

**CITY OF MT. MORRIS
CITY COUNCIL AGENDA
11649 N. Saginaw Street
Mt. Morris, MI 48458
September 23rd, 2024
7:00 P.M.**

- 1. MEETING CALLED TO ORDER:** Mayor Sara Dubey
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES**
 - a. Approval of regular meeting minutes from September 9th, 2024.
- 6. COMMUNICATIONS:**

None.
- 7. APPROVAL OF WARRANT:** Approval of Warrant #24-22 in the amount of \$75,343.81
- 8. PUBLIC COMMENT (Agenda Items Only /Five Minute Time Limit).**
- 9. UNFINISHED BUSINESS:**
 - a. **Food Truck/Transient Merchants Permits**
- 10. NEW BUSINESS:**
 - a. **Set Halloween Trick-or-Treating Hours; Thursday, October 31st 6-8 p.m.**
 - b. **MML Liability and Property Pool Board of Directors election**
- 11. PUBLIC COMMENT (Five Minute Time Limit).**
- 12. COUNCIL MEMBER AND STAFF COMMENTS**
- 13. ADJOURNMENT**

PLEASE SILENCE ALL CELL PHONES AND OTHER ELECTRONIC DEVICES PRIOR TO THE MEETING.

Councilmember Walter stated that sounds like a great plan. We should revisit this subject come budget time next year.

Mayor Sara Dubey stated that she believes that it is needed, because the job itself is very time-consuming. We will revisit this come budget time for next year, and see what we can come up with for a part-time position.

b. Transient/Food Truck Ordinance

City Manager/Clerk Spencer Lewis reviewed the drafted ordinance language with the council and questioned if there were any revisions/additions anyone would like to see?

Councilmember Sara Black stated that we should include a definition of a transient vendor, and what types of businesses and/or services would be included along with a fee schedule with different amount of days.

This matter will be revisited next meeting with revisions being made in the meantime.

NEW BUSINESS:

a. Homecoming Parade Request

A motion was made by Councilmember Templeton, and seconded by Councilmember Sorensen to approve the request.

Mayor Sara Dubey questioned Police Chief Kevin Mihailoff if closing the roads for the parade would be an issue?

Police Chief Kevin Mihailoff stated that it would not be an issue as he has a good staff, and great supporting staff including the DPW, fire staff, along with neighboring jurisdictions.

All ayes.

Motion Carried.

PUBLIC COMMENT:

Jim Fourniar, 7219 Harvard St. – Jim stated he was here as a concerned Mt. Morris Township resident, and was curious over the plans of turning the vacant land behind his house into a gun range for the police department.

COUNCIL MEMBER AND STAFF COMMENTS:

Councilmember Templeton thanked Paul Zumbach for all the hard work he does for the city.

DPW Superintendent Paul Zumbach stated that he and City Manager/Spencer Lewis have taken the first step with Badger water meters, and will have a pilot program in the future.

Police Chief Kevin Mihailoff stated that they haven't had any word back from MSP on the fatal yet.

City Manager/Clerk Spencer Lewis stated that he is gearing up for the November election, along with the upcoming audit from Plante Moran.

ADJOURNMENT:

With no further business, the council meeting was adjourned at **7:36 p.m.**

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 General					
Dept 000					
101-000-066.000	UNDISTRIBUTED FRINGE BENEFITS	BLUE CARE NETWORK	HEALTH INS. OCTOBER 2024	8,983.08	
101-000-066.000	UNDISTRIBUTED FRINGE BENEFITS	HUMANA HEALTH PLAN INC	DENTAL / VISION INS.	1,919.46	
		Total For Dept 000		10,902.54	
Dept 215 ADMINISTRATION					
101-215-740.000	OPERATING EXPENSE	PITNEY BOWES GLOBAL SERV	POSTAGE LEASE	300.93	
101-215-740.000	OPERATING EXPENSE	XTREME SHREDS	DOCUMENT SHREDDING	20.00	
101-215-825.000	MAINTENANCE AGREEMENTS	SOLUCIENT SECURITY SYSTE	10/1/24-12/31/24 MONTHLY SERVICE FEE	121.90	
101-215-825.000	MAINTENANCE AGREEMENTS	VC3, INC	OFFICE 365 - SEPTEMBER 2024	33.00	
101-215-874.000	RETIREE INSURANCE BENEFITS	BLUE CARE NETWORK	HEALTH INS. OCTOBER 2024	2,353.76	
101-215-874.000	RECIEPT TO 731.00.00.9999.28620	GENESEEE COUNTY TREASURER	LINA SEPTEMBER 2024	25.30	
101-215-991.000	COPIER	US BANK EQUIPMENT FINANC	COPIER LEASE	74.55	
		Total For Dept 215 ADMINISTRATION		2,929.44	
Dept 265 CITY HALL & GROUNDS					
101-265-801.000	PROFESSIONAL SERVICES	ROWE PROFESSIONAL SERVIC	ADA RAMP AND PARKING LOT	570.00	
101-265-920.000	PUBLIC UTILITIES	CITY OF MT. MORRIS	WATER BILLS	36.63	
101-265-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	CITY HALL ELEC.	730.82	
101-265-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	CITY HALL GAS	23.03	
		Total For Dept 265 CITY HALL & GROUNDS		1,360.48	
Dept 267 OTHER CITY PROPERTY					
101-267-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	PARKING LOT 11800 N. SAGINAW	60.45	
		Total For Dept 267 OTHER CITY PROPERTY		60.45	
Dept 305 POLICE DEPARTMENT					
101-305-740.000	OPERATING EXPENSE	XTREME SHREDS	DOCUMENT SHREDDING	20.00	
101-305-745.000	GAS & FUEL	WEBSTER & GARNER	UNLEADED GAS	698.15	
101-305-759.000	UNIFORMS	PATIDEE'S SEW UNUSUAL	VELCRO PATCHES STICHING	8.00	
101-305-825.000	MAINTENANCE AGREEMENTS	SOLUCIENT SECURITY SYSTE	10/1/24-12/31/24 MONTHLY SERVICE FEE	121.90	
101-305-825.000	MAINTENANCE AGREEMENTS	VC3, INC	OFFICE 365 - SEPTEMBER 2024	99.00	
101-305-991.000	DEBT SERVICE - PRIN	AXON ENTERPRISE	JODY GRANT BODY CAM	705.65	
101-305-991.000	DEBT SERVICE - PRIN	US BANK EQUIPMENT FINANC	COPIER LEASE	137.23	
		Total For Dept 305 POLICE DEPARTMENT		1,789.93	
Dept 336 FIRE DEPARTMENT					
101-336-745.000	GAS & FUEL	WEBSTER & GARNER	UNLEADED GAS	23.36	
101-336-745.000	GAS & FUEL	WEBSTER & GARNER	DIESEL	36.47	
101-336-825.000	MAINTENANCE AGREEMENTS	SOLUCIENT SECURITY SYSTE	10/1/24-12/31/24 MONTHLY SERVICE FEE	121.90	
101-336-825.000	MAINTENANCE AGREEMENTS	VC3, INC	OFFICE 365 - SEPTEMBER 2024	37.00	
		Total For Dept 336 FIRE DEPARTMENT		218.73	
Dept 441 PUBLIC WORKS					
101-441-740.000	OPERATING EXPENSE	JOHN DEERE FINANCIAL	CROSS AND BEARING ASSEMBLY	47.66	
101-441-740.000	OPERATING EXPENSE	JOHN DEERE FINANCIAL	SUPPORT FOR MOWER	192.15	
101-441-740.000	OPERATING EXPENSE	JOHN DEERE FINANCIAL	YOKE WITH SHAFT	207.87	
101-441-745.000	GAS & FUEL	WEBSTER & GARNER	DIESEL	9.42	
101-441-825.000	MAINTENANCE AGREEMENTS	SOLUCIENT SECURITY SYSTE	10/1/24-12/31/24 MONTHLY SERVICE FEE	58.30	
101-441-825.000	MAINTENANCE AGREEMENTS	VC3, INC	OFFICE 365 - SEPTEMBER 2024	25.00	
101-441-920.000	PUBLIC UTILITIES	CITY OF MT. MORRIS	WATER BILLS	39.97	
101-441-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	DPW GARAGE	250.20	
101-441-922.000	STREET LIGHTING	CONSUMERS ENERGY	LED LIGHTS	2,967.30	
101-441-922.000	STREET LIGHTING	CONSUMERS ENERGY	STREET LIGHTS	1,108.61	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 General					
Dept 441 PUBLIC WORKS					
Dept 528 TRASH COLLECTION					
101-528-801.000	PROFESSIONAL SERVICES			4,906.48	
		Total For Dept 441 PUBLIC WORKS			
Dept 567 CEMETERY					
101-567-740.000	OPERATING EXPENSE			18,335.20	
		Total For Dept 528 TRASH COLLECTION			
Dept 790 LIBRARY					
101-790-740.000	OPERATING EXPENSE			37.99	
101-790-920.000	PUBLIC UTILITIES			37.99	
101-790-920.000	PUBLIC UTILITIES			47.82	
		Total For Dept 567 CEMETERY			
Dept 904 CAPITAL OUTLAY					
101-904-970.100	DPW EQUIP CAPITAL OUTLAY			47.88	
		WIN'S ELECTRIC SUPPLY CO	SIGN LIGHT BULBS	47.88	
		CITY OF MT. MORRIS	WATER BILLS	310.88	
		CONSUMERS ENERGY	LIBRARY		
		Total For Dept 790 LIBRARY		406.58	
Fund 202 Major Street					
Dept 474 TRAFFIC SERVICES					
202-474-801.000	PROFESSIONAL SERVICES			5,660.00	
202-474-920.000	PUBLIC UTILITIES			5,660.00	
		TRUCK & TRAILER	ARROW BOARD TRAILER		
		Total For Dept 904 CAPITAL OUTLAY		46,607.82	
		Total For Fund 101 General			
Fund 590 SEWER FUND					
Dept 215 ADMINISTRATION					
590-215-825.000	MAINTENANCE AGREEMENTS			491.48	
590-215-825.000	MAINTENANCE AGREEMENTS			205.27	
590-215-874.000	RETIREE INSURANCE BENEFITS			696.75	
590-215-874.000	810-257-3857			696.75	
590-215-991.000	COPIER				
		Total For Dept 474 TRAFFIC SERVICES			
		Total For Fund 202 Major Street			
Dept 536 SEWER DISTRIBUTION					
590-536-745.000	GAS & FUEL			58.30	
590-536-921.000	COST OF SEWER			33.00	
		SOLUCIENT SECURITY SYSTE	10/1/24-12/31/24 MONTHLY SERVICE FEE	816.91	
		VC3, INC	OFFICE 365 - SEPTEMBER 2024	12.65	
		BLUE CARE NETWORK	HEALTH INS. OCTOBER 2024	74.56	
		GENESEEE COUNTY TREASURER	LINA SEPTEMBER 2024		
		US BANK EQUIPMENT FINANC	COPIER LEASE		
		Total For Dept 215 ADMINISTRATION		995.42	
Dept 591 Water Fund					
Dept 215 ADMINISTRATION					
591-215-825.000	MAINTENANCE AGREEMENTS			35.02	
591-215-825.000	MAINTENANCE AGREEMENTS			22,906.40	
591-215-874.000	RETIREE INSURANCE BENEFITS				
591-215-874.000	ATTN: KRISTIE PRIMEAU				
591-215-991.000	COPIER			22,941.42	
		Total For Dept 536 SEWER DISTRIBUTION			
		Total For Fund 590 SEWER FUND		23,936.84	
		SOLUCIENT SECURITY SYSTE	10/1/24-12/31/24 MONTHLY SERVICE FEE	58.30	
		VC3, INC	OFFICE 365 - SEPTEMBER 2024	33.00	
		BLUE CARE NETWORK	HEALTH INS. OCTOBER 2024	816.91	
		GENESEEE COUNTY TREASURER	LINA SEPTEMBER 2024	12.65	
		US BANK EQUIPMENT FINANC	COPIER LEASE	74.56	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 Water Fund					
Dept 215 ADMINISTRATION					
Dept 537 WATER DISTRIBUTION		Total For Dept 215 ADMINISTRATION		995.42	
591-537-725.000	FRINGE BENEFIT-NON PAYROLL	CINTAS CORP	UNIFORMS	46.62	
591-537-725.000	FRINGE BENEFIT-NON PAYROLL	CINTAS CORP	UNIFORMS	46.62	
591-537-740.000	OPERATING EXPENSE	EGLE CASHIERS OFFICE	DPB TESTING	350.00	
591-537-740.000	OPERATING EXPENSE	EXOTIC AUTOMATION AND SU	#14 AIR HOSE	62.65	
591-537-740.000	OPERATING EXPENSE	GENESEEE COUNTY DRAIN COM	WATER SAMPLING	75.00	
591-537-745.000	GAS & FUEL	WEBSTER & GARNER	UNLEADED GAS	177.01	
591-537-745.000	GAS & FUEL	WEBSTER & GARNER	DIESEL	160.62	
591-537-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	METER PIT 321 LINCOLN	32.65	
591-537-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	METER PIT 310 W. MT. MORRIS	33.31	
		Total For Dept 537 WATER DISTRIBUTION		984.48	
Fund 703 Current Tax Collection Fund		Total For Fund 591 Water Fund		1,979.90	
Dept 000					
703-000-275.000	DUE TO TAXPAYERS	CORELOGIC CENTRALIZED RE	REFUND FOR OVERPAYMENT 57-12-527-056	2,122.50	
		Total For Dept 000		2,122.50	
		Total For Fund 703 Current Tax Collection Fund		2,122.50	

INVOICE GL DISTRIBUTION REPORT FOR CITY OF MT MORRIS
 EXP CHECK RUN DATES 09/24/2024 - 09/24/2024
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID
 WARRANT 24-22

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund Totals:					
			Fund 101 General	46,607.82	
			Fund 202 Major Street	696.75	
			Fund 590 SEWER FUND	23,936.84	
			Fund 591 Water Fund	1,979.90	
			Fund 703 Current Tax C	2,122.50	
			Total For All Funds:	75,343.81	

MOBILE FOOD TRUCK ORDINANCE. Or Transient vendor

(A) *Statement of purpose.* It is the intent of this section to permit and regulate temporary sales and uses in the commercial and industrial areas when the sale/use is intended to be for a limited period and not designed to be an alternative to occupying a permanent structure. Further to promote the economic well-being of the community by creating an alternative to the traditional uses and encourage the use of underused land. Finally, to provide for exemptions from strict regulations during community events.

(B) *Permitted uses.* Mobile Food Vending Transient Vendor is permitted as set forth herein within the City except within any residentially zoned area.

(C) *Regulations.*

(1) No mobile food truck Transient vendor shall be built, erected, or operated on ~~the highway~~ any road right-of-way nor so close thereto as to encourage or promote the use of the ~~highway~~ road right-of-way for parking or standing of customers. All temporary uses shall provide adequate off-street parking areas which shall be readily accessible from the ~~highway~~ road abutting thereto.

(2) The premises shall be always kept in a clean and sanitary condition.

(3) Mobile food truck transient vendor uses must have written permission of the owner of the property.

(4) The principal use of the property must still be able to accommodate the parking requirements for that use.

(5) Mobile food trucks transient vendor shall obtain a permit from City Hall ~~the city's Department of Public Works~~ upon submission of an application for such a permit unless specifically stated exempt in this chapter.

(6) Mobile food truck transient vendor permits must be submitted on a form approved by the ~~Department of Public Works~~ Zoning Administrator or City Manager not less than 15 days prior to the intended ~~set~~ startup date. Must include a drawing of all items to be located on the property for the purpose of the use.

(7) A permit fee in the amount as set by the City Council and amended by resolution from time to time shall be paid at the time of the submission of the application, and a clean-up fee in the amount as set by the City Council and amended by resolution from time to time shall be paid at the time of approval of the permit. The clean-up fee shall be refundable in whole or in part in the event the permittee returns the premises to its original condition at the conclusion of the activities. The fees established in this subsection may be amended from time to time by resolution of the City Council. Any violation notice enforcement will be deducted from the cleanup bond before the refund is released but shall not preclude any other recovery by the city for violation or damages arising therefrom.

(8) Any person, firm or organization may appeal either the necessity of posting a bond, or the amount of the bond required by the city's Department of Public works

directly to the Mt. Morris City Council, which shall have the authority to reduce or eliminate the bond upon good cause shown.

(D) Operational Regulation:

(1) The provisions of this ordinance apply to mobile food vehicles transient vendors engaged in the business of selling food or goods and services cooking, preparing and distributing food or beverage with or without charge upon or in public and private restricted spaces. This ordinance does not apply to vehicles which dispense food and that move from place to place and are stationary in the same location for no more than 15 minutes at a time, such as ice cream trucks, or food vending pushcarts and stands located on sidewalks.

(2) Permit application shall include the following:

a. Name, signature, phone number, email contact and business address of the applicant.

b.. A description of the preparation methods and food and other products offered for sale including the intended menu.

c. Information on the mobile food vehicle transient vendor to include year, make and model and license plate number of the vehicle(s) and dimensions. Any portable tents, awnings covers or other portable devices that provide protection from the weather, which shall not exceed 30 feet in length and 10 feet in width.

d. Information setting forth the proposed hours of operation, area of operations, plans for power access, water supply and wastewater disposal.

e. Copies of all necessary licenses or permits issued by the Genesee County Health Department, including a copy of the "letter of intent" provided to Genesee County.

(3) All mobile food vehicle transient vendors shall offer a waste container for public use which the vendor shall empty at its own expense. All trash and garbage originating from the preparation of mobile food vehicles transient vendors shall be collected and disposed of off-site by the operators each day. Spills of food or food by-products or any other waste shall be cleaned up, and no dumping of gray water on the street is allowed.

(4) Mobile food vendors transient vendors shall comply with the city's noise ordinance, sign ordinance and all other city ordinances. Mobile Transient Vendors shall be allowed one two faced sign that shall not to exceed 8' square feet and shall not have a height of greater than 3'. The sign shall not be placed in a manner to hinder the vision of motorist or the path of pedestrians. The director or public works or Law Enforcement Officer shall make the determination if the placement of the sign is in a safe location.

(5) A vendor shall not operate a mobile food vehicle transient vendor site within 500 feet of any fair, festival, special event or civic event that is licensed or sanctioned by the city unless the vendor has obtained permission from the event sponsor.

(6) No permit will be issued for more than 10 consecutive days for the mobile food transient vending from the date of sale as specified on the permit, unless as approved by the Planning Commission as part of a special land use permit. No transient vendor shall be allowed to leave any equipment, vehicles, signs or other apparatus on location after hours of operation.

(E) Revocation

(1) The City reserves the right to revoke the license of any vendor engaged in mobile food transient vending who ceases to meet any requirement of this chapter or violates any other federal, state, or local regulation, makes a false statement on their application, or conducts activity in a manner that is adverse to the protection of public health, safety, and welfare.

(b) Immediately upon such revocation, the City Clerk shall provide written notice to the license holder and the license shall become null and void.

(Ord. 2022-01. Passed 1-24-22; Ord. 2022-07. Passed 11-21-22.)

(F) Complaints; Appeals

If a complaint is filed with the City Clerk alleging a food transient vendor has violated the provisions of this chapter, the City Clerk shall contact the vendor that an investigation will be made as to the truth of the complaint. The vendor shall be invited to respond to the complaint and present evidence and to respond to evidence produced by the investigation. After reviewing all relevant material, the complaint is supported by a preponderance of the evidence, the complaint shall be certified. If a license is denied or revoked, or if a written complaint is certified pursuant to this chapter, the applicant or holder of the license, may appeal to and have a hearing before the City Manager. The City Manager shall make a written determination, after presentation by the applicant and investigation as to whether or not the grounds for denial, revocation, or complaint are true. If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of the City Clerk or filing of the complaint shall be sustained and the applicant may appeal the City Manager's decision to a court of competent jurisdiction.

(G) Impoundment

Any equipment associated with food transient vending that is not in compliance with this chapter and left on public property may be impounded at the owner's expense.



Transient Vendor Definition

Transient Vendor is a company or individual that engages in a temporary or transient business in one or more places supplying goods or services, which include but are not limited to the sale of food, merchandise, mobile services and wares. A company that provides services to a property such as structural repair, construction or maintenance, lawn and property care, medical services to an individual patient shall not be considered as a transient vendor.

Transient Vendor Fee Schedule

1 to 3 consecutive days	\$50.00
4 to 10 consecutive days	\$200.00

A transient Vendor shall not operate inside the city limits for more than 10 days within one calendar year.



michigan
municipal
league

liability &
property
pool

1675 Green Road
Ann Arbor, MI 48105
P: 734-662-3246
800-653-2483
F: 734-662-8083
mml.org

To: Members of the MML Liability & Property Pool
From: Michael J. Forster, Fund Administrator
Date: September 9, 2024
Subject: Pool Director Election

Dear Pool Member:

Enclosed is your ballot for this year's Board of Directors election. Two (2) incumbent Directors have agreed to seek re-election. You may also write in one or more candidates if you wish.

A brief biographical sketch of each candidate is provided for your review.

I hope you will affirm the work of the Nominating Committee by returning your completed ballot in the enclosed return envelope, no later than November 8th. Alternately, you may complete your ballot online:

Go to www.mml.org. At the top of the page, hover over *Programs & Services* and select *Risk Management* from the drop-down list. Next, look for the *Jump To* panel and select *Liability & Property Pool*. The ballot link is on the next page, in the *Jump To* panel, under *Online Forms*.

The MML Liability & Property Pool is owned and controlled by its members. Your comments and suggestions on how we can serve you better are very much appreciated. Thank you again for your membership in the Pool, and for participating in the election of your governing board.

Sincerely,

Michael J. Forster
Pool Administrator
mforster@mml.org

THE CANDIDATES
Three-year terms beginning January 1, 2025

Thad Beard, Manager, City of Rockford



Thad has over 23 years' experience in municipal government and has been the city manager of Rockford since 2017. He previously served as the City of Otsego's manager for 17 years and as the City of Wayland's assistant manager for three years before that. He is a member of the Michigan Municipal Executives and former member of its Board of Directors. Thad grew up in Kalamazoo, received an undergraduate degree from Great Lakes Christian College and a master's degree from Western Michigan University. Thad is seeking election to his second term.

Dan Swallow, Manager, City of Tecumseh



Dan has more than 18 years' experience as a municipal official and has been the City Manager of Tecumseh since 2015. Previously, his government career included tenures with the Toledo Metropolitan Area Council of Governments, Van Buren Township, and as the Economic & Community Development Director for the City of Monroe. He has credentials from the American Institute of Certified Planners (AICP) and actively participates in the Michigan Association of Planning and Michigan Municipal Executives. Dan grew up in the small northeastern Michigan community of Alpena. Dan is seeking election to his second term.

Michigan Municipal League
Liability & Property Pool

OFFICIAL BALLOT - 2024

Vote for two Directors by marking the line to the left of the name for three-year terms beginning January 1, 2025.

_____ Thad Beard, Incumbent
Manager, City of Rockford

_____ Dan Swallow, Incumbent
Manager, City of Tecumseh

Write-in Candidate

I hereby certify that:

(Municipality/Agency)

by action of its governing body, has authorized its vote to be cast for the above persons to serve as Director of the Michigan Municipal League Liability & Property Pool.

Official Signature

Date:

**Ballot deadline:
November 8, 2024**