

**CITY OF MT. MORRIS  
CITY COUNCIL – REGULAR MEETING  
January 27, 2014**

At **6:30 p.m.**, Mayor Dan Lavelle called the Regular Council Meeting to order.

**PRESENT:** Dan Lavelle  
Randy Michaels  
Tonya Davis  
Mark Middleton  
Ed Sullivan  
Judd Judkins  
Dennis Heidenfeldt

**ABSENT:** None.

**OTHERS:** City Manager Tom Darnell, City Attorney Charles Forrest, Police Chief Keith Becker, Fire Chief Damon Tobias, DPW Superintendant Jeff Roth, and City Clerk Tema J. Lucero.

## The Pledge of Allegiance.

**MINUTES:**

A motion was made by Council member Middleton and seconded by Council member Michaels to approve the regular meeting minutes held on January 13, 2014.

All Ayes  
Motion carried.

**COMMUNICATIONS:**

None.

**APPROVAL OF WARRANT:**

Council member Davis asked if the salt order on warrant 14-03 pg 4 was over and above the amount that was set. City Manager Tom Darnell said we receive an order in the fall to fill up the storage area and we also have an amount that is on-call if we go through that. This order is the one that was on-call because of how much we have used. DPW Superintendent Jeff Roth said the salt order needs to be placed in March, this is the normal usage. We do have another 100 ton coming that will be above what is normally used.

A motion was made by Council member Middleton and seconded by Council member Michaels to approve Pre-paid Warrant #14-02 in the amount of \$34,781.65 and Warrant #14-03 in the amount of \$80,641.91.

Roll Call:           \_\_\_7\_\_\_Ayes                   \_\_\_0\_\_\_Nay                   \_\_\_0\_\_\_Absent  
Motion carried.

**PUBLIC COMMENT:**

Francis Mead – 8272 Stanley Rd – he manages the farmer’s market. They’ve been approached to have a food vendor outside and would like to have in writing from the City that it is ok. City Manager Tom Darnell said he had already been asked by someone from the farmer’s market and he is in the process of getting an answer, he will provide something in writing once he makes sure it is allowed.

**UNFINISHED BUSINESS:**

No unfinished business.

**NEW BUSINESS:**

**a. RESOLUTION 14-05: Designation of Street Administrator.**

Council member Judkins asked if it is the same one that was approved last year. City Manager Tom Darnell answered yes.

A motion was made by Council member Heidenfeldt and seconded by Council member Middleton to **approve RESOLUTION 14-05: Designation of Street Administrator.**

Roll Call:               \_\_\_7\_\_\_Ayes                       \_\_\_0\_\_\_Nay                       \_\_\_0\_\_\_Absent  
Motion carried.

**b. RESOLUTION 14-06: Confirmation of Mayor Lavelle’s appointment of Amanda Tiong, term ending December 2016, and appointment of Shirley Corcoran, term ending December 2017, to the Downtown Development Authority.**

Council member Judkins asked who Amanda was, Mayor Dan Lavelle answered she is the Branch Manager at First Merit Bank.

A motion was made by Council member Middleton and seconded by Council member Michaels to **approve RESOLUTION 14-06: Confirmation of Mayor Lavelle’s appointment of Amanda Tiong, term ending December 2016, and appointment of Shirley Corcoran, term ending December 2017, to the Downtown Development Authority.**

Roll Call:               \_\_\_7\_\_\_Ayes                       \_\_\_0\_\_\_Nay                       \_\_\_0\_\_\_Absent  
Motion carried.

- c. **RESOLUTION 14-07: Confirmation of Mayor Lavelle's appointment of Tim Elder, term ending December 2015, re-appointment of William Daniels, term ending December 2016, and re-appointment of Jim Freeman, term ending December 2015 to the Zoning Board of Appeals.**

A motion was made by Council member Michaels and seconded by Council member Heidenfeldt to **approve RESOLUTION 14-07: Confirmation of Mayor Lavelle's appointment of Tim Elder, term ending December 2015, re-appointment of William Daniels, term ending December 2016, and re-appointment of Jim Freeman, term ending December 2015 to the Zoning Board of Appeals.**

Roll Call:                \_\_\_\_7\_\_\_\_Ayes                        \_\_\_\_0\_\_\_\_Nay                        \_\_\_\_0\_\_\_\_Absent  
Motion carried.

- d. **RESOLUTION 14-08: Confirmation of Mayor Lavelle's appointment of Tim Elder, term ending December 2014, to the Board of Review.**

A motion was made by Council member Middleton and seconded by Council member Davis to **approve RESOLUTION 14-08: Confirmation of Mayor Lavelle's appointment of Tim Elder, term ending December 2014, to the Board of Review.**

Roll Call:                \_\_\_\_7\_\_\_\_Ayes                        \_\_\_\_0\_\_\_\_Nay                        \_\_\_\_0\_\_\_\_Absent  
Motion carried.

- e. **RESOLUTION 14-09: Confirmation of Mayor Lavelle's appointment of Dan Davis, term ending December 2016, to the Planning Commission.**

A motion was made by Council member Heidenfeldt and seconded by Council member Davis to **approve RESOLUTION 14-09: Confirmation of Mayor Lavelle's appointment of Dan Davis, term ending December 2016, to the Planning Commission.**

Roll Call:                \_\_\_\_7\_\_\_\_Ayes                        \_\_\_\_0\_\_\_\_Nay                        \_\_\_\_0\_\_\_\_Absent  
Motion carried.

- f. **Discussion on Purchasing Policy draft.**

City Manager Tom Darnell pointed out some of the changes he made to the existing purchasing policy.

One of the changes was the addition of credit cards. Council member Sullivan asked that on page 8, item H be changed to 30 days from 60 so the city does not pay interest. City Manager Tom Darnell said that he will make that change.

Mayor Dan Lavelle asked how many cards would be issued and who would have them. City Manager Tom Darnell answered there are two cards held by the City Manager and the City Treasurer.

Council member Michaels stated that you cannot get online and reserve rooms for conferences without a credit card. City Manager Tom Darnell responded that was correct, the employee would have to use their own and then be reimbursed.

Council member Heidenfeldt asked City Manager Tom Darnell what he wanted them to do with the purchasing policy. City Manager Tom Darnell asked that if they had any questions or ideas to let him know and we'll bring it back to vote on. Mayor Dan Lavelle said to bring it back next meeting.

#### **PUBLIC COMMENT:**

Marty Leach – 341 W. Mt. Morris – had questions on the DDA expansion and wasn't sure if he needed to ask council or the DDA. Mayor Lavelle answered he could ask them at the public hearing, then both council and the DDA would be available to answer questions. He said the notice in the paper and what was mailed did not specify what the change would be; he also wanted to know if the DDA could raise the two mills that are collected now. City Attorney Charles Forrest said they are collecting the full amount allowed. Mayor Dan Lavelle said he believes in order to increase that it would have to go to a vote of the people. Marty asked if a decision would be made the night of the hearing, Mayor Dan Lavelle answered no.

Dan Davis – 1009 E. Mt. Morris – asked if the purchasing policy was part of the charter or just a guideline. He asked for a response regarding why the fire whistle was shortened. Fire Chief Damon Tobias said the fire whistle is to notify the firefighters not the public. Now that they all have pagers, it has been shortened to prolong the life of the whistle and use it for civil defense. The upgrades are costly and not guaranteed. Dan Davis did not agree he believes it should be a policy. Dan Davis asked why he was not placed on the Metropolitan Alliance Commission, Mayor Dan Lavelle responded that he was and had been since the first time he asked.

#### **COUNCIL MEMBER AND STAFF COMMENTS:**

Council member Davis – asked about the house on Mt Morris that was listed on the manager's report, if they didn't respond by 1/31 what is the next step. City Manager Tom Darnell said they would be issued a ticket, Police Chief Keith Becker said it's a 90 day misdemeanor if they do not comply a warrant is issued.

Council member Sullivan – asked regarding the fire whistle if it would go off for a tornado. Fire Chief Damon Tobias answered yes, in the event of a tornado it would go off for 3 minutes instead of the 1½ minutes you hear for a fire whistle.

Council member Judkins – let council know that he did tour the southwest property with representative Phelps. They also talked to the businesses next door regarding the shape of the parking lot. Phelps office did call the next day and they are in touch with the railroad to try and come up with a solution.

Council member Heidenfeldt – showed pictures of the fire on Coy Street, the Fire Department was able to save the house and did an outstanding job. He also told DPW Superintendent Jeff Roth they have been doing an excellent job this winter. He asked DPW Superintendent Jeff Roth how many hours since winter started had he worked over and above normal hours, DPW Superintendent Jeff Roth answered 80+. He also asked DPW Superintendent Jeff Roth what time he came in today, and DPW Superintendent Jeff Roth answered 2:30 am.

Council member Middleton – Congratulated Tim and Dan on their appointments, he appreciates them volunteering their time. He told DPW Superintendent Jeff Roth his department is doing a tremendous job.

City Manager Tom Darnell – He is really happy with all the departments right now. He did have a chance to see the fire on Coy, the Fire Department did an outstanding job.

Mayor Dan Lavelle – Thanked Tim and Dan, it's hard to find anyone to sit on the boards so he appreciates them stepping up.

### **Closed Session:**

At **7:17 p.m.** a motion was made by Council member Heidenfeldt and seconded by Council member Middleton to **go into closed session to consult with legal counsel regarding settlement strategy in connection with specific pending litigation. (It being the opinion of legal counsel that an open meeting would have a detrimental financial effect on the litigating and settlement position of the city).**

At **7:47 p.m.**, City Council reconvened into Open Session.

### **ADJOURNMENT:**

With no further business, the Council Meeting was adjourned at **7:47 p.m.**

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Tema J. Lucero, City Clerk