Resources Director; Patrick Hawkins, Parks and Recreation Director; Joann Perna, Assistant Parks and Recreation Director; William Lilienthal, Police Chief; and Alan Bober, DPS Director.

MINUTES

Moved by Councilman Gillespie, seconded by Councilwoman McLeod, to approve the minutes of the Regular Meeting of April 7, 2008.

Carried unanimously.

PRESENTATIONS AND PROCLAMATIONS:

Moved by Councilwoman McLeod, seconded by Councilwoman Baun-Crooks, to make the Presentations part of the regular minutes.

Carried unanimously.

Trenton High School Top Ten Students

Mayor Brown presented a Certificate of Achievement to the Top Ten 2008 Trenton High School Graduating Class Students. The Students are: Neil Dwornick, Alexander Eagal, Brooke Stefani, Benjamin Topping, Yoshiki Masada, Jordanlyn LePage, Lindsey Bennett, Lauren Pesta, Kyle Armstrong, and Cheyla Wagner.

Cultural Center National Wildlife Habitat Certification

Parks and Recreation Director Patrick Hawkins and Debbie Barnes presented the Mayor with a National Wildlife Habitat Certification awarded to the Cultural Center. Joann Perna and Barb Olson spoke about the award. Councilman Teifer recognized Phyllis Lory and Charlotte Scheffler as advocates of the Cultural Center.

APPOINTMENTS

Civic Commission

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to approve the appointment of Karen Weinschenker to the Civic Commission for a term ending May 1, 2011.

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

Motion carried.

COMMUNICATIONS AGENDA

AUTHORITIES, CITY COMMISSIONS, BOARDS, COMMITTEES

A-1. DDA: Downtown Newsletter Proposal

GENERAL

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

GROUPS AND ORGANIZATIONS

C-1. AFSCME LOCAL 292: Privatization of Lawn Mowing

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

- D-1. ATTORNEY: Ordinance 713, Dangerous and Exotic Animals, (1st Rdg)
- D-2. ATTORNEY: AT&T Lease Optimization Program
- D-3. CLERK: Approval For Election Receiving Board
- D-4. CONTROLLER: Request to Bid Postage Machine and Meter
- D-5. ADMINISTRATION: Contract Extension with Riverview Land Preserve
- D-6. PARKS & RECREATION: Mid Summer Festival Beer Permits
- D-7. DPS: Request to Purchase 10 Yard Dump Truck with Snow Plow and Salt Spreader
- D-8. DPS: Request to Award Lawn Mowing and Maintenance Contracts
- D-9. MAYOR: Naming of the New Firearms Range
- D-10. POLICE: Grant and Bid Request for Bullet Proof Vests

COMMUNICATIONS

(A-1)

DDA

Downtown Newsletter Proposal

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to approve the request from the Downtown Development Authority to resume publication of the newsletter.

Roll Call: Gillespie, yes; LeFevre, no; McLeod, no; Taylor, no; Teifer, yes; Baun-Crooks, yes; and Brown, yes.

Motion failed.

(B-1)
33RD DISTRICT COURT
Fines and Costs, March 2008

Moved by Councilman LeFevre, seconded by Councilwoman McLeod, to receive and place on file the Fines and Costs, March 2008, submitted by the 33rd District Court showing the City of Trenton receiving \$2,059.75.

Carried unanimously.

(C-1)
AFSCME LOCAL 292
Privatization of Lawn Mowing

Moved by Councilman Taylor, seconded by Councilman Gillespie, to receive and place on file the letter submitted by Dan Reno, President A.F.S.C.M.E. Local 292 regarding their opposition to privatization of lawn mowing.

Carried unanimously.

(D-1)
ATTORNEY
Ordinance 713, Dangerous and Exotic Animals, (1st Rdg)

CITY OF TRENTON

ORDINANCE NO. 713

AN ORDINANCE TO AMEND CHAPTER 14 OF THE TRENTON CITY CODE ENTITLED "ANIMALS," BY ADDING A NEW ARTICLE VIII ENTITLED "DANGEROUS AND EXOTIC ANIMALS" FOR THE PURPOSE OF RESTRICTING POSSESSION OR HARBORING WILD OR EXOTIC ANIMALS, WHICH SHALL READ AS FOLLOWS:

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

Section 1. Chapter 14 of the Trenton City Code Entitled "Animals" shall be amended by adding a new Article VIII which shall restrict the possession or harboring of certain wild or exotic animals, which shall read as follows:

ARTICLE VIII. WILD OR EXOTIC ANIMALS

Section 14-261. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- a) *Animal* means a live and vertebrate creature, fowl or reptile.
- b) *Dangerous or exotic animal* means any wild mammal, reptile or fowl which is not naturally tame or gentle, but is of a wild nature or disposition, and which, because of its size, vicious nature or other

characteristic, would constitute a danger to human life or property.
Dangerous or exotic animals include, but are not limited to:

- 1) Any poisonous animals, fish, reptile or insects;
 - 2) Apes, chimpanzees, gibbons, gorillas, monkeys, orangutans and siamangs;
 - 3) Baboons;
 - 4) Bears;
 - 5) Bison;
 - 6) Bobcats;
 - 7) Cheetahs;
 - 8) Crocodilian;
 - 9) Constriction snakes;
 - 10) Coyotes;
 - 11) Deer;
 - 12) Elephants;
 - 13) Foxes;
 - 14) Game cocks and other fighting birds;
 - 15) Hippopotami;
 - 16) Hyenas;
 - 17) Jaguars;
 - 18) Leopards;
 - 19) Lions;
 - 20) Lynxes;
 - 21) Ostriches;
 - 22) Skunks;
 - 23) Raccoons;
 - 24) Pumas, also known as cougars, mountain lions and panthers;
 - 25) Reptiles;
 - 26) Rhinoceroses;
 - 27) Poisonous or biting spiders and other insects;
 - 28) Tigers; and
 - 29) Wolves.
- c) *Exotic* means an animal which is foreign and generally not native by birth to the city.
- d) *Harbor* means to feed or shelter an animal.
- e) *Market* means to buy, sell or otherwise deal in a wild or exotic animal, either wholesale or retail.
- f) A *vicious animal* means any animal:
- 1) With a known propensity, tendency or disposition to attack without provocation, to cause injury, or to otherwise threaten the safety of human beings or domestic animals;
 - 2) Which without provocation has attacked or bitten a human being or domestic animal;
 - 3) Owned or harbored primarily or in part for the purpose of fighting, or any animal trained for fighting; or
 - 4) Which, without provocation, chases or approaches a person upon the streets, sidewalks, or any public or private property in a menacing fashion or apparent attitude of attack. This subsection does not apply to an animal on the property of its owner or to an animal that is responding in a manner that an

ordinary and reasonable person concludes was designed to protect a person if that person is engaged in a lawful activity or is the subject of an assault.

- g) *Wild* means an animal which generally lives in its original and natural state and is not normally domesticated.

Section 14-262. Prohibited Acts.

- a) No person shall shelter, exhibit, market, raise, harbor, breed, maintain or have in his possession or under his control within the city any dangerous or exotic animal.
- b) This section does not apply to:
- i) Any person while transporting any animal, fish, fowl or reptile through the city, provided that such animal, fish, fowl or reptile is adequately restrained to avoid injury to person or damage to property;
 - ii) Any person while transporting any animal, fish, fowl or reptile to a licensed veterinary hospital for treatment;
 - iii) The keeping of such animals is a bona fide educational or medical institution, public museum, City or School authorized temporary exhibition or event, or other place where they are kept as live specimens for public view or for the purpose of public instruction or study;
 - iv) Dangerous or poisonous reptiles maintained by bona fide educational or medical institutions for the purpose of instruction or study, provided such reptiles are securely confined; or
 - v) Any animal which is used as a service animal for a blind person, a deaf or audibly impaired person or a physically limited person;
 - vi) Any official police canine dog owned and maintained by the city or other law enforcement agency.

Section 14-263. Vicious Animal Control.

- a) *Control of a vicious dog, cat or other animal.* It shall be unlawful for any owner to maintain a vicious dog, cat or other animal upon any premises which does not have, and does not use, a locked enclosure for their containment, unless such vicious dog, cat or other animal is at all times maintained inside the owner's dwelling.
- b) It shall be unlawful for any owner to allow any vicious dog, cat or other animal to be outside of the dwelling of the owner or outside of the enclosure unless it is necessary for the owner to obtain veterinary care for the vicious dog, cat or other animal, or to sell or give away the vicious dog, cat or other animal. The animal shall be under the direct control and supervision of the owner of the animal or their agent, either of whom shall be, in any event, a person at least 18 years of age and physically capable of restraining the animal.
- c) *Reporting requirements.* An owner or agent of the owner shall notify the city police department immediately upon discovery that a vicious

- dog, cat or other animal is on the loose, is unconfined, has attacked a human being or other animal, or has been stolen.
- d) *Additional remedies.* Nothing in this section shall be construed to limit a victim of an animal bite or attack from pursuing additional remedies against an owner of such animal under state law.
 - e) *Violation of this section.* Any owner of a vicious dog, cat or other animal in violation of this section shall be guilty of a misdemeanor.

Section 14-264. Vicious Conduct; show cause hearing.

- a) If any vicious dog, cat or other animal shall, when unprovoked, kill, wound or assist in the killing of a human being, or any domestic animal belonging to or in the possession of any person, or if a vicious dog, cat or other animal shall, when unprovoked, attack, assault, wound, bite or otherwise injure a human being, the police department or the animal control officer shall immediately confiscate and impound the vicious animal pending a hearing within seven days requiring the owner of the animal to show cause why the animal should not be destroyed. If the animal is not destroyed, the owner shall maintain the animal pursuant to Section 14-263.
- b) *Penalties for violation.* Upon an owner's failure to comply with any condition in this section finding a dog, cat or other animal to be vicious, the police department or the animal control officer shall confiscate the animal and impound it pending a hearing within seven days requiring the owner of the vicious dog, cat or other animal to show cause why the animal should not be immediately destroyed.

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 April 21, 2008, 2008, a second reading on May 5, 2008, shall be enacted on May 5, 2008, and shall be published on or before May 18, 2008, and shall be effective May 19, 2008.

Moved by Councilman Gillespie seconded by Councilwoman Baun-Crooks, to approve the first reading of Ordinance 713, Dangerous and Exotic Animals, with modifications to be prepared by the City Attorney for the second reading.

Carried unanimously.

(D-2)
ATTORNEY
AT&T Lease Optimization Program

Moved by Councilwoman McLeod, seconded by Councilman Taylor, to approve the Amendment to Lease Agreement with New Cingular Wireless PCS LLC and the City of Trenton.

Roll Call: LeFevre, no; McLeod, no; Taylor, no; Teifer, no; Baun-Crooks, no; Brown, no; and Gillespie, no.

Motion failed.

(D-3)
CLERK
Approval For Election Receiving Board

Moved by Councilwoman Baun-Crooks, seconded by Councilwoman McLeod, to approve the request from the City Clerk to establish a Receiving Board to administer any elections scheduled in the City of Trenton.

Carried unanimously.

(D-4)
CONTROLLER
Request to Bid Postage Machine and Meter

Moved by Councilman Taylor, seconded by Councilman Gillespie, to authorize the City Controller to solicit bids for a postage machine and meter.

Carried unanimously.

(D-5)
ADMINISTRATION
Contract Extension with Riverview Land Preserve

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to concur with the recommendation of the City Administrator and approve the Addendum to the Agreement of Solid Waste Disposal Services between the City of Trenton and the City of Riverview, extending the contract for two years.

Carried unanimously.

(D-6)
PARKS & RECREATION
Mid Summer Festival Beer Permits

Moved by Councilwoman Baun-Crooks, seconded by Councilman Gillespie, to approve the Trenton Rotary Club and the Trenton Soroptimist to operate a beer tent in the street during the Mid-Summer Festival, July 11, 12, and 13, 2008.

Carried unanimously.

(D-7)
DPS

Request to Purchase 10 Yard Dump Truck with Snow Plow and Salt Spreader

Moved by Councilman Gillespie, seconded by Councilwoman McLeod, to concur with the recommendation of the Department of Public Services and award the bid for the dump truck with snow plow and salt spreader to Wolverine Truck in the amount of \$110,673.00; to reject the other bids, with funds from the Water Department budget; and to authorize the disposal of the used 1991 GMC dump truck with the auction services of Martin's Towing.

Carried unanimously.

(D-8)
DPS

Request to Award Lawn Mowing and Maintenance Contracts

Moved by Councilwoman McLeod, seconded by Councilman Gillespie, to concur with the recommendation of the DPS Director and award the bid for lawn mowing and maintenance to the lowest bidders: Louie's Landscaping Inc. for section 1, in the amount of \$6,079.00, section 2 in the amount of \$19,535.00, and section 9 in the amount of \$44.00, for each cut; to Frank's Lawn Maintenance, for section 3 in the amount of \$12,992.00, section 4 in the amount of \$9,082.50, section 5 in the amount of \$32,000.00, and for section 6 in the amount of \$3,997.50; and to D.J. Lawn Service for section 7 in the amount of \$6,900.00, and section 8 in the amount of \$7,680.00; and to reject the other bids.

Carried unanimously.

(D-9)

MAYOR

Naming of the New Firearms Range

Moved by Councilman Taylor, seconded by Councilwoman McLeod, to concur with the recommendation of the Mayor and name the new firearms range in perpetuity, the Paul E. Teifer Jr. Firearms Range, in honor of an individual who accomplished many feats in the area of firearms safety, training, competition and other successes as a public figure in the City of Trenton.

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

Motion carried.

(D-10)

POLICE

Grant and Bid Request for Bullet Proof Vests

Moved by Councilwoman Baun-Crooks, seconded by Councilman LeFevre, to grant permission to the Police Department to apply for a Bulletproof Vest Partnership Grant through the Department of Justice and if successful upon receiving the grant to authorize the department to solicit bids from the distributor and vendor list approved by the Department of Justice.

Carried unanimously.

AUTHORIZED DISBURSEMENTS

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, that the Authorized Disbursements, per the April 21, 2008, schedule, be approved.

MONROE BANK & TRUST: Cash Disbursements	\$518,731.53
General Fund	128,674.56
Major Street Fund	1,877.83
Local Street Fund	1,993.50
Kennedy Rec. Complex Fund	15,344.90
Library Operating Fund	26,298.02
Tax Receiving Fund	10,211.06
Special Revenue Funds	6,276.34
Grant Funds	25,712.49
DDA Funds	69.66
Brownfield Authority	800.00
Water & Wastewater Fund	289,400.39
Motor Vehicle Pool	9,750.78
Restricted Self Ins.	2,832.00

Carried unanimously.

Moved by Councilman Taylor, seconded by Councilwoman McLeod, to approve the April 21, 2008, disbursement payable to Certified Alarm in the amount of \$510.00.

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

Motion carried.

FINANCIAL STATEMENT

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to receive and place on file the Financial Statement dated March 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, April 21, 2008, Fire Department Time Report, March 2008; Police Department Time Report, March 2008; Traffic Safety Division Report, March 2008; and the Recreation Report, March 2008.

Carried unanimously.

COMMENTS FROM THE COUNCIL AND OFFICIALS

- | | |
|-------------------------|---|
| Councilwoman McLeod | * Urged Citizens to Vote Yes on School Bond Issue |
| Councilman LeFevre | * Congratulated Civic Commission on City Wide Garage Sale; Great Job to All on the Laura Zuk Fundraiser |
| City Clerk Stack | * Hedke School Precincts Combined for School Election Only |
| City Assessor Dahlquist | * HB 4215, Homeowners With Two Homes Paperwork |
| DPS Director Bober | * Zuk Fundraiser Great Event; Household Hazardous Waste May 3 rd in Taylor, Wayne County June 7 th in Romulus |
| Mayor Brown | * Downriver Council for Arts Not Using City Parking Lots |

PUBLIC COMMENT

- | | |
|----------|------------------------|
| Dan Reno | * Lawn Mowing Contract |
|----------|------------------------|

RECORD OF CITY COUNCIL PROCEEDINGS
CITY OF TRENTON, MICHIGAN
HELD ON THE 21ST DAY OF APRIL 2008

- Owen Kuhn * Fox Court Fencing, Ice on Road, Speed or Children
Playing Sign
- Rob Dailing * Likes Cutting Grass for the City
- Dave Surfus * We are Here to Work, Wants to be Part of Planning

MOTION TO ADJOURN BY: Councilman LeFevre, seconded by Councilwoman McLeod, to adjourn at 10:07 p.m.

APPROVED BY:

GERALD R. BROWN, MAYOR

KYLE F. STACK, CITY CLERK

INFORMATION ITEMS:

1. THE GUIDANCE CENTER: Letter of Appreciation for Contribution.(04/11/2008)
2. WAYNE COUNTY: Household Hazardous Waste Collection. (04/10/2008)
3. STATE OF MICHIGAN: Notice of Public Hearing DTE.