

**CITY OF TRENTON, MICHIGAN
REGULAR MEETING
June 2, 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; Wallace Long, City Attorney; Robert Cady, City Administrator; Christine Arnoczki, City Controller; Kelly Fedele, Assistant City Engineer; Bruce Vick, Fire Chief; Scott Church, Human Resources Director; Patrick Hawkins, Parks and Recreation Director; and Alan Bober, DPS Director.

MINUTES

Moved by Councilman Gillespie, seconded by Councilwoman McLeod, to approve the minutes of the Public Hearing and the Regular Meeting of May 27, 2008.

Carried unanimously.

COMMUNICATIONS AGENDA

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

- D-1. CONTROLLER: Recommendation of Open Purchase Orders Requested for Fiscal Year 2009
- D-2. FIRE: Zoll Defibrillators Extended Warranty Renewal
- D-3. ATTORNEY: Ordinance 715 Precious Metals and Gem Dealers (1st Rdg)
- D-4. ENGINEER: Revised Lease Agreement with NCI Services, Inc. Anderdon Business Center
- D-5. ENGINEER: Request to Advertise City Hall Movers
- D-6. PARKS & RECREATION: Trenton/Wyandotte Shared Services
- D-7. MAYOR: Study Session Agenda, June 9, 2008

LATE COMMUNICAITONS

- L-1. TRENTON ROTARY CLUB: Fireworks Permit Request for Roar on River

COMMUNICATIONS

(D-1)

CONTROLLER

Recommendation of Open Purchase Orders Requested for Fiscal Year 2009

Moved by Councilwoman McLeod, seconded by Councilwoman Baun-Crooks, to approve the open purchase orders for the fiscal year July 1, 2008, through June 30, 2009, for the following vendors:

Department of Public Service: Al & Sons Hydraulic, Amerigas Service, Barrett Gooding, Bell Equipment, Bob's Welding Supply, Cannon Equipment, Corporate Maintenance, Corrigan Oil, Doan Concrete and Supply Co., East Jordan Iron Works: Etna Supply Company, Gonyea Auto Supply, Gorno Ford, Inc., Great Lakes Aggregate, J & R Farm Tractor, Jack Doheny Supplies, Inc., John Deere Landscapes, Keck Hardware, Inc, Mans Building Center, Metro Airport Truck, Michigan Cat, Parts Associates, Inc., Rodgers Chevrolet, S.L.C. Hydro Metrics, Sherwin Williams, Shrader Tire, Southwest Brake & Parts, Tri County International, W.F. Miller, W. F. Sell, W.W. Grainger, and Wolverine Ford Truck.

Waste Water Treatment Plant: Bearing Services, Carus Chemical Co, DP Brown of Detroit, General Chemical, Jones Chemical, Keck Hardware, Madison Electric, McNaughton-McKay Electric, Motor City Pipe & Supply, N.A. Mans, Polydyne, Inc., RTI Laboratories, Sherwin Williams, TestAmerica, VWR Scientific, W.W. Grainger and Wilco Machine & Electric.

Fire Department: Airgas Puritan Medical, Corporate Maintenance, Crest Industries, Eastman Fire Protection, Famous Photo, Keck Hardware, N.A. Mans, State Chemicals, and W.W. Grainger.

Engineering: Keck Hardware, Quint Plumbing, Reprographics One, Inc., Temperature Control, and Trenton Printing.

Parks and Recreation: Acee-Deucee, Aramark, B & B Pools, B & C Technical, Carefree Lawn Service, Corporate Maintenance, Downriver Pest Control, Drummond American Corp., Eradico, Expert heating & Cooling, Expert Mechanical, Keck Hardware, Monroe Door, Monroe Glass, Mueller's, N.A. Mans, Nxtec, Otis Elevator, Quint Plumbing, Reliable Door Service, Share Corp, Sherwin Williams, Siemens Building Technologies, Temperature Control, Universal Inc., W.W. Grainger, and Wyandotte Electrical.

Carried unanimously.

(D-2)

FIRE

Zoll Defibrillators Extended Warranty Renewal

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to concur with the recommendation of the Fire Chief and extend the warranty contract for the Zoll Defibrillators for a period of three years, in the amount of \$10,008.00, with funds from Account (101-346-757.000).

Carried unanimously.

(D-3)

ATTORNEY

Ordinance 715 Precious Metals and Gem Dealers (1st Rdg)

**CITY OF TRENTON
ORDINANCE NO. 715**

AN ORDINANCE TO AMEND CHAPTER 22 OF THE OF THE TRENTON CITY CODE BY CREATING A NEW ARTICLE IX ENTITLED "PRECIOUS METALS AND GEM DEALERS", FOR PURPOSES OF REGULATING RECURRENT TRANSACTIONS INVOLVING SUCH ITEMS WITHIN THE CITY.

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

Section 1. Chapter 22 of the Trenton City Code shall be amended by adding a new Article IX for the purposes of regulating recurrent transactions involving the purchase or sale of precious metals and gems within the City, which shall read as follows:

ARTICLE XV PRECIOUS METALS AND GEMS

Section 22-471. Definitions.

As used in this ordinance:

- (a) "Agent or employee" means a person who, for compensation or valuable consideration, is employed either directly or indirectly by a dealer.
- (b) "Dealer" means any person, corporation, partnership, or association, which, in whole or in part, engages in the ordinary course of repeated and recurrent transactions of buying or receiving precious items from the public within this state.
- (c) "Gold" means elemental gold having an atomic weight of 196.967 and the chemical element symbol of Au, whether found by itself or in combination with its alloys or any other metal.
- (d) "Internet drop-off store" means a person, corporation, or firm that contracts with other persons, corporations, or firms to offer its precious items for sale, purchase, consignment, or trade through means of an internet website and meets the conditions described in MCL 445.483(3).
- (e) "Jewelry" means an ornamental item made of a material that includes a precious gem.
- (f) "Local governmental unit" means a city, village, township, or county.
- (g) "Local police agency" means the police agency of the city, village, or township, or if none, the county sheriff of the county, in which the dealer conducts business.
- (h) "Platinum" means elemental platinum having an atomic weight of 195.09 and the chemical element symbol of Pt, whether found by itself or in combination with its alloys or any other metal.

- (i) "Precious gem" means a diamond, alexandrite, ruby, sapphire, opal, amethyst, emerald, aquamarine, morganite, garnet, jadeite, topaz, tourmaline, turquoise, or pearl.

- (j) "Precious item" means jewelry, a precious gem, or an item containing gold, silver, or platinum. Precious item does not include the following:
 - (i) Coins, commemorative medals, and tokens struck by, or in behalf of, a government or private mint.
 - (ii) Bullion bars and discs of the type traded by banks and commodity exchanges.
 - (iii) Items at the time they are purchased directly from a dealer registered under this ordinance, a manufacturer, or a wholesaler who purchased them directly from a manufacturer.
 - (iv) Industrial machinery or equipment.
 - (v) An item being returned to or exchanged at the dealer where the item was purchased and that is accompanied by a valid sales receipt.
 - (vi) An item which is received for alteration, redesign, or repair in a manner that does not substantially change its use and returned directly to the customer.
 - (vii) An item which does not have a jeweler's identifying mark or a serial mark and which the dealer purchases for less than \$5.00.
 - (viii) Scrap metal which contains incidental traces of gold, silver, or platinum that are recoverable as a by-product.
 - (ix) Jewelry which a customer trades for other jewelry having a greater value, and which difference in value is paid by the customer.

- (k) "Silver" means elemental silver having an atomic weight of 107.869 and the chemical element symbol of Ag, whether found by itself or in combination with its alloys or any other metal.

Section 22-472. Dealer; certificate of registration required; application; fee; disclosures; dealer, agent, or employee convicted of misdemeanor or felony; compliance with local ordinances; issuance and posting of certificate; notification of change in name or address.

- (1) A dealer shall not conduct business in a local governmental unit in this state unless the dealer has obtained a valid certificate of registration from that local governmental unit or local police agency.

- (2) This section does not require an internet drop-off store, as defined in MCL 445.483(3), or a person engaged in the sale, purchase,

consignment, or trade of precious items for himself or herself, to obtain a registration under this act.

- (3) A dealer shall apply to the local police agency for a certificate of registration, and pay a fee not to exceed \$50.00 to cover the reasonable cost of processing and issuing the certificate of registration, by disclosing the following information:
 - (a) The name, address, and thumbprint of the applicant.
 - (b) The name and address under which the applicant does business.
 - (c) The name, address, and thumbprint of all agents or employees of the dealer. With 24 hours after hiring a new employee, the dealer shall forward to the local police agency the name, address, and thumbprint of the new employee.
- (4) A dealer or an agent or employee of a dealer who is convicted of a misdemeanor under this ordinance or under section 535 of the Michigan penal code, 1931 PA 328, MCL 750.535, shall not be permitted to operate as a dealer within this state for a period of 1 year after conviction.
- (5) A dealer or an agent or employee of a dealer who is convicted of a felony under this ordinance or under section 535 of the Michigan penal code, 1931 PA 328, MCL 750.535, shall not be permitted to operate as a dealer for a period of 5 years after the conviction.
- (6) This ordinance shall not be construed to excuse a dealer from complying with the local zoning ordinance or any local ordinance regulating commercial activities.
- (7) Upon receipt of the application described in subsection (4), the Police Department shall issue a certificate of registration in accordance with this section.
- (8) Upon receipt of the certificate of registration from the Police Department, the dealer shall post it in a conspicuous place in the dealer's place of business.
- (9) Not less than 10 days before a dealer changes the name or address under which the dealer does business, the dealer shall notify the Police Department of the change.
- (10) A certificate of registration shall expire two (2) years from the date of registration, unless renewed prior thereto at no additional cost to the applicant. Renewals following the expiration date shall require re-registration and payment of fees set forth herein.

Section 22-473. Permanent record of each transaction; forms; copies, information required; numbering; confidentiality; retention period; size of form; definition.

- (1) A dealer shall maintain a permanent record of each transaction, on record of transaction forms provided for in subsection (6), legibly written in ink in the English language. Each record of transaction form shall be filled out in quadruplicate by the dealer or agent or employee of the dealer. One copy of the form shall go to the Police Department pursuant to subsection (3); 1 copy shall go to the customer; and 1 copy shall be retained by the dealer pursuant to subsection (5). At the time a dealer receives or purchases a precious item, the dealer or agent or employee of the dealer shall insure that the following information is recorded accurately on a record of transaction form:
 - (a) The dealer certificate of registration number.
 - (b) A general description of the precious item or precious items received or purchased, including the type of metal or precious gem. In the case of watches, the description shall contain the name of the maker and the number of both the works and the case. In the case of jewelry, all letters and marks inscribed on the jewelry shall be included in the description.
 - (c) The date of the transaction.
 - (d) The name of the person conducting the transaction.
 - (e) The name, date of birth, driver's license number or state of Michigan personal identification card number, and street and house number of the customer, together with a legible imprint of the right thumb of the customer, or if that is not possible, of the left thumb or a finger of the customer. However, the thumbprint or fingerprint shall only be required on the record of transaction form retained by the dealer. The thumbprint or fingerprint shall be made available to the Police Department during the course of a police investigation involving a precious item or items described on the record of transaction. After a period of 1 year from the date of the record of transaction, if a police investigation involving a precious item or items described on the record of transaction has not occurred, the dealer and the Police Department holding a copy of the record of transaction shall destroy, and not keep a permanent record of, the record of transaction. A dealer who goes out of business or changes his or her business address to another jurisdiction either within or out of this state shall transmit the records of all transactions made by the dealer within 1 year before his or her closing or moving, to the local police agency.
 - (f) The price to be paid by the dealer for the precious item or previous items.
 - (g) The form of payment made to the customer; check, money order, bank draft, or cash. If the payment is by check, money order, or bank draft, the dealer shall indicate the number of the check, money order, or bank draft.

- (h) The customer's signature.
- (2) The record of each transaction shall be numbered consecutively, commencing with the number 1 and the calendar year.
- (3) Within 48 hours after receiving or purchasing a precious item, the dealer shall send a copy of the record of transaction form to the Police Department and, if the record of transaction form indicates that the customer resides outside the jurisdiction of the Police Department, shall send a copy of the record of transaction form to the Police Department. The record of transaction forms received by a Police Department shall not be open to inspection by the general public. The Police Department holding record of transaction forms shall be responsible for insuring the confidentiality of the record of transaction forms and insuring that the record of transaction forms are used only for the purpose for which they were received.
- (4) The record of transaction forms of a dealer and each precious item received shall be open to an inspection by the city or county prosecuting attorney, the Police Department, and the Michigan state police, at all times during the ordinary business hours of the dealer. As a condition of doing business, a dealer is considered to have given consent to the inspection prescribed by this subsection. The record of transaction forms of a dealer shall not be open to inspection by the general public.
- (5) Except as otherwise provided in this section, each record of a transaction shall be retained by the dealer for not less than 1 year after the transaction to which the record pertains.

Section 22-474. Retaining previous item for 9 calendar days; alteration.

A precious item received by a dealer shall be retained by the dealer for 9 calendar days after it was received, without any form of alteration other than that required to make an accurate appraisal of its value.

Section 22-475. Prohibited conduct.

A dealer or an agent or employee of a dealer shall not:

- (a) Knowingly receive or purchase a precious item from any person who is less than 18 years of age or any person known by the dealer or agent or employee of the dealer to have been convicted of theft or receipt of stolen property within the preceding 5 years, whether the person is acting in his or her own behalf or as the agent of another.

(b) Knowingly receive or purchase a precious item from a person unless that person presents a valid driver's license or a valid state of Michigan personal identification card.

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 June 2, 2008, shall be enacted on June 16, 2008, and shall be published on or before June 29, 2008, and shall be effective June 30, 2008.

Moved by Councilwoman McLeod, seconded by Councilman Gillespie, to approve the first reading of Ordinance 715, Precious Metals and Gem Dealers.

AMENDMENT TO MOTION

Moved by Councilwoman McLeod, seconded by Councilwoman Baun-Crooks to amend the Section 22-472, #10, to include a renewal fee of \$50.00, every two years.

Carried unanimously.

MAIN MOTION AS AMENDED

Carried unanimously.

(D-4)

ENGINEER

Revised Lease Agreement with NCI Services, Inc. Anderdon Business Center

Moved by Councilwoman Baun-Crooks, seconded by Councilman Gillespie, to approve the revised Lease for Anderdon Business Center, located at 2674 West Jefferson between NCI Services, Inc. and the City of Trenton, and authorize the Mayor and the City Clerk to sign the agreement on behalf of the City.

Carried unanimously.

(D-5)

ENGINEER

Request to Advertise City Hall Movers

Moved by Councilman Taylor, seconded by Councilman Gillespie, to authorize the City Engineer to prepare bid specifications and advertisement for the move out and storage of City Hall contents.

Carried unanimously.

(D-6)

PARKS & RECREATION

Trenton/Wyandotte Shared Services

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to concur with the recommendation of the Parks and Recreation Director and approve the use of the Kennedy Pool by Wyandotte residents, provided the City of Wyandotte allows the City of Trenton residents to utilize the Wyandotte Shores Golf Course at residents rates.

Carried unanimously.

(D-7)

MAYOR

Study Session Agenda, June 9, 2008

Moved by Councilwoman McLeod, seconded by Councilwoman Baun-Crooks, to approve the agenda for the June 9, 2008, Study Session to be comprised of proposed water treatment study and the exotic animal ordinance.

Carried unanimously.

LATE COMMUNICAITONS

(L-1)

TRENTON ROTARY CLUB

Fireworks Permit Request for Roar on River

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to approve the Fireworks Display for the National City Roar on the River to be held on Saturday, July 19, 2008 and authorize the Mayor to sign the permit for the display.

Carried unanimously.

AUTHORIZED DISBURSEMENTS

Moved by Councilman Taylor, seconded by Councilman Gillespie, that the Authorized Disbursements, per the June 2, 2008, schedule, be approved.

MONROE BANK & TRUST: Cash Disbursements \$530,067.73

General Fund	125,225.82
Major Street Fund	35,496.65
Local Street Fund	46,850.25
Kennedy Rec. Complex Fund	22,035.25
Library Operating Fund	54,075.50
Special Revenue Funds	5,491.32
Grant Funds	35,520.46
Capital Project Fund	23,500.00
DDA Fund	1,584.00
SINC Fund	4,558.73
Water & Wastewater Fund	62,365.83
Motor Vehicle Pool	44,359.92
Restricted Self Ins.	69,004.00

Motion carried.

REPORTS

Moved by Councilman Taylor, seconded by Councilman Gillespie, to receive and place on file the Commission and Board Reports, June 2, 2008.

Carried unanimously.

COMMENTS FROM THE COUNCIL AND OFFICIALS

Councilman Gillespie	* Welcomed New Business, Dr Greg Raspberry
Councilwoman McLeod	* Go Wings.
Councilman LeFevre	* Congratulated Trenton School of Dance Recital
Councilwoman Baun-Crooks	* Tickets Available for Emerald City Gala, Saturday, June 7th
Fire Chief Vick	* Andy Ross Motorcycle Run, Antique Car Show, Saturday, June 14th
DPS Director Bober	* Household Hazardous Waste Day, Saturday, June 7th, Romulus Civic Center; Urged Residents to Water on Odd/Even Day

PUBLIC COMMENT

Bob Lang	* Longstanding Garbage in Alley on 3 rd Street
Michael Florescu	* Status on Grade Separation on Fort Street

MOTION TO ADJOURN BY: Councilman Gillespie, seconded by Councilman LeFevre, to adjourn at 8:35 p.m.

APPROVED BY:

GERALD R. BROWN, MAYOR

KYLE F. STACK, CITY CLERK

INFORMATION ITEMS:

1. CLEAN WATER ACTION: Door to Door Canvass. (05/22/2008)
2. WOW: Telephone Service Changes. (05/28/2008)
3. FUND FOR PUBLIC INTEREST RESEARCH: Joint Campaign Notice. (06/02/2008)

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