

**CITY OF TRENTON, MICHIGAN  
REGULAR MEETING  
December 6, 2010**

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, LeFevre, McLeod, Taylor and Teifer.

Absent: None.

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

Other Officers Present: John Dahlquist, City Assessor; Randy Schoen, City Treasurer; Wallace Long, City Attorney; Robert Cady, City Administrator; William Hogan, City Engineer; Jeff Evans, Fire Marshall; Scott Church, Human Resources Director; Patrick Hawkins, Parks and Recreation Director; James Nardone, Deputy Police Chief, and Eric Witte, Department of Public Services Director.

**MINUTES**

Moved by Councilperson Gillespie, seconded by Councilperson McLeod, to approve the minutes of the Regular Meeting of November 15, 2010.

Carried unanimously.

**PRESENTATIONS**

Moved by Councilperson Gillespie, seconded by Councilperson McLeod, to make the Presentation part of the regular minutes.

Carried unanimously.

Fire Captain Alex Lesko, Fire Marshall Jeff Evans and Firefighter Tom Gross gave a power point presentation on the activities that the Fire Department performs during the year for the community.

**COMMUNICATIONS AGENDA**

**GENERAL**

- B-1. 33<sup>RD</sup> DISTRICT COURT: Fines, Costs, Fees, October 2010
- B-2. 33<sup>RD</sup> DISTRICT COURT: Budget for January 1, 2011 through December 31, 2011
- B-3. RESA: Summer Tax Collection Request

**GROUPS AND ORGANIZATIONS**

C-1. TRENTON ROTARY CLUB: Westfield Center Improvements

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

- D-1. ASSESSOR: Board of Review Appointments, Stanley Gruzdaitis and Joanne Cranford  
D-2. ATTORNEY: AT & T Metro Act Right of Way Permit Extension  
D-3. ENGINEER: MDOT 2011 Annual Permit  
D-4. HUMAN RESOURCES: Blue Cross Blue Shield Administrative Contract  
D-5. PARKS & RECREATION: Ice Show Costumes  
D-6. PARKS & RECREATION: Expansion of Community Garden

**LATE COMMUNICATIONS**

- L-1. PARKS AND RECREATION: Beverage Contract (removed from agenda)  
L-2. TRENTON EXCHANG CLUB: Healing Flag Display

**COMMUNICATIONS**

(B-1)  
33<sup>RD</sup> DISTRICT COURT  
Fines, Costs, Fees, October 2010

Moved by Councilperson LeFevre, seconded by Councilperson McLeod, to receive and place on file the Fines, Costs, Fees, October 2010, submitted by the 33<sup>rd</sup> District Court, showing the City of Trenton owing \$5,985.39.

Carried unanimously.

(B-2)  
33<sup>RD</sup> DISTRICT COURT  
Budget for January 1, 2011 through December 31, 2011

**CITY OF TRENTON  
RESOLUTION 2010-26**

**RESOLUTION TO APPROVE THE 33<sup>RD</sup> JUDICIAL DISTRICT COURT BUDGET FOR  
THE PERIOD OF JANUARY 1, 2011 THROUGH DECEMER 31, 2011**

**WHEREAS**, the governing body for the City of Trenton has received the budget submitted by the 33<sup>rd</sup> District Court for the period of January 1, 2011, through December 31, 2011;

**NOW THEREFORE**, the City of Trenton hereby resolves the budget be adopted as submitted.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton this 6th day of December, 2010.

Moved by Councilperson LeFevre, seconded by Councilperson McLeod, to approve the 33<sup>rd</sup> Judicial District Court budget for the period of January 1, 2011, through December 31, 2011.

Carried unanimously.

(B-3)  
RESA  
Summer Tax Collection Request

Moved by Councilperson Taylor, seconded by Councilperson McLeod, to deny the request from the Wayne County Regional Educational Service Agency to include the 2011 RESA property taxes in the summer tax collection.

Carried unanimously.

(C-1)  
TRENTON ROTARY CLUB  
Westfield Center Improvements

Moved by Councilperson Gillespie, seconded by Councilperson Baun-Crooks, to approve the project of painting the Westfield Center, as requested from the Trenton Rotary Club as the lead club, with donations from several groups and organizations.

Carried unanimously.

(D-1)  
ASSESSOR  
Board of Review Appointments, Stanley Gruzdaitis and Joanne Cranford

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to concur with the recommendation of the City Assessor, and approve the reappointments of Stanley Gruzdaitis and Joanne Cranford to the Board of Review, for terms expiring December 31, 2013.

Carried unanimously.

(D-2)  
ATTORNEY  
AT & T Metro Act Right of Way Permit Extension

Moved by Councilperson Gillespie, seconded by Councilperson McLeod, to concur with the recommendation of the City Attorney and extend the Metro Act Permit issued by the City of Trenton to Michigan Bell Telephone Company d/b/a AT & T, for a term to end on December 31, 2013.

Carried unanimously.

(D-3)  
ENGINEER  
MDOT 2011 Annual Permit

**PERFORMANCE**  
**RESOLUTION FOR GOVERNMENTAL AGENCIES**

**2010-27**

*This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "individual Permit for Use of State Trunkline Right of Way" (form 2205), or an "Annual Application and Permit for Miscellaneous Operations Within State Trunkline Right of Way" (form 2205B).*

**RESOLVED WHEREAS**, the City of Trenton hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits:

**NOW THEREFORE**, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law.

This Agreement is not intended to increase either party's liability for, or immunity from, tort claims.

This Agreement is not intended nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

1. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.

2. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting from

the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.

4. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract

5. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

6. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party.

It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

**BE IT FURTHER RESOLVED**, that the following position(s) are authorized to apply to the Michigan Department of Transportation for the necessary permit to work within state trunkline right of way on behalf of the GOVERNMENTAL AGENCY: William R. Hogan P.E., City Engineer.

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to authorize William R. Hogan, to apply to the Michigan Department of Transportation for the necessary permit to work within the state trunkline right of way on behalf of the City of Trenton.

Carried unanimously.

(D-4)

HUMAN RESOURCES

Blue Cross Blue Shield Administrative Contract

Moved by Councilperson Baun-Crooks, seconded by Councilperson Gillespie, to concur with the recommendation of the Human Resource Director, and renew the Blue Cross Blue Shield Administrative Services Contract for the term of January 2011, to December 2011, and authorize the Mayor and City Clerk to sign the contract on behalf of the City.

Carried unanimously.

(D-5)  
PARKS & RECREATION  
Ice Show Costumes

Moved by Councilperson Gillespie, seconded by Councilperson LeFevre, to waive the usual bidding procedure in the best interest of the City and authorize the Parks and Recreation to purchase ice show costumes with the departments credit card, from Costume Wearhouse, Algy, Leo's Dancewear, Weissman's, and Baumes, in order to receive the discounts offered by utilizing a credit card, with the costs to be reimbursed by the participants.

Carried unanimously.

(D-6)  
PARKS & RECREATION  
Expansion of Community Garden

Moved by Councilperson Taylor, seconded by Councilperson Baun-Crooks, to grant permission to the Parks and Recreation Department to expand the Community Garden located at the Cultural Center to include a Farm Market, by utilizing a USDA Grant from Wayne Metropolitan Community Action Agency and to pledge \$14,096.00, for In-Kind Services for the period of 2011 through 2013.

Carried unanimously.

(L-1)  
PARKS AND RECREATION  
Beverage Contract

Moved by Councilperson LeFevre, seconded by Councilperson Gillespie, to remove the item from the agenda.

Carried unanimously.

(L-2)  
EXCHANGE CLUB  
Healing Flag Display

Moved by Councilperson LeFevre, seconded by Councilperson Baun-Crooks, to grant permission to the Exchange Club of Trenton to perform a site study for a Healing Field Display to be located in the City of Trenton, on Memorial Day weekend of May 28 through May 30, 2011 under the direction of the Administration.

Carried unanimously.

**AUTHORIZED DISBURSEMENTS**

Moved by Councilperson LeFevre, seconded by Councilperson McLeod, that the Authorized Disbursements, per the December 6, 2010, schedule, be approved.

MONROE BANK & TRUST: Cash Disbursements	\$419,197.20
General Fund	161,648.58
Major Street Fund	3,191.24
Local Street Fund	3,188.35
Kennedy Rec Complex	36,701.13
Community Block Grant Fd	37,068.88
Library Operating Fund	11,119.97
Tax Receiving Fund	3,814.49
Special Revenue Fund	6,233.32
Grant Funds	4,845.67
Capital Project Fund	209.88
D.D.A. Fund	803.00
SINC Fund	8,458.25
Water & Wastewater Fund	67,778.71
Motor Vehicle Pool	40,810.90
Restricted Self Insurance	33,384.83

Carried unanimously.

Moved by Councilperson LeFevre, seconded by Councilperson Taylor, to approve the disbursements payable in the amount of \$60.00, to Certified Alarm.

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

Motion carried.

**REPORTS**

Moved by Councilperson LeFevre, seconded by Councilperson McLeod, to receive and place on file the Commission and Board Reports, December 6, 2010; the Fire Department Report, November 2010; and the DPS Report, November 2010.

Carried unanimously.

**COMMENTS FROM THE COUNCIL AND OFFICIALS**

- |                           |  |
|---------------------------|--|
| Councilperson Teifer      | * Goodfellows Still Need Donations           |
| Councilperson Baun-Crooks | * Thanked Employees for Decorating City Hall |

RECORD OF CITY COUNCIL PROCEEDINGS  
CITY OF TRENTON, MICHIGAN  
HELD ON THE 6TH DAY OF DECEMBER 2010

- Councilperson LeFevre \* Commended Civic Commission for Parade; Police Department for Response to Bank Situation; and Trenton Rotary for Salvation Army Collection
- Mayor Brown \* Introduced the new Department of Public Services Director Eric Witte
- City Clerk Stack \* Packing Goodfellow Baskets, Wednesday, December 15th
- City Treasurer Schoen \* Tax Bills Have Been Sent Out
- City Assessor Dahlquist \* December 14<sup>th</sup>, Board of Review, Hardship Cases and Errors
- Parks & Rec Director Hawkins \* 12 Days of Christmas; Silver Stick Hockey Tournament
- DPS Director Witte \* Possible Host of Tire Recycling Program; Last Week for Yard Waste Collection; Green Containers can be Used Week of Christmas and New Years

**PUBLIC COMMENT**

None.

**MOTION TO ADJOURN BY** Councilperson McLeod, seconded by Councilperson Gillespie, at 9:00 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. STATE OF MICHIGAN: M-85 Reconstruction from Goddard to Sibley and M-24 reconstruction from Vreeland West. (10/12/2010)
2. WOW: Customer Notifications. (11/22/2010)
3. STATE OF MICHIGAN: Hearing for DTE Customers. (12/14/2010)
4. STATE OF MICHIGAN: Water Pollution Control Tax Exemption, DTE. (11/19/2010)