

**CITY OF TRENTON, MICHIGAN
REGULAR MEETING
May 6, 2013**

After the Pledge of Allegiance to the Flag, a moment of silence was observed in memory of Alan Ray, a former employee and Brad Hasler, a Trenton resident who both passed away. The Regular Meeting of the City Council of Trenton, Michigan was called to order by Mayor Stack, at 8:06 p.m. on the above date in the City Hall Council Chambers.

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

Absent: None.

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

Other Officers Present: John Dahlquist, City Assessor; Michael McCullough, City Treasurer; Karen Sall, Deputy Treasurer; 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; and James Nardone, Police Chief.

MINUTES

Moved by Councilperson McLeod, seconded by Councilperson LeFevre, to approve the minutes of the Regular Meeting of April 22, 2013.

Carried unanimously.

COMMUNICATIONS AGENDA

AUTHORITIES, CITY COMMISSIONS, BOARDS, COMMITTEES

- A-1. TASTE OF TRENTON AND BEYOND: Event Beer and Wine Concession
- A-2. COMPENSATION COMMISSION: Salary of the City Assessor Recommendation
- A-3. COMPENSATION COMMISSION: Salary of the City Clerk Recommendation
- A-4. COMPENSATION COMMISSION: Salary of the City Treasurer Recommendation
- A-5. GERRIE DICKEY: Resignation from the Downtown Development Authority
- A-6. BROWNFIELD REDEVELOPMENT AUTHORITY: Environmental Consultant; EPA Grant Application

GENERAL

- B-1. 33RD DISTRICT COURT: Annual Financial Report, December 31, 2012

GROUPS AND ORGANIZATIONS

- C-1. THS SWIMMING AND DIVING TEAM: Bottle Drive/Car Wash Fundraiser Request
- C-2. MOSLEM SHRINERS: Annual Hospital Fund Drive
- C-3. CHUCK NEUBECKER: Bottle Drive Request

C-4. KIWANIS CLUB: Annual Peanut Sale

DEPARTMENT HEADS & OFFICIALS

- D-1. CITY ATTORNEY: Ordinance 774, Streets, Sidewalks and Other Public Places, Amendment (2ND Rdg)
- D-2. CITY ATTORNEY: Ordinance 775, Amendment to Salary of City Assessor (2ND Rdg)
- D-3a. CITY ADMINISTRATOR: EPA Brownfield Assessment Grant DSC/McLouth Steel
- D-3b. CITY ADMINISTRATOR: Environmental Consultant Agreement
- D-4. CITY CONTROLLER: Delinquent Accounts to be Placed on the 2013 City Tax Roll

LATE COMMUNICATIONS

- L-1. PARKS AND RECREATION: Rink Seal

COMMUNICATIONS

(A-1)

**TASTE OF TRENTON AND BEYOND
Event Beer and Wine Concession**

Moved by Councilperson McLeod, seconded by Councilperson Howey, to receive and place on file the communication regarding the Taste of Trenton and Beyond event.

SUBSTITUTE MOTION

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to approve the Trenton Rotary Club to operate a beer and wine concession, during the Taste of Trenton and Beyond on Sunday, September 15, 2013, from 11:00 a.m. to 5:00 p.m. in Elizabeth Park.

Carried unanimously.

(A-2)

**COMPENSATION COMMISSION
Salary of the City Assessor Recommendation**

Moved by Councilperson Taylor, seconded by Councilperson McLeod, to receive and place on file the recommendation from the Compensation Commission to increase the salary of the City Assessor by 4.0%, effective November 11, 2013.

Carried unanimously.

(A-3)

**COMPENSATION COMMISSION
Salary of the City Clerk Recommendation**

Moved by Councilperson Taylor, seconded by Councilperson McLeod, to receive and place on file the recommendation from the Compensation Commission to increase the salary of the City Clerk by 4.0%, effective November 11, 2013.

Carried unanimously.

(A-4)
COMPENSATION COMMISSION
Salary of the City Treasurer Recommendation

Moved by Councilperson McLeod, seconded by Councilperson Teifer, to reject the recommendation from the Compensation Commission to increase the salary of the City Treasurer from \$7,000.00, to \$14,000.00.

Roll Call: Howey No; LeFevre, Yes; McLeod, Yes; Stack, Yes; Taylor, Yes; Teifer, Yes; and Baun-Crooks, Yes.

Motion carried.

(A-5)
GERRIE DICKEY
Resignation from the Downtown Development Authority

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to receive and place on file, the letter of resignation submitted by Gerrie Dickey, from the Downtown Development Authority, and request Administration to send a letter of appreciation to her for her services.

Carried unanimously.

(A-6)
BROWNFIELD REDEVELOPMENT AUTHORITY
Environmental Consultant; EPA Grant Application

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to receive and place on file the recommendation from the Brownfield Redevelopment Authority regarding the EPA Brownfield Assessment Grant and the hiring of Environmental Consulting and Technology.

Carried unanimously.

Annual Financial Report, December 31, 2012

**CITY OF TRENTON
RESOLUTION 2013-13**

**RESOLUTION TO ACCEPT THE 33RD JUDICIAL DISTRICT COURT ANNUAL
FINANCIAL REPORT FOR THE YEAR ENDING DECEMBER 31, 2012**

WHEREAS, the governing body for the City of Trenton has received and reviewed the Annual Financial Report submitted by Plante & Moran PLLC, for the 33rd District Court for the year ending December 31, 2012.

NOW, THEREFORE, the City of Trenton hereby resolves that the Annual Financial Report be accepted as submitted.

Moved by Councilperson LeFevre, seconded by Councilperson McLeod, to receive and place on the Annual Financial Report submitted by the 33rd District Court, and authorize the City Clerk to sign the resolution.

Carried unanimously.

(C-1)

**THS SWIMMING AND DIVING TEAM
Bottle Drive/Car Wash Fundraiser Request**

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to concur with the recommendation of the Civic Commission and grant permission to the Trenton High School Girls Varsity Swimming and Diving Team to hold a bottle drive and car wash at the north parking lot at the Kennedy Pool on Saturday, June 1, 2013, from 9:30 a.m. to 2:00 p.m.

Carried unanimously.

(C-2)

**MOSLEM SHRINERS
Annual Hospital Fund Drive**

Moved by Councilperson Taylor, seconded by Councilperson McLeod, to concur with the recommendation of the Civic Commission and to grant approval to the Moslem Shrine Temple to conduct their annual Fund Drive, in the City of Trenton, on June 6 through June 8, 2013, to sell in front of local businesses, with permission only; without standing on street corners; with no Sunday Sales; under the direction of Police Department.

Carried unanimously.

(C-3)

**CHUCK NEUBECKER
Bottle Drive Request**

Moved by Councilperson McLeod, seconded by Councilperson Howey, to concur with the recommendation of the Civic Commission and grant permission to Chuck Neubecker and members of his Boy Scout Troop 802, to hold a bottle drive in the City of Trenton on Saturday, May 11, 2013, under the direction of Police Department.

Carried unanimously.

(C-4)
KIWANIS CLUB
Annual Peanut Sale

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to concur with the recommendation of the Civic Commission and grant permission to the Kiwanis Club of Trenton to sell peanuts on May 28, 29, 30, 31, and June 1 and 3, 2013.

Carried unanimously.

(D-1)
CITY ATTORNEY
Ordinance 774, Streets, Sidewalks and Other Public Places, Amendment (2ND 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, nor solicit for sales of goods or services, 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 merchant, or other person authorized by the merchant, 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 which are not maintained in its regular inventory, upon any public sidewalk in the city during a "Special Event", nor permit or engage another to solicit, 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.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton this 6th day of May, 2013.

Moved by Councilperson Howey, seconded by Councilperson McLeod, to approve the second reading of Ordinance 774, Streets, Sidewalks and Other Public Places, Amendment.

Carried unanimously.

Ordinance 775, Amendment to Salary of City Assessor (2ND 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.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton this 6th day of May, 2013.

Moved by Councilperson McLeod, seconded by Councilperson Howey, to approve the second reading of Ordinance 775, Amendment to Salary of City Assessor.

Carried unanimously.

Moved by Councilperson Teifer, seconded by Councilperson Baun-Crooks, to concur with the recommendation of the Brownfield Redevelopment Authority and authorize Administration to submit a grant application to Downriver Community Conference Brownfield Consortium for a USEPA Assessment Grant in the amount of \$20,000.00, for the DSC Site located at 1410 West Jefferson.

Carried unanimously.

(D-3b)
CITY ADMINISTRATOR
Environmental Consultant Agreement

Moved by Councilperson Teifer, seconded by Councilperson Taylor, to concur with the recommendation of the Brownfield Redevelopment Authority and approve the Professional Services Agreement between the City and Environmental Consulting and Technology, Inc. for consulting services related to the USEPA Assessment Grant.

Carried unanimously.

(D-4)
CITY CONTROLLER
Delinquent Accounts to be Placed on the 2013 City Tax Roll

Moved by Councilperson McLeod, seconded by Councilperson Howey, to concur with the recommendation of the City Controller to place the delinquent water and sewer accounts in the amount of \$292,442.24, and miscellaneous receivables in the amount of \$5,034.10, on the 2013 City Tax Roll.

Carried unanimously.

LATE COMMUNICATIONS

(L-1)
PARKS AND RECREATION
Rink Seal

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to authorize Serv-Ice Refrigeration to reline the piping in all three ice areas and the snow melt pit with a liquid sealant in the amount of \$5,400.00, with funding from the Equipment Maintenance Account.

Carried unanimously.

AUTHORIZED DISBURSEMENTS

Moved by Councilperson Teifer, seconded by Councilperson Baun-Crooks, that the Authorized Disbursements, per the May 6, 2013, schedule, be approved, in the amount of \$343,771.99.

Carried unanimously.

REPORTS

Moved by Councilperson Teifer, seconded by Councilperson Baun-Crooks, to receive and place on file the Commission and Board Reports, May 6, 2013; and the City Treasurer Report on Investments, April 2013.

Carried unanimously.

COMMENTS FROM THE COUNCIL AND OFFICIALS

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| Councilperson LeFevre | * Urged Citizens to Get Checked for Melanoma; Attended Blind Bowling Tournament at Belmar, Phenomenal Event |
| Councilperson Howey | * Congratulated Trenton Rotary Club and Dr. Jackson, Receiving Dick Hedke Award |
| Councilperson Teifer | * Pleased with Hiring of Two Veterans, through SAFER Grant |
| Councilperson Baun-Crooks | * Requested Status Report on Historical Museum; Thanked Exchange Club for Annual Spaghetti Dinner, Great Job |
| City Administrator Wagner | * Gave Update on Historical Museum, Funding from CDBG, Working to Get Project Started Soon |
| City Clerk Gearhart | * Public Hearing on Budget, May 20 th at 7:45 p.m., Regular Meeting to Follow; Nominating Petitions Due May 14 th |
| Fire Chief Vick | * Ladies With Musuem Worked Hard on Fundraiser, Raised \$17,000.00; Thanked Downriver Guidance Clinic for Counseling Received by Employees |
| Police Chief Nardone | * Wednesday, May 15 th , National Peace Officers Memorial Service, 5:30 p.m. at St. Paul's Lutheran Church |
| Parks & Rec. Director Perna | * Buzz Magazine Being Distributed, Available at City Hall and KRC; Mega Registration on May 20 th |
| City Engineer Hogan | * Shred It Day and Tire/Electronic Recycling May 11 th at Kennedy Recreation Center |

