

**CITY OF MT. MORRIS  
CITY COUNCIL AGENDA  
11649 N. Saginaw Street  
Mt. Morris, MI 48458  
August 8<sup>th</sup>, 2022  
7:15 P.M.**

**1. MEETING CALLED TO ORDER:** Mayor Jeffrey N. Roth

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL OF AGENDA**

**5. APPROVAL OF MINUTES**

- a. Approval of regular meeting minutes from July 25<sup>th</sup>, 2022.

**6. COMMUNICATIONS:**

**None.**

**7. APPROVAL OF WARRANT:** Approval of warrant #22-15 in the amount of \$49,198.48.

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

**9. UNFINISHED BUSINESS:**

- a. **ORDINANCE 22-01: Marijuana Violations & Penalties (Second Reading & Adoption)**

**10. NEW BUSINESS:**

- a. **RESOLUTION 22-43: Purchase of Asphalt Recycler & Hot Box Trailer.**
- b. **Approval of Proposed Building Plans for Red Maple (Plans will be emailed).**
- c. **Letter from Attorney Amanda Doyle regarding Woodside Trails.**

**12. PUBLIC COMMENT (Five Minute Time Limit).**

**13. COUNCIL MEMBER AND STAFF COMMENTS**

**14. ADJOURNMENT**

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

**CITY OF MT. MORRIS**  
**CITY COUNCIL – REGULAR MEETING**  
**July 25<sup>th</sup>, 2022**

At **7:15 p.m.**, Mayor Jeffrey Roth called the Regular Council Meeting to order.

**PRESENT:** Dubey, Templeton, Heidenfeldt, Irwin, Black, Sorensen and Roth.

**ABSENT:** None.

**OTHERS:** City Manager/Treasurer Vicki Corlew, DPW Supervisor Paul Zumbach, Police Chief Kevin Mihailoff and City Clerk Spencer Lewis.

The Pledge of Allegiance.

**ROLL CALL:**

None.

**APPROVAL OF AGENDA:**

A motion was made by Councilmember Irwin, and seconded by Councilmember Black to approve the agenda.

All ayes.

Motion carried.

**MINUTES:**

A motion was made by Councilmember Heidenfeldt, and seconded by Councilmember Dubey to approve the regular meeting minutes from June 27<sup>th</sup>, 2022.

All ayes.

Motion carried.

**COMMUNICATIONS:**

- a. Letter from Attorney Amanda Doyle regarding Woodside Trails.

City Manager/Treasurer Vicki Corlew stated that there will be a resolution at the next meeting regarding this matter.

**APPROVAL OF WARRANT:**

A motion was made by Councilmember Irwin, and seconded by Councilmember Sorensen to approve **Pre-Warrant #22-13 in the amount of \$159,762.02 & Warrant #22-14 in the amount of \$193,341.36**

Roll call:                          7       Ayes                          0       Nays                          0       Absent

Councilmember Irwin questioned on #22-14 about the equipment for bunker gear for the fire department.

City Manager/Treasurer Vicki Corlew stated that it would be bunker gear to replace old and outdated gear.

Councilmember Heidenfeldt questioned if the Ace Outdoor invoices are being paid on this warrant?

City Manager/Treasurer Vicki Corlew stated that only the residential/high weed invoices are being paid via the warrant & the other mowing's are being discussed later this meeting.

Motion Carried.

**PUBLIC COMMENT:**

None.

**UNFINISHED BUSINESS:**

None.

**NEW BUSINESS:**

**a. RESOLUTION 22-39: Appointing delegate for Genesee County Surface Water Management Advisory Board.**

A motion was made by Councilmember Irwin, and seconded by Councilmember Black to approve resolution 22-39: Appointing Paul Zumbach, DPW Supervisor as the delegate and Vicki Corlew, City Manager as the alternate to the Genesee County Surface Water Management Advisory Board.

Roll call:               \_\_\_7\_\_\_Ayes               \_\_\_0\_\_\_Nays               \_\_\_0\_\_\_Absent

Motion Carried.

**b. RESOLUTION 22-40: Revised Fee Schedule**

A motion was made by Councilmember Sorensen, and seconded by Councilmember Irwin to approve resolution 22-40: Revised Fee Schedule.

Councilmember Irwin questioned if this was just for the grass and weeds?

City Manager/Treasurer Vicki Corlew stated yes.

Roll call:               \_\_\_7\_\_\_Ayes               \_\_\_0\_\_\_Nays               \_\_\_0\_\_\_Absent

Motion Carried.

**c. RESOLUTION 22-41: Taser contract for the police department.**

A motion was made by Councilmember Black, and seconded by Councilmember Irwin to approve resolution 22-41: Taser contract for the police department.

Roll call:               \_\_\_7\_\_\_Ayes               \_\_\_0\_\_\_Nays               \_\_\_0\_\_\_Absent

Councilmember Heidenfeldt asked Chief Mihailoff when he will be getting the new tasers?

Police Chief Mihailoff stated within 4-6 weeks, and that within 2 months they should be on the road.

Motion Carried.

**d. RESOLUTION 22-42: I.T. Right Email**

A motion was made by Councilmember Black, and seconded by Councilmember Heidenfeldt to approve resolution 22-42: I.T. Right Email.

Roll call:               \_\_\_7\_\_\_Ayes               \_\_\_0\_\_\_Nays               \_\_\_0\_\_\_Absent

Councilmember Templeton questioned if the six thousand is what we will pay now, and then the three thousand annually?

City Manager/Treasurer Vicki Corlew stated yes, that is correct.

Motion Carried.

**e. ORDINANCE 22-01: Marijuana violations and penalties (First Reading)**

A motion was made by Councilmember Black, and seconded by Councilmember Sorensen to approve ordinance 22-01: Marijuana violations and penalties (first reading).

Roll call:               \_\_\_7\_\_\_Ayes               \_\_\_0\_\_\_Nays               \_\_\_0\_\_\_Absent

Motion Carried.

**f. Official Ballot of MML Liability & Property Pool Board of Directors**

A motion was made by Councilmember Irwin, and seconded by Councilmember Dubey to approve the official ballot of MML Liability & Property Pool Board of Directors.

All ayes.

Motion carried.

**g. Discussion on Ace Outdoor Services invoices**

City Manager/Treasurer Vicki Corlew stated that we have discussed the performance issues with Ace Outdoor, and she wanted to bring the invoices to council to determine if we should pay the invoices in full or otherwise.

Councilmember Irwin questioned if these invoices are regarding these issues and concerns, we have previously discussed?

City Manager/Treasurer Vicki Corlew stated yes.

DPW Supervisor Paul Zumbach stated everything but the cemetery has been satisfactory.

Mayor Jeffrey Roth questioned DPW Supervisor Paul Zumbach what percentage would you put on each mowing that they did not complete?

DPW Supervisor Paul Zumbach stated that it's difficult to say because it was so spotty, but he would say about 35%.

A motion was made by Councilmember Irwin, seconded by Councilmember Dubey to approve all the invoices for city hall, the library, and the islands downtown to be paid in full, and the cemetery to be paid at 60%

Roll call:               \_\_\_7\_\_\_Ayes               \_\_\_0\_\_\_Nays               \_\_\_0\_\_\_Absent

Motion Carried.

**PUBLIC COMMENT:**

**Vickey Gingrass, 11616 Washington** – Vickey stated that they have had a lot of issues with the vacant lot across the street. She wanted to thank the Chief of Police for the quick response of the police officers with disrupting the problem.

**Rex Workman, 611 Walnut** – Rex stated that he lives on the other side of the problem lot. He has put up no trespassing signs on his property.

Chief Mihailoff stated that since the signs are posted, if anyone were to step on the property now, you can call 911 and we would be able to issue tickets.

**Louise Parham Mannie, 11517 Read** – Louise stated she received her invoice for the lawn being mowed, and was wondering what the timeframe was on having to get this paid so it doesn't go onto her taxes?

City Manager/Treasurer Vicki Corlew stated that you can pay whatever you're able to at any time, and that you have until about the end of March 2023 to get that paid before it was to go onto the taxes. There are no late fees or penalties applied as well.

**COUNCIL MEMBER AND STAFF COMMENTS:**

Councilmember Heidenfeldt questioned if consumers was putting up new lights on the poles around the city?

DPW Supervisor Paul Zumbach stated that they are phasing out the old lights, and replacing them with new LED lights.

Councilmember Sorensen questioned if anyone has heard from Republic about picking up the old bins?

Council Minutes

July 25<sup>th</sup>, 2022.

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City Clerk Spencer Lewis stated that he had reached out to Republic last week, and the response was that they are currently working on it, and it seems to be that Wednesdays are the biggest days they can get bins collected due to having more workers staffed that day.

Councilmember Dubey stated that she did email the president of the school board about the condition of the landscaping outside the park, and he stated that it should be addressed here in the near future. She also questioned about who owned 838 East Mt. Morris Rd. because you can smell mold from walking down the street?

DPW Supervisor Paul Zumbach stated he would look into it, and that he believes it is county owned, and that the house she is referring to is 841.

Councilmember Irwin questioned if we could stage the trash bins somewhere until they are able to pick them up?

DPW Supervisor Paul Zumbach stated that you could take them down to the East end of Maple Rd. where there is about several hundred of them.

Councilmember Irwin also stated that we should look into implementing a better website, or something that is more resident friendly. Maybe something along the lines of a community calendar.

Councilmember Black stated that it is nice to see more people show up for council meetings even if it is under these circumstances.

Councilmember Templeton stated the food truck event will be extended into September, and she does agree with councilmember Irwin about bad publicity on social media sites.

Chief Mihailoff stated that the last food truck event was great, and they are looking into one of the schools being broken into last night.

City Manager/Treasurer reminded everyone to vote next Tuesday August 2<sup>nd</sup>.

Mayor Jeffrey Roth stated that the DDA is sponsoring the food truck event, and that for the last food truck event in September there will be a firework show as well.

**ADJOURNMENT:**

With no further business, the Council Meeting was adjourned at **7:48 p.m.**

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Spencer Lewis, City Clerk

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 General					
Dept 000					
101-000-066.000	UNDISTRIBUTED FRINGE BENEFITS	MML WORKER'S COMP FUND	POLICY PREMIUM	3,186.00	
		Total For Dept 000		3,186.00	
Dept 215 ADMINISTRATION					
101-215-740.000	OPERATING EXPENSE	GENESEE COUNTY HERALD	ZONING TEXT AMENDMENT	77.50	
101-215-740.000	OPERATING EXPENSE	XTREME SHREDS	PAPER SHREDDING	20.00	
101-215-850.000	COMMUNICATIONS	COMCAST	INTERNET/FAX	62.18	
		Total For Dept 215 ADMINISTRATION		159.68	
Dept 262 ELECTIONS					
101-262-740.000	OPERATING EXPENSE	HART INTERCIVIC, INC	VERITY ANNUAL SERVICE AGREEMENT	1,228.00	
101-262-740.000	OPERATING EXPENSE	SPECTRUM PRINTERS, INC	VOTE TEST DECKS	199.88	
		Total For Dept 262 ELECTIONS		1,427.88	
Dept 265 CITY HALL & GROUNDS					
101-265-740.000	OPERATING EXPENSE	MENARDS - CLIO	SUPPLIES	19.05	
101-265-801.000	PROFESSIONAL SERVICES	ACE OUTDOOR SERVICE, LLC	CITY HALL MOWING	400.00	
		Total For Dept 265 CITY HALL & GROUNDS		419.05	
Dept 266 ATTORNEY					
101-266-801.000	PROFESSIONAL SERVICES	AMANDA DOYLE	JUNE-JULY SERVICE	4,230.00	
101-266-801.000	PROFESSIONAL SERVICES	AMANDA DOYLE	JUNE-JULY SERVICE	3,480.00	
		Total For Dept 266 ATTORNEY		7,710.00	
Dept 267 OTHER CITY PROPERTY					
101-267-740.000	OPERATING EXPENSE	OUTDOOR SOLUTIONS	STRAW/LAWN MIX	97.00	
101-267-801.000	PROFESSIONAL SERVICES	ACE OUTDOOR SERVICE, LLC	ROW MOWING	125.00	
		Total For Dept 267 OTHER CITY PROPERTY		222.00	
Dept 305 POLICE DEPARTMENT					
101-305-740.000	OPERATING EXPENSE	MENARDS - CLIO	SUPPLIES	15.69	
101-305-740.000	OPERATING EXPENSE	XTREME SHREDS	PAPER SHREDDING	20.00	
101-305-745.000	GAS & FUEL	MICHIGAN PETROLEUM TECH	UNLEADED GAS	1,052.27	
101-305-850.000	COMMUNICATIONS	COMCAST	INTERNET/FAX	35.53	
101-305-850.000	COMMUNICATIONS	VERIZON	PHONE BILL	85.08	
101-305-932.000	REPAIR & MAINTENANCE - VEHICL	LETAVIS ENTERPRISES, INC	CAR WASH	25.00	
101-305-932.000	REPAIR & MAINTENANCE - VEHICL	LOUIE'S TOWING & AUTO RE	OIL/TIRE/BRAKE INSPECTION	45.00	
		Total For Dept 305 POLICE DEPARTMENT		1,278.57	
Dept 336 FIRE DEPARTMENT					
101-336-740.000	OPERATING EXPENSE	WITMER PUBLIC SAFETY GRO	HELMET/RESCUE KNIFE	370.45	
101-336-745.000	GAS & FUEL	MICHIGAN PETROLEUM TECH	UNLEADED GAS	24.35	
101-336-745.000	GAS & FUEL	MICHIGAN PETROLEUM TECH	DIESEL	185.28	
101-336-850.000	COMMUNICATIONS	COMCAST	INTERNET/FAX	17.77	
101-336-932.000	REPAIR & MAINTENANCE - VEHICL	FRONTLINE SERVICES INC.	PUMP MAINTENANCE	451.32	
101-336-932.000	REPAIR & MAINTENANCE - VEHICL	FRONTLINE SERVICES INC.	PUMP MAINTENANCE	632.00	
101-336-932.000	REPAIR & MAINTENANCE - VEHICL	RESCUE RESOURCES	DRIVE TIME/ SERVICE CALL	123.75	
		Total For Dept 336 FIRE DEPARTMENT		1,804.92	
Dept 371 CODES & ENFORCEMENT					
101-371-801.000	PROFESSIONAL SERVICES	ROB KEHOE	JULY BUILDING INSPECTIONS	583.33	
		Total For Dept 371 CODES & ENFORCEMENT		583.33	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 General					
Dept 441 PUBLIC WORKS					
101-441-740.000	OPERATING EXPENSE	AUTO-WARES GROUP	PARTS	17.69	
101-441-740.000	OPERATING EXPENSE	BEATTIE SPRING & WELDING	UBOLTS	39.60	
101-441-740.000	OPERATING EXPENSE	MENARDS - CLIO	SUPPLIES	56.95	
101-441-740.000	OPERATING EXPENSE	MENARDS - CLIO	SUPPLIES	22.56	
101-441-740.000	OPERATING EXPENSE	MID STATES BOLT & SCREW	HEX/LOCKNUT	6.70	
101-441-745.000	GAS & FUEL	MICHIGAN PETROLEUM TECH	DIESEL	3.19	
101-441-850.000	COMMUNICATIONS	COMCAST	INTERNET/FAX	49.65	
101-441-850.000		VERIZON	PHONE BILL	32.02	
101-441-922.000	STREET LIGHTING	CONSUMERS ENERGY	LED LIGHTS	1,255.79	
		Total For Dept 441 PUBLIC WORKS		1,484.15	
Dept 567 CEMETERY					
101-567-740.000	OPERATING EXPENSE	OUTDOOR SOLUTIONS	TOPSOIL	145.00	
101-567-801.000	PROFESSIONAL SERVICES	ACE OUTDOOR SERVICE, LLC	CEMETERY MOWING	1,116.00	
101-567-801.000	PROFESSIONAL SERVICES	TAMMY'S LANDSCAPING	CEMETERY MOWING	1,300.00	
		Total For Dept 567 CEMETERY		2,561.00	
Dept 790 LIBRARY					
101-790-801.000	PROFESSIONAL SERVICES	ACE OUTDOOR SERVICE, LLC	LIBRARY MOWING	260.00	
101-790-801.000	PROFESSIONAL SERVICES	SHERWOOD PROFESSIONAL CL	LIBRARY CLEANING	210.00	
		Total For Dept 790 LIBRARY		470.00	
		Total For Fund 101 General		21,306.58	
Fund 202 Major Street					
Dept 463 STREET ROUTINE MAINTENANCE					
202-463-740.000	OPERATING EXPENSE	VERIZON	PHONE BILL	64.04	
		Total For Dept 463 STREET ROUTINE MAINTENANCE		64.04	
Dept 474 TRAFFIC SERVICES					
202-474-740.000	OPERATING EXPENSE	ACTION MUNICIPAL SUPPLY	TRAFFIC MARKING SPRAY	61.20	
202-474-801.000	PROFESSIONAL SERVICES	LAKE STATE RAILWAY COMPA	UNION ST	1,427.00	
202-474-920.000	PUBLIC UTILITIES	CONSUMERS ENERGY	TRAFFIC LIGHTS	179.64	
		Total For Dept 474 TRAFFIC SERVICES		1,667.84	
		Total For Fund 202 Major Street		1,731.88	
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY					
Dept 103 AUTHORITY BOARD					
248-103-740.000	OPERATING EXPENSE	OUTDOOR SOLUTIONS	DDA BRICK	24.00	
248-103-740.000	OPERATING EXPENSE	VIC'S PARTY RENTAL, LLC	PORT A POTTY/HANDWASHING STATION	300.00	
		Total For Dept 103 AUTHORITY BOARD		324.00	
		Total For Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY		324.00	
Fund 590 SEWER FUND					
Dept 215 ADMINISTRATION					
590-215-850.000	COMMUNICATIONS	COMCAST	INTERNET/FAX	49.64	
590-215-850.000	COMMUNICATIONS	COMCAST	INTERNET/FAX	26.65	
590-215-850.000	COMMUNICATIONS	VERIZON	PHONE BILL	32.02	
		Total For Dept 215 ADMINISTRATION		108.31	
Dept 536 SEWER DISTRIBUTION					
590-536-740.000	OPERATING EXPENSE	MICHIGAN PIPE & VALVE-IN	PARTS	66.11	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
<b>Fund 590 SEWER FUND</b>					
<b>Dept 536 SEWER DISTRIBUTION</b>					
590-536-921.000	COST OF SEWER	GENESEE COUNTY DRAIN COM	JUNE 2022	23,294.60	
590-536-932.000	REPAIR & MAINTENANCE - VEHICL	JACK DOHENY COMPANIES, I	WATER SPRAY GUN	212.93	
		Total For Dept 536 SEWER DISTRIBUTION		23,573.64	
<b>Dept 538 SEWER REPAIR</b>					
590-538-740.000	OPERATING EXPENSE	MICHIGAN PIPE & VALVE-IN	PARTS	218.00	
590-538-740.000	OPERATING EXPENSE	MICHIGAN PIPE & VALVE-IN	CAP	8.96	
		Total For Dept 538 SEWER REPAIR		226.96	
		Total For Fund 590 SEWER FUND		23,908.91	
<b>Fund 591 Water Fund</b>					
<b>Dept 215 ADMINISTRATION</b>					
591-215-850.000	COMMUNICATIONS	COMCAST	INTERNET/FAX	49.64	
591-215-850.000	COMMUNICATIONS	COMCAST	INTERNET/FAX	35.53	
591-215-850.000	COMMUNICATIONS	VERIZON	PHONE BILL	32.02	
		Total For Dept 215 ADMINISTRATION		117.19	
<b>Dept 537 WATER DISTRIBUTION</b>					
591-537-725.000	FRINGE BENEFIT-NON PAYROLL	CINTAS CORP	UNIFORMS	40.22	
591-537-725.000	FRINGE BENEFIT-NON PAYROLL	CINTAS CORP	UNIFORMS	40.22	
591-537-740.000	OPERATING EXPENSE	DUNN HARDWARE & SUPPLY	BATTERY/TRANSFER PUMP	447.76	
591-537-745.000	GAS & FUEL	MICHIGAN PETROLEUM TECH	UNLEADED GAS	239.38	
591-537-745.000	GAS & FUEL	MICHIGAN PETROLEUM TECH	DIESEL	1,039.35	
591-537-932.000	REPAIR & MAINTENANCE - VEHICL	AUTO - WARES GROUP	MINI BULB	2.99	
		Total For Dept 537 WATER DISTRIBUTION		1,809.92	
		Total For Fund 591 Water Fund		1,927.11	



INVOICE GL DISTRIBUTION REPORT FOR CITY OF MT MORRIS  
EXP CHECK RUN DATES 08/09/2022 - 08/09/2022  
BOTH JOURNALIZED AND UNJOURNALIZED  
BOTH OPEN AND PAID  
WARRANT 22-15

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund Totals:					
			Fund 101 General	21,306.58	
			Fund 202 Major Street	1,731.88	
			Fund 248 DOWNTOWN DEVE	324.00	
			Fund 590 SEWER FUND	23,908.91	
			Fund 591 Water Fund	1,927.11	
Total For All Funds:				49,198.48	

**CITY OF MT. MORRIS  
COUNTY OF GENESEE, MICHIGAN  
ORDINANCE 2022-01**

AN ORDINANCE AMENDING THE MT. MORRIS CITY CODE OF ORDINANCES BY MAKING CERTAIN MARIJUANA OFFENSES PUNISHABLE AS CIVIL INFRACTIONS; TO REPEAL §42.144(a)(3); AND TO AMEND 42.144(B) TO REMOVE MARIJUANA PIPE

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

**SECTION I**

**Section 42.143** is hereby REPEALED and REPLACED as follows:

**POSSESSION, CULTIVATION, DELIVERY OF MARIJUANA, VIOLATIONS AND PENALTIES**

- 1) A person who commits any of the following acts, and is not otherwise authorized by this ordinance or by state law to conduct such activities, may be punished only as provided in this section and is not subject to any other form of punishment or disqualification, unless the person consents to another disposition authorized by law.
- 2) Except for a person who engaged in conduct described in MCL 333.27954, a person who possesses not more than the amount of marijuana allowed pursuant to state statute, cultivates not more than the amount of marijuana allowed pursuant to state statute, delivers without receiving any remuneration to a person who is at least 21 years of age not more than the amount of marijuana allowed pursuant to state statute, or possesses with intent to deliver not more than the amount of marijuana allowed pursuant to state statute, is responsible for a civil infraction and may be punished by a fine of not more than \$100 and forfeiture of the marijuana.
- 3) Except for a person who engaged in conduct described in MCL 333.27954, a person who possesses not more than twice the amount of marijuana allowed pursuant to state statute, cultivates not more than twice the amount of marijuana allowed pursuant to state statute, delivers without receiving any remuneration to a person who is at least 21 years of age not more than twice the amount of marijuana allowed pursuant to state statute:
  - a. For a first violation, is responsible for a civil infraction and may be punished by a fine of not more than \$500 and forfeiture of the marijuana;
  - b. For a second violation, is responsible for a civil infraction and may be punished by a fine of not more than \$1,000 and forfeiture of the marijuana;
  - c. For a third or subsequent violation, is guilty of a misdemeanor and may be punished by a fine of not more than \$2,000 and forfeiture of the marijuana.
- 4) Except for a person who engaged in conduct described by MCL 333.27954, a person under 21 years of age who possesses not more than 2.5 ounces of marijuana or who cultivates not more than 12 marijuana plants:

- a. For a first violation, is responsible for a civil infraction and may be punished as follows:
    - i. If the person is less than 18 years of age, by a fine of not more than \$100 or community service, forfeiture of the marijuana, and completion of 4 hours of drug education or counseling; or
    - ii. If the person is at least 18 years of age, by a fine of not more than \$100 and forfeiture of the marijuana
  - b. For a second violation, is responsible for a civil infraction and may be punished as follows:
    - i. If the person is less than 18 years of age, by a fine of not more than \$500 or community service, forfeiture of the marijuana, and completion of 8 hours of drug education or counseling; or
    - ii. If the person is at least 18 years of age, by a fine of not more than \$500 and forfeiture of the marijuana
- 5) Except for a person who engaged in conduct described in MCL 333.27954, a person who possesses more than twice the amount of marijuana allowed pursuant to state statute, cultivates more than twice the amount of marijuana allowed pursuant to state statute, or delivers without receiving any remuneration to a person who is at least 21 years of age more than twice the amount of marijuana allowed pursuant to state statute, shall be responsible for a misdemeanor, but shall not be subject to imprisonment unless the violation was habitual, willful, and for a commercial purpose or the violation involved violence.

**Section 42.144(a)(3)** is hereby REPEALED in its entirety.

**Section 42.144(b)** is hereby AMENDED by the removal of the term “Marijuana Pipe, Hash Pipe.”

## **SECTION II**

All other provisions of this Chapter shall be and are hereby ratified.

## **SECTION III**

This Ordinance shall be published in a newspaper of general circulation within the City of Mt. Morris, Genesee County, Michigan, and shall become effective upon publication.

## **SECTION IV**

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,

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By: JEFFREY N. ROTH; MAYOR

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By: SPENCER LEWIS, CITY CLERK

Ordinance introduced on:  
Second Reading:  
Publication Date:  
Effective Date:

**CITY OF MT. MORRIS  
RESOLUTION 22-43**

**WHEREAS:** The City has received quotes for the purchase of a 4-Ton Asphalt Recycler & Hot Box Trailer; and

**WHEREAS:** Pursuant thereto, quotes were received as follows:

Falcon Asphalt Repair Equipment	\$27,834.16
Spaulding Mfg., Inc	\$27,950.00
McGrath Municipal Equipment	\$38,981.00

**WHEREAS:** Based on the above, staff recommends that the equipment be purchased from Falcon Asphalt Repair Equipment;

**NOW THEREFORE, BE IT RESOLVED:**

That this Council does hereby authorize the purchase of a 4-Ton Asphalt Recycler & Hot Box Trailer from Falcon Asphalt Repair Equipment for \$27,834.16 and that the FY 22-23 Budget be amended accordingly.

Moved by Council member \_\_\_\_\_, seconded by Council member \_\_\_\_\_, and thereafter adopted by the City Council of the City of Mt. Morris at a regular meeting held Monday, August 8, 2022 at 7:15 p.m.

\_\_\_\_\_ Yea

\_\_\_\_\_ Nay

\_\_\_\_\_ Absent

\_\_\_\_\_  
Jeffrey N. Roth, Mayor

\_\_\_\_\_  
Spencer Lewis, City Clerk



# Mideal PRICE QUOTE

No. OZ07142022-971

2600 W Salzburg Street  
Freeland, MI 48632  
Phone: (989) 495 – 9332  
Fax: (989) 495 – 9342

Requested By: Mount Morris, MI

Quote Date	Quote Good Through	Freight Terms	Requested By	Payment Terms
7/14/2022	8/14/2022	FOB Midland, MI	Nate	Net 30 Days

Qty	Item No	Description	Price
1	MI10259	<p>4-Ton Falcon Asphalt Recycler &amp; Hot Box Trailer 12-Volt Battery Triple Wall Construction and Fully Insulated Automatic Temperature Control Diesel Fuel Source VIP Technology - Voltage Indicator and Protector Controller Automatically Prevents Burner(s) from Operating Below Burner Manufacturer's Required Voltage One-Piece, Seamless Ceramic Combustion Chamber Independently Certified 92% Fuel Efficiency Tandem Axle Trailer Frame - 2" x 6" x 1/4" Tubular Steel Diamond Tread Plate Hopper Access Platform Electric Brakes w/ Safety Breakaway Conspicuity Tape <b>Included Options:</b> Battery Charger Package Single diesel burner Dump Box (12-Volt Electric Over Hydraulic) Standard frame – 16' LED Lighting Upgrade - Two Red Stop/Tail/Turn Lights and One Amber Strobe Per Side Strobe Warning Light Upgrade to ST235/80R 16" Tires - Load Range E Tool Holder - 3-Positions Timer - 24-Hour Hopper access step 10 lb fire extinguisher 30 gallon non-heated/non insulated tack tank Round solvent tank</p>	\$27,834.16

50/550 thermometer

Operator, Parts and Service Manual  
Two-Year Machine Warranty and Lifetime Frame Warranty  
Freight to Mount Morris, MI,

Included  
Included  
\$100

**Plus Applicable Sales Tax**

**Why Falcon?**

**It's Versatile**

- Recycle leftover asphalt, chunks and millings (a dual burner unit is required to recycle millings)
- Transport asphalt and keep it hot all day and hold it overnight
- Heat and re-heat cold patch

**It's Cost-Effective**

- When used as a hot box, it eliminates asphalt waste that occurs in the back of an unheated truck bed
- When used as a recycler, it recycles leftover asphalt and asphalt chunks torn up from the pavement
- Independently certified 92% fuel efficiency – uses less than 3 gallons of fuel per 8-hour shift

**It's Reliable**

- VIP Technology (patent pending) – Protects burner components by automatically preventing burner from operating with low battery voltage
- A Falcon is designed to allow the burner to run while in tow - preventing material from cooling while being transported
- Heat management system is engineered to provide even hopper temperatures – eliminating material scorching from hot spots and material hardening from cold spots
- Standard 2-year machine warranty and lifetime frame warranty

**It's a Falcon**

# **QUOTE FORM** For Standard Equipment Purchases

Quote  
No.:

2022R

Date  
Prepared:

7/26/2022

**This Quote is prepared by Spaulding Mfg., Inc. To process an order a Purchase Order must accompany this quote and be sent to Spaulding Mfg., Inc.**

Company: City of Mt Morris

Contact  
Person: Paul Zumbach

Phone: 810-577-0074

Fax:

Email: [dpw@cityofmtmorris.org](mailto:dpw@cityofmtmorris.org)

Ship to Address:

11649 N. Sagianw St

Mt Morris, Mich

DPW Hughus Rd

Description

**4 Ton Air Jacket Road Saver Asphalt Dump Trailer**

**A. Product Base Unit Price:**

**B. Options - Itemize below - Attach additional sheet if necessary.**

Description	Cost	Description	Cost
AIR JacketHopper		30 gallon non heated tack tank	
Hydraulic Dump Hopper w/1400cca battery & charger		Solvent tank for shovels	
Diesel Burner 105,000 BTU's		5 piece tool holder	
Catwalk in front of hopper OSHA railing and step			
Manual Top Doors, spring assisted open /close			
Manual Single Rear Door			
300 AMP PROTECTION-1400 CCA,		Sandblasted,Epoxy primer, urethane paint	
Mairine Battery Charger		Painted Orange	
Automatic Temperature Control, 12vDC Operation		7 Pin Flat RV Plug	
All LED Lighting - 235/80R/16E tires		FUEL SAVOR recycles hot air in hopper	
6x2x3/16HD Frame w/ 3/8 -1/2 inch gussets		FUEL GAUGE on atank	
3/8 HD Safety Chains/ DOT Grade 70		TUNE UP KIT	
Tandem 7000# Axle w/electric brakes & break-away		Warranty lifetime frame/5yr/2yr/1yr front to back	
18-34" Adjustable Hitch, 28" Long Tongue, 3" Pintle		<b>Subtotal From Additional Sheet(s):</b>	
4-4 inch Red LED Stop, Turn, Tail Lights		<b>Subtotal B:</b>	

**C. Total Cost before any other applicable Charges, Trade-Ins, Allowances, Discounts, Etc. (A+B)**

Quantity Ordered:	1	X Subtotal of A + B :	0	=	Subtotal C:
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**/ Installation / OPTIONS**

Description	Cost	Description	
		Delivered set up and training to staff of daily use	
		and maintenance	
		all above items included	
		<b>Subtotal D:</b>	

**Delivery Date:** 90-120 days ARO

**F. Total Purchase Price (C+D):**

\$27,950.00





McGrath Municipal Equipment, LLC  
PO Box 422  
Springfield, NJ 07081-0422

(973) 258-1947  
(973) 404-8821 fax

July 28, 2022

Mount Morris, MI

Thank you for your interest in Falcon Road Maintenance Equipment. Below is a quotation based on your requirements.

#### **4-Ton Falcon RME Asphalt Hot Patcher Dump Trailer**

##### **Curbside Safety:**

- Access to accessories by the operator is curbside, not street side.
- Designed with 42 standard safety features, included below:

##### **Hopper:**

- 4 Ton capacity
- Triple Wall Constructed, 100% Insulated
- Horizontal Heat Duct through center of hopper
- Insulated, Fully Opening Loading Doors
- Door Handles slide allowing for leverage in ease of opening and are positively locked for safety when opened
- Greaseable, flange bearings on doors
- Doors are pitched 2" to avoid moisture build on top of hopper
- All walls are constructed of one piece steel and are continuously welded to avoid rust spots and deterioration in the future
- Low profile design makes viewing / cleaning inside the hopper easier

##### **Material Metering Door**

- Guillotine style door opens in multiple positions to control release of asphalt
- Door is 33" x 18" to allow complete and easy unloading of material
- Operator handle on curb side, two-hand closing operation for safety
- Worktable is heated
- Round Solvent Tank

### **Heat Source and Controls:**

- Diesel burner – 105,000 BTU Beckett Burner
  - No special hazmat license required
  - Safer than Propane, simplified refueling process
  - Lower cost per hour of operation
- One-Piece Vacuum Formed Combustion Chamber – 92% Efficiency
- One switch start
- Automatic Temperature Control
  - Digitally set temperature – shuts off when desired temp is reached
  - When temp in hopper drops 10°, burner is ignited to maintain proper temperature
- 12Volt 550 Cranking Deep Cell Battery and Box
- Battery Charger
- 50/550 Thermometer
- Voltage Indicator Protection – low-volt safety shutdown
- Full access to Diesel burner from above the frame

### **Trailer**

- National Association of Trailer Manufacturers (NATM) Certified
- DOT Compliant – lighting / conspicuity tape
- Trailer Frame – tubular steel with gussets for strength
- Continuous welds on entire frame for strength
- Electric Brakes
- 15 gallon fuel tank mounted on the side of the hopper
- Tandem Axle – 14,000 GVWR
- Four (4) Tires – 16" x 6" 12-ply tires mounted on 8-bolt wheels
- Spare 16" x 6" Tire mounted on 8-bolt wheel
- Tool holder – Three (3) positions
- Step to Access Platform
- 10lb Fire Extinguisher
- Diamond tread plate, non-slip hopper access platform for easy access to Hopper

### **Dump Body**

- Dumping capability – hopper to tilt 45°
- Allows for material to be evacuated out of hopper without shoveling. Important when filling cuts and cleaning material out of the hopper.
- Electronic over Hydraulic – self contained hydraulic system
- Push button controller connected by a 15' power cord

### **Engineering / Construction**

- CNC Machined parts based on AutoCad drawings ensures standardized parts for future replacement
- All wiring and encloses are NEMA 3 Rated
- All wires are soldered and shrink wrapped
- 3 Step Painting Process – entire unit to be painted "red", "yellow", "orange" or "black"
  - Sandblasted
  - Epoxy Primer
  - Urethane Finish (6 mills) thick

### **30 Gallon Tack Tank**

- Non-Heated / Non-Insulated

#### **Lighting**

- Two (2) 4" round Stop/Tail/Turn and Two (2) 4" round LED Amber strobe lights on rear
- 360° Strobe Light
- ID Bar above door and red/orange marker lights
- All lights are shock mounted for protection from asphalt
- Conspicuity tape

Operation, Parts and Service Manuals  
Two Year End to End Warranty / Lifetime Frame Warranty  
90-120 Day Delivery to Mount Morris, MI after order

**Price**

**\$ 38,981.00**

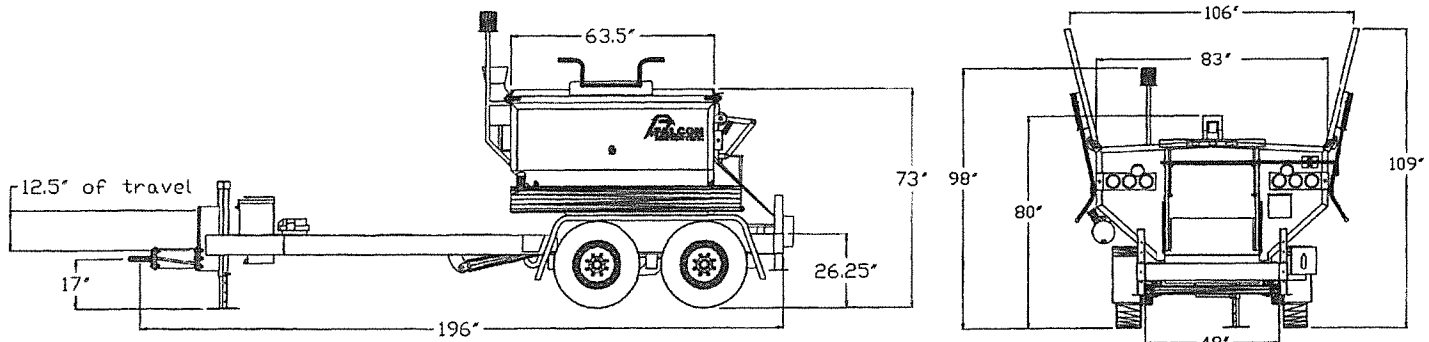
I appreciate your consideration; let me know if I can provide any additional information. I hope to earn your business.

Yours truly,

*Ray McGrath*

Ray McGrath  
McGrath Municipal Equipment, LLC

# 4 TON ASPHALT HOT BOX AND RECYCLER



## Type

Capacity	<b>4 Ton Trailer</b> 8,000 lbs of material
Base Weight	4,340 lbs
Weight loaded with material	12,340lbs
GVWR	14,000 lbs
Fuel Source	Diesel
Fuel Capacity	15 gallons on dump box - 18 gallons on fixed trailer
Burner Type	105,000 BTU Diesel Beckett burner w/electronic spark ignition
Number of burners	1 or 2
Unloading door	Insulated guillotine, 18"Hx33" W
Loading doors	Manual 63"L x 41"W
Hopper opening	106" - doors open
Width	83"
Length	16'
Height	73"
Construction	Triple wall insulated – air jacketed 10 gauge capping channel and corner molding Hopper floor 1/4" steel Wiring is external to hopper
Axles	Tandem slipper leaf spring
Tires	8-bolt wheels w/9x14.5" tires - upgrade option to 16" tires
Brakes	Electric brakes with safety breakaway
Hitch	2.5" pintle eye
Paint	Blasted and painted with two coats of epoxy primer and urethane finish
Frame	2"x6"x3/16" tubular steel frame with boxed-in and enclosed gussets
Asphalt repair areas	9'x9'x4" depth (80 potholes 1'x1'x4" depth)
Warranty	Two year machine warranty, lifetime frame warranty

## Falcon Asphalt Repair Equipment

2000 Austin Street  
Midland, MI 48642  
sales@falconrme.com

Phone: (989) 495-9332  
Fax: (989) 495-9342  
www.falconrme.com

**WWW.FALCONRME.COM**



## 4 TON ASPHALT HOT BOX AND RECYCLER

### STANDARD:

- Battery charger package
- Automatic temperature control
- VIP technology
- One piece ceramic combustion chamber (diesel)
- Diamond tread plate hopper access platform
- Heated shoveling platform
- 12 volt deep cycle batteries
- Conspicuity tape

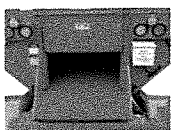
### OPTIONS:

- Hydraulic dump function
- Dual burner recycling package
- Hydraulic loading and unloading doors
- LED light upgrades including LED arrow board
- 30 gallon tack tank with spray system and hose reel
- Basket for mounting compactor
- Wash-down system
- 24-hour or 7-day timer
- Short frame - 14'
- XL frame - 18', 20'
- Electric overnight heat
- Hoist - manual or electric
- Tire upgrade
- Propane torch with bracket
- Other customizable options available

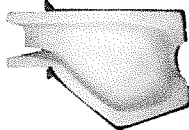
Falcon hot boxes and recyclers give you unparalleled **versatility**. You can **transport cold mix**, keeping it warm during the winter months and making it easier to work with; you can **transport hot mix and keep it hot all day**; and you can **hold hot mix overnight**, keeping it warm for up to 48 hours. You can also **reclaim unused hot mix**, eliminating the waste of good material, and you can **recycle asphalt chunks and millings**. All of this makes Falcon the most versatile machine you can buy for pavement preservation.

All Falcon machines are built with pride in Midland, Michigan and come with the following standard features: **patented heat management system** featuring a 5-year maintenance-free combustion chamber, **large unloading door** for easy access, **patented VIP system** to eliminate damage from low voltage, a **2-year machine warranty and lifetime frame warranty**, an emphasis on **curbside safety** and easy platform work surfaces, and a durable and **reliable dump system**.

## THE FALCON ADVANTAGE



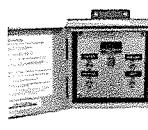
Large Unloading Door  
For Easy Access



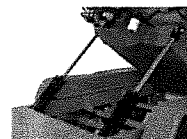
Patented Heat  
Management System



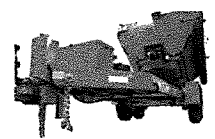
Platform For Safe, Easy  
Hopper Access



Patented VIP - Low  
Voltage Shutdown



Dump System - Pivot  
Point & V-Body



Lifetime Frame  
Warranty

Falcon Asphalt Repair Equipment  
2000 Austin Street  
Midland, MI 48642  
sales@falconrme.com

Phone: (989) 495-9332  
Fax: (989) 495-9342  
www.falconrme.com

**WWW.FALCONRME.COM**



August 4, 2022

**EMAIL:** [vfishell@cityofmtmorris.org](mailto:vfishell@cityofmtmorris.org)

City of Mount Morris  
Attn: Vicki Corlew  
11649 N Saginaw Street  
Mount Morris, MI 48458

Woodside Trails  
Attn: Architectural Review Committee

*Re: HOA/ARC Plan Approval for WJH LLC  
Home Building Plans in Woodside Trails*

Dear: City of Mount Morris,

WJH LLC is pleased to present the attached/enclosed home building plans for your approval. These plans are submitted in accordance with the subdivision covenants, conditions, and restrictions (the "CCRs"), bylaws, and/or applicable architectural review guidelines. We request these plans to be approved as a master approval to be applied to each home we construct within the subdivision. The attached/enclosed plans provide full details of the floorplans, elevations, paint schemes, and other relevant information concerning this project.

Each home will be constructed in accordance with applicable setback requirements, zoning requirements, building code standards, and your approval of the plans. To the extent any home requires a variation that is outside the scope of the plans, we will seek your approval for that variation. The plans WJH LLC intends to construct are:

Gardner	Dupont	Essex
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Please direct all questions, concerns, and communications about these plans to me at the contact information provided below. We request you indicate your approval by and through the signatures of all members of the Architectural Review Committee in the spaces provided below. Thank you and we look forward to commencing our project in the subdivision in the near future.

Very truly yours,

WJH LLC

Ryan Snoek  
Land Acquisition Manager  
[Ryan.Snoek@Centurycommunities.com](mailto:Ryan.Snoek@Centurycommunities.com)

cc:

Arek Kacorzyk, Regional Vice President of Land Acquisition  
[Arek.Kacorzyk@Centurycommunities.com](mailto:Arek.Kacorzyk@Centurycommunities.com)  
Andrew Bosak Land Analyst  
[Andrew.Bosak@Centurycommunities.com](mailto:Andrew.Bosak@Centurycommunities.com)

**APPROVAL OF WJH LLC BUILDING PLANS**

*Fairview Village Subdivision*

We, the members of the Woodside Trails Architectural Review Committee, Seller, and/or the Declarant, received and reviewed the home building plans submitted for approval by WJH LLC with this letter. Our review of the said plans submitted by WJH LLC finds them satisfactory and we approve WJH LLC to commence construction of homes in accordance with the plans. This approval shall extend to all homes constructed by WJH LLC within the subdivision, including homes to be constructed in additional phases, sections, and lands to be annexed under the CCRs for the subdivision. We represent and warrant that we have authority to approve home construction plans within the subdivision, and we understand and agree WJH LLC will rely on this letter as our approval of the plans.

***Approval by the City of Mt. Morris is contingent upon the applicant securing the proper building and zoning compliance permits prior to any construction.***

***JoSa Development, LLC is now the City of Mt. Morris as successor developer per agreement.***

This is the \_\_\_\_\_ day of July 2022.

Agreed to, accepted by, and approved by:

\_\_\_\_\_  
President/Chairman

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Committee Member

\_\_\_\_\_  
Committee Member

\_\_\_\_\_  
Committee Member

\_\_\_\_\_  
Committee Member

DECLARANT:

SELLER:

SELLER:

JoSa Development, LLC

City of Mount Morris

City of Mount Morris

\_\_\_\_\_  
By:  
Title:

\_\_\_\_\_  
By:  
Title:

\_\_\_\_\_  
By:  
Title:

# AMANDA N. DOYLE, Attorney at Law

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702 CHURCH STREET, FLINT, MI 48502

(810) 767-6860 FAX (810) 767-2817

[amandadoylelaw@gmail.com](mailto:amandadoylelaw@gmail.com)

July 26, 2022

Heather MacDermaid  
Legacy Assessing Services, Inc.  
110 Mill Street  
PO Box 489  
Fenton, MI 48430  
Via email: [legacyassessing@gmail.com](mailto:legacyassessing@gmail.com)

RE: Woodside Trails Condominium; Parcel Combination

Dear Ms. MacDermaid:

As you are aware, you spoke with my office, specifically Attorney Dick Hamilton, just over a month ago and discussed the Woodside Trails Condominium matter. It is my understanding that your office requires a letter from me, the City Attorney, before you will move forward with any parcel combination.

To reiterate, it is my position that, after my review of the provisions of the Michigan Condominium Act, 1978 PA 59, as amended and the provisions of the Master Deed for Woodside Trails Condominium in the City, it would be permissible to combine individual units to create tax parcels which include more than one unit.

This would not require the amendment of the Master Deed and the owners would be the holders of all of the benefits and burdens as originally provided in the Condominium Documents. Their rights and obligations would reflect the areas included in their tax parcels. As the public utilities and roadways are not common elements subject to a combined ownership of the co- owners of the condominium units, there would be no requirement to redefine the boundaries of the units for tax purposes.

Again, after extensive research, and consultation with a few trusted real estate attorneys, I can find no law prohibiting the combination of the parcels at issue for tax purposes.

As demonstrated by majority vote at the August 8, 2022, City Council Meeting, the City respectfully recommends that you combine the following parcels for tax purposes, and provide new combination numbers as you deem appropriate.



A. 57-12-601-002  
57-12-601-003  
57-12-601-004

B. 57-12-601-006  
57-12-601-007  
57-12-601-008

C. 57-12-601-027  
57-12-601-028  
57-12-601-029  
57-12-601-030

If you have any other questions or require any further information, please feel free to contact me.

Sincerely,

/s/ Amanda N. Doyle

Amanda N. Doyle  
City Attorney

AND/sp

cc: City Manager, Vicki Corlew  
City Mayor, Jeffrey Roth