

**CITY OF TRENTON  
REGULAR MEETING  
SEPTEMBER 20, 2021**

After the Pledge of Allegiance to the Flag, the Regular Meeting of the City Council of Trenton, Michigan, was called to order by Mayor Rzeppa, at 7:02 p.m. on the above date in the Council chambers.

Present on roll call by City Clerk Debra Devitt: Councilpersons Timber Baun-Crooks, Richard Benedetti, Scott Cabauatan, Wendy Pate, Nelson Perugi and Mayor Steven Rzeppa.

Absent: Councilman William LeFevre.

Moved by Councilman Benedetti, seconded by Councilman Cabauatan, to excuse the absence of Councilman LeFevre.

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

Other Officers Present: Alan Ackerman, City Attorney; Dean Creech, Acting City Administrator; Joanie Barnett, Acting City Assessor; Christine Eichler, Deputy City Assessor; Karen Sall, City Controller; Paul Haley, Emergency Management Coordinator; Dennis Chegash, City Engineer; John Laub, Human Resources Director; Tim Beaker, Parks and Recreation Director; Mike Oakley, Police Chief; and Kevin Sargent, DPS Superintendent.

Other Officers Present via Zoom: Eric Hoshaw, Deputy City Clerk; Michael McCullough, City Treasurer; Jill Cooper, Deputy City Treasurer; and Theresa Monthei, I.T. Administrator.

**MINUTES**

Moved by Councilwoman Baun-Crooks, seconded by Councilman Cabauatan, to approve the minutes of the Regular Meeting of September 7, 2021.

Carried unanimously.

**PRESENTATIONS AND PROCLAMATIONS**

Curtis Murphy: Certificate of Commendation

Moved by Councilman Benedetti, seconded by Councilman Cabauatan, to make the presentation part of the regular minutes.

Carried unanimously.

Mayor Rzeppa read aloud an article from The News Herald regarding Curtis Murphy coming to the aid of a woman and her infant child in the Woodhaven Target parking lot.

Mayor Rzeppa presented and read aloud the Certificate of Commendation to Curtis Murphy in recognition of his outstanding service to the community, thanked him and welcomed him to Trenton.

Curtis Murphy spoke and thanked Mayor and Council.

#### National Rail Safety Week Proclamation

Mayor Rzeppa read aloud the National Rail Safety Week Proclamation, proclaiming the week of September 20 through 26, 2021 National Rail Safety Week.

Moved by Councilwoman Baun-Crooks, seconded by Councilman Cabauatan, to adopt the National Rail Safety Week Proclamation.

Carried unanimously.

#### APPOINTMENTS

Moved by Councilman Cabauatan, seconded by Councilman Benedetti, to approve the Mayor's appointment of Brendan Gallagher to the Cultural Commission, Ronald Lammers to the Traffic Safety Commission, and Rina Belanger, Camille Meyer, and Brian Rzeppa to the Downtown Development Authority, all for terms expiring September 1, 2024.

Roll call: Benedetti, yes; Cabauatan, yes; Pate, yes; Perugi, yes; Rzeppa, abstain; and Baun-Crooks, yes.

Motion carried.

#### COMMUNICATIONS AGENDA

##### GENERAL

H-1. 33<sup>rd</sup> District Court: Fines, Costs, Fees, August 2021

##### GROUPS AND ORGANIZATIONS

I-1. Knights of Columbus: Annual Tootsie Roll Drive

I-2. Trenton High School Robotics Team: Bottle Drive Request

##### DEPARTMENT HEADS AND OFFICIALS

J-1. City Attorney: Ordinance No. 802-1 Amend Zoning Ordinance, Restaurant, Fast Food Drive-Through (2nd Reading)

J-2. City Attorney: Ordinance 808, Amend Article II Flood Damage Prevention

- J-3. City Controller: Michigan Class - Michigan Cooperative Liquid Assets Securities System  
J-4. City Engineer: City Hall Screen Wall & Patio Demolition

**OTHER COUNCIL BUSINESS**

- N-1. Councilwoman Pate: Michigan Municipal League Foundation Stipend

**COMMUNICATIONS**

H-1  
33<sup>rd</sup> District Court  
Fines, Costs, Fees, August 2021

Moved by Councilman Perugi, seconded by Councilman Benedetti, to receive and place on file the Fines, Costs, Fees, August 2021, submitted by the 33<sup>rd</sup> District Court, showing the City of Trenton owing \$5,049.00.

Carried unanimously.

I-1  
Knights of Columbus  
Annual Tootsie Roll Drive

Moved by Councilwoman Baun-Crooks, seconded by Councilman Benedetti, to grant permission to the Knights of Columbus to hold their annual Tootsie Roll Drive on Friday, October 15 and Saturday, October 16, 2021, in the City of Trenton, under the direction of the police department.

Carried unanimously.

I-2  
Trenton High School Robotics Team  
Bottle Drive Request

Moved by Councilman Perugi, seconded by Councilwoman Pate, to grant permission to the Trenton High School Robotics Team to conduct a bottle drive in the City of Trenton, dropping off flyers on Friday, October 22, 2021, and collecting the bottles on Saturday, November 6, 2021, under adult supervision and the direction of the police department.

Carried unanimously.

J-1

City Attorney

Ordinance No. 802-1 Amend Zoning Ordinance, Restaurant, Fast Food Drive-Through (2nd Reading)

**CITY OF TRENTON  
ORDINANCE NO. 802-1**

**An Ordinance to make amendments to the city of Trenton Zoning Ordinance Articles II, XIII, and XXVI; “Definitions,” “B-2 District,” and “Off-Street Parking, Parking Layout, and Loading and Unloading,” respectively. There are currently 36 parcels zoned B-2 (out of 7,783 zoned parcels) located on the following streets: West Road, Van Horn Road, King Road, and Fort St. The number of parcels designated to B-2 will not change as a result of this text amendment.**

**Section 1.** Article II, Section 110-28, Definitions, is hereby amended as follows:

- A. Shall include the new definition for a “restaurant, fast food drive-through”: A business establishment designed and intended to provide a driveway approach and temporary motor vehicle standing space or stacking space where customers *shall* receive food or nonalcoholic beverage service from *a window or booth* while in their motor vehicles.

**Section 2.** Article XIII, Section 110-273, Special Land Use, is hereby amended as follows:

- A. Section 110-273(6) shall be amended to include: “restaurant fast food sit-down *with or without* a drive-through.”
- B. Section 110-273(6) Fast food drive-throughs shall meet the following standards:
  - a. When a public address system will be used to take orders from an outdoor menu board or display from drive-through customers, the drive-through lane and the menu board display must be located in the nonrequired front yard when the use abuts a residential district or an office service district. In the event the narrowness of the site prevents the location of the menu display board in the nonrequired front yard, it may be placed in the nonrequired side yard that is farthest from a residential district or office service district.
  - b. Any drive-through lane shall be separate from a road, public right of way, loading and unloading area, or vehicle maneuvering lane.
  - c. *Only one ingress and egress shall be provided on major thoroughfares but shall not be located within 60 feet from an intersection.*
  - d. *Given the nature of this use, parking standards for a drive-through can be reduced or waived entirely by the Planning Commission in circumstances where the applicant can prove that existing parking spaces are sufficient. Landscaping standards based on parking spaces still apply according to the number of spaces that would be required based on the parking formula and the dimensions of the drive-through lane.*

- C. Section 110-273(e) shall remove the following: *“restaurants of any kind” and “and when such uses will be accessed only from an interior service drive or marginal access drive system serving the center, there being no direct access permitted to any abutting public street from any ancillary freestanding use.”*

**Section 3.** Article XXVI, Off-Street Parking, Parking Layout, and Loading and Unloading is hereby amended as follows:

- A. Section 110-551 (16) Numerical Off-Street Parking Requirements shall now include “fast food drive-through” under “business and commercial” under column letter “u” with an updated parking formula “1 space for every two employees in the largest working shift and one space for every four seats”
- B. 110-552 (1) Vehicle Stacking Spaces shall now include “fast food drive-through” in the first row of the table.

**Section 4.** 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 5.** 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 6.** 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 7.** Readings. This Ordinance shall be given a first reading on September 7, 2021, shall be enacted on September 20, 2021.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton this 20<sup>th</sup> day of September, 2021.

Moved by Councilwoman Baun-Crooks, seconded by Councilman Cabauatan, to approve the second reading of Ordinance No. 802-1, Amending the zoning ordinance Articles II, XIII, and XXVI, to include restaurant, fast food drive-through.

Carried unanimously.

J-2

City Attorney

Ordinance 808, Amend Article II Flood Damage Prevention

**CITY OF TRENTON  
ORDINANCE NO. 808**

**AN ORDINANCE AMENDING CHAPTER 46, ARTICLE II, OF THE CODE OF ORDINANCES OF THE CITY OF TRENTON RELATING TO FLOOD DAMAGE PREVENTION.**

**THE CITY OF TRENTON ORDAINS:**

**Section 1.** Certain sections of Chapter 46, Flood Damage Prevention, are hereby amended, hereinafter to read as follows:

**Sec. 46-34. Delineation of special flood hazard area.**

- (a) The special flood hazard area shall overlay existing zoning districts delineated on the official city zoning map. The boundaries of the special flood hazard area shall coincide with the boundaries of the areas indicated as within the limits of the 100-year flood as indicated in section 46-82(c) of this ordinance.

**Sec. 46-63. Development permit.**

- (a) A permit shall be required in conformance with the provisions of this article for all development within an area of special flood hazard.

**Sec. 46-64. Variances.**

- (d) A variance may not be granted for any development within the floodway, unless it has been properly demonstrated through a hydraulic analysis that the development will not cause any increase in the base flood elevation (BFE).

**Sec. 46-81. General standards.**

- (1) All new construction and substantial improvements shall be elevated 1 foot above the base flood elevation, and anchored to prevent flotation, collapse or lateral movement of the structure.

**Sec. 46-82. Specific base flood elevation standards.**

- (c) *Designation of regulated flood prone hazard areas.* The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled " The Flood Insurance Study for Wayne County, All Jurisdictions, effective October 21, 2021 and the Flood Insurance Rate Map (FIRM) panels: 26163CIND1C, 26163CIND2C, 26163C0416F, 26163C0418F, 26163C0527F, 26163C0531F, effective October 21, 2021 and 26163C0412E, 26163C0413E, 26163C0414E, effective February 2, 2012 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

**Sec. 46-83. Mobile homes.**

- (1) All mobile homes shall be elevated 1 foot above the 100-year floodplain elevation and anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
  - c. Any additions to the mobile home shall be similarly elevated and anchored.

**Sec. 46-85. Floodway protection standards.**

- (1) Encroachments, including fill, new construction, substantial improvements and other development, shall be prohibited. Exception to this prohibition shall only be made upon certification by a registered professional engineer or the department of Environment, Great Lakes, and Energy that the development proposed will not result in any increases in flood levels during a base flood discharge, and compliance with part 31 of the Natural Resources and Environmental Protection Act (MCL 324.3101 et seq.).
- (2) (THIS CURRENT SECTION SHALL BE REMOVED AND DELETED)
- (2) Development which is permitted in the regulatory floodway shall meet the requirements of section 46-82(a)(2).

**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. All unamended provisions of this Ordinance shall be unchanged and still effective as written.

**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 immediate effect as an emergency Ordinance, pursuant to Section 7.3 of the City Charter.

**ADOPTED, APPROVED AND PASSED** by the City Council of the City of Trenton this 20<sup>h</sup> day of September, 2021.



Moved by Councilman Cabauatan, seconded by Councilman Benedetti, to approve the emergency reading of Ordinance 808 amending Chapter 46, Article II, of the Code of Ordinances of the City of Trenton relating to flood damage prevention.

Carried unanimously.

J-3  
City Controller  
Michigan Class – Michigan Cooperative Liquid Assets Securities System

Moved by Councilwoman Pate, seconded by Councilwoman Baun-Crooks, to approve Michigan Class Investment Pool as an authorized investment institution for the City of Trenton.

Carried unanimously.

J-4  
City Engineer  
City Hall Screen Wall & Patio Demolition

Moved by Councilman Cabauatan, seconded by Councilwoman Baun-Crooks, to concur with the recommendation of the City Engineer and award the Screen Wall & Patio Demolition Project at City Hall to Pro Excavation, Inc., in the amount of \$16,000.00, with funding from DDA Authority Projects Account #494-802-974.009.

Carried unanimously.

**DISBURSEMENTS AND STATEMENTS**

Moved by Councilman Benedetti, seconded by Councilman Perugi, to approve the Authorized Disbursements, September 21, 2021, in the amount of \$9,142,659.69.

Carried unanimously.

**REPORTS**

Moved by Councilman Benedetti, seconded by Councilman Cabauatan, to approve the Financial Summary, August 31, 2021; Schedule of Investments and Cash on Hand, August 31, 2021; Civic Commission Minutes, June 7, 2021; Library Advisory Board Minutes, July 14, 2021; Planning Commission Public Hearing and Open Meeting Minutes, August 25, 2021; Fire Department Monthly Report, August 2021; and the Police Department Monthly Report, August 2021.

Carried unanimously.



**OTHER COUNCIL BUSINESS**

N-1

Councilwoman Pate  
Michigan Municipal League Foundation Stipend

Moved by Councilwoman Pate, seconded by Councilwoman Baun-Crooks, to allow a stipend of \$50 each to Marina Short and Mia Moberly, for their work and planning on the Community Build project, with funding from the Michigan Municipal League Foundation Grant.

Carried unanimously.

**COMMENTS FROM THE COUNCIL AND OFFICIALS**

Mayor Rzeppa	King Road and Fort Street railroad crossing work through September 29. Downtown Sip and Stroll Saturday, September 25. Shout out to DPW crew for hard work. Study Session following tonight's meeting to discuss recycling.
Councilman Cabauatan	Thanked Parks and Rec Director Beaker and staff for efforts on citywide garage sale. Congratulations to Chief Scheffler on his retirement and new Chief Oakley. Thanked Curtis Murphy and congratulated him on his commendation. Thanked Administrator Creech, Mayor Rzeppa and all involved with recycling program efforts.
Councilwoman Baun-Crooks	Echoed Councilman Cabauatan's comments. McArthur Park project looks beautiful.
Councilman Benedetti	Thanked Mayor Rzeppa and Administrator Creech for recycling efforts.
Councilman Perugi	Echoed comments regarding recycling.
Councilwoman Pate	Exciting to see things happen so fast; optimistic about recycling. Thanked residents for their help. Michigan Municipal League Foundation Community Build Grant. Memorial tree in front of All About Grace for child cancer awareness. Thanks to the Friends of McArthur Park.
City Clerk Devitt	Absentee ballots available in the Clerk's office, Monday through Friday 8:30 a.m. to 5:00 p.m. You must sign and submit an application for

every election to receive a ballot. Drop box located in front of City Hall or you can drop your application off in person at the Clerk's office. Next Regular Council Meeting is Monday, October 4 at 7:00 p.m.

Acting City Assessor

Introduced Christine Eichler, the new Deputy City Assessor.

**MOTION TO ADJOURN** by Councilman Cabauatan, seconded by Councilwoman Baun-Crooks, at 7:38 p.m.

Carried unanimously.

APPROVED BY:

\_\_\_\_\_  
STEVEN J. RZEPPA, MAYOR

\_\_\_\_\_  
DEBRA R. DEVITT, CITY CLERK

MINUTES PREPARED BY: Eric J. Hoshaw, Deputy City Clerk  
APPROVED ON: \_\_\_\_\_

**INFORMATION ITEMS:**

1. EGLE: Revision to Permit No. WRP029735 v. 1