

**CITY OF MT. MORRIS
CITY COUNCIL – REGULAR MEETING
November 11, 2013**

At **6:30 p.m.**, City Clerk Tema Lucero called the Regular Council Meeting to order.

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

ABSENT: Dennis Heidenfeldt

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

The Pledge of Allegiance.

OATH OF OFFICE:

City Clerk Tema Lucero administered the Oath of Office to Mayor Dan Lavelle.

City Clerk Tema Lucero administered the Oath of Office to Council members Judd Judkins, Randy Michaels and Ed Sullivan.

ELECTION OF MAYOR PRO-TEM:

Mayor Dan Lavelle opened the floor for nominations for Mayor Pro-Tem.

Council member Davis nominated Judd Judkins.

Council member Judkins accepted the nomination.

Council member Michaels nominated Dennis Heidenfeldt.

Mayor Dan Lavelle asked City Attorney Charles Forrest if Council member Heidenfeldt could be nominated since he had not yet taken his Oath of Office.

City Attorney Charles Forrest answered he did believe it could be done.

Council member Davis did not agree.

Mayor Dan Lavelle asked for a second for Council member Judkins, Council member Sullivan seconded. He asked for a second for Council member Heidenfeldt, there were none.

A motion was made by Council member Davis and seconded by Council member Sullivan to **appoint Council member Judkins as Mayor Pro-Tem.**

Roll Call: ___5___Ayes ___1___Nay ___1___Absent
Motion carried. (Michaels) (Heidenfeldt)

OATH OF OFFICE:

City Clerk Tema Lucero administered the Oath of Office to Mayor Pro-Tem Judd Judkins.

MINUTES:

A motion was made by Council member Middleton and seconded by Council member Michaels to approve the regular meeting minutes held on October 28, 2013.

All Ayes
Motion carried.

COMMUNICATIONS:

No Communications.

APPROVAL OF WARRANT:

A motion was made by Council member Middleton and seconded by Council member Michaels to approve Warrant #13-23 in the amount of \$60,874.35

Roll Call: ___6___Ayes ___0___Nay ___1___Absent
Motion carried. (Heidenfeldt)

PUBLIC COMMENT:

John Fejedelem – Thanked all the vets.

Dan Davis – 1009 E. Mt. Morris – Thanked the Mayor for running a race with integrity and honor, and congratulations.

UNFINISHED BUSINESS:

No unfinished business.

NEW BUSINESS:

a. RESOLUTION 13-44: Designation of streets for snow removal.

Council member Middleton asked if the code officer was the only one that enforces this if streets and sidewalks are not done.

Mayor Lavelle answered no the DPW and police do.

A motion was made by Council member Middleton and seconded by Council member Michaels to **approve RESOLUTION 13-44: Designation of streets for snow removal.**

Roll Call: ___6___Ayes ___0___Nay ___1___Absent
(Heidenfeldt)

Motion carried.

b. RESOLUTION 13-45: Non-Discrimination Plan.

A motion was made by Council member Middleton and seconded by Council member Michaels to **approve RESOLUTION 13-45: Non-Discrimination Plan.**

Roll Call: ___6___Ayes ___0___Nay ___1___Absent
(Heidenfeldt)

Motion carried.

c. RESOLUTION 13-46: Authorization for City Manager to file 2014-2017 Community Development Block Grant Funds application.

Council member Judkins asked why the funds were split between the police and fire department.

City manager Tom Darnell answered it was a recommendation based on how to best use what really isn't a lot of money. Last time the Fire Department received less than half the funds, with the list that was presented he felt it important to push money towards that department. With using the money for the code enforcer it takes pressure off the general fund to make other purchases.

Council member Judkins would have liked to have something from the Police Departments with their needs. There was a lot of discussion last meeting with good ideas and during the election that everyone wanted something for the community and some money should have been set aside for that.

City manager Tom Darnell answered there is a lot of things the money could be used for but he felt that public safety was a priority.

Council member Davis said she would have liked to see the money be spent on a community center or something for the kids in the city to have something to do.

City manager Tom Darnell said with low resources it's important to prioritize and that is why he recommends giving the money to the police and fire that both need a lot.

Council member Judkins asked for clarification that the funds listed for the code enforcer will go towards other things in the department as well.

Police chief Keith Becker stated no, the money for the police department will strictly be used for code enforcement wages only.

City manager Tom Darnell explained that by using these funds for code enforcement it would free up that amount in the Police budget to add police officer, or possibly the first payment on a car.

Council member Judkins asked if we received the block grant money every year.

City manager Tom Darnell answered it is every three years.

A motion was made by Council member Michaels and seconded by Council member Middleton to **approve 13-46: Authorization for City Manager to file 2014-2017 Community Development Block Grant Funds application**

Roll Call: ___5___Ayes ___1___Nay ___1___Absent
 (Davis) (Heidenfeldt)

Motion carried.

d. RESOLUTION 13-47: Authorization to purchase Water Meters.

Council member Judkins asked what a water meter was and if it was something that went in your house.

DPW Superintendent Jeff Roth answered yes but these are for businesses.

City manager Tom Darnell explained the difference between the residential and commercial meters.

Council member Judkins asked if the ones that we are ordering have already been designated to where they were being placed.

DPW Superintendent Jeff Roth answered yes.

Mayor Dan Lavelle asked if this was to replace the ones to businesses that do not have the automatic read.

DPW Superintendent Jeff Roth answered no; these are to update old meters. In the audit process the water loss was getting high and this is to bring that loss down. The meters are 30-35 years old.

City manager Tom Darnell said that when a meter is up around 20 years old it has wear in it so the read becomes inaccurate.

A motion was made by Council member Michaels and seconded by Council member Middleton to **approve 13-47: Authorization to purchase Water Meters.**

[illegible]

Motion carried.

e. Appointment of representative and alternate to the Genesee County Metropolitan Alliance.

Mayor Dan Lavelle said this is the area that gets us our money for streets, Council member Heidenfeldt has been our representative and Council member Middleton has been our alternate. The meetings are held once a month at the county building. They both show an interest for wanting to stay on it, if anyone else is interested you're more than welcome. If not then the recommendation is to keep Council members Heidenfeldt and Middleton

A motion was made by Council member Michaels and seconded by Council member Middleton to **appoint Council member Heidenfeldt as representative and Council member Middleton as alternate to the Genesee County Metropolitan Alliance.**

All Ayes
Motion carried.

City attorney Charles Forrest stated he felt it was important to comment since this is the same situation as a moment ago when electing the mayor pro-tem. He found in the charter that the term of office of the mayor and council members begin at the commencement of the first regular council meeting after the election. Therefore, when the meeting was called to order Council member Heidenfeldt was a member of this body. However the charter states he could not perform duties until he is sworn in.

f. ORDINANCE 13-05: Fireworks Ordinance (second reading and adoption).

A motion was made by Council member Middleton and seconded by Council member Michaels to **approve ORDINANCE 13-05: Fireworks Ordinance (second reading and adoption).**

[illegible]

Motion carried.

Mayor Dan Lavelle mentioned that for the Genesee County Metropolitan Alliance we can have a citizen representative. So if anyone is interested please let one of them know after the meeting.

PUBLIC COMMENT:

Dorothy Lindsey – 423 Spruce – Told the mayor it was a good thing he addressed the citizens representative because she was going to.

Dan Davis – 1009 E. Mt. Morris – Said he would be interested in the alliance. Also stated issues with how the block grant money is being spent.

Sandy Fejedelem – 604 Walnut – asked what happened to the water bills and why they are hard to read.

COUNCIL MEMBER AND STAFF COMMENTS:

Council member Davis – Congratulated the mayor. Asked why the DPW work week was not placed on the agenda like she had asked. Mayor Dan Lavelle responded that City manager Tom Darnell had talked to him about it and something will be brought to the meeting on the 25th. City Manager Tom Darnell added that it may not be something to vote on. Council member Davis wanted to know what time the DPW started, City Manager Tom Darnell answered they work 6:00am – 4:30pm. He reminded her that the DPW contracts have specifications in them regarding the schedule and hours. Council member Davis wanted to know if the sign violation in the manager's report was hers, Police Chief Keith Becker answered no.

Council member Judkins – asked if City Hall was open until 5 everyday, Mayor Lavelle answered yes. He clarified that there would be no coverage after 3:30 if the DPW worked 5 days, unless they were called in for overtime, City manager Tom Darnell answered that was correct. Council member Judkins congratulated everyone on the election. He enjoyed talking to everyone on Election Day and thanked everyone for their vote.

Council member Randy Michaels – Congratulated his daughter Olivia for being named student of the month at Montague Elementary, she gets to go in front of the school board and accept an award. He also congratulated everyone that ran in the election.

Council member Middleton – Congratulated everyone that ran, and congratulated Judd on mayor pro-tem.

City Clerk Tema Lucero – Thanked the DPW and the Treasurer for helping her with the election.

Fire Chief Damon Tobias – Thanked the city manager, the mayor and council for the funds from CDBG, they are in dire need for equipment so he's thankful for their support.

City Manager Tom Darnell – Congratulated Olivia, the Mayor and council. As far as the block grant money, the City has a lot of needs and his concern is to make the most out of the money we are given. We are telling everyone what we are doing with the money.

Mayor Dan Lavelle – told council the city manager evaluations need to be turned in to Charlie by December 1st. He also asked council if they all had a copy of the rules of order, they said they did not so he asked the City Clerk to get them all a copy. He thanked the citizens of Mt. Morris for his reelection and thanked Dan for a good race. He congratulated council for receiving their seats back, and Judd for mayor pro-tem.

ADJOURNMENT:

With no further business, the Council Meeting was adjourned at **7:20 p.m.**

Tema J. Lucero, City Clerk