

CITY OF MT. MORRIS
CITY COUNCIL – REGULAR MEETING
May 13, 2013

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

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

ABSENT: None

OTHERS: City Manager Tom Darnell, Attorney Charles Forrest, DPW Superintendent Jeff Roth, Police Chief Keith Becker, Fire Chief Todd Rockwell, and Interim City Clerk Vicki Fishell.

The Pledge of Allegiance.

MINUTES:

Council member Davis questioned the budget workshop minutes, she had asked about the \$500 insurance deductible and about retiree costs increasing 30%.

City Manager Tom Darnell stated it was a reflection of the investment and pension system.

Council member Davis asked if retiree deductibles were cancelled at 65 when they reached Medicare age.

City Manager Tom Darnell answered yes they are cancelled at 65.

A motion was made by Council member Heidenfeldt and seconded by Council member Middleton to approve the minutes of the regular meeting held on April 22, 2013 and the budget workshop meeting held on April 29, 2013.

All Ayes
Motion carried.

COMMUNICATIONS:

No communications

APPROVAL OF WARRANT:

Council member Judkins questioned Brady's maintenance contract for copier. Had poor service with them in the past, wanted to know if we had looked at other companies.

City Manager Tom Darnell stated he will check the length of the contract.

Council member Davis asked how many cell phones each department had and if the suggestion from the budget workshop to eliminate DPW phones and offer a monthly allowance toward their personal bill or switch to radios was considered.

City Manager Tom Darnell responded that it was considered. Offering the allowance was not a significant savings. Three cell phones were necessary for the DPW for communication and safety reasons.

A motion was made by Council member Heidenfeldt and seconded by Council member Middleton to approve Warrant #13-09 in the amount of \$8,157.06 and #13-10 in the amount of \$48,890.24.

Roll Call: ___7___Ayes ___0___Nay ___0___Absent
Motion carried.

PUBLIC COMMENT:

No public comment

UNFINISHED BUSINESS:

No Unfinished Business.

NEW BUSINESS:

a. RESOLUTION 13-27: Set Public Hearing Date for FY 2013/2014 Budget.

A motion was made by Council member Michaels seconded by Council member Heidenfeldt to **approve RESOLUTION 13-27: Public Hearing Date for FY 2013/2014 Budget.**

Roll Call: ___7___Ayes ___0___Nay ___0___Absent
Motion carried.

b. RESOLUTION 13-28: Support of Transportation Improvement Projects.

Council member Michaels asked if the federal and city portion for Roosevelt was correct.

City Manager Tom Darnell stated that Roosevelt is not funded at the same rate as Saginaw, and it also includes a water main project so it will be more expensive. Approval means Saginaw Street will be completed and Roosevelt keeps its spot on the list. The next time Roosevelt comes up in the rotation the funding would be 80/20 with federal paying the higher portion.

A motion was made by Council member Heidenfeldt seconded by Council member Michaels to **approve RESOLUTION 13-26: Support of Transportation Improvement Projects.**

Roll Call: ___7___Ayes ___0___Nay ___0___Absent
Motion carried.

c. RESOLUTION 13-29: Authorization to codify the City's Code of Ordinances.

City Manager Tom Darnell stated there had been ordinances added and the supplements make it difficult to look up. This will allow for all new books to be created and allow for the ordinances to be published on the website. Will be paid for over three years, but there is an annual charge to keep it on the website.

City attorney Charles Forrest stated it is much needed, it's been a long time and ordinances are how the city operates. It needs to be available to the public and the staff.

A motion was made by Council member Heidenfeldt seconded by Council member Michaels to **approve RESOLUTION 13-29: Authorization to codify the City's Code of Ordinances.**

Roll Call: ___7___Ayes ___0___Nay ___0___Absent
Motion carried.

d. RESOLUTION 13-30: Set Public Hearing Date for Expansion of DDA District.

City attorney Charles Forrest stated if passed a date has to be chosen tonight that the staff is comfortable with. It's a lot of work to prepare and mail notices and it has to be published.

City Manager Tom Darnell said there have been questions in regards to adding residential properties. The majority of what is being added is zoned commercial, general business, office or multi-family.

Council member Heidenfeldt asked how it affected Morris Square since they pay through a pilot.

City attorney Charles Forrest stated they would pay at the end of their pilot.

Council member Heidenfeldt asked about the single family houses by Morris Square, they shouldn't have to pay.

Council member Middleton also doesn't agree that those and other single family houses should be subject to being taxed.

Mayor Dan Lavelle asked that setting the hearing did not mean approval, which they would then have time to research the issue more.

City attorney Charles Forrest answered no it does not mean approval.

Mayor Dan Lavelle set the date for the September 9th.

A motion was made by Council member Michaels seconded by Council member Davis to **approve RESOLUTION 13-30: Set Public Hearing Date for Expansion of DDA District.**

Roll Call: ___7___Ayes ___0___Nay ___0___Absent
Motion carried.

PUBLIC COMMENT:

Dan Davis – 1009 E. Mt. Morris – Asked why there was not a public comment at the beginning of the meeting as listed on the agenda. City mayor Dan Lavelle told him there was one, he missed it. He then stated that the budget was presented at the workshop as a balanced budget. He did not agree that using \$25,000 from Fund Balance was a balanced budget. He asked if the city charter had a minimum allowed. He was told it did not.

John Fejedelem – 604 Walnut – Asked if codifying the city ordinances removed outdated ordinances. Mayor Lavelle told him it did not. City attorney Charles Forrest said that had been done not too long ago but he thinks it's pretty well updated.

Adam Martin – 1212 E. Mt Morris – On behalf of the Kiwanis wanted to remind everyone of the parade in a couple of weeks.

Dorothy Lindsay – 423 Spruce – Thanked council for considering DDA proposal.

COUNCIL MEMBER AND STAFF COMMENTS:

Council member Heidenfeldt – see you at the parade.

Council member Judkins – understands Dan Davis' concern on the budget and hopes the hearing provides him with the answers he's looking for. He also asked Dorothy to return a call to Marty Leach regarding questions on the DDA expansion.

Council member Davis – had requested a breakdown of salaries and benefits was wondering when she would get it. City manager Tom Darnell told her he did have it and would get it to her.

City attorney Charles Forrest – Let council know there is a nuisance ordinance is being made available for consideration. It's a work in progress, but something that needs to be done regarding grass cutting, nuisances, sump pumps etc. It will probably be presented at the next meeting.

City manager Tom Darnell – Nuisance ordinance will not deal with the dead tree issues that have come about, but will help with sump pump draining. Will also change how we notify residents for grass cutting. Regarding the website there is a meeting tomorrow that will hopefully make progress.

Council member Ed Sullivan asked if passing the ordinance changes the liability if a dead tree falls.

City manager Tom Darnell said no, it just gives the authority to advise the resident to take care of it.

City attorney Charles Forrest stated he listed the ordinance violation as a civil infraction rather than a misdemeanor. He believes it's more important to get the problem taken care of rather than issuing a ticket and bench warrant. A civil infraction allows a court order to abate the issue, if they don't the city can and then bill the resident and put it on the taxes if not paid.

Mayor Lavelle mentioned – The Aces and Dancing in the streets have seats left on their casino bus trip on May 18th. There is a golf outing June 8th, also a fundraiser for Dancing in the streets. The DDA has sponsored the band for Dancing in the streets. See everyone at the Memorial Day Parade. Still looking for a sponsor to help with the flags for the cemetery, any help would be appreciated. Flags will be placed in the cemetery at 9:00 am Saturday before Memorial Day for anyone that would like to join. Next meeting will be on Tuesday the 28th.

ADJOURNMENT:

With no further business, the Council Meeting was adjourned at **7:25 p.m.**

Vicki Fishell, Interim City Clerk