

**CITY OF TRENTON, MICHIGAN
REGULAR MEETING
July 5, 2011**

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: Councilpersons: Baun-Crooks, Gillespie, McLeod, Taylor, and Teifer.

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

Absent: Councilperson LeFevre.

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

Carried unanimously.

Other Officers Present: John Dahlquist, City Assessor, Randy Schoen, City Treasurer; Robert Cady, City Administrator; Wallace Long, City Attorney; William Hogan, City Engineer; Bruce Vick, Fire Chief; Patrick Hawkins, Parks and Recreation Director; William Lilienthal, Police Chief; and Eric Witte, Department of Public Services Director.

MINUTES

Moved by Councilperson Taylor, seconded by Councilperson McLeod, to approve the minutes of the Public Hearings and Regular Meeting of June 20, 2011; Special Meeting of June 27, 2011.

Carried unanimously.

PRESENTATIONS

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

Carried unanimously.

RETIREMENT OF JEFF BONKOSKI AND ALEC LESKO

Mayor Brown along with Fire Chief Vick, presented retirement plaques to Jeff Bonkoski and Alec Lesko in recognition of their dedicated service to the Fire Department for the City of Trenton.

COMMUNICATIONS AGENDA

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

- D-1. ATTORNEY: Ordinance 754, Amendment to Misuse of Communications Device (2nd Rdg)
- D-2. ATTORNEY: Schedule a Public Hearing on an Application for Obsolete Property Rehabilitation Exemption Certificate, 2171 West Jefferson
- D-3. ATTORNEY: Chrysler Group LLC 198 Side Agreement,
- D-4. ATTORNEY: Water and Sewer Reimbursement Agreement, Chrysler Group LLC
- D-5. FIRE: Request to Bid Wheeled Coach Type 3 Ambulance
- D-6. DPS: Permission to Advertise for New Side Loading Trash Truck
- D-7. PARKS & RECREATION: Slocum-Truax Park Playground Equipment Bid Award
- D-8. WWTP: Elizabeth Park Pump Station VFD Emergency Repairs

LATE COMMUNICATIONS

- L-1. LAROUCHE: Support for HR 1489
- L-2. ADMINISTRATION: Foreclosure List from Wayne County

(Councilman LeFevre arrived at 8:10 p.m.)

(D-1)

ATTORNEY

Ordinance 754, Amendment to Misuse of Communications Device (2nd Rdg)

CITY OF TRENTON

ORDINANCE NO. 754

AN ORDINANCE TO AMEND ARTICLE V, SECTION 66-208 ENTITLED "OFFENSES INVOLVING PUBLIC PEACE AND ORDER" OF THE CITY CODE TO INCLUDE MULTIPLE TELECOMMUNICATION DEVICES IN THE PROHIBITION AGAINST MISUSES.

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

Section 1. Article V, Sec. 66-208 of the Trenton City Code entitled "Misuse of communications device" shall be amended to include multiple telecommunication devices, in addition to telephones, in the prohibition against the misuse of devices, which shall read as follows:

Sec. 66-208 Malicious use of service provided by telecommunications service provider.

(a) A person is guilty of a misdemeanor who maliciously uses any service provided by a telecommunications service provider, as defined in MCL 750.540(c), with intent to terrorize, frighten, intimidate, threaten, harass, molest, or annoy another person, or to disturb the peace and quiet of another person by any of the following:

(1) Threatening physical harm or damage to any person or property in the course of a conversation or message through the use of a telecommunications service or device.

(2) Falsely and deliberately reporting by message through the use of a telecommunications service or device that a person has been injured, has suddenly taken ill, has suffered death, or has been the victim of a crime or an accident.

(3) Deliberately refusing or failing to disengage a connection between a telecommunications device and another telecommunications device or between a telecommunications device and other equipment provided for the transmission of messages through the use of a telecommunications service or device.

(4) Using vulgar, indecent, obscene, or offensive language or suggesting any lewd or lascivious act in the course of a conversation or message through the use of a telecommunications service or device.

(5) Repeatedly initiating a telephone call and, without speaking, deliberately hanging up or breaking the telephone connection as or after the telephone call is answered.

(6) Making an unsolicited commercial telephone call that is received between the hours of 9 p.m. and 9 a.m. For the purpose of this subdivision, "an unsolicited commercial telephone call" means a call made by a person or recording device, on behalf of a person, corporation, or other entity, soliciting business or contributions.

(7) Deliberately engaging or causing to engage the use of a telecommunications service or device of another person in a repetitive manner that causes interruption in telecommunications service or prevents the person from utilizing his or her telecommunications service or device.

(b) A person violating this section may be imprisoned for not more than 93 days or fined not more than \$500.00, or both. An offense is committed under this section if the communication either originates or terminates in this city and may be prosecuted at the place of origination or termination.

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 20, 2011, shall be enacted on July 5, 2011, and shall be published on or before July 17, 2011, and shall become effective July 18, 2011.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton this 5th day of July, 2011.

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to approve the second reading of Ordinance 754, Amendment to Misuse of Communications Device.

Carried unanimously.

(D-2)

ATTORNEY

Schedule a Public Hearing on an Application for Obsolete Property Rehabilitation Exemption Certificate, 2171 West Jefferson

**CITY OF TRENTON
RESOLUTION NO. 2011-26
OBSOLETE PROPERTY REHABILITATION EXEMPTION HEARING**

WHEREAS, pursuant to P.A. 146 of 2000, the City Council has the authority to establish one or more Obsolete Property Rehabilitation Districts and approve related Certificates of Exemption thereof; and

WHEREAS, the City of Trenton ("City") received from Naba Management LLC (Developer) on June 20, 2011, a written request for the establishment of an Obsolete Property Rehabilitation District (OPRA), pursuant to Public Act 146 of 2000 for property located at the site formerly known as Riverside Hospital, 2171 West Jefferson, in the City of Trenton, which was approved on June 20, 2011; and

WHEREAS, Naba has now filed an Application with the City for an Obsolete Property Rehabilitation Exemption Certificate (attached), pursuant to MCL 125.2787, for a period of 9 years.

NOW THEREFORE, BE IT RESOLVED, that a Public Hearing be conducted on the issuance of an Obsolete Property Rehabilitation Exemption Certificate for the property commonly known as 2171 W. Jefferson, on Monday, August 1, 2011, at 7:45 p.m., and further that pursuant to MCL 125.2784(2) that the Clerk notify in writing, the assessor, a representative of each affected taxing unit and the general public, of such hearing.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton this 5th day of July, 2011.

Moved by Councilperson Teifer, seconded by Councilperson McLeod, to schedule a public hearing on Monday, July 18, 2011 at 7:45 p.m. or an alternate date of Monday August 1, 2011, in order to make the publication deadline, to take public comment on an Application for Obsolete Property Rehabilitation Exemption Certificate, 2171 West Jefferson.

Carried unanimously.

(The public hearing is on Monday, August 1, 2011 in order to make the publication deadline.)

(D-3)
ATTORNEY
Chrysler Group LLC 198 Side Agreement

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to concur with the recommendation of the City Attorney and approve the Chrysler Group LLC 198 Agreement and to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

Carried unanimously.

(D-4)
ATTORNEY
Water and Sewer Reimbursement Agreement, Chrysler Group LLC

Moved by Councilperson McLeod, seconded by Councilperson Taylor, to concur with the recommendation of the City Attorney and approve the agreement between Chrysler Group LLC and the City relating to certain water and sewerage costs.

Carried unanimously.

(D-5)
FIRE
Request to Bid Wheeled Coach Type 3 Ambulance

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to grant permission to the Fire Department to prepare specifications and advertisement for a wheeled coach type 3 ambulance.

Carried unanimously.

(D-6)
DPS
Permission to Advertise for New Side Loading Trash Truck

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to grant permission to the Department of Public Services to prepare specifications and advertisement for a new automated side load trash/yard waste collection vehicle.

Carried unanimously.

(D-7)

PARKS & RECREATION

Slocum-Truax Park Playground Equipment Bid Award

Moved by Councilperson Taylor, seconded by Councilperson Teifer, to concur with the recommendation of the Parks and Recreation Director and award the bid for playground equipment for Slocum Truax Park to Miracle of Michigan in the amount of \$40,820.00, and to add additional components in an amount not to exceed the \$55,000 budget, with funding from the Community Development Block Grant Funds, and to reject the other bids.

Carried unanimously.

(D-8)

WWTP

Elizabeth Park Pump Station VFD Emergency Repairs

Moved by Councilperson Baun-Crooks, seconded by Councilperson McLeod, to concur with the recommendation of the Waste Water Treatment Plant Superintendent and approve the payment of \$9,700.00, to Eaton Corporation for the emergency repairs to the Elizabeth Park Pump Station VFD's, and to waive the usual bidding procedure in the best interest of the City with funding from the Equipment Maintenance Account (529-529-933000).

Carried unanimously.

(L-1)

LAROCHE POLITICAL ACTION COMMITTEE

Support for HR 1489

Moved by Councilperson McLeod, seconded by Councilperson Teifer, to receive and place on file, the communication from LaRouche Political Action Committee regarding their support for H.R. 1489, The Return to Prudent Banking Act of 2011.

Carried unanimously.

(Bill Roberts spoke to the Mayor and Council regarding House Resolution 1489)

(L-2)

ADMINISTRATION

Foreclosure List from Wayne County

Moved by Councilperson Teifer, seconded by Councilperson Baun-Crooks, to receive and place on file the list of property located in the City of Trenton, provided by the Wayne County Treasurer, First Right of refusal for 2011 Foreclosure.

Carried unanimously.

AUTHORIZED DISBURSEMENTS

Moved by Councilperson LeFevre, seconded by Councilperson Baun-Crooks, that the Authorized Disbursements, per the July 5, 2011, schedule, be approved

MONROE BANK & TRUST: Cash Disbursements	\$434,919.31
General Fund	181,710.61
Major Street Fund	423.32
Local Street Fund	80,272.78
Kennedy Rec Complex	4,664.13
Library Operating Fund	1,769.90
Tax Receiving Fund	2,325.19
Special Revenue Fund	13,649.62
Grant Funds	2,315.52
D.D.A. Fund	2,050.00
SINC Fund	2184.00
Water & Wastewater Fund	110,793.71
Motor Vehicle Pool	25,806.77
Restricted Self Insurance	6,953.76

Carried unanimously.

COMMENTS FROM THE COUNCIL AND OFFICIALS

- | | |
|------------------------------|--|
| Councilperson LeFevre | * Unbelievable Fireworks! Thanked Fritz Family for their Contribution; Fritz Family thanked Jim Nardone, Pat Hawkins, Mayor Brown; Complimented Treatment at Southshore Hospital and Dr. Colotta |
| Mayor Brown | * Thanked Fritz Enterprise for Donation to Fireworks |
| Councilperson Baun-Crooks | * Great Fireworks, Glad Councilperson LeFevre is Here With Us |
| Councilperson Teifer | * Thanked Fritz Enterprise for Donation to Fireworks |
| City Treasurer Schoen | * Property Tax Bills were Sent Out |
| City Assessor Dahlquist | * Board of Review, July 19th |
| Parks & Rec Director Hawkins | * Fireworks were Videoed Thanked All of the Departments for Help with the Event; Mid-Summer Festival This Weekend |

MOTION TO ADJOURN by Councilperson McLeod, seconded by Councilperson Taylor, at 8:51 p.m.

APPROVED BY:

GERALD R. BROWN, MAYOR

KYLE F. STACK, CITY CLERK

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

APPROVED ON: _____

INFORMATION ITEMS:

1. COMCAST: Product Name Changes. (06/15/2011)
2. MICHIGAN PUBLIC SERVICE COMMISSION: Public Hearing, DTE Case #U-16780. (07/14/2011)