
**CITY OF TRENTON, MICHIGAN
REGULAR MEETING
October 1, 2012**

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 8:00 p.m. on the above date in the City Hall Council Chambers.

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

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

Absent: None.

Other Officers Present: John Dahlquist, City Assessor; Michael McCullough, City Treasurer; James Wagner, City Administrator; Wallace Long, City Attorney; Christine Arnoczki, City Controller; William Hogan, City Engineer; Scott Church, Human Resources Director, Bruce Vick, Fire Chief; Joann Perna, Parks and Recreation Director; Timothy Beaker, Recreation Business Operations Manager; James Nardone, Police Chief; and Patrick Raftery, WWTP Superintendent.

MINUTES

Moved by Councilperson McLeod, seconded by Councilperson Taylor, to approve the minutes of the Regular Meeting of September 17, 2012.

Carried unanimously.

COMMUNICATIONS AGENDA

GENERAL

B-1. 33RD DISTRICT COURT: Fines, Costs, Fees, August 2012

GROUPS AND ORGANIZATIONS

C-1. TRENTON ROTARY CLUB: Annual Salvation Kettle Drive
C-2. GIRL SCOUT TROOP 40847: Bottle Drive Request

DEPARTMENT HEADS & OFFICIALS

D-1. CITY ATTORNEY: Zoning Ordinance 705-3, Amendment to Zoning Code, to Address Pet Grooming (2nd Rdg)
D-2. POLICE DEPARTMENT: Permission to Purchase Patriot Sentinel Enhanced 911 Phone System
D-3. WWTP: Request for Engineering Services, Aeration System Upgrade
D-4. PARKS AND RECREATION: Scholarship Award Notification for MFEA Convention
D-5. HUMAN RESOURCES: Life and Long Term Disability Insurance Recommendation
D-6. MAYOR: Proposed Council Study Session Agenda, Monday October 8, 2012

LATE COMMUNICATIONS

L-1. ENGINEER/PLANNING: Petition to Combine Property, Lot 4 & 5, 355 Sibley,
(Malinowski)

COMMUNICATIONS

(B-1)

33RD DISTRICT COURT
Fines, Costs, Fees, August 2012

Moved by Councilperson LeFevre, seconded by Councilperson McLeod, to receive and place on file the Fines, Costs, Fees, August 2012, submitted by the 33rd District Court, showing the City of Trenton owing \$2,985.76.

Carried unanimously.

(C-1)

TRENTON ROTARY CLUB
Annual Salvation Kettle Drive

Moved by Councilperson Baun-Crooks, seconded by Councilperson Taylor, to concur with the recommendation of Civic Commission and grant permission to the Trenton Rotary Club to solicit funds on behalf of the Salvation Army in the City of Trenton on Friday November 30, 2012, and Saturday, December 1, 2012, under the direction of the Police Department.

Carried unanimously.

(C-2)

GIRL SCOUT TROOP 40847
Bottle Drive Request

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to concur with the recommendation of the Civic Commission and grant permission to the Trenton Girl Scout Troop 40847 to hold a bottle drive in the City of Trenton, to drop off flyers on the week of October 15th, and to collect the bottles on Saturday, October 27, 2012, under the direction of the Police Department and under adult supervision.

Carried unanimously.

Mrs. Poremba and her daughter, Allison spoke to the Mayor and Council regarding their bottle drive.

(D-1)

CITY ATTORNEY
Zoning Ordinance 705-3, Amendment to Zoning Code, to Address Pet Grooming (2nd Rdg)

**CITY OF TRENTON
ORDINANCE NO. 705-3**

AN ORDINANCE TO AMEND THE TRENTON CITY CODE, ORDINANCE NO. 705, BEING THE CITY OF TRENTON ZONING ORDINANCE, SECTIONS 110-28, 293, and 333 THEREOF, BY AMENDING THE DEFINITION OF PET, EXPANDING THE USES PERMITTED UNDER SPECIAL CONDITIONS, EXPANDING THE PRINCIPAL USES UNDER SPECIAL CONDITIONS IN BUSINESS AND LIGHT INDUSTRIAL DISTRICTS.

THE CITY OF TRENTON ORDAINS:

SECTION 1. Section 110-28. Definitions shall be amended to include the following definition of "Pet."

Pet: A domesticated animal including, but not limited to, a dog, cat, bird, rodent (including a rabbit), fish, or turtle that is traditionally kept in the home for pleasure rather than for commercial purposes.

SECTION 2. ARTICLE XII. B-1 LOCAL BUSINESS DISTRICTS, shall be amended in Section 110-253 entitled: "Uses Permitted subject to special conditions", subsection 2, 3, and 4 to read as follows:

Section 110-253. Uses Permitted subject to special conditions.

(2) Veterinary medicine office, subject to the following conditions:

- a. The use shall consist of only the offices of veterinary medicine doctors and related staff.
- b. The use and all operations associated with the use shall be conducted wholly within the principal building.
- c. The principal building shall be a freestanding building.
- d. No overnight keeping of pets shall be permitted, except for pets recovering from surgery or which need to be kept overnight for medical observation only.
- e. No kenneling of pets shall be permitted.
- f. No outdoor pens shall be allowed.
- g. The principal building shall contain sufficient insulating and sound deadening materials so as not to have an adverse impact on abutting properties.
- h. All medical waste, pet waste and the remains of euthanized pets shall be disposed of in strict accordance with all applicable federal and state requirements.
- i. Off-street parking, loading and unloading and any trash receptacles associated with the use shall comply with the applicable requirements of this chapter. .
- j. Pet grooming as subject to the conditions set forth in Article XII, section 110-253 (3) of this chapter.

- (3) Pet Day Care, Pet Grooming or Other Pet Service Establishments, with no boarding or overnight stay, subject to the following conditions:
- a. Overnight stay of pets shall be prohibited.
 - b. Size of pet grooming area: minimum of fifteen (15) square feet with a Minimum width dimension of three (3) feet and a Minimum depth dimension of three (3) feet.
 - c. Each grooming facility shall be equipped with at least a bath tub, a grooming table, hot and cold running water, a drier, clippers, combs, brushes, and shears. All equipment must be sterilized after each use and kept in sanitary condition.
 - d. Pets shall be securely confined. Pets shall not be allowed to wander at large.
 - e. Grooming facilities that keep pets for grooming for longer than four hours must have an indoor or outdoor pet exercise area. The exercise area must measure at least three feet by eight feet, with a covered top.
 - f. Interior building surfaces, including walls, ceilings, and floors shall be constructed so as to be water resistant and capable of being readily cleaned and maintained.
 - g. Readily accessible washrooms or sinks shall be provided, convenient to all work areas, to ensure maintenance of personal hygiene by pet caretakers. A sink in good repair shall be provided for washing and sanitizing equipment and utensils. Single service soap and towel dispensers must be available at all hand washing sinks.
 - h. All facilities shall be adequately ventilated with fresh or filtered air to minimize drafts, odors and moisture condensation and to provide for the health and comfort of the pets at all times. Ventilation shall be provided by either natural or mechanical means. The necessary equipment or comparable means shall be provided to exhaust the air from the pet area to outside of the building.
 - i. The groomer must keep the grooming area, and exercise area if necessary, disinfected, clean, and sanitary at all times.
 - j. Pet waste areas, either indoor or outdoor, shall be constructed of a hard surface that is easily cleaned. Such areas shall be connected to a sanitary system.
 - k. Drying cages shall be:
 - i. kept clean and sanitary
 - ii. large enough to comfortably contain the pet. The pet shall be able to stand, lie down, and turn around. The

recommend dimensions are: 22 inches to 24 inches wide,
by 24 to 28 inches high, by 30 to 34 inches deep

- l. Outdoor areas where pets will be allowed shall:
 - i. Not be within 300 feet of a residential district.
 - ii. Permitted only in the rear and side yards.
 - iii. The setback shall be a minimum of twenty (20) feet from the property line and landscaped with one (1) canopy tree, one (1) evergreen tree and four (4) shrubs per each thirty (30) linear feet along the property line, rounded upward.
 - iv. Fully enclosed by a six (6) foot screening fence or wall providing full containment for the pets in accordance with Article XXVI. Screening Devices and Landscaping.
- m. All pets shall be kept indoors from 8:00 p.m. to 8:00 a.m.
- n. A written statement of operating procedures must be submitted, such as those recommended by the Pet Care Services Association or the American Kennel Club. The procedures, which are to be followed for the life of the business, must address, at a minimum, the following items:
 - i. Identification and correction of pet behavior that impacts surrounding uses, including excessive noise (barking).
 - ii. The time interval anticipated for waste removal and method of clean up.
 - iii. Identification of the hours of operation and timing of shift changes, if applicable.
 - iv. Indication of staffing levels during all shifts and the qualifications of each staff member.
 - v. Membership in the Voluntary Facilities Accreditation program via the Pet Care Services Association is strongly encouraged.

SECTION 3. ARTICLE XIV. B-3 GENERAL BUSINESS DISTRICTS, Section 110-293, (10), shall be amended to read as follows:

Section 110-293. Principal uses permitted subject to special conditions.

(10) Pet Day Care, Pet Grooming or Other Pet Service Establishments, with no boarding or overnight stay, subject to the conditions set forth in Article XII, section 110-253 (3) of this chapter.

SECTION 4. ARTICLE XVI. I-1 LIGHT INDUSTRIAL BUSINESS DISTRICTS, SECTION 110-333, (6) and (7) shall be amended to read as follows

Section 110-333. Uses Permitted subject to special conditions.

(6) Pet Day Care, Pet Grooming or Other Pet Service Establishments, with overnight stay, subject to the following conditions:

- a) Boarding of pets shall not be allowed outdoors.
- b) Size of pet grooming area: minimum of fifteen (15) square feet with:
Minimum width dimension: three (3) feet.
Minimum depth dimension: three (3) feet.
- c) Each grooming facility shall be equipped with at least a bath tub, a grooming table, hot and cold running water, a drier, clippers, combs, brushes, and shears. All equipment must be sterilized after each use and kept in sanitary condition.
- d) Pets must be securely confined. Pets shall not be allowed to wander at large.
- e) Only pets of the same household and/or with the consent of the owner(s) may be caged together. Only compatible pets may be caged together.
- f) Each primary enclosure with steel grate flooring shall contain a solid resting Surface. All primary enclosures shall allow each pet to turn around, exercise normal postural movements, and to experience necessary socialization with cage mates one sq. ft. minimum for small and medium pets and two sq. ft. minimum for large pets, that is water resistant and can be cleaned and sanitized. Primary enclosures are those pet enclosures in which the pet normally rests or sleeps (also referred to as temporary housing).
- g) Primary enclosures shall be structurally sound and maintained in good repair to in good repair to protect the pets from injury, to contain them, and to keep predators out. Primary enclosures shall be constructed such that they can be routinely maintained to allow pets to stay dry and clean (as appropriate for the species) and to provide convenient access to clean food and water.
- h) All the surfaces of the primary enclosure must be constructed of a material that is water resistant and can be cleaned and sanitized.
- i) All buildings with overnight stay shall provide a filtration system to protect air quality and shall be insulated so as to contain excessive noise.
- j) The height of the primary enclosure shall be such that the pet can stand up and exercise normal postural movements.
- k) Each facility shall have an indoor or outdoor pet exercise area. The exercise area must measure at least three feet by eight feet, with a covered top.

- l) Interior building surfaces, including walls, ceilings, and floors shall be constructed so as to be water resistant and capable of being readily cleaned and maintained.
- m) Readily accessible washrooms or sinks shall be provided, convenient to all work areas, to ensure maintenance of personal hygiene by pet caretakers. A sink in good repair shall be provided for washing and sanitizing equipment and utensils. Single service soap and towel dispensers must be available at all hand washing sinks.
- n) All facilities shall be adequately ventilated with fresh or filtered air to minimize drafts, odors and moisture condensation and to provide for the health and comfort of the pets at all times. Ventilation shall be provided by either natural or mechanical means. The necessary equipment or comparable means shall be provided to exhaust the air from the pet area to outside of the building.
- o) The groomer must keep the grooming area, and exercise area if necessary, disinfected, clean, and sanitary at all times.
- p) Pet waste areas, either indoor or outdoor, shall be constructed of a hard surface that is easily cleaned. Such areas shall be connected to a sanitary system.
- q) Drying cages shall be:
 - i. kept clean and sanitary
 - ii. large enough to comfortably contain the pet. The pet shall be able to stand, lie down, and turn around. The recommend dimensions are: 22 inches to 24 inches wide, by 24 to 28 inches high, by 30 to 34 inches deep
- r) Outdoor areas where pets will be allowed shall
 - i. Not be within 300 feet of a residential district.
 - ii. Permitted only in the rear and side yards.
 - iii) Have a setback a minimum of twenty (20) feet from the property line and landscaped with one (1) canopy tree, one (1) evergreen tree and four (4) shrubs per each thirty (30) linear feet along the property line, rounded upward.
 - iv) Be fully enclosed by a six (6) foot screening fence or wall providing full containment for the pets in accordance with Article XXVI. Screening Devices and Landscaping.
- s) All pets shall be kept indoors from 9:00 p.m. to 7:00 a.m.
- t) A written statement of operating procedures must be submitted, such as those recommended by the Pet Care Services Association or the American Kennel Club. The procedures, which are to be followed for the life of the business, must address, at a minimum, the following items:

- i. Identification and correction of pet behavior that impacts surrounding uses, including excessive noise (barking).
- ii. The time interval anticipated for waste removal and method of clean up.
- iii. Identification of the hours of operation and timing of shift changes, if applicable.
- iv. Indication of staffing levels during all shifts and the qualifications of each staff member.
- v. Membership in the Voluntary Facilities Accreditation program via the Pet Care Services Association is strongly encouraged.

(7) Other uses of a similar character to the above uses.

Section 2. Savings 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 September 17, 2012, shall be enacted on October 1, 2012, and shall be published on or before October 14, 2012, and shall be effective October 15, 2012.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton this 1st day of October, 2012.

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to approve the second reading of Ordinance 705-3, Amendment to Zoning Code, to Address Pet Grooming.

Carried unanimously.

(D-2)

POLICE DEPARTMENT

Permission to Purchase Patriot Sentinel Enhanced 911 Phone System

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to concur with the recommendation of Police Chief and approve the request to purchase a new two-position Patriot Sentinel Enhanced 911 Phone System from Advanced Wireless Telecom (AWT) in the amount of \$107,000.00, with funding from the 2012 Economic Vitality Incentive Program and a grant from the Downriver Community Conference.

Carried unanimously.

(D-3)

WWTP

Request for Engineering Services, Aeration System Upgrade

Moved by Councilperson LeFevre, seconded by Councilperson Teifer, to concur with the recommendation of WWTP Superintendent and authorize contracting the professional services of Process Results, Inc. to perform engineering services for the proposed Aeration System Upgrade Project for a total cost of \$114,900.00, with funding from the Capital Equipment Account (592-529-979000).

Carried unanimously.

(D-4)

PARKS AND RECREATION

Scholarship Award Notification for MFEA Convention

Moved by Councilperson Baun-Crooks, seconded by Councilperson Howey, to grant permission to the Parks and Recreation Department to accept the full-ride scholarship through the Michigan Festival and Events Association for a member of the Mid Summer Festival Committee to attend the 20th Annual MFEA Convention in Traverse City, Michigan, and to approve the request for mileage reimbursement for travel expenses, with funding from the Festival Special Projects Account.

Carried unanimously.

(D-5)

HUMAN RESOURCES

Life and Long Term Disability Insurance Recommendation

Moved by Councilperson Teifer, seconded by Councilperson Baun-Crooks, to concur with the recommendation of the Human Resources Director to participate in the Michigan Public Sector Consortium and change providers of the life and long term disability insurance from The Standard to The Hartford, effective December 1, 2012.

Carried unanimously.

(D-6)
MAYOR

Proposed Council Study Session Agenda, Monday October 8, 2012

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to approve the proposed agenda for the Council Study Session to be held on Monday, October 8, 2012 to discuss the Chrysler tax issue, and the Kennedy Restaurant Group and remove the medical insurance item.

Carried unanimously.

LATE COMMUNICATIONS

(L-1)
CITY ENGINEER/PLANNING
Petition to Combine Property, Lot 4 & 5, 355 Sibley, (Malinowski)

**CITY OF TRENTON
RESOLUTION NO. 2012-23**

RESOLUTION TO COMBINE PROPERTY

Lots 4 and 5, being parcels 54 00104 0004 000 and 54 001 04 0005 000 Kirby-Sorge-Felske Co. Sibley Park Subdivision, City of Trenton, Wayne County, Michigan, as recorded in Liber 27497, Page 807 and Liber 36414, page 6, respectively, of Wayne County Records.

WHEREAS, Robert Malinowski has petitioned the Trenton City Planning Commission to combine Tax Parcels # 54-001-04-0005-000 and # 54-001-04-004-000, which are described above and are located in the City of Trenton, Michigan, and

WHEREAS, the City Planning Commission has reviewed and unanimously approved the lot combination at its meeting on September 12, 2012, the new legal description of which is as follows:

Lots 4 and 5 and ½ adjacent vacated alley, “Kirby-Sorge-Felske Co. Sibley Park Subdivision”, Subd’n of part of the North ½ of Frl. Sec. 7, T. 4 S., R. 11 E., Monguagon Twp, (now City of Trenton), Wayne County, Michigan.

WHEREAS, by combining the above referenced parcels, the new parcel would be taxed as such.

NOW, THEREFORE, BE IT RESOLVED that Trenton City Council does hereby approve the combination of the above described properties, which is to be assessed for ad valorem purposes as follows:

Lots 4 and 5 and ½ adjacent vacated alley, “Kirby-Sorge-Felske Co. Sibley Park Subdivision”, Subd’n. of part of the North ½ of Frl. Sec. 7, T. 4 S., R. 11 E., Monguagon Twp, (now City of Trenton), Wayne County, Michigan.

Being in accordance with the survey dated July 18, 2012, attached herein and incorporated by reference.

BE IT FURTHER RESOLVED that the City Clerk cause a copy of this Resolution to be recorded with the Office of the Register of Deeds for Wayne County, and a copy to be forwarded to the City Assessor and the Wayne County Assessment and Equalization Division.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton this 1st day of October, 2012.

Moved by Councilperson McLeod, seconded by Councilperson Baun-Crooks, to approve the Petition to Combine Property, Lot 4 & 5, 355 Sibley.

Carried unanimously.

AUTHORIZED DISBURSEMENTS

Moved by Councilperson Teifer, seconded by Councilperson McLeod, that the Authorized Disbursements, per the October 1, 2012, schedule, be approved,

MONROE BANK & TRUST: Cash Disbursements	\$429,619.23
General Fund	227,123.31
Major Street Fund	996.64
Local Street Fund	887.36
Kennedy Rec Complex	25,922.99
Library Operating Fund	20,806.31
Tax Receiving Fund	11.30
Special Revenue Fund	15,255.77
Trust & Agency Fund	1,000.00
Grant Funds	1,154.76
D.D.A. Funds	702.00
SINC Fund	207.00
Water & Wastewater Fund	83,683.93
Motor Vehicle Pool Fund	33,252.85
Restricted Self Insurance	18,6325.99

Carried unanimously.

Moved by Councilperson Teifer, seconded by Councilperson McLeod, to approve the payment of \$17.98, to B & D Vacuum.

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

Motion carried.

REPORTS

Moved by Councilperson Teifer, seconded by Councilperson McLeod, to receive and place on file the Commission and Board Reports, October 1, 2012.

Carried unanimously.

Discussion was held on the Fire and Police Pension Board minutes of August 20, 2012.

COMMENTS FROM THE COUNCIL AND OFFICIALS

- | | |
|----------------------------|---|
| Councilperson LeFevre | * Month of October, National Breast Cancer Awareness; Scarecrow Festival, This Weekend |
| Councilperson Howey | * Status of Overtime Projections; Ice Rink Advertisement; Retiree Voluntary Concessions; Pension Board Withdraw Rate for Annuity |
| Councilperson Baun-Crooks | * Trenton Rotary Fundraiser, Murder Mystery, Thursday October 18th |
| Mayor Stack | * Congratulated Homecoming Court, Hannah Meiers, Hana Mitsusada Boylan, Danielle DeAngelis, Stephanie Galczyk and Danielle Jones; Trenton Soroptimist, Farm to Table Event, Honoring Audrey Seay; Karen Wacasey, Crowned Midwest Sectional Champion and Amy Mullins and Joan Powers, Senior Spelling Bee Winners. Received Thank You from THS Golf Team; and Anderson School Having a Walk-A-Thon, Friday, October 12, 2012 |
| City Clerk Gearhart | * October 9 th , Last Day to Register to Vote; Urged Voters to Vote Absentee |
| City Engineer Hogan | * Wayne County Household Hazardous Waste Day, October 13 th at Southland Center |
| Parks & Rec Director Perna | * Ghost Stories, October 6 th and 13 th at Cultural Center; Parks and Recreation Master Plan Workshop, October 18 th , Asked Residents to Participate |
| Police Chief Nardone | * Canine Officer Kopper was Injured in Accident, Now Recovering |

PUBLIC COMMENT

None

MOTION TO ADJOURN by Councilperson McLeod, seconded by Councilperson Howey, at 8:58 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. WAYNE COUNTY: County Sponsored Household Hazardous Waste Collection.
(09/14/2012)
2. STATE OF MICHIGAN: Notice of Hearing, Detroit Edison Company CaseU-16964.
(10/23/2012)