

**CITY OF MT. MORRIS**  
**CITY COUNCIL AGENDA**  
11649 N. Saginaw Street  
Mt. Morris, MI 48458  
**October 28<sup>th</sup>, 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 October 14<sup>th</sup>, 2024.

**6. COMMUNICATIONS:**

None.

**7. APPROVAL OF WARRANT:** Approval of Warrant #24-24 in the amount of \$88,683.71.

**8. PUBLIC COMMENT (Agenda Items Only /Five Minute Time Limit).**

**9. UNFINISHED BUSINESS:**

None

**10. NEW BUSINESS:**

a. **ORDINANCE 2024-02:** Mobile Transient Vendor (first reading)

**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.





GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 General					
Dept 000	UNDISTRIBUTED FRINGE BENEFITS	BLDE CARE NETWORK	HEALTH INSURANCE	8,983.08	
101-000-066.000	UNDISTRIBUTED FRINGE BENEFITS	HUMANA HEALTH PLAN INC	DENTAL/VISION INS.	1,328.89	
101-000-066.000	UNDISTRIBUTED FRINGE BENEFITS	STANDARD INSURANCE COMPA	LIFE INSURANCE	1,070.53	
101-000-256.000	DEPOSITS PAYABLE	AMBER PORRETT	COMMUNITY ROOM DEP. REFUND	75.00	
	Total For Dept 000			11,457.50	
Dept 215 ADMINISTRATION					
101-215-740.000	OPERATING EXPENSE	GENESSEE COUNTY HERALD	AMEND CODE OF ORD. PUBLICATION	78.90	
101-215-740.000	OPERATING EXPENSE	PITNEY BOWES BANK INC	POSTAGE	252.43	
101-215-740.000	OPERATING EXPENSE	US BANK EQUIPMENT FINANC	COPIER LEASE	315.94	
101-215-740.000	OPERATING EXPENSE	XTRME SHREDS	DOCUMENT SHREDDING	20.00	
101-215-825.000	MAINTENANCE AGREEMENTS	BS&A SOFTWARE	ANNUAL SERVICE/SUPPORT	646.66	
101-215-850.000	COMMUNICATIONS	STAR2STAR COMMUNICATIONS	PHONE BILL	154.31	
101-215-874.000	RETIREE INSURANCE BENEFITS	BLDE CARE NETWORK	HEALTH INSURANCE	2,353.76	
101-215-991.000	COPIER	US BANK EQUIPMENT FINANC	COPIER LEASE	74.55	
	Total For Dept 215 ADMINISTRATION			3,896.55	
Dept 253 TREASURER					
101-253-740.000	OPERATING EXPENSE	PITNEY BOWES BANK INC	POSTAGE	126.22	
101-253-825.000	MAINTENANCE AGREEMENTS	BS&A SOFTWARE	ANNUAL SERVICE/SUPPORT	1,592.00	
	Total For Dept 253 TREASURER			1,718.22	
Depts 265 CITY HALL & GROUNDS					
101-265-740.000	OPERATING EXPENSE	MENARDS - CLIO	SUPPLIES	19.98	
101-265-740.000	OPERATING EXPENSE	SOLICENT SECURITY SYSTE	SERVICE CALL -TEST SIGNAL	155.00	
101-265-740.000	OPERATING EXPENSE	WEBSTER & GARNER	GENERATOR FUEL	178.96	
	Total For Dept 265 CITY HALL & GROUNDS			353.94	
Dept 305 POLICE DEPARTMENT					
101-305-740.000	OPERATING EXPENSE	PITNEY BOWES BANK INC	POSTAGE	126.23	
101-305-740.000	OPERATING EXPENSE	US BANK EQUIPMENT FINANC	COPIER LEASE	0.79	
101-305-740.000	OPERATING EXPENSE	XTRME SHREDS	DOCUMENT SHREDDING	20.00	
101-305-759.000	UNIFORMS	HUBBARD'S MILITARY SUPPL	LONG SLEEVE GRANT/SMITH/HOFFMAN	238.00	
101-305-850.000	COMMUNICATIONS	STAR2STAR COMMUNICATIONS	PHONE BILL	88.18	
101-305-915.000	MEMBERSHIP & DUES	LAW ENFORCEMENT OFFICERS	LEORTC FALL MEMBERSHIP DUES	1,198.02	
101-305-932.000	REPAIR & MAINTENANCE - VEHICL	LOUIE'S TOWING & AUTO RE	TAHOE #122 STARTER AND WIRING	1,361.56	
101-305-991.000	DEBT SERVICE - PRIN	US BANK EQUIPMENT FINANC	COPIER LEASE	137.23	
	Total For Dept 305 POLICE DEPARTMENT			3,170.01	
Dept 336 FIRE DEPARTMENT					
101-336-850.000	COMMUNICATIONS	STAR2STAR COMMUNICATIONS	PHONE BILL	44.09	
	Total For Dept 336 FIRE DEPARTMENT			44.09	
Dept 441 PUBLIC WORKS					
101-441-740.000	OPERATING EXPENSE	ACTION MUNICIPAL SUPPLY	LED FLASHER/SIGN ST. NAME/SAFETY VEST	67.50	
101-441-740.000	OPERATING EXPENSE	MENARDS - CLIO	SUPPLIES	24.98	
101-441-740.000	OPERATING EXPENSE	MENARDS - CLIO	PVC CAP/TIE/COUPLING	46.56	
101-441-932.000	REPAIR & MAINTENANCE - VEHICL	JENKINS' SUNOCO SERVICE	FRONT TIRES #30	206.90	
	Total For Dept 441 PUBLIC WORKS			345.94	
Dept 790 LIBRARY					
101-790-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	LIBRARY	242.56	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 General					
Dept 790 LIBRARY					
		Total For Dept 790 LIBRARY		242.56	
		Total For Fund 101 General		21,228.81	
Fund 202 Major Street					
Dept 474 TRAFFIC SERVICES					
202-474-740.000	OPERATING EXPENSE	ACTION MUNICIPAL SUPPLY	LED FLASHER/SIGN ST. NAME/SAFETY VEST	757.40	
202-474-801.000	PROFESSIONAL SERVICES	GENESEE COUNTY ROAD COMM	SIGNAL MAINTENANCE	279.82	
		Total For Dept 474 TRAFFIC SERVICES		1,037.22	
		Total For Fund 202 Major Street		1,037.22	
Fund 203 Local Street					
Dept 463 STREET ROUTINE MAINTENANCE					
203-463-801.000	PROFESSIONAL SERVICES	ROME PROFESSIONAL SERVIC	TIP APPLICATION - ALEX AND UNION	2,935.00	
		Total For Dept 463 STREET ROUTINE MAINTENANCE		2,935.00	
		Total For Fund 203 Local Street		2,935.00	
Fund 590 SEWER FUND					
Dept 215 ADMINISTRATION					
590-215-740.000	OPERATING EXPENSE	PITNEY BOWES BANK INC	POSTAGE	252.44	
590-215-825.000	MAINTENANCE AGREEMENTS	BS&A SOFTWARE	ANNUAL SERVICE/SUPPORT	1,027.66	
590-215-850.000	COMMUNICATIONS	STAR2STAR COMMUNICATIONS	PHONE BILL	66.13	
590-215-874.000	RETIREE INSURANCE BENEFITS	BLUE CARE NETWORK	HEALTH INSURANCE	816.91	
590-215-991.000	COPIER	US BANK EQUIPMENT FINANC	COPIER LEASE	74.56	
		Total For Dept 215 ADMINISTRATION		2,237.70	
Dept 536 SEWER DISTRIBUTION					
590-536-740.000	OPERATING EXPENSE	MENARDS - CLIO	SUPPLIES	23.96	
		Total For Dept 536 SEWER DISTRIBUTION		23.96	
Dept 538 SEWER REPAIR					
590-538-801.000	PROFESSIONAL SERVICES	WALDORF & SONS, INC.	JETTER NOZZLE AND HOSE REMOVAL	9,852.47	
		Total For Dept 538 SEWER REPAIR		9,852.47	
		Total For Fund 590 SEWER FUND		12,114.13	
Fund 591 Water Fund					
Dept 000					
591-000-255.000	WATER DEPOSITS PAYABLE	CITY OF MT. MORRIS	WATER DEPOSIT - 636 WILSON AVE	250.00	
		Total For Dept 000		250.00	
Dept 215 ADMINISTRATION					
591-215-740.000	OPERATING EXPENSE	PITNEY BOWES BANK INC	POSTAGE	252.43	
591-215-825.000	MAINTENANCE AGREEMENTS	BS&A SOFTWARE	ANNUAL SERVICE/SUPPORT	1,027.68	
591-215-850.000	COMMUNICATIONS	STAR2STAR COMMUNICATIONS	PHONE BILL	88.18	
591-215-874.000	RETIREE INSURANCE BENEFITS	BLUE CARE NETWORK	HEALTH INSURANCE	816.91	
591-215-991.000	COPIER	US BANK EQUIPMENT FINANC	COPIER LEASE	74.56	
		Total For Dept 215 ADMINISTRATION		2,259.76	
Dept 537 WATER DISTRIBUTION					
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	

INVOICE GL DISTRIBUTION REPORT FOR CITY OF MT MORRIS

EXP CHECK RUN DATES 10/29/2024 - 10/29/2024

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

WARRANT 24-24

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591	Water Fund				
Dept 537	WATER DISTRIBUTION				
591-537-740.000	OPERATING EXPENSE	GENESEE COUNTY DRAIN COM	WATER SAMPLING	75.00	
591-537-740.000	OPERATING EXPENSE	MICHIGAN PIPE & VALVE-IN	COMPRESSION COUPLING	25.62	
591-537-740.000	OPERATING EXPENSE	MICHIGAN PIPE & VALVE-IN	1X3/4 BRASS RED COUPLING	11.88	
591-537-921.000	COST OF WATER	GENESEE COUNTY DRAIN COM	WATER SEPTEMBER 2024	48,653.05	
		Total For Dept 537	WATER DISTRIBUTION	48,858.79	
		Total For Fund 591	Water Fund	51,368.55	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
			Fund Totals:		
			Fund 101 General	21,228.81	
			Fund 202 Major Street	1,037.22	
			Fund 203 Local Street	2,935.00	
			Fund 590 SEWER FUND	12,114.13	
			Fund 591 Water Fund	51,368.55	
			Total For All Funds:	<u>89,683.71</u>	

**CITY OF MT. MORRIS  
COUNTY OF GENESEE, MICHIGAN**

**ORDINANCE 2024 – 02.**

**AN ORDINANCE AMENDING MT. MORRIS CITY  
CODE OF ORDINANCES, CHAPTER 18, ARTICLE I, BY  
THE ADDITION OF 18-1 AND 18-2, TRANSIENT  
VENDOR, DEFINITION, AND 18-2, TRANSIENT  
VENDORS, ORDINANCES TO DEFINE AND  
REGULATE THE OPERATION OF TRANSIENT  
VENDORS WITHIN THE CITY, AND TO PROVIDE FOR  
THE VIOLATION THEREOF**

**THE CITY OF MT. MORRIS HEREBY ORDAINS:**

**SECTION I**

The Mt. Morris City Code of Ordinances, Chapter 18, Article I, is hereby amended by the addition of Sections 18-1, Transient Vendor, Definition, and 18-2, Transient Vendors, as follows:

**18-1, Mobile Transient Vendor, Definition**

Transit 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.

**18-2, Transient Vendors**

(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 Transient Vendor is permitted as set forth herein within the City except within any residentially zoned area.

(C) *Regulations.*

(1) No mobile transient vendor shall be built, erected, or operated on the right-of-way nor so close thereto as to encourage or promote the use of the 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 road abutting thereto.



(2) The premises shall be kept in a clean and sanitary condition at all times.

(3) Mobile transient vendor users must have written permission from 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 transient vendor shall obtain a permit from City Hall upon submission of an application for such a permit unless specifically stated exempt in this chapter.

(6) Mobile transient vendor permits must be submitted on a form approved by the Zoning administrator or City Manager not less than 15 days prior to the intended 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 as a 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 transient vendors engaged in the business of selling food or goods and services 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.

(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, food and other products offered for sale.

c. Information on the mobile transient vendor to include year, make and model, and license plate number of the vehicle(s). Any portable tents, awning 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 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 transient vendor shall be collected and disposed of off-site by the operators each day. Spills of food, food by-products, or any other waste shall be cleaned up, and no dumping of gray water on the street is allowed.

(4) Mobile transient vendors shall comply with the city's noise ordinance, and all other city ordinances. Mobile transient vendors shall be allowed one two faced sign that shall not 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 motorists or the path of pedestrians. The Director or Public Works or Law Enforcement officers shall make the determination if the placement of the sign is in a safe location.

(5) A vendor shall not operate a mobile 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 transient vendor from the date of sale as specified on the permit, unless upon prior approval by the City Council. A transient Vendor shall not operate inside the city limits for more than 10 days within one calendar year, unless prior approval by the City Council. 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 transient vendor 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.

#### (F) Complaints; Appeals

If a complaint is filed with the City Clerk alleging a 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 the 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 transient vendor that is not in compliance with this chapter and left on public property may be impounded at the owner's expense.

**SECTION II - SEVERABILITY**

If any part of this ordinance shall be determined to be unenforceable by a court of competent jurisdiction, that part shall be deemed to be severed and removed from the body of this ordinance, and the rest shall remain in full force and effect.

**SECTION III – PRIOR ORDINANCES**

All City ordinances and resolutions or part thereof, insofar as the same may be in conflict herewith, are hereby repealed.

**SECTION IV**

This Ordinance shall be published in a newspaper of general circulation within the City of Mt. Morris, Genesee County, Michigan, and shall become effective on the 31<sup>st</sup> day after publication.

**SECTION V**

A copy of this Ordinance may be inspected at the City Hall, 11649 N. Saginaw St., Mt. Morris, Michigan, during regular business hours.

CITY OF MT. MORRIS,

\_\_\_\_\_  
By: SARA DUBEY, MAYOR

\_\_\_\_\_  
By: SPENCER LEWIS, DEPUTY CLERK

Ordinance introduced on: 10/24/2024

Second Reading:

Publication date:

Effective date: