CITY OF MT. MORRIS CITY COUNCIL – REGULAR MEETING August 12, 2013

At 6:30 p.m.	m., Mayor Dan Lavelle called the Regular Council Meeting to order.	
PRESENT:	Dan Lavelle Dennis Heidenfeldt Randy Michaels Tonya Davis Ed Sullivan Judd Judkins	
ABSENT:	Mark Middleton	
OTHERS:	City Manager Tom Darnell, City Attorney Charles Forrest, DPW Super Assistant Fire Chief Michael Vogt, and City Clerk Tema Lucero.	erintendant Jeff Roth,
The Pledge o	e of Allegiance.	
MINUTES:	<u>S:</u>	
	was made by Council member Heidenfeldt seconded by Council member J the regular meeting held on July 22, 2013.	udkins to approve the
All Ayes Motion carrie	rried.	
COMMUNI	NICATIONS:	
No Commun	unications.	
APPROVAI	AL OF WARRANT:	
	was made by Council member Michaels and seconded by Council member arrant #13-16 in the amount of \$9,182.78 and Warrant #13-17 in the amount of \$9,182.78 and Warrant #13-18 in the amount of \$9,182.78 and Warrant Wa	
Roll Call:	6Ayes0Nay	_1Absent fiddleton)

Motion carried.

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PUBLIC COMMENT:

No Public Comment.

Mayor Lavelle asked at this time to make a presentation, there were no objections from council.

Mayor Lavelle stated that this year Dancing in the Streets made money. The Dancing in the streets committee consisting of Chuck Gincel, his wife Pam Gincel, Kathy Lavelle, Dan Lavelle and Randy Michaels with help from Ed Sullivan decided they needed to donate to the Fire Department. Mr. Gincel presented Assistant Chief Michael Vogt with a chainsaw and thanked them for their service.

UNFINISHED BUSINESS:

Discussion of fireworks issue.

Mayor Lavelle addressed council that at the last meeting it was brought to their attention residents are still firing off fireworks. The new law was passed, and council can change part of it or elaborate on it so it is up for discussion.

Council member Heidenfeldt said he spoke with the Mt Morris Township Supervisor Larry Green. They are in the process of rewriting their ordinance, and we should in ours, to address opening a store to sell fireworks. They are also looking at changing the ordinance so that they cannot be fired after 11pm. He is not sure how Genesee Township's ordinance works but he talked to Mt Morris Township so that we would work similar to those jurisdictions that surround us.

Mayor Lavelle stated that we can change the ordinance to 11pm for all other days with the exception of the three days that the state law specifies. City Attorney Charles Forrest confirmed.

Council member Michaels asked which holidays. City Attorney Charles Forrest answered any National Holiday.

Council member Heidenfeldt said he asked some of the police officers if they get fireworks calls and they said no they get gunshot calls, because the fireworks sound like gunshots. You can't use the noise ordinance to enforce it because you can't prove where the noise came from.

Council member Davis stated you can't prove the fireworks either.

Council member Heidenfeldt said at least an officer could go talk to them.

Council member Davis stated the officer can still go over and talk to them.

Council member Heidenfeldt said that with the ordinance in place you could go tell them they can't fire them after 11pm, like what Mt. Morris Township is doing.

Council member Davis asked if that's all Council member Heidenfeldt is looking for is to address firing after 11pm. He stated yes.

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Council member Heidenfeldt said if we are looking to change it we need to also address the sale of fireworks.

Assistant Fire Chief Michael Vogt said fireworks stations are mandated by the State and they have random and or pre-inspections done by the State.

City Manager Tom Darnell stated that since the sale of fireworks is not in our zoning ordinance, someone would have to pay for a conditional use permit before opening a store. He did have a copy of Genesee Township's fireworks ordinance, he said their language was interesting and at some point they will have to be more specific.

City Attorney Charles Forrest said he would like to speak with Larry Green to see how they are handling things and come back to council with an ordinance.

Council member Sullivan asked if there was a community that has a fireworks ordinance that was successful. He's not sure how it will be enforced, but if there is somewhere that it is working we can use as an example that would help.

City Attorney Charles Forrest said he would like to bring something to the September meeting after talking to several communities and seeing what their ordinances are.

NEW BUSINESS:

a. RESOLUTION 13-38: Cancellation of September 9th public hearing to expand the DDA boundaries.

A motion was made by Council member Heidenfeldt and seconded by Council member Michaels to **approve RESOLUTION 13-38: Cancellation of September 9**th **public hearing to expand the DDA boundaries.**

Roll Call:	6Ayes	0Nay	1Absent
			(Middleton)
Motion carried.			

b. RESOLUTION 13-39: Confirmation of Mayor Lavelle's appointment of Dorothy Lindsey term ending December 31, 2014 and appointment of Sheryl Leach, term ending December 31, 2018, to the compensation committee.

Council member Judkins asked what the compensation committee was.

Mayor Lavelle answered they are the ones that decide what council makes. They decide if council gets a pay raise or make less money. They will meet in September and it will be brought to council in October to approve or disapprove.

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A motion was made by Council member Heidenfeldt and seconded by Council member Davis to approve RESOLUTION 13-39: Confirmation of Mayor Lavelle's appointment of Dorothy Lindsey term ending December 31, 2014 and appointment of Sheryl Leach, term ending December 31, 2018, to the compensation committee.

Roll Call:	6Ayes	0Nay	1Absent
	·	-	(Middleton)
Motion carried.			

PUBLIC COMMENT:

Dorothy Lindsey – 423 Spruce – Thank you for adding her to the compensation committee. She believes that past council members have a better know how than someone sitting at home that doesn't know anything.

Dan Davis – 1009 E. Mt. Morris – In July the council voted down to purchase a Ford truck, which he commends the council for. The Herald ran an article that he thought was disrespectful to the council and mayor, he thinks someone should write them a letter and let them know it was done in poor taste. Also thanked the council for cutting down the tree on Mt. Morris Rd.

Chuck Gincel – 2054 Morgan, Clio – Thanked the Fire Department, Police Department and DPW for all their help with Dancing in the Streets. It was very much appreciated.

COUNCIL MEMBER AND STAFF COMMENTS:

Council member Heidenfeldt said two out of the three railroad crossings have new lights, no gates yet. Thanked the Mayor and his crew for Dancing in the Streets. It was a good time.

Council member Michaels said Saturday was a great time, thanked the Police Department, Fire Department and DPW for their help and they did a great job.

City Clerk Tema Lucero thanked the DPW and Vicki for helping with her first election; it's nice to have the cooperation in house to see that those things get done.

Mayor Dan Lavelle said Thank you to all the departments for helping out. There were no incidents the whole night, more than 267 registered vehicles and an estimated 300 cars in downtown. That's up from 130 last year and 30 the first year. A lot of the people were talking that they like Mt. Morris better because everything is right downtown and it's more organized. Thanks to all the businesses, and to the DDA for sponsoring the band, and to the citizens of the City, it was very enjoyable.

ADJOURNMENT:

With no further business, the Counc	cil Meeting was adjourned at 6:56 p.m.
Tema J. Lucero, City Clerk	