

**CITY OF MT. MORRIS  
CITY COUNCIL AGENDA  
October 8, 2018  
7:15 P.M.**

1. **MEETING CALLED TO ORDER:** Mayor Duane Dunkel.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF MINUTES:** Regular meeting minutes held on September 24, 2018.
6. **COMMUNICATIONS:**
  - a. **None.**
7. **APPROVAL OF WARRANT:** Warrant #18-22 in the amount of \$101,540.90.
8. **PUBLIC COMMENT (Five Minute Time Limit):**
9. **UNFINISHED BUSINESS:**
  - a. **Community Room Policy.**
10. **NEW BUSINESS:**
  - a. **Ordinance 18-02: Fire Code Amendment and Restating (First Reading).**
  - b. **Set Halloween hours in the City of Mt Morris – October 31, 2018 from 6pm-8pm.**
  - c. **Discussion on possible violation of City Charter, and Council Rules of Order.**
11. **PUBLIC COMMENT (Five Minute Time Limit):**
12. **COUNCIL MEMBER AND STAFF COMMENTS**
13. **ADJOURNMENT**

*Per Rules of order of the Mt. Morris City Council 3.11 (c) Persons addressing the Council shall limit their comments to not more than 5 minutes or other time set by the Chair. The Clerk will maintain the official time and notify the speakers when their time is up.*

**PLEASE TURN OFF ALL CELL PHONES AND OTHER ELECTRONIC DEVICES PRIOR TO THE MEETING**

**CITY OF MT. MORRIS**  
**CITY COUNCIL – REGULAR MEETING**  
**September 24, 2018**

At 7:15 p.m., Mayor Duane K. Dunckel called the Regular Council Meeting to order.

**PRESENT:** Daniels, D. Davis, T. Davis, Michaels, Roth, Young, and Mayor Duane K. Dunckel.

**ABSENT:** None.

**OTHERS:** Police Chief Keith Becker, Fire Chief Michael Vogt, Attorney Amanda Doyle, and City Clerk Kristina Somers.

The Pledge of Allegiance.

**ROLL CALL:**

All members present.

**APPROVAL OF AGENDA:**

A motion was made by Council member Daniels, seconded by Council member T. Davis to approve the agenda.

All Ayes.

Motion carried.

**MINUTES:**

A motion was made by Council member Michaels, seconded by Council member Young to approve the minutes for the regular meeting held on September 10, 2018.

All Ayes.

Motion carried.

**COMMUNICATIONS:**

Mayor Duane K. Dunckel reminded all in attendance of the Horse Race event being sponsored by the DDA, on October 13<sup>th</sup>, and stated that tickets are still available.

**APPROVAL OF WARRANT:**

A motion was made by Council member Roth, seconded by Council member D. Davis to approve **Warrant #18-21 in the amount of \$54,065.94.**

Roll call:                       7    Ayes                       0    Nays                       0    Absent

Motion carried.

**PUBLIC COMMENT:**

**John Fejedelem – 604 Walnut St.** – Asked why the Community Room Policy was not on the agenda tonight.

**Lillian Bigelow – 381 Oak St.** – Discussed upcoming events being held at St. Mary’s Church, and space being available for rent to the public.

**Connie Owens – 1097 W. Stanley** – Discussed upcoming events being held at the First Methodist Church.

**Marc Whalen – 624 Wilson Ave** – Thanked everyone for coming tonight, and for all that they do. Discussed all that the Friends of the Library have, and continue to do for the Mt. Morris Library, and not wanting to see group events cut.

**Mac Irwin – 7370 Red Maple Dr.** – Discussed letter received on sign ordinance violations, political signage being removed from downtown business, and signs removed needing to go to the owner of the signs, not the business where the signs were hung. Asked for answers on the actions that took place with the sign ordinance violations received.

Council member D. Davis thanked Mark Pyscher for coming in and speaking to the police chief with him to save the city a lawsuit. Thanked Chief Becker for resolving the political sign issue. Stated he made the signs, and sits on the Planning Commission and would not make signs that were not the correct size. Stated the owner of the signs should have been notified, and not happy about the way city officials handled this issue. Wished both Mark Pyscher, and Mac Irwin luck on the upcoming election.

**Bryant W. Nolden – Genesee County Commissioner – District 1** – Expressed the great job done by Vicki, and Kristina on their work using the City of Mt. Morris CDBG funds, discussed contacting Greater Flint Art Council to find funds for events that happen in the city, and asked for status on properties inside the city on vacant property's that should have been mowed.

**Dorothy Lindsey – 423 Spruce St.** – Asked about the parking on the lawn ordinance, what the rules and regulations are, and who it all applies to. Asked for the cost to come to city hall to get the whole sign ordinance.

**Tim Elder – 567 Wilson Ave.** – Discussed the parking ordinance, right-a-ways, and how it works with county owned right-away.

**Fire Chief Michael Vogt** – Explained that the parking on the lawn ordinance that Dorothy Lindsey is discussing applies to residents only, and not commercial properties.

**Mark Pyscher – 315 Beach St.** – Discussed the floor in the police department being a hazard, DPW replacing the floor, and stated it was embarrassing.

**Mac Irwin – 7370 Red Maple Dr.** – Asked about permits required at CRU paintball property, residents being required to receive permits to put up fences, asking if commercial properties need to do the same. Asked who should be contacted with city ordinance questions.

**Mark Whalen – 624 Wilson Ave.** – Asked how often the ordinances are updated and posted online.

**UNFINISHED BUSINESS:**

a. None.

**NEW BUSINESS:**

**a. MML – Liability & Property Pool Board of Directors Ballot.**

A motion was made by Council member Michaels, seconded by Council member T. Davis to approve the MML – Liability & Property Pool Board of Directors Ballot.

Roll call:                \_\_\_ 7 \_\_\_ Ayes                \_\_\_ 0 \_\_\_ Nays                \_\_\_ 0 \_\_\_ Absent

Motion carried.

**b. Resolution 18-26: Confirmation of Mayor Duane K. Dunckel's appointment of Mallory Young, term ending December 2019, and Josh Thayer, term ending December 2018, to the DDA.**

A motion was made by Council member Roth, and seconded by Council member Michaels to approve Resolution 18-26: Confirmation of Mayor Duane K. Dunckel's appointment of Mallory Young, term ending December 2019, and Josh Thayer, term ending December 2018, to the DDA.

Roll call:                   7    Ayes                   0    Nays                   0    Absent

Motion carried.

**PUBLIC COMMENT:**

**Connie Owens – Friends of the Mt. Morris Library** – Asked for the status of the Beatification grand funds.

**Mark Pyscher – 315 Beach St.** – Discussed the new equipment DPW has received, asked what the police, and fire departments have received, and his concern on the dangers of the floor of the police department.

**Sandy Fejedelem – 604 Walnut St.** – Asked about the city ordinance on what can be put on your front yard, if grass had to be planted in the front yard, and clarification on parking on the lawn.

**Tim Elder – 567 Wilson** – Discussed parking in extra lots, cut out on extra lots, and if there had to be some kind of stone placed were parking.

**Lillian Bigelow – 381 Oak Street** – Discussed parking in extra lots, and location of culverts.

**Chris Dixon – 1395 W. Mt. Morris** – Discussed harassing phone calls received and made to the DEQ, local news stations, Vienna Township Building Inspector, and 911 about his property. Discussed having to file complaints with the city police department, and receiving stop work orders due to the complaints.

**COUNCIL MEMBER AND STAFF COMMENTS:**

Council member Roth stated that if the police station wanted or needed a new floor, and it never being included in their budget.

Council member D. Davis stated he hopes to see the police department floor fixed, and thanked Connie Owens, and Mark Whalen on all the work they do with the library.

Council member Young stated he was displeased with the way the code enforcement is done at this time, believes only one person should be doing it. Stated it was unfortunate that CRU paintball has had to go thru all that they have, and placing the first reading of the fire code ordinance on the next agenda.

Council member Michaels asked that Mr. Dixon not get discouraged, and that the city is happy he is here.

City Clerk Kristina Somers asked that everyone contact City Hall during business hours, and give the staff their questions before the meeting so they have answers.

Police Chief Keith Becker discussed not getting any complaints during the week, but then hearing of all these complaints from the residents at the meetings.

Fire Chief Michael Vogt stated the only way to resolve the code violations, is to hire a full time inspector. Thanked Mr. Dixon for dealing with all that he has, and is happy to have his business in the city. Addressed all the things that need to be fixed at city hall, all the money that it cost to make the fixes, and the city trying to get by. Thanked Council member Young for getting the fire code ordinance on the next agenda, having tried himself for months, and having to write his own resolution on the topic. Agrees with City Clerk that questions need to be asked before the meeting so that staff has the correct answers for the residents at the meeting.

**ADJOURNMENT:**

With no further business, the Council Meeting was adjourned at **8:11 p.m.**

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Invoice	Due Date	Amount	Check
Fund 101 General							
Dept 000							
101-000-618.000	TAX COLLECTORS ADMIN FEE	DAVE JOHNSON	REFUND DDA TAX SUMMER	09252018	10/25/18	1.90	
			Total For Dept 000			1.90	
Dept 190 ELECTIONS							
101-190-740.000	OPERATING EXPENSE	HART INTERCIVIC, INC.	ELECTION EQUIP	073889	10/25/18	321.00	
			Total For Dept 190 ELECTIONS			321.00	
Dept 215 ADMINISTRATION							
101-215-740.000	OPERATING EXPENSE	MML LIABILITY & PROPE	CLAIM#100GL1800089 LOSS DATE 12/26	100GL1800089	10/25/18	2,500.00	
101-215-740.000	OPERATING EXPENSE	SHRED-IT		8125625545	10/25/18	17.50	
101-215-850.000	COMMUNICATIONS	COMCAST CABLEVISION	DPW CHARGES	852910006005213	10/25/18	65.10	
101-215-850.000	COMMUNICATIONS	COMCAST CABLEVISION	CITY HALL CHARGES	852910006005118	10/25/18	87.06	
101-215-874.000	RECEIPT TO 731.00.00.999	GENESEEE COUNTY TREASU	LINA SEPT 2018	CCN 4409	10/25/18	19.43	
			Total For Dept 215 ADMINISTRATION			2,689.09	
Dept 253 TREASURER							
101-253-957.000	CONFERENCES AND WORKSHOP	VICKI FISHELL	MILEAGE MGFOA CONF	09252018	10/25/18	150.42	
			Total For Dept 253 TREASURER			150.42	
Dept 265 CITY HALL & GROUNDS							
101-265-740.000	OPERATING EXPENSE	MENARDS - CLIO	PARTS	81387	10/25/18	4.49	
101-265-801.000	PROFESSIONAL SERVICES	TAMMY'S LANDSCAPING	MOWING OF CITY PROP	7491	10/25/18	81.00	
			Total For Dept 265 CITY HALL & GROUNDS			85.49	
Dept 269 OTHER CITY PROPERTY							
101-269-740.000	OPERATING EXPENSE	FRIENDS OF THE MT. MO	FLAG AND POLE 2018 BEAUTIFICATION	10032018	10/25/18	300.00	
101-269-801.000	PROFESSIONAL SERVICES	TAMMY'S LANDSCAPING	MOWING OF CITY PROP	7491	10/25/18	18.00	
			Total For Dept 269 OTHER CITY PROPERTY			318.00	
Dept 276 CEMETERY							
101-276-740.000	OPERATING EXPENSE	MENARDS - CLIO	SUPPLIES	81647	10/25/18	9.95	
101-276-801.000	PROFESSIONAL SERVICES	TAMMY'S LANDSCAPING	MOWING OF CITY PROP	7491	10/25/18	289.00	
			Total For Dept 276 CEMETERY			298.95	
Dept 305 POLICE DEPARTMENT							
101-305-740.000	OPERATING EXPENSE	AXON ENTERPRISE	TASER HOLSTERS	SI-1555681	10/25/18	205.00	
101-305-740.000	OPERATING EXPENSE	SHRED-IT		8125625545	10/25/18	17.50	
101-305-850.000	COMMUNICATIONS	COMCAST CABLEVISION	DPW CHARGES	852910006005213	10/25/18	37.20	
101-305-850.000	COMMUNICATIONS	COMCAST CABLEVISION	CITY HALL CHARGES	852910006005118	10/25/18	49.76	
101-305-850.000	COMMUNICATIONS	VERIZON	SEPT CHARGES	9815349920	10/25/18	56.47	
101-305-930.000	REPAIR & MAINTENANCE - V	LETAVIS ENTERPRISES,	CAR WASH - PD	0014259	10/25/18	49.00	
			Total For Dept 305 POLICE DEPARTMENT			414.93	
Dept 336 FIRE DEPARTMENT							
101-336-740.000	OPERATING EXPENSE	ZODIAC ENTERPRISES, L	FD FIRE SAFETY	7620-P	10/25/18	730.00	
101-336-850.000	COMMUNICATIONS	COMCAST CABLEVISION	DPW CHARGES	852910006005213	10/25/18	18.60	
101-336-850.000	COMMUNICATIONS	COMCAST CABLEVISION	CITY HALL CHARGES	852910006005118	10/25/18	24.88	
101-336-850.000	COMMUNICATIONS	VERIZON	SEPT CHARGES	9815349920	10/25/18	38.27	
			Total For Dept 336 FIRE DEPARTMENT			811.75	
Dept 371 CODES & ENFORCEMENT							
101-371-801.000	PROFESSIONAL SERVICES	VIENNA TOWNSHIP	3RD QUARTER BUILDING PERMITS	10023018	10/25/18	922.50	
			Total For Dept 371 CODES & ENFORCEMENT			922.50	

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Invoice	Due Date	Amount	Check
Fund 101 General							
Dept 441 PUBLIC WORKS							
101-441-740.000	OPERATING EXPENSE	AUTO-WARES GROUP	PARTS	02830465130	10/25/18	16.99	
101-441-740.000	OPERATING EXPENSE	AUTO-WARES GROUP	PARTS	02830465141	10/25/18	18.89	
101-441-850.000	COMMUNICATIONS	VERIZON	SEPT CHARGES	9815349920	10/25/18	29.80	
	Total For Dept 441 PUBLIC WORKS					65.68	
Dept 528 TRASH COLLECTION							
101-528-801.000	PROFESSIONAL SERVICES	REPUBLIC SERVICES #23	SEPT CHARGES	0237-001668289	10/25/18	13,398.04	
	Total For Dept 528 TRASH COLLECTION					13,398.04	
Dept 529 WEED & BRUSH CONTROL							
101-529-801.000	PROFESSIONAL SERVICES	TAMMY'S LANDSCAPING	MOWING OF PROP	7492	10/25/18	2,016.00	
	Total For Dept 529 WEED & BRUSH CONTROL					2,016.00	
Dept 738 LIBRARY							
101-738-740.000	OPERATING EXPENSE	MENARDS - CLIO	PARTS	81791	10/25/18	14.34	
101-738-801.000	PROFESSIONAL SERVICES	SHERWOOD PROFESSIONAL	LIBRARY CLEANING	1971	10/25/18	240.00	
101-738-801.000	PROFESSIONAL SERVICES	TAMMY'S LANDSCAPING	MOWING OF CITY PROP	7491	10/25/18	81.00	
	Total For Dept 738 LIBRARY					335.34	
Dept 904 CAPITAL OUTLAY							
101-904-970.200	POLICE EQUIP CAPITAL OUT	ARROWHEAD UPFITTERS,	2ND PAYMENT - 2018 CHARGER EQUIP	1515	10/25/18	1,770.00	
101-904-970.200	POLICE EQUIP CAPITAL OUT	CORE TECHNOLOGY CORPO	SOFTWARE INST/TRAINING/SUBSCRIPTIO	XF3000121	10/25/18	2,520.00	
	Total For Dept 904 CAPITAL OUTLAY					4,290.00	
	Total For Fund 101 General					26,119.09	
Fund 202 Major Street							
Dept 451 STREET CONSTRUCTION							
202-451-820.000	ENGINEERING	ROWE PROFESSIONAL SER	17C0080 CE SAGINAW ST RESURF	0087684	10/25/18	203.42	
202-451-820.000	ENGINEERING	ROWE PROFESSIONAL SER	18C0157 ROOSEVELT REHAB	0087664	10/25/18	1,630.80	
	Total For Dept 451 STREET CONSTRUCTION					1,834.22	
Dept 463 STREET ROUTINE MAINTENANCE							
202-463-740.000	OPERATING EXPENSE	MENARDS - CLIO	PARTS	81791	10/25/18	5.59	
202-463-740.000	OPERATING EXPENSE	VERIZON	SEPT CHARGES	9815349920	10/25/18	59.68	
	Total For Dept 463 STREET ROUTINE MAINTENANCE					65.27	
	Total For Fund 202 Major Street					1,899.49	
Fund 276 Downtown Development Authority							
Dept 000							
276-000-403.000	57-06-553-024	DAVE JOHNSON	REFUND DDA TAX SUMMER	09252018	10/25/18	19.04	
	Total For Dept 000					19.04	
	Total For Fund 276 Downtown Development Authority					19.04	
Fund 591 Water Fund							
Dept 000							
591-000-255.000	WATER DEPOSITS PAYABLE	CITY OF MT. MORRIS	FINAL BILL 717 NORTH	09272018	10/25/18	169.35	
591-000-255.000	WATER DEPOSITS PAYABLE	CITY OF MT. MORRIS	FINAL BILL 420 BEACH	10022018	10/25/18	190.54	
591-000-255.000	717 NORTH ST - FINAL	MARIAH SEVERN	WATER DEPOSIT REFUND - FINAL BILL	09272018	10/25/18	80.65	
591-000-255.000	WATER DEPOSITS PAYABLE -	SCOTT GARANT	REFUND WATER DEPOSIT 400 BEACH	10022018	10/25/18	59.46	
591-000-642.010	SALE OF WATER - 670 ELM	MICHIGAN MANAGEMENT S	OVERPAYMENT ON WATER BILL	10032018	10/25/18	244.05	

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Invoice	Due Date	Amount Check
Fund 591 Water Fund						
Dept 000						
	Total For Dept 000					744.05
Dept 215 ADMINISTRATION						
591-215-850.000	COMMUNICATIONS	COMCAST CABLEVISION	DPW CHARGES	852910006005213	10/25/18	65.08
591-215-850.000	COMMUNICATIONS	COMCAST CABLEVISION	CITY HALL CHARGES	852910006005118	10/25/18	49.76
591-215-850.000	COMMUNICATIONS	VERIZON	SEPT CHARGES	9815349920	10/25/18	29.84
591-215-874.000	ATTN: KRISTIE PRIMEAU 81	GENESEE COUNTY TREASU	LINA SEPT 2018	CON 4409	10/25/18	9.72
	Total For Dept 215 ADMINISTRATION					154.40
Dept 537 WATER DISTRIBUTION						
591-537-820.000	ENGINEERING	ROWE PROFESSIONAL SER	17C0075 - ROOSEVELT WATER MAIN REP	0087666	10/25/18	20,556.25
591-537-820.000	ENGINEERING	ROWE PROFESSIONAL SER	14C0228 SAGINAW ST WATER MAIN REP	0087688	10/25/18	540.00
591-537-921.000	COST OF SEWER/WATER	GENESEE COUNTY DRAIN	AUG WATER CHARGES	W57 MM0918	10/25/18	50,890.43
591-537-930.000	REPAIR & MAINTENANCE - V	AUTO-WARES GROUP	PARTS	02830465552	10/25/18	43.47
591-537-930.000	REPAIR & MAINTENANCE - V	AUTO-WARES GROUP	PARTS	02830465546	10/25/18	122.48
591-537-930.000	REPAIR & MAINTENANCE - V	AUTO-WARES GROUP	PARTS	02830465542	10/25/18	69.69
591-537-930.000	REPAIR & MAINTENANCE - V	AUTO-WARES GROUP	PARTS	02830465200	10/25/18	6.65
	Total For Dept 537 WATER DISTRIBUTION					72,228.97
Dept 539 WATER REPAIR						
591-539-740.000	OPERATING EXPENSE	MICHIGAN PIPE & VALVE	PARTS	S016779-01	10/25/18	155.00
591-539-740.000	OPERATING EXPENSE	MICHIGAN PIPE & VALVE	PARTS	S016779	10/25/18	144.00
	Total For Dept 539 WATER REPAIR					299.00
	Total For Fund 591 Water Fund					73,426.42
Fund 592 Sewer Fund						
Dept 215 ADMINISTRATION						
592-215-850.000	COMMUNICATIONS	COMCAST CABLEVISION	CITY HALL CHARGES	852910006005118	10/25/18	37.32
592-215-850.000	COMMUNICATIONS	VERIZON	SEPT CHARGES	9815349920	10/25/18	29.84
592-215-874.000	RETIREE INSURANCE BENEFIT	GENESEE COUNTY TREASU	LINA SEPT 2018	CON 4409	10/25/18	9.70
	Total For Dept 215 ADMINISTRATION					76.86
	Total For Fund 592 Sewer Fund					76.86

GL Number	Inv. Line Desc	Vendor	Invoice Desc.	Invoice	Due Date	Amount	Check
Fund Totals:							
	Fund 101 General					26,119.09	
	Fund 202 Major Street					1,899.49	
	Fund 276 Downtown Development		Author			19.04	
	Fund 591 Water Fund					73,426.42	
	Fund 592 Sewer Fund					76.86	
Total For All Funds:						101,540.90	

This Warrant is hereby approved and directed for payment.

\_\_\_\_\_  
 Duane Duncel, Mayor

\_\_\_\_\_  
 Kristina K. Somers, City Clerk



**CITY OF MT. MORRIS  
THE A.J. LAFURGEY  
COMMUNITY ROOM  
UTILIZATION POLICY**

**1.) PURPOSE**

The purpose of this policy is to set forth how the City allocates the use of the Community Room (the “Room”) both by user and frequency of use, enforces those policies and provides for administrative hearings for those who do not feel they were treated fairly or in accordance with this policy. The intent is to provide a low cost facility for the City’s many residents, taxpayers and organizations, ensure them the greatest access practicable, hold them responsible for the maintenance and cleanliness of the facility, and be a good neighbor to the surrounding area.

**2.) RESPONSIBILITY**

The City Manager (the “Manager”) is primarily responsible for the administration of this policy. When directed by this Policy or Ordinance, appeals from the Manager’s decisions may be heard by the City Council. *The Manager shall be allowed to make changes to this policy as the need for change occurs.*

*The renter indemnifies the City of Mt. Morris and its members or agents against all liability to persons or property on the premises known as The A.J.LaFurgey Community Room.*

**3.) ELIGIBLE USERS**

The following are the individuals and organizations who may use the Room:

- a. City Residents: Those who reside within the City Limits of Mt. Morris.
- b. Non-City Residents: Those who do not reside within the City Limits of Mt. Morris.
- c. City Taxpayers: Those who have incurred a real or personal property tax bill at the time of application to use the room and who remain a City Taxpayer at the time of using the Room.
- d. City Employees: Those who are on the paid payroll of the City at the time of application to use the room and who remain a City Employee at the time of using the Room.

e. **Service Groups/City Based:** Service organizations which are based in the City of Mt. Morris such as Kiwanis, Lions, Scout Troops and the like. Proof of being city based may include Articles of Incorporation which include a majority of the organizations board or officers as City Residents or Taxpayers or the organizations Charter which spells out as its primary focus service to the residents of the City of Mt. Morris.

f. **Service Groups:** Service organizations which may be based outside the City of Mt. Morris but serve the residents of the City. Proof of serving the City may include the organizations charter which spells out that the City of Mt. Morris is within its service area, membership rosters showing a substantial portion of the membership comes from the City or events calendars showing a substantial number of activities and events occur within or benefit the City.

g. **Non-Profit and Government Agencies:** Non-Profit and Government agencies whose purpose is to provide intake, counseling, recruitment, and the like where a substantial portion of the population served is expected to be residents or taxpayers of the City. Proof of this can be a statement to that effect by the organization and a subsequent client profile showing the users residence if so requested.

h. **Organized Groups:** Loose associations of people, which are not chartered or incorporated, which meet for a single recreational or social purpose uniting them - i.e. seniors, quilters, amateur radio enthusiasts and the like - where the majority of the users are from categories a., b. and c. above.

#### **4.) INELIGIBLE USERS**

All those parties who do not fit the classification of Eligible Users are not eligible to use the Room. This also means that the right to use the Room cannot flow from one party to another by means of an Eligible User requesting the use of the Room. The Eligible User must be the intended and primary user of the Room both at the time of application and the use of the Room.

#### **5.) INELIGIBLE USES**

The Room may not be used for the solicitation of sales or services, the actual sale of product or services or the distribution of product or services by for profit individuals, business or organizations.

This is not meant to eliminate the use of the Room for such solicitations, sales or distributions by non-profit, government or service organizations or agencies. This is not meant to eliminate the use of the Room by businesses which are taxpayers or which are owned by residents for such incidental uses as recruitment and interviews of personnel, employee retreats, planning sessions, seminars and the like. This section is intended to restrict the use of the Room as a taxpayer supported competitor to the merchants, business, and property owners who pay rent, staff and taxes as a cost of their business.

## **6.) TIME SLOTS FOR USE OF THE FACILITY**

There are three basic time slots which may be requested for the use of the Room

a. Weekend and Holiday: The Room is allotted for the **entire** day on Saturdays, Sundays and the following Legal Holidays:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
Presidents Day	Veterans Day
Memorial Day	Thanksgiving
July 4th	Christmas

b. Night: The Room is allotted for an evening slot of 5:00 PM to Midnight.

c. Day: The Room is allotted for such times as the Manager shall determine are reasonable to ensure the applicant has the ability to fully conduct their event or program but does not infringe on other Eligible Users to the point of restricting the use of the Room

## **7.) CONDITION AND TIMES FOR VACATING THE ROOM**

a. All users are expected to use the Room in a manner which does not cause excessive wear and tear, damage the Room and its furnishings, and are suitable for the incoming user. Users are to notify the City if it finds the Room in a less than acceptable condition or of any damage which might have occurred during their use of the Room. The intent of this is not necessarily to hold users responsible for every repair or corrective action but rather to allow the City to react promptly to make

repairs and to follow -up on users which might not have honored these rules.

b. The Room is to be left vacant of all users, cleaned, and locked by the following times depending upon the time slot which was requested as follows:

i. Weekend and Night: Midnight

ii. Day: One half hour after the time slot requested.

## **8.) FEE**

There will be a \$100 per year fee for Non-Profit groups, and a \$125 per year fee for Profit groups. This fee will cover only the allowed one use per weekday, and one weekend a month. (Weekend being Saturday, and Sunday) Any rentals over the allowed one use per week, and one weekend a month rule, will be charged the per day fee of \$100 for Non-Profit groups, and \$125 per day fee for Profit groups for *each* additional rental.

There will be a \$100 per day fee for residents of the City of Mt. Morris, and a \$175 fee for non-residents of the City of Mt. Morris. A \$25.00 key deposit is included in the rental fee, and will be refunded if community room key is returned the next business day after rental. The Manager shall reserve the right to waive this user fee for non-profit organizations, service groups and government agencies that apply to use the room.

The fee will be refunded if the user cancels the use of the room, provided that the cancellation occurs two weeks prior to the date of use.

## **9.) SCHEDULE YEAR FOR THE ROOM**

The Room shall be scheduled on a calendar year basis of January 1 to December 31.

## **10.) APPLICATIONS TO USE THE ROOM**

All requests to use the room shall be on a form to be prescribed by the Manager. Such form shall include sufficient information to determine that the applicant is an eligible user and that the use is a permitted one. The form shall contain on it the pertinent sections of this policy to ensure the applicant is aware of the Rules of Use.

## **11.) FIXED TIME SLOTS FOR GROUPS**

Annually there shall be an application period of 30 days in which Service

Organizations, Non-Profit and Government Agencies, and organized groups who are meeting for recreational or social purposes may request regular fixed time slots to use the room.

This period opens no earlier than September 1 and closes no later than November 1 of the year preceding the Rooms Schedule year.

Upon the receipt of all applications, the Manager shall rank them by the following priority.

- A. Service Groups/City Based
- B. Service Groups - Serving the City
- C. Non-Profit and Government Agencies
- D. Organized Groups

The Groups shall then be awarded their requests to the extent possible. In the case of conflicting requests, the Manager shall contact the group to try and determine a suitable alternate time.

## **12.) PERIODIC TIME SLOTS FOR ALL USERS**

Annually, on the 15th of November, or the following business day if said date falls on a week-end, the City shall then accept applications by all classes of users for the use of the room for the following Schedule Year.

## **13.) PROHIBITED ACTIVITIES**

No user may possess, consume or distribute any alcohol or controlled substance. No user may smoke nor allow smoking within the Room

No user may engage in or allow the conduct of any activity which is illegal under any local, state or federal law, rule or regulation.

## **14.) COSTS OF REPAIRS AND MAINTENANCE**

The user shall be responsible for the costs of damage, lack of proper cleanliness and excessive wear and tear caused to the Room.

## **15.) ACCESS**

Keys to the room must be picked up at City Hall - during regular business hours - prior to use of the Room. They must be returned - in person or to a designated drop box - the next working day after the use of the room. The person picking up the key shall sign for its receipt and accept responsibility for its return and the use of the Room.

Failure to return the keys in a timely manner may require that the City re-key the Room entry doors and re-issue new keys. The User or their representative above, shall be responsible for these costs plus a \$25.00 administrative fee.

## **16.) MANAGERS DISCRETION**

The City Manager shall have the discretion and exclusive right to restrict the use of the room for such periods and at such times as are warranted to allow for necessary maintenance, cleaning and the like.

The City Manager shall have the discretion and the exclusive right to allow the use of the Room by such users and for such uses as may not be strictly authorized herein but which are reasonably justified in that they further the best interests of the City and are in substantial compliance with the intent of this policy.

The City Manager shall have the discretion - in rare and unanticipated circumstances - to Abump@a User which already shall have reserved the Room. Notice of no less than 30 days must be given in such cases to allow the User sufficient time to make and arrange alternate arrangements. The City shall cooperate with the User to find such an alternate location to minimize the disruption this might otherwise cause.

## **17.) RESTRICTED USERS**

Violations of this policy, including a pattern of reserving and canceling the Room thereby denying its availability for other users, may result in the loss of the right to use the room. The Manager shall notify the user of their suspected violation and establish a hearing date. At that time the Manager shall hear information with respect to the suspected violation and the response of the user.

Based upon that information the Manager may, progressively,

Issue a written warning.

Revoke the right of the violator to use the facility for three months.

Revoke the right of the violator to use the Room for one year.

For Flagrant and Willful misuse of the room including the violation of the ban on alcohol or any local, state or federal, law the progressive chain of suspension need not be strictly applied and the ban may be permanent.

Within 10 business days of the hearing, the Manager shall inform, the User - in writing - of their findings and of their rights of appeal.

### **18.) RIGHTS OF APPEAL**

Any User who has been denied the right to use the Room or who has their right to use the Room revoked may appeal such action by the Manager to the City Council. Such appeal is by filing a written Notice of Appeal, with the City Clerk, within 14 days of the date of the letter from the Manager. The matter shall be set for a hearing by the council at their next regularly scheduled Council meeting and a decision shall be rendered within 21 days of the appeal hearing.

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Duane K. Dunckel, Mayor

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Kristina K. Somers, City Clerk

**CITY OF MT. MORRIS  
ORDINANCE 18-02**

AN ORDINANCE to amend the Code of Ordinances, City of Mt. Morris, Michigan by amending and restating Sections of Chapter 38 entitled, "Fire Prevention and Protection" as follows:

THE CITY OF MT. MORRIS ORDAINS:

**SECTION 1.**

The Adoption Section of the Code as set forth in Section 38-26 shall set forth and amended to the following:

Pursuant to Section 3(k) of Act No. 279 of the Public Acts of Michigan of 1909 (MCL 117.1 et seq.), as amended, and the general authority of the City, the International Fire Code 2018, as published by the International Code Council, and the Life Safety Code (NFPA 101) 2018, as published by the National Fire Protection Association, are hereby adopted and shall be known as the city fire prevention code. References therein to jurisdiction shall be to the city and the references therein to the date of adoption shall mean the date this ordinances or any portion or section thereof takes effect. All future editions of the International Fire Code and Life Safety Code (NFPA 101) shall be deemed to be adopted and incorporated and made a part hereto as if the editions were in effect as of the effective date of this ordinance. The purpose of this code is to provide comprehensive fire prevention and fire safety regulation for the city.

**SECTION 2.**

The Modification Section of the Code as set forth in Section 38-27 shall set forth and amended to the following:

Any person who violates any of the provisions of this article (Fire Prevention Code) shall be deemed guilty of a misdemeanor as established by the Code of Ordinances of the City of Mt. Morris, specifically, but not limited to, section 1-15 of the Code.

**SECTION 3.**

All other Sections of the Code remain unchanged.

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, \_\_\_\_\_, 2018 at 7:15 p.m. We the undersigned Mayor and Clerk of the City of Mt. Morris, do hereby certify that the above ordinance was adopted by the City Council at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_ Yea

\_\_\_\_\_ Nay

\_\_\_\_\_ Absent

\_\_\_\_\_  
Duane K. Dunckel, Mayor

\_\_\_\_\_  
Kristina K. Somers, City Clerk

APPROVED AS TO FORM  
AND LEGALITY  
First Reading 10.08.2018