
**CITY OF TRENTON, MICHIGAN
REGULAR MEETING
April 22, 2013**

After the Pledge of Allegiance to the Flag the Regular Meeting of the City Council of Trenton, Michigan was called to order by Mayor Stack, at 8:01 p.m. on the above date in the City Hall Council Chambers.

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

Absent: Councilperson McLeod.

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

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

Carried unanimously.

Other Officers Present: John Dahlquist, City Assessor; Wallace Long, City Attorney; James Wagner, City Administrator; Scott Church, Assistant City Administrator; Christine Arnoczki, City Controller; Paul Haley, Emergency Management Coordinator; William Hogan, City Engineer; Bruce Vick, Fire Chief; Joann Perna, Parks and Recreation Director; Timothy Beaker, Recreation Business Operations Manager; James Nardone, Police Chief; and Steven Voss, Deputy Police Chief.

MINUTES

Moved by Councilperson Taylor, seconded by Councilperson Howey, to approve the minutes of the Regular Meeting of April 8, 2013.

Carried unanimously.

PRESENTATIONS AND PROCLAMATIONS

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

Carried unanimously.

COMMENDATIONS

A moment of silence requested by the Police Chief was observed in memory of the Police Officers and First Responders who lost their lives in the recent events in Texas and Boston.

Police Chief James Nardone, along with Deputy Police Chief Steven Voss, presented a "Certificate of Merit" to Police Officers Aaron Biniarz and Jason Davis and a "Department Compliment" to Police Sergeant Randy Woods and Police Corporal

Richard Tanguay for their efforts apprehending an armed robber, at the Seven Eleven located at 1901 King Road.

APPOINTMENTS

Building Authority

Moved by Councilperson Taylor, seconded by Councilperson Howey, to approve the Mayors reappointment of Christine Arnoczki to the Building Authority, for a term expiring April 1, 2016,

Roll Call: Howey, Yes; LeFevre, Yes; Stack, Abstain; Taylor, Yes; Teifer, Yes; and Baun-Crooks, Yes.

Motion carried.

PRESENTATIONS

(L-1)

ADMINISTRATION

DTE Installation of Smart Meters

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks to make the presentation part of the minutes.

Carried unanimously.

Joe McCormick, and Brian Moccia representing DTE Energy, gave an overview of the installation of Smart Meters.

COMMUNICATIONS AGENDA

GENERAL

- B-1. 33RD DISTRICT COURT: Fines, Costs, Fees, March 2013
- B-2. 33RD DISTRICT COURT: First Quarter Court Technology Payment
- B-3. JONUS REXHEPI: Interest in City Owned Vacant Property

DEPARTMENT HEADS & OFFICIALS

- D-1. CITY ATTORNEY: Ordinance 774, Streets, Sidewalks and Other Public Places, Amendment (1st Rdg)
- D-2. PARKS AND RECREATION: Summer Festival Beer Permits
- D-3. PARKS AND RECREATION: 2013 Fireworks Sound Proposal
- D-4. PARKS AND RECREATION: Fireworks Contract
- D-5. CITY ENGINEER: 2013 Trash Cart Order

LATE COMMUNICATIONS

- L-1. ADMINISTRATION: DTE Installation of Smart Meters
- L-2. CITY ATTORNEY: Ordinance 775, Amendment to Salary of City Assessor (1st Rdg)

COMMUNICATIONS

(B-1)

33RD DISTRICT COURT
Fines, Costs, Fees, March 2013

Moved by Councilperson LeFevre, seconded by Councilperson Baun-Crooks, to receive and place on file the fines, costs, fees, submitted by the 33rd District Court, showing the City receiving \$3,672.46.

Carried unanimously.

(B-2)

33RD DISTRICT COURT
First Quarter Court Technology Payment

Moved by Councilperson LeFevre, seconded by Councilperson Baun-Crooks, to receive and place on file the first quarter payment from court technology fund to the SINC Consortium, submitted by the 33rd District Court, in the amount of \$30,557.00, with the City of Trenton's portion in the amount of \$6,870.00.

Carried unanimously.

(B-3)

JONUS REXHEPI
Interest in City Owned Vacant Property

Moved by Councilperson Taylor, seconded by Councilperson Howey, to receive and place on file the letter of interest in City owned vacant property, submitted by Mr. Jonus Rexhepi.

AMENDMENT TO MOTION.

Moved by Councilperson Teifer, seconded by Councilperson Howey, to refer the communication to Administration and the Downtown Development Authority, to determine what options are available.

Carried unanimously.

MAIN MOTION AS AMENDED

Carried unanimously.

Mr. Rexhepi, owner of Ramsey's Coney Island Restaurant spoke to the Mayor and Council about his request.

(D-1)

CITY ATTORNEY

Ordinance 774, Streets, Sidewalks and Other Public Places, Amendment (1st Rdg)

CITY OF TRENTON

ORDINANCE NO. 774

AN ORDINANCE TO AMEND SECTION 82-5 OF ARTICLE I, CHAPTER 82 OF THE TRENTON CITY CODE ENTITLED "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" TO PERMIT THE LIMITED DISPLAY OF MERCHANDISE ON PUBLIC SIDEWALKS BY ADJACENT RETAILS, AND PROHIBIT IT ON PUBLIC STREETS AND ALLEYS EXCEPT BY PERMIT DURING SPECIAL EVENTS.

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

Section 1. Section 82-5 of the Trenton City Code entitled "Display of Merchandise Or Placement of Signs In Streets or Sidewalks" shall be amended to permit the limited display of merchants regular merchandise on public sidewalks while prohibiting it on public streets and alleys, except by permit during city sponsored "Special Events" which section shall then read as follows:

Sec. 82-5. Display of Merchandise or Placement of Signs in Streets or Sidewalks.

- (a) No person shall place, store or exhibit any goods, wares or merchandise or material for sale upon any public street or alley in the city, or place any sign or advertising device thereon. Violations of this section are a municipal civil infraction for which the fine is \$ 50.00.
- (b) Notwithstanding subsection (a) above, a participating merchant may utilize public street space duly authorized and designated for the display and sale of merchandise during a city sponsored "Special Event" only, as defined in this code, by first obtaining a permit for the event from the city, which permit shall be displayed on site at all times during the event. Use of the street by a retailer, or other person authorized by the retailer, in the "Special Event" area, without a valid permit shall constitute a municipal civil infraction for which the fine is \$ 250.00 per day.
- (c) No merchant shall place, store or exhibit any goods, wares or merchandise or material upon any public sidewalk in the city which are not maintained in its regular inventory, during a "Special Event", nor permit another to display or offer for sale any such goods or merchandise, in the sidewalk area immediately in front of or adjacent to their property.
- (d) No merchant shall place, store or exhibit any goods, wares, merchandise or material on the public sidewalk, or allow another to do so, in such a manner so as to obstruct the free and unobstructed passage of pedestrians.
- (e) Violations of sub-sections (c) or (d), shall constitute a municipal civil infraction with a fine of \$ 50.00 per day.

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 22, 2013, shall be enacted on May, 6, 2013, and shall be published on or before May 19, 2013, and shall be effective May 20, 2013.

Moved by Councilperson Howey, seconded by Councilperson Baun-Crooks, to approve the first reading of Ordinance 774, Streets, Sidewalks and Other Public Places, Amendment.

Carried unanimously.

(D-2)

PARKS AND RECREATION
Summer Festival Beer Permits

Moved by Councilperson Baun-Crooks, seconded by Councilperson Howey, to concur with the recommendation of the Parks and Recreation Director and approve The Trenton Firefighters Charities and the International Wildlife Refuge Alliance to operate a beer tent in the street during the Summer Festival to be held on June 28 through June 30, 2013; and to approve the Trenton Rotary Club to sponsor the "Sample of Summer" Festival preview night wine tasting event on Thursday, June 27, 2013, in the street at the corner of West Road and West Jefferson.

Carried unanimously.

(D-3)

PARKS AND RECREATION
2013 Fireworks Sound Proposal

Moved by Councilperson LeFevre, seconded by Councilperson Howey, to concur with the recommendation of the Parks and Recreation Director and approve the request that Allen Audio System be the provider of the sound system for the 4th of July Fireworks Event, in the amount of \$3,000.00, and to reject the other quote, with funding from sponsorship dollars.

Carried unanimously.

(D-4)
PARKS AND RECREATION
Fireworks Contract

Moved by Councilperson Baun-Crooks, seconded by Councilperson Howey, to concur with the recommendation of the Parks and Recreation Director and approve contract with Ace Pyro LLC for the 2013 and 2014 Fireworks Display, and authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

Carried unanimously.

(D-5)
CITY ENGINEER
2013 Trash Cart Order

Moved by Councilperson Taylor, seconded by Councilperson LeFevre, to authorize the Department of Public Services to purchase 427 trash and yard waste carts from Schaefer Systems International, in the amount of \$24,919.75, to be funded from the Special Revenue Account (285-528-985.044) and to waive the usual bidding procedure in the best interest of the City.

Carried unanimously.

L-2
CITY ATTORNEY
Ordinance 775, Amendment to Salary of City Assessor (1st Rdg)

**CITY OF TRENTON
ORDINANCE NO. 775**

AN ORDINANCE TO AMEND SECTION 2-61 OF THE TRENTON CITY CODE ENTITLED "SALARY OF CITY ASSESSOR" TO SET FORTH COMPENSATION AND BENEFITS PAID BY THE CITY.

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

WHEREAS, the City previously established salary levels for the City Assessor in accordance with the level of State Certification attained, and

WHEREAS, the City subsequently established a Local Officers Compensation Commission for the purpose of periodically reviewing salaries of certain elected officials based upon their duties and responsibilities, and

WHEREAS, the State of Michigan has determined that the City of Trenton is no longer in need of an Assessor with a Level 4 Certification to conduct its assessments.

NOW THEREFORE, the City Council of the city of Trenton resolves to amend Section 2-61 of the Trenton City Code as follows:

Section 1. Section 2-61 of the Trenton City Code entitled "Salary of City Assessor" shall be repealed in its entirety and amended to read as follows:

Sec. 2-61. Salary of city assessor.

The authority to modify the salary of city assessor, shall be determined by the Local Officer's Compensation Commission pursuant to Section 2-65 of the City code in accordance with, and dependent upon, the assessor's certification level as determined by the state assessor's board:

<i>State Certificate Level In Assessment Administration</i>	<i>Percentage of Commission's Recommended Salary</i>
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(a) *Effective November 11, 2013*

Level 3	100%
Level 2	90%
Level 1	85%
No Certification	75%

(b) In addition thereto, the fringe benefits of health and prescription drug insurance, dental and optical insurance equivalent to the nonunion fringes, and a group life insurance policy to the nearest one thousand dollars (\$1,000.00) of salary, including accidental death and dismemberment, shall be paid for the city assessor, subject to any premium sharing required of nonunion employees. The city assessor 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 assessor.

(c) A city assessor with five (5) years of continuous service shall receive five hundred dollars (\$500.00) and an additional fifty dollars (\$50.00) for each year of service thereafter, payable on the payroll cycle following the employee's anniversary date.

(d) The prescribed levels shall become effective as of the date set forth in the above schedules.

(e) The assessor's salary level shall initially be fixed in accordance with his/her certification level as of the commencement of the next term of office. Adjustments subsequently being made during the term of office in accordance with the salary schedule to reflect changes in certification levels upon submission to, and acceptance by, the city of the assessor's then current certificate from the state assessors board.

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 22, 2013, shall be enacted on May 6, 2013, and shall be published on or before May 19, 2013, and shall be effective May 20, 2013.

Moved by Councilperson Taylor, seconded by Councilperson Teifer, to approve the first reading of Ordinance 775, amendment to Salary of City Assessor.

Carried unanimously.

AUTHORIZED DISBURSEMENTS

Moved by Councilperson Teifer, seconded by Councilperson Baun-Crooks, that the Authorized Disbursements, per the April 22, 2013, schedule, be approved, in the amount of \$158,522.66, and the Authorized ACH Transactions, March 2013, in the amount of \$1,745,883.15.

Carried unanimously.

Moved by Councilperson Teifer, seconded by Councilperson Baun-Crooks, to receive and place on file the Financial Summary, dated March 31, 2013.

Carried unanimously.

REPORTS

Moved by Councilperson Teifer, seconded by Councilperson Baun-Crooks, to receive and place on file the Commission and Board Reports, April 22, 2013; Police Department Report, March 2013; and the Fire Department Manpower Overtime, March 2013.

Carried unanimously.

COMMENTS FROM THE COUNCIL AND OFFICIALS

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| Councilperson Baun-Crooks | * Thanked Dr. Noel Jackson, along with Alexander Zonjic for Fabulous Concert at the Trenton Theatre featuring Keiko Mastsui. |
| Councilperson LeFevre | * Thanked Friends of the Detroit River for the Great Job on Clean Up Project |
| City Clerk Gearhart | * Next Regular Council Meeting is May 6, 2013 |

RECORD OF CITY COUNCIL PROCEEDINGS
CITY OF TRENTON, MICHIGAN
HELD ON THE 22ND DAY OF APRIL 2013

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- | | |
|---------------------|---|
| City Engineer Hogan | * Transfer Station Fee Free This Week; Area Between Sidewalk and Curb, Not Private Property |
| Mayor Stack | * May 11 th Stamp Out Hunger by Post Office; Shred It Day and Electronic Recycling May 11 th at Kennedy Recreation Center |

PUBLIC COMMENT

- | | |
|-------------|---|
| Amy Mullins | * New Horizon Senior Group Hosting “The Drive Up Food Pantry Day”, Thursday May 2 nd at Westfield Activity Center, for Donations |
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MOTION TO ADJOURN by Councilperson Taylor, seconded by Councilperson Howey, at 8:40 p.m.

APPROVED BY:

KYLE F. STACK, MAYOR

PATRICIA M. GEARHART, CITY CLERK

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

INFORMATION ITEMS:

1. INTEGRYS ENERGY SERVICES, INC.: Renewable Energy Plan.