

**CITY OF TRENTON, MICHIGAN  
REGULAR MEETING  
June 16, 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 8:01 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, Taylor, and Teifer.

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

Absent: Councilwoman McLeod.

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

Carried unanimously.

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; Scott Church, Human Resources Director; Patrick Hawkins, Parks and Recreation Director; and Alan Bober, DPS Director.

**MINUTES**

Moved by Councilman Gillespie, seconded by Councilman Taylor, to approve the minutes of the Regular Meeting of June 2, 2008.

Carried unanimously.

**PRESENTATIONS AND PROCLAMATIONS:**

DTE to Salvation Army, Trenton Food Pantry, Fire Department

Moved by Councilman Gillespie, seconded by Councilman LeFevre, to make the Presentation part of the minutes.

Carried unanimously.

Mayor Brown called upon Molly Luempert-Coy, Bill Jasman, and Dan Braker, representatives of DTE Energy, who presented a donation from the proceeds of the Chili Cook Off to Father Shafer representing the Trenton Food Pantry, and Bill Jasman, representing the Salvation Army; and announced that the Fire Department was the winner of the Chili Cook Off.

**APPOINTMENTS**

Reappointments

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to approve the Mayor's reappointment of Chuck Earl to the Building Code Board of Appeals, term ending 08-01-2013; Brad O'Connor to the Brownfield Redevelopment Authority, term ending 05-01-2011; Noreen Petersen to the Civic Commission, term ending 08-01-2011; Joyce Brown-Gillespie to the Downtown Development Authority, term ending 09-01-2011; Linda Murdock to the Historical Commission, term ending 07-01-2011; Chuck Earl to the Planning Commission, term ending 09-01-2011 and Clarence Ennis to the Recreation Commission, term ending 07-01-2011.

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

Motion carried.

**COMMUNICATIONS AGENDA**

**AUTHORITIES, CITY COMMISSIONS, BOARDS, COMMITTEES**

A-1. CABLE COMMISSION: Professional Touch Video Contract Extension

**GENERAL**

B-1. 33<sup>RD</sup> DISTRICT COURT: Fines and Costs, May 2008

**GROUPS AND ORGANIZATIONS**

C-1. KAREN VICK: St. Joseph Youth Group Bottle Drive

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

- D-1. ATTORNEY: Ordinance 715 Precious Metals and Gem Dealers (2<sup>nd</sup> Rdg)
- D-2. ADMINISTRATION: Proposed Water Treatment Study
- D-3. CONTROLLER: Budget Transfers for Fiscal Year Ending June 2008
- D-4. ENGINEER: Riverside Drive Resurfacing Project Bid Recommendation
- D-5. ENGINEER: Recommend Design Services Van Horn Road Resurfacing
- D-6. DPS: Request to Purchase Cube Van, Bid Award
- D-7. DPS: Request to Extend Work Uniform Contract
- D-8. DPS: Request to Award Bid Contract for DPS Pole Barn

**LATE COMMUNICATIONS**

- L-1. ARTHURS MIDDLE SCHOOL: Bottle Drive Request
- L-2. MAYOR: Proposed Study Session, June 30, 2008

**COMMUNICATIONS**

(A-1)

**CABLE COMMISSION**

Professional Touch Video Contract Extension

Moved by Councilman Taylor, seconded by Councilman Gillespie, to concur with the recommendation of the Cable Commission and extend the contract with Professional Touch Video, for the service of broadcasting the Council Meetings, for a period of two years with the same terms and conditions.

Carried unanimously.

(B-1)

**33<sup>RD</sup> DISTRICT COURT**

Fines and Costs, May 2008

Moved by Councilman LeFevre, seconded by Councilman Gillespie, to receive and place on file, the fines and costs, May 2008, submitted by the 33<sup>rd</sup> District Court, showing the City of Trenton owing \$2,617.82.

Carried unanimously.

(C-1)

**KAREN VICK**

St. Joseph Youth Group Bottle Drive

Moved by Councilman Gillespie, seconded by Councilman Taylor, to concur with the recommendation from the Civic Commission and grant permission to the St. Joseph Youth Group to hold a bottle drive in the City of Trenton on Saturday, June 21, and Monday, June 23, 2008, under adult supervision.

Carried unanimously.

(D-1)

**ATTORNEY**

Ordinance 715 Precious Metals and Gem Dealers (2<sup>nd</sup> Rdg)

**CITY OF TRENTON**

**ORDINANCE 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 (3), 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.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton this 16th day of June, 2008.

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to approve the second reading of Ordinance 715, Precious Metal and Gem Dealers amending the ordinance to the original form.

Carried unanimously.

(D-2)  
ADMINISTRATION  
Proposed Water Treatment Study

Moved by Councilman Gillespie, seconded by Councilman LeFevre, to approve the Proposal for Water Treatment Conceptual Design Study from Earth Tech Inc., and the expenditure of \$22,950.00.

Carried unanimously.

(D-3)

CONTROLLER

Budget Transfers for Fiscal Year Ending June 2008

General Fund:

From: 101-528-705.000	Sanitation-Permanent	\$55,000	
From: 101-528-708.000	Sanitation-Overtime	3,000	
From: 101-528-718.000	Sanitation-Pension	6,700	
From: 101-528-928.000	Sanitation-Dumping Expense	11,000	
To: 101-441-705.000	DPW-Permanent		\$55,000
To: 101-441-708.000	DPW-Overtime		3,000
To: 101-441-715.000	DPW-Seasonal		11,000
To: 101-441-718.000	DPW-Pension		4,000
To: 101-441-718.001	DPW-Defined Contribution		2,700

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to concur with the recommendation of the City Controller and approve the budget transfers for the fiscal year ending June 30, 2008.

Carried unanimously.

(D-4)

ENGINEER

Riverside Drive Resurfacing Project Bid Recommendation

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to concur with the recommendation from the City Engineer and award the bid for the Riverside Drive Resurfacing Project to Al's Asphalt Paving Co., the lowest bidder, in the amount of \$163,977.50, to include a 10% contingency for a total project budget to \$180,000.00, to reject the other bids, with funds from the CDBG and DDA Project Fund.

Carried unanimously.

(D-5)

ENGINEER

Recommend Design Services Van Horn Road Resurfacing

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to concur with the recommendation from the City Engineer and approve the Design Cost Proposal for Van Horn Road, from M-85 to Jefferson Avenue Milling and HMA Overlay, submitted by Spalding DeDecker Associates, Inc., and approve the expenditure in an amount not to exceed \$95,600.00, to waive the usual bidding procedure in the best interest of the City, with funds from the Major Street Account (202-451-988.000) and half of the funding to be reimbursed to the City by Wayne County per the Intergovernmental Agreement, approved on May 5, 2008.

Carried unanimously.

(D-6)

DPS

Request to Purchase Cube Van, Bid Award

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to concur with the recommendation from the Department of Public Services Director and award the bid for the Dodge Sprinter Cargo Van, to K & M Dodge, the lowest bidder meeting specifications, in the amount of \$41,851.00, with funds from the Sewer Maintenance Account (592.536.982.000) and to reject the other bids.

Carried unanimously.

(D-7)

DPS

Request to Extend Work Uniform Contract

Moved by Councilwoman Baun-Crooks, seconded by Councilman Teifer, to concur with the recommendation from the Department of Public Services Director and extend the contract for uniforms with Aramark Uniform Services, for the period from July 1, 2008, through June 30, 2011, for the same price in the prior contract.

Carried unanimously.

(D-8)

DPS

Request to Award Bid Contract for DPS Pole Barn

Moved by Councilman Teifer, seconded by Councilman Taylor, to concur with the recommendation from the Department of Public Services Director and award the bid for the Pole Barn, to Orchard Construction, Inc., the lowest bidder in the amount of \$72,434.00, with funds from the DPS Capital Projects Budget and to reject the other bids.

Carried unanimously.

### **LATE COMMUNICATIONS**

(L-1)

ARTHURS MIDDLE SCHOOL

Bottle Drive Request

Moved by Councilwoman Baun-Crooks, seconded by Councilman Taylor, to concur with the recommendation from the Civic Commission and grant permission to the Sideline Cheerleading Team from Arthurs Middle School, to hold a bottle drive in the City of Trenton, on Saturday, June 28, 2008, under adult supervision.

Carried unanimously.

(L-2)

MAYOR

Proposed Study Session, June 30, 2008

Moved by Councilman Taylor, seconded by Councilman Gillespie, to approve the Mayor's Study Session for Monday, July 7, 2008, at 7:00 p.m. to discuss the update on City Hall renovations

Carried unanimously.

**AUTHORIZED DISBURSEMENTS**

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, that the Authorized Disbursements, per the June 16, 2008, schedule, be approved.

MONROE BANK & TRUST: Cash Disbursements           \$495,407.17

General Fund	86,113.26
Major Street Fund	15.00
Local Street Fund	2,269.85
Kennedy Rec. Complex Fund	7,934.19
Library Operating Fund	34,979.40
Tax Receiving Fund	7,203.54
Special Revenue Funds	9,048.37
Trust & Agency Fund	1,000.00
Grant Funds	44,802.07
DDA Fund	129.99
SINC Fund	8,897.00
Water & Wastewater Fund	269,249.69
Motor Vehicle Pool	123.13
Restricted Self Ins.	24,176.68

Motion carried.

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to approve the June 16, 2008, disbursement payable to Certified Alarm in the amount of \$535.00.

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

Motion carried.

**FINANCIAL STATEMENT**

Moved by Councilman Taylor, seconded by Councilwoman Baun-Crooks, to receive and place on file the Financial Summary dated May 31, 2008.

Carried unanimously.

**REPORTS**

Moved by Councilman Taylor, seconded by Councilman Gillespie, to receive and place on file the Commission and Board Reports, June 16, 2008; the DPS, Recreation and Fire Department reports for May 2008.

Carried unanimously.

**OTHER COUNCIL BUSINESS**

Moved by Councilman Teifer, seconded by Councilman Taylor, to authorize the City Controller to release checks for payment for bills due before the next meeting in order to avoid finance charges.

Carried unanimously,

**COMMENTS FROM THE COUNCIL AND OFFICIALS**

- |                               |  |
|-------------------------------|--|
| Mayor Brown                   | * Low Turnout for Wildlife Refuge Run; Complimented Dr Noel Jackson and his wife Debbie for all their efforts at Trenton Theatre   |
| Councilwoman Baun-Crooks      | * Commended Debbie Jackson for Work on Behalf of Trenton Theatre   |
| Councilmen LeFevre and Teifer | * Commended Timber for Wanting to Keep Theatre   |
| Fire Chief Vick               | * Charity Hockey Tournament, Proceeds Paid for AED for Kennedy Pool; Andy Ross Ride, Numbers Down; Gave Update on Storms, Power Outages, Thanked Departments and DTE Energy for Assistance |
| P & R Director Hawkins        | * Upcoming Free Concerts at Cultural Center  |

**PUBLIC COMMENT**

- |                  |  |
|------------------|--|
| Dr. Noel Jackson | * Emerald City Gala, Thanked Everyone; Cool City Seminar Next Week |
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**MOTION TO ADJOURN BY:** Councilman Taylor, seconded by Councilwoman Baun-Crooks, to adjourn at 9:00 p.m.

RECORD OF CITY COUNCIL PROCEEDINGS  
CITY OF TRENTON, MICHIGAN  
HELD ON THE 16TH DAY OF JUNE 2008

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APPROVED BY:

\_\_\_\_\_  
GERALD R. BROWN, MAYOR

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KYLE F. STACK, CITY CLERK

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