

**CITY OF TRENTON
PUBLIC HEARING
FEBRUARY 1, 2016**

A Public Hearing of the City Council of Trenton, Michigan, was called to order by Mayor Stack, at 6:46 p.m. on the above date in the City Hall Council Chambers.

Present on roll call by City Clerk Debra Devitt: Councilpersons Timber Baun-Crooks, Dan Gillespie, Robert Howey, William LeFevre, Nelson Perugi, and Mayor Kyle Stack.

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

Absent: Councilman Steven Rzeppa.

Moved by Councilman Howey, seconded by Councilman Gillespie, to excuse the absence of Councilman Rzeppa.

Carried unanimously.

Other Officers Present: James Wagner, City Administrator; Wallace Long, City Attorney; Scott Church, Human Resources Director; John Dahlquist, City Assessor; Karen Sall, Deputy Treasurer; and Joann Gonyea, Parks and Recreation Director.

The City Clerk read the Notice of Public Hearing that was posted at Trenton City Hall, Trenton Veterans Memorial Library, the Westfield Activity Center, and on the City website.

City Administrator Wagner gave an overview of the proposed use of the funding of the Community Development Block Grant program, and stated that the City of Trenton will no longer hold public hearings regarding Community Development Block Grant funding, Wayne County will hold all future meetings.

Mayor Stack asked for comments from the public.

There was no public comment.

MOTION TO ADJOURN by Councilman Howey, seconded by Councilman Perugi, at 6:41 p.m.

APPROVED BY:

KYLE F. STACK, MAYOR

DEBRA R. DEVITT, CITY CLERK

MINUTES PREPARED BY: Debra R. Devitt, City Clerk
APPROVED ON: _____

**CITY OF TRENTON
REGULAR MEETING
FEBRUARY 1, 2016**

After the Pledge of Allegiance to the Flag, a moment of silence was observed in memory of the anniversary of Robert Pare, former Trenton Police Officer who was killed in the line of duty. The Regular Meeting of the City Council of Trenton, Michigan, was called to order by Mayor Stack, at 7:02 p.m. on the above date in the City Hall Council Chambers.

Present on roll call by City Clerk Debra Devitt: Councilpersons Timber Baun-Crooks, Dan Gillespie, Robert Howey, William LeFevre, Nelson Perugi, and Mayor Kyle Stack.

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

Absent: Councilman Steven Rzeppa.

Moved by Councilman Howey, seconded by Councilman Gillespie, to excuse the absence of Councilman Rzeppa.

Carried unanimously.

Other Officers Present: James Wagner, City Administrator; Wallace Long, City Attorney; Scott Church, Human Resources Director; John Dahlquist, City Assessor; Michael McCullough, City Treasurer; Karen Sall, Deputy Treasurer; Christine Arnoczki, City Controller; William Hogan, City Engineer; Dean Creech, Fire Chief; Theresa Monthei, Network Administrator; Joann Gonyea, Parks and Recreation Director; Tim Beaker, Recreation Business Manager; James Nardone, Police and Fire Services Director; and Steven Voss, Police Chief; and Francene Sanak, City Librarian.

MINUTES

Moved by Councilman Gillespie, seconded by Councilman Perugi, to approve the minutes of the Public Hearing and Regular Meeting of January 18, 2016.

Carried unanimously.

PRESENTATION

Moved by Councilperson Gillespie, seconded by Councilperson Howey, to make the presentation part of the Regular Meeting.

Carried unanimously.

Recognition Plaque to MaryEllen McLeod

Mayor Stack presented a recognition plaque and thanked past Councilwoman MaryEllen McLeod for her service to the City of Trenton.

APPOINTMENTS

War Memorial Committee, Zoning Board of Appeals, Building Authority

Moved by Councilman Gillespie, seconded by Councilman Howey, to approve the Mayor's re-appointment of Jeff Wagar, to the War Memorial Committee, for a term expiring January 1, 2020; Lonnie Fredricks, Doug Warner, and Frank Mazella to the Zoning Board of Appeals, for a term expiring February 1, 2019; and John Amrozi to the Building Authority for a term expiring February 1, 2019.

Roll call: Gillespie, Yes; Howey, Yes; LeFevre, Yes; Perugi, Yes; Stack, Abstain, and Baun-Crooks, Yes.

Motion carried.

COMMUNICATIONS AGENDA

GENERAL

- G-1. 33rd District Court: Fines, Costs, Fees, December 2015
- G-2. 33rd District Court: Court Technology Fourth Quarter 2015 Payment

DEPARTMENT HEADS AND OFFICIALS

- I-1. Administration: Sale of Cell Tower
- I-2. Administration: 4th of July Fireworks
- I-3. Assessor: Tax Foreclosed Properties in Wayne County for 2015, 2nd Right of Refusal
- I-4. Engineer: Request to Extend 2015 Concrete Replacement Program Contract
- I-5. Controller: Resolution 2015-1, Authorize Issuance of Installment Purchase Agreement

LATE COMMUNINCATIONS

- J-1. Administration: 2016-2017 Community Development Block Grant Program Recommendation
- J-2. Administration: Request to Advertise for Proposals to Redevelop Foreclosed Property
- J-3. Administration: Request to Purchase Christmas Decorations

COMMUNICATIONS

G-1
33rd District Court
Fines, Costs, Fees, December 2015

Moved by Councilman LeFevre, seconded by Councilman Howey, to receive and place on file the Fines, Costs, Fees, December 2015, submitted by the 33rd District Court, showing the City of Trenton receiving \$3,244.75.

Carried unanimously.

G-2
33rd District Court
Court Technology Fourth Quarter 2015 Payment

Moved by Councilman LeFevre, seconded by Councilman Howey, to receive and place on file the Fourth Quarter 2015 Court Technology Payment, submitted by the 33rd District Court, showing the City of Trenton receiving \$5,593.00.

Carried unanimously.

I-1
Administration
Sale of Cell Tower

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to concur with the recommendation of the City Administrator and approve the sale of the Crown Cell Tower, in the amount of \$325,000.00, to Global Signal Acquisitions IV LLC., and authorize the Mayor to sign the letter of agreement on behalf of the City.

Carried unanimously.

I-2
Administration
4th of July Fireworks

Moved by Councilman Gillespie, seconded by Councilman LeFevre, to concur with the recommendation of the City Administrator and Department Heads to cancel the 2016 Fourth of July Fireworks Display due to financial needs.

Carried unanimously.

I-3
Assessor
Tax Foreclosed Properties in Wayne County for 2015, 2nd Right of Refusal

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to concur with the recommendation of the City Assessor and approve to permit the transfer of the Wayne County Tax Foreclosed Properties for 2015, 2nd Right of Refusal, Parcel #'s 82-54-021-05-0001-000 thru 82-54-021-05-0015-000 (15 vacant parcels; Parcel #'s 82-54-021-05-0019-000 thru 82-54-021-05-0040-000 (22 vacant parcels); Parcel #'s 82-54-021-05-0044-000 thru 82-54-021-05-0048-000 (5 vacant parcels); and Parcel #'s 82-54-021-05-0054-000 thru 82-54-021-05-0070-000 (17 vacant parcels), at no cost to the City.

Carried unanimously.

I-4

Engineer

Request to Extend 2015 Concrete Replacement Program Contract

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to concur with the recommendation of the City Engineer and approve to extend the 2015 Concrete Replacement Program contract with Dominic Gaglio Construction Co., through December 31, 2016, with funding from the Major Street Capital Improvement Account #202-451-988.000, the Local Street Capital Improvement Account #203-451-988.000, and the Water Fund Concrete Account #592-563-974.000, and waive the usual bidding procedure in the best interest of the City.

Carried unanimously.

I-5

Controller

Resolution 2015-1, Authorize Issuance of Installment Purchase Agreement

**CITY OF TRENTON
COUNTY OF WAYNE
STATE OF MICHIGAN
RESOLUTION AUTHORIZING
INSTALLMENT PURCHASE AGREEMENT
2016-1**

WHEREAS, the City of Trenton, County of Wayne, State of Michigan (the “City”) desires to acquire various items of equipment as described on Exhibit A attached hereto (the “Equipment”); and

WHEREAS, under the provisions of Act No. 99, Public Acts of Michigan, 1933, as amended (“Act 99”), the City is authorized to enter into any contracts or agreements for the purchase of the Equipment to be paid for in installments over a period of not to exceed the useful life of the Equipment acquired as determined by resolution of the City; and

WHEREAS, an Installment Purchase Agreement (the “Agreement”) by and among the City, E J Equipment, Inc., Manteno, Illinois, and Wolverine Freightliner Westside, Ypsilanti, Michigan (each a “Vendor”, together, the “Vendors”), and Monroe Bank & Trust (the “Bank”), for the installment purchase of the Equipment has been prepared; and

WHEREAS, the City shall acquire the Equipment for an aggregate purchase price of not to exceed \$379,068 (the “Purchase Price”) through the execution of the Agreement; and

WHEREAS, the outstanding balance of all purchases by the City under Act 99, exclusive of interest, shall not exceed one and one quarter percent (1-1/4%) of the taxable value of the real and personal property in the City at the date of such contract or agreement; and

WHEREAS, purchase of the Equipment pursuant to an installment purchase agreement will not result in the outstanding balance of all such purchases in excess of the limitation contained within Act 99 as set forth above; and

WHEREAS, the Agreement is to be assigned to the Bank; and

WHEREAS, it is necessary to approve the Agreement and authorize the Mayor and City Clerk to execute the Agreement and authorize City officials to execute certain other documentation relative thereto.

NOW THEREFORE, BE IT RESOLVED THAT;

1. Approval of Agreement; Agreement Terms. The Agreement is hereby approved substantially in the form attached hereto as Exhibit B. Interest on the agreement shall not exceed 2.80% per annum, the aggregate principal amount of the agreement shall not exceed \$379,068, which shall be payable in four (4) annual payments of principal and interest. The final terms of the Agreement shall be evidenced through execution of the Agreement by the Mayor and City Clerk, provided that the principal amount of the Agreement shall not exceed \$379,068 and the Agreement shall be payable in not more than four (4) annual payments of principal and interest.

2. Execution and Delivery of Agreement. The Mayor and City Clerk are hereby authorized and directed to execute the Agreement and deliver it to the Vendors, substantially in the form attached hereto with such additions, changes and modifications as shall be approved by the City's Bond Counsel. The City may enter into one or more Agreements with the Bank and Vendors provided that the total amount of debt to be incurred shall not exceed the Purchase Price.

3. Useful Life of Equipment. The useful life of the Equipment is hereby determined to be not less than four (4) years.

4. Authorization of Officers; Requests for Advances. The Mayor, City Administrator, City Controller and City Clerk are each hereby directed and authorized to execute such additional documentation and open such accounts as shall be necessary to effectuate the closing of the Agreement and the assignment thereof. The City Administrator and City Controller are each hereby authorized to execute and deliver to the Bank written advance draw requests along with such additional documentation as may be reasonably required by the Bank.

5. Assignment of Agreement. The assignment of the Agreement by each Vendor to the Bank is hereby approved.

6. Security; Limited Tax Pledge. The City hereby agrees to include in its budget for each year, commencing with the present fiscal year, a sum which will be sufficient to pay the principal of and the interest coming due under the Agreement during such fiscal year. In addition, the City hereby pledges to levy ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the Agreement, subject to applicable constitutional, statutory and charter tax rate limitations.

7. Tax Covenant. The City covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the agreement from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable.

8. Qualified Tax-Exempt Obligation. The City hereby designates the Agreement as a "qualified tax-exempt obligation" for purposes of deduction of interest expense by financial institutions under the provisions of the Code.

9. Declaration of Intent to Reimburse. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring the Equipment which were paid subsequent to sixty (60) days prior to the date hereof or which will be paid prior to the issuance of the Agreement from the general fund of the City.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$379,068.

10. Bond Counsel. The representation of the City by Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield"), as bond counsel is hereby approved, notwithstanding the periodic representation by Miller Canfield of the Bank, or other potential parties, in unrelated matters.

11. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded to the extent of such

ADOPTED, APPROVED AND PASSED by the City Council of the City of Trenton this 1st day of February, 2016.

Moved by Councilwoman Baun-Crooks, seconded by Councilman LeFevre, to concur with the recommendation of the City Controller and approve the Installment Purchase Agreement with Monroe Bank and Trust, in the amount of three hundred seventy-nine thousand and sixty-eight (\$379,068) for the financing of a dump/crane truck, and a MT6 trackless tractor.

Carried unanimously.

LATE COMMUNINCATIONS

J-1

Administration

2016-2017 Community Development Block Grant Program Recommendation

Moved by Councilman Gillespie, seconded by Councilman Perugi, to concur with the recommendation of the City Administrator and approve the funding for the 2016-2017 Community Development Block Grant Program to be used for Senior Transportation in the amount of \$20,000.00, Historic Preservation in the amount of \$23,152.00, Street and Sidewalk Paving in the amount of \$56,491.00, and Administration in the amount of \$11,071.00.

Carried unanimously

J-2

Administration

Request to Advertise for Proposals to Redevelop Foreclosed Property

Moved by Councilwoman Baun-Crooks, seconded by Councilman Gillespie, to authorize the City Assessor to prepare specifications, advertise, and receive proposals to redevelop tax foreclosed Parcel #'s 82-54-021-05-0001-000 thru 82-54-021-05-0015-000 (15 vacant parcels); Parcel #'s 82-54-021-05-0019-000 thru 82-54-021-05-0040-000 (22 vacant parcels); Parcel #'s 82-54-021-05-0044-000 thru 82-54-021-05-0048-000 (5 vacant parcels); and Parcel #'s 82-54-021-05-0054-000 thru 82-54-021-05-0070-000 (17 vacant parcels).

Carried unanimously.

J-3

Administration

Request to Purchase Christmas Decorations

Moved by Councilwoman Baun-Crooks, seconded by Councilman LeFevre, to grant the Department of Public Services permission to purchase Christmas Decorations from Bronner's of Frankenmuth, Michigan, to upgrade the decorations of West Jefferson and West Road, in the amount not to exceed \$30,000.00.

SUBSTITUTE MOTION

Moved by Councilman Howey, seconded by Councilman Gillespie, to refer the Request to Purchase Christmas Decorations to a Study Session on Monday, February 8, 2016 at 7:00 p.m.

Carried unanimously.

DISBURSEMENTS AND STATEMENTS

Moved by Councilwoman Baun-Crooks, seconded by Councilman Gillespie, to approve the Authorized Disbursements, February 1, 2016, in the amount of \$1,823,255.13.

Carried unanimously.

COMMENTS FROM THE COUNCIL AND OFFICIALS

Councilman LeFevre * Hockey Showcase Tournament this weekend; Congratulated City Award winners; City Awards Banquet, a lot of nice awards! Proud of the Trenton Police and Fire Departments, Thanked the Police and Fire Departments for everything they do.

Councilman Howey * Need volunteers for Hockey Showcase Tournament; Thanked the Civic Commission for great job on City Awards Banquet, Congratulated everyone who won awards; Congratulated Kyle on great job at the State of the City Address.

RECORD OF CITY COUNCIL PROCEEDINGS
CITY OF TRENTON, MICHIGAN
HELD ON THE 1ST DAY OF FEBRUARY 2016

- Councilwoman Baun-Crooks * Disappointed City of Trenton will not have fireworks this year; Thanked the Fritz Family for their generosity; City Awards Banquet was phenomenal, Thanked Councilman LeFevre for great job emceeding event.
- Mayor Stack * Thanked the Trenton Rotary Club and Trenton Business Association for hosting the State of the City Address; DTE employees are in the neighborhoods trimming trees; Thanked the Civic Commission for hosting the City Awards Banquet and congratulated award winners.
- City Clerk Devitt * City Hall will be Closed Monday, February 15th for Presidents Day. Next Council Meeting: Study Session Monday, February 8th at 7:00 p.m.; Regular Meeting Tuesday, February 16th. Presidential Primary is Tuesday, March 8th, absentee ballots available.
- City Assessor Dahlquist * Reminded Small Business Personal Property Owners Form 5076 is due by Wednesday, February 10th.
- City Treasurer * Taxes are due by Tuesday, February 16th.
- Recreation Business Mgr. Beaker * Hockey Showcase Tournament is Thursday, February 4th through Saturday, February 6th, Volunteers Needed.

COMMENTS FROM THE PUBLIC

- Chris Hancock * Supports Sean Gross in opening Pub Brewery in Trenton, asked for Council support to allow Sean to obtain time to look into the possibility of opening business in Trenton.
- Sean Gross * Asked for a state of execution, to allow him a week to see if the Trenton Pavilion would be a viable building to open a brewery business.

OTHER COUNCIL BUSINESS

Moved by Councilman LeFevre, seconded by Councilman Howey, to grant a sixty day state of execution to Sean Gross to prepare a firm plan to purchase the Trenton Pavilion.

SUBSTITUTE MOTION

Moved by Councilman Gillespie, seconded by Councilwoman Baun-Crooks, to refer the discussion referring to the future of the Trenton Pavilion to the Study Session of Monday, February 8, 2016.

Carried unanimously.

MOTION TO ADJOURN by Councilman Gillespie, seconded by Councilman Howey,
at 7:52 p.m.

APPROVED BY:

KYLE F. STACK, MAYOR

DEBRA R. DEVITT, CITY CLERK

MINUTES PREPARED BY: Debra R. Devitt, City Clerk

APPROVED ON: _____

INFORMATIONAL ITEMS:

1. SEMCOG: Public Notice, January 27, 2016