

**CITY OF MT. MORRIS**  
**CITY COUNCIL – REGULAR MEETING**  
**September 9, 2013**

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

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

**ABSENT:** Tonya Davis

**OTHERS:** City Manager Tom Darnell, City Attorney Charles Forrest, Fire Chief Damon Tobias, and City Clerk Tema Lucero.

The Pledge of Allegiance.

Council member Heidenfeldt asked the approval of the warrant could be moved after new business on the agenda. There are items on the warrant that are on the agenda for approval.

No objections.

**PRESENTATION:** Miss Michigan Pre-Teen Skylar Owens. Skylar wanted to introduce herself to council; she is a Mt. Morris resident. She will be holding several fundraisers to help raise money for the national competition.

**MINUTES:**

A motion was made by Council member Heidenfeldt seconded by Council member Middleton to approve the minutes of the regular meeting held on August 26, 2013.

All Ayes  
Motion carried.

**COMMUNICATIONS:**

No Communications.

**PUBLIC COMMENT:**

Waneita Bovan – 8498 N Linden Rd – The Greater Mt. Morris area Chamber of Commerce will hold unwrapped this year. They would like to have it on Saturday November 30, 2013. Also, the Beautification Committee would like plant mums donated by June's throughout the city.

Lillian Bigelow – 381 Oak – had questions regarding election workers pay and notices from City Hall.

City Manager Tom Darnell said he would get back do some research and get back with her.

## UNFINISHED BUSINESS:

## Discussion on Fireworks.

City Attorney Charles Forrest stated the new law permits banning the use of fireworks from 1:00am to 8:00am the day before, day of and day after a national holiday. He prepared two ordinances, the first (A) designates hours on all other days and the second (B) bans them on all other days. The ordinance once adopted will be Ordinance 13-04, the A and B is just to identify between the two.

A motion was made by Council member Heidenfeldt and seconded by Council member Michaels to adopt Ordinance 13-04 (B) be on the next agenda for a first reading.

Council member Heidenfeldt said Genesee Township used the same ordinance.

City manager Tom Darnell asked Police Chief Keith Becker what his thoughts were regarding difficulty of enforcement.

Police Chief Keith Becker said his concern was it being a civil infraction rather than a misdemeanor.

City Attorney Charles Forrest said the law states it has to be enforced as a civil infraction.

Council member Sullivan asked if we were prohibiting something that was legally for sale, he asked what we were trying to do. The state made it legal to purchase them but we are saying you can't use them.

Council member Heidenfeldt said we are trying to prevent people being woke up in the middle of the night.

Council member Judkins asked if it could be tabled for next meeting, he wanted to do more research first.

Mayor Lavelle said there would be a second reading before approval; this is just the first reading.

City clerk Tema Lucero said this could not be the first reading; it was on the agenda as a discussion item. You could approve which one you would like to bring to the next meeting for a first reading.

[illegible]

Motion carried.

## NEW BUSINESS:

**a. RESOLUTION 13-40: Authorization to proceed with storm damage repair.**

A motion was made by Council member Heidenfeldt and seconded by Council member Middleton to **approve**  
**RESOLUTION 13-40: Authorization to proceed with storm damage repair.**

Council member Heidenfeldt asked if this was just for roof repair and if we had to pay the \$2,500 deductible.

City manager Tom Darnell answered yes, the other repair will be done by Burns. We will have to pay the deductible but only once for the two repair jobs.

Roll Call:               \_\_\_6\_\_\_Ayes                       \_\_\_0\_\_\_Nay                       \_\_\_1\_\_\_Absent  
(Davis)

Motion carried

**b. RESOLUTION 13-41: Authorization to purchase Trench Box.**

A motion was made by Council member Michaels and seconded by Council member Heidenfeldt to **approve RESOLUTION 13-41: Authorization to purchase Trench Box.**

Council member Heidenfeldt stated this item was approved in the budget, and it's mainly a safety item.

Roll Call:               \_\_\_6\_\_\_Ayes                       \_\_\_0\_\_\_Nay                       \_\_\_1\_\_\_Absent  
(Davis)

Motion carried.

**c. Discussion on St. Mary's Trick or Treat Trot**

City manager Tom Darnell said it looks like this will take place but not all the pieces are in place yet. As much as we need events in Mt Morris it's a strain to do them with all volunteers. In the future we may not be in the same position to help with volunteers.

Police Chief Keith Becker said his concern was it's on a Sunday; you're pulling the guys away from their family to volunteer. They also have a contract that states their supposed to get paid for 2 hours when they get called in and this is their third or fourth event they've volunteered for.

**d. Homecoming Parade**

A motion was made by Council member Michaels and seconded by Council member Heidenfeldt to **approve the Homecoming Parade.**

Roll Call:               \_\_\_6\_\_\_Ayes                       \_\_\_0\_\_\_Nay                       \_\_\_1\_\_\_Absent  
(Davis)

Motion carried.

**e. Approval of letter to Genesee County Planning Commission**

A motion was made by Council member Heidenfeldt and seconded by Council member Middleton to **approve the letter to Genesee County Planning Commission.**

Council member Heidenfeldt said Derek Bradshaw at planning says there's a 30% chance of the project moving up, and he welcomes the letter if we can get it sent in.

Roll Call:               \_\_\_6\_\_\_Ayes                       \_\_\_0\_\_\_Nay                       \_\_\_1\_\_\_Absent  
(Davis)

Motion carried.

**APPROVAL OF WARRANT:**

A motion was made by Council member Heidenfeldt and seconded by Council member Michaels to approve Warrant #13-19 in the amount of \$151,285.14.

Mayor Lavelle asked what AT&T mobility was for.

City Manager Tom Darnell answered that was for city cell phones.

[illegible]

Motion carried.

**PUBLIC COMMENT:**

John Fedejelem – 604 Walnut – Thanked the DPW for filling in the cracks with tar.

Richard Saunders – 412 Helen – Said to be careful of the ordinances council makes, we already have a lot of ordinances that are outdated.

Sandy Fedejelem – 604 Walnut – Asked if two girls were abducted in Mt Morris. Also asked how many girls worked in the office and if the part time received benefits.

Mayor Lavelle answered no it was not true. The office has two full time and two part time employees, part time does not have benefits.

**COUNCIL MEMBER AND STAFF COMMENTS:**

Council member Judkins will be out of town for the next meeting. He also asked about trash service at the church, about putting large items to the curb and extra trash that doesn't fit in the blue cart. Thanks to Skylar for coming in and congratulated her on Miss Michigan Pre-Teen.

City manager Thomas Darnell said on the Miss Michigan Pre-Teen win pretty impressive and to have her from right here is a big deal. The trash complaints really need to notify City Hall on Thursday so we can handle the issue. The fireworks ordinance will be a hard decision; there are people that enjoy them as well as those that don't. We'll come back with a recommendation for the unwrapped request.

**ADJOURNMENT:**

With no further business, the Council Meeting was adjourned at **7:31 p.m.**

Tema J. Lucero, City Clerk