## CITY OF MT. MORRIS CITY COUNCIL AGENDA

11649 N. Saginaw Street Mt. Morris, MI 48458 March 13<sup>th</sup>, 2023 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 February 27<sup>th</sup>, 2023.
- 7. COMMUNICATIONS:

None.

- 8. APPROVAL OF WARRANT: Approval of Warrant #23-06 in the amount of \$55,344.36
- 9. PUBLIC COMMENT (Agenda Items Only /Five Minute Time Limit).
- 10. UNFINISHED BUSINESS:
  - a. ORDINANCE 23-02: Amending the zoning ordinance, 'machine shop' listed as conditional use permitted within C-R zoning district. (second reading & adoption)
- 11. NEW BUSINESS:
  - a. RESOLUTION 23-11: Fifth Amendment to Woodside Trails purchase agreement.
  - b. Request from Tony Bauer for Back to the Bricks / Dancing in the Streets, Aug. 12th, 2023.
- 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 February 27<sup>th</sup>, 2023

At 7:00 p.m.,	Mayor Sara Dubey called the Regular Council Meeting to order.
PRESENT:	Vance, Black, Smith, Templeton, Heidenfeldt, and Dubey.
ABSENT:	Sorensen.
OTHERS:	City Manager/Treasurer Vicki Corlew, City Attorney Amanda Doyle, and City Clerk Spencer Lewis.
The Pledge of	Allegiance.
ROLL CALL	<u>.</u> :
A motion was member Sorer	made by Councilmember Black, and seconded by Councilmember Vance to approve absent usen.
All ayes. Motion carried	<b>1</b> .
APPROVAL	OF AGENDA:
	er Heidenfeldt stated that he would like to amend the agenda to include item c) Discussion on fire ticle in the Herald.
A motion was agenda.	made by Councilmember Heidenfeldt, and seconded by Councilmember Templeton to amend the
All ayes. Motion carried	<b>1</b> .
A motion was as amended.	made by Councilmember Vance, and seconded by Councilmember Smith to approve the agenda,
All ayes. Motion carried	<b>1</b> .
MINUTES:	
	made by Councilmember Heidenfeldt, and seconded by Councilmember Templeton to approve seting minutes from February 13 <sup>th</sup> , 2023.
All ayes. Motion carried	1.
COMMUNIC	CATIONS:
None.	
APPROVAL	OF WARRANT:
	made by Councilmember Templeton, and seconded by Councilmember Smith to approve -05 in the amount of \$79,072.94
Roll call:	6Ayes0Nays1Absent (Sorensen)

Motion Carried.

# **PUBLIC COMMENT:**

None.

Council Minut	tes
February 27th,	2023.
Page Two.	

### **UNFINISHED BUSINESS:**

None.

# **NEW BUSINESS:**

a. ORDINANCE 23-02: Zoning ordinance text amendment, 'machine shop' listed as conditional use permitted within C-R zoning district (first reading)

A motion was made by Councilmember Black, and seconded by Councilmember Heidenfeldt to approve ordinance 23-02 (first reading).

Councilmember Vance questioned why this change is needed?

City Manager/Treasurer Vicki Corlew stated that the Taylor Brothers who operate Nightlock on the corner of
Albert and Saginaw, bought a new location in Clio to do their sales out of, and were still interested in keeping
their building here in Mt. Morris and manufacturing their products there. They originally wanted to rezone the
property to commercial, but that would open the property to all commercial uses, even after they possibly sell.
Planning commission held a public hearing, and made a recommendation to council to approve the ordinance.

Roll call:	6Ayes	0Nays	1Absent
			(Sorensen)

Motion Carried.

### b. Request from Kiwanis Club for Memorial Day Parade

A motion was made by Councilmember Black, and seconded by Councilmember Heidenfeldt to approve the request.

All ayes.

Motion carried.

Bob Slattery was present and representing the Kiwanis Club of Mt. Morris, and he just wanted to extend his gratitude to the City of Mt. Morris and invited the council to be in the parade.

c. Discussion on fire department article in the Herald

Councilmember Heidenfeldt stated he was upset about this whole thing, and that he was blindsided by his wife when she brought it up to him after reading the article.

City Manager/Treasurer Vicki Corlew stated that there was a letter in last weeks managers report.

Councilmember Vance stated that a majority of the reasoning behind it is a staffing between both departments.

City Manager/Treasurer Vicki Corlew stated that this would allow Genesee Township firefighters who live closer this way, to respond directly to our station. Everything is still in the works and in discussion, between us and Genesee Township, insurance companies, and etc. When everything is ready it will be brought to the council for approval and discussion.

### **PUBLIC COMMENT:**

**Bob Slattery, Kiwanis Club** – Bob stated when his dad was Fire Chief, there was a waiting list of guys waiting to get in the fire department. This day and age is different, with the younger generation not being "joiners". He wished city council good luck.

Council Minutes February 27<sup>th</sup>, 2023. Page Three.

# **COUNCIL MEMBER AND STAFF COMMENTS:**

City Manager/Treasurer Vicki Corlew stated that she wouldn't necessarily believe everything you read in the paper as well. Mr. Harrington stated in his article that the post on social media was made by a fireman, and who made the post is not a fireman. She also stated that next meeting we will have a purchase agreement extension from Century Communities, asking for a 60-day extension for the lots on Red Maple Drive.

Mayor Sara Dubey stated that the Memorial Day Parade is her favorite thing of the entire year, and she looks forward to it every year.

# **ADJOURNMENT**:

With no further business, the council meeting was adjourned at 7:23 p.m.
Spencer Lewis, City Clerk

ΡM		
2023 12:44	APRIL	Morris
03/09/	User:	DB: Mt

INVOICE GL DISTRIBUTION REPORT FOR CITY OF MT MORRIS
EXP CHECK RUN DATES 03/14/2023 - 03/14/2023
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID
WARRANT 23-06

Page: 1/4

Trooice Line Desc   Vendor   Trooice Description
DEPOSITS PAYABLE  SARAH KETZLER  Total For Dept 000  PERATING EXPENSE COMMUNICATIONS  SECIEPT TO 731.00.00.9999.28620  GENESEE COUNTY HERALD MAPLE TOWNE PRINTING XTREME SHREDS COMCAST COMMUNICATIONS STARZSTAR COMMUNICATIONS SECIEPT TO 731.00.00.9999.28620 GENESEE COUNTY HERALD MAPLE TOWNE PRINTING XTREME SHREDS COMCAST COMCAST COMCAST COMCAST TOTAL For Dept 215 ADMINIS DERATING EXPENSE TOTAL FOR Dept 253 TREASURE TOTAL FOR DEPT 265 CITY HA NEERATING EXPENSE MENARDS - CLIO MENARDS -
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PM		
03/09/2023 12:44	User: APRIL	DR. Mt Morris

# INVOICE GL DISTRIBUTION REPORT FOR CITY OF MT MORRIS EXP CHECK RUN DATES 03/14/2023 - 03/14/2023 BOTH JOURNALIZED AND UNJOURNALIZED ROTH OPEN AND PAID

Page: 2/4

- 当	_	23-06
	BOTH OFEN	WARRANT

Check #									
Amount	2.57 54.46 37.86 47.88 1,537.34 2,030.76 1,157.89 625.00	5,776.71 16,629.60 16,629.60	240.00 39.97 279.97 27,122.10	75.72	75.72 152.76 217.05	369.81	54.45 29.70 64.60 37.85 11.50	198.10 200.00 23,429.80 23,629.80	23,827.90
Invoice Description	DIESEL INTERNET/FAX PHONE BILL WATER BILLS STREET LIGHTS LED LIGHTS NPDES - 01.01 - 03.31.2023 REPAIR ON SNOW PLOW BLADE	WORKS GARBAGE SERVICE COLLECTION	LIBRARY CLEANING WATER BILLS	PHONE BILL	ROUTINE MAINTENANCE LABOR/EQUIPMENT TRAFFIC LIGHTS	C SERVICES Street	INTERNET/FAX INTERNET/FAX PHONE BILL PHONE BILL	STRATION OUTSIDE SWEEP CLEAN OUT JANUARY 2023 DISTRIBUTION	FUND WATER DEPOSIT 539 OAK ST
WARRANT 23-06 Vendor	MICHIGAN PETROLEUM TECH COMCAST VERIZON CITY OF MT. MORRIS CONSUMERS ENERGY GONSUMERS ENERGY GENESEE COUNTY DRAIN COM STEELMAN WELDING INC	Total For Dept 441 PUBLIC WM CORPORATE SERVICES, I Total For Dept 528 TRASH C	SHERWOOD PROFESSIONAL CL CITY OF MT. MORRIS Total For Dept 790 LIBRARY Total For Fund 101 General	VERIZON	Total For Dept 463 STREET GENESEE COUNTY ROAD COMM CONSUMERS ENERGY	Total For Dept 474 TRAFFIC Total For Fund 202 Major St	COMCAST COMCAST STAR2STAR COMMUNICATIONS VERIZON GENESEE COUNTY TREASURER	Total For Dept 215 ADMINISTRATION DEPENDABLE SEWER CLEANER OUTSIDE GENESEE COUNTY DRAIN COM JANUARY TOTAL FOR DEPT 536 SEWER DISTRIBU	Total For Fund 590 SEWER F
Invoice Line Desc	GAS & FUEL COMMUNICATIONS PUBLIC UTILITIES STREET LIGHTING STREET LIGHTING BRAINS-AT-LARGE REPAIR & MAINTENANCE - VEHICL	PROFESSIONAL SERVICES	PROFESSIONAL SERVICES PUBLIC UTILITIES	NTENANCE OPERATING EXPENSE	PROFESSIONAL SERVICES PUBLIC UTILITIES		COMMUNICATIONS COMMUNICATIONS COMMUNICATIONS COMMUNICATIONS 810-257-3857	PROFESSIONAL SERVICES COST OF SEWER	WATER DEPOSITS PAYABLE
GL Number	Fund 101 General Dept 441 PUBLIC WORKS 101-441-745.000 101-441-850.000 101-441-850.000 101-441-920.000 101-441-922.000 101-441-922.000 101-441-922.000	Dept 528 TRASH COLLECTION 101-528-801.000	Dept 790 LIBRARY 101-790-801.000 101-790-920.000	Fund 202 Major Street Dept 463 STREET ROUTINE MAINTENANCE 202-463-740.000	Dept 474 TRAFFIC SERVICES 202-474-801.000 202-474-920.000	590	Dept 215 ADMINISTRATION 590-215-850.000 590-215-850.000 590-215-850.000 590-215-874.000	Dept 536 SEWER DISTRIBUTION 590-536-801.000 590-536-921.000	Fund 591 Water Fund Dept 000 591-000-255.000

INVOICE GL DISTRIBUTION REPORT FOR CITY OF MT MORRIS
EXP CHECK RUN DATES 03/14/2023 - 03/14/2023
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

03/09/2023 12:44 PM

DB: Mt Morris User: APRIL

WARRANT 23-06

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 591 Water Fund Dept 215 ADMINISTRATION 591-215-850.000	COMMUNICATIONS	COMCAST	INTERNET/FAX INTERNET/FAX	54.45	
591-215-850.000	COMMUNICATIONS	STAR2STAR COMMUNICATIONS	FILE DELONE BILL	86.13	
591-215-874.000	ATTN: KRISTIE PRIMEAU	GENESEE COUNTY TREASURER		11.50	
		Total For Dept 215 ADMINISTRATION	STRATION	229.54	
Dept 537 WATER DISTRIBUTION	NO menana angkana	daco crawer	CARCOLLAND	,	
591-537-725.000	u Du	CINTAS CORP	UNIFORMS	41.92	
591-537-740.000		GENESEE COUNTY DRAIN COM	WATER QUALITY MONITORING	132.00	
591-537-740.000	OPERATING EXPENSE	MICHIGAN PIPE & VALVE-IN	BLUE MARKING FLAG	51.20	
591-537-740.700	OPERATING EXP METER REPLAC	ETNA SUPPLY	BRISTOL COURT FIRE METER	1,145.00	
591-537-740.700	OPERATING EXP METER REPLAC	ETNA SUPPLY	TOUCH PADS	120.00	
591-537-740.700	OPERATING EXP METER REPLAC	ETNA SUPPLY	TOUCH PADS	415.00	
591-537-745.000	GAS & FUEL	MICHIGAN PETROLEUM TECH	DIESEL	838.04	
591-537-745.000	GAS & FUEL	MICHIGAN PETROLEUM TECH	UNLEADED GAS	99.02	
591-537-745.000	GAS & FUEL	MICHIGAN PETROLEUM TECH	DIESEL EXHAUST FLUID	48.48	
591-537-932.000	REPAIR & MAINTENANCE - VEHICL	AUTO - WARES GROUP	SEALED BEAM	23.99	
591-537-932.000	REPAIR & MAINTENANCE - VEHICL	AUTO - WARES GROUP	GLOVES/BLADE FUSE	2.99	
591-537-932.000	REPAIR & MAINTENANCE - VEHICL	KNAPHEIDE TRUCK EQUIPMEN	STAND ASSEMBLY TRUCK #37	368.38	
591-537-932.000	REPAIR & MAINTENANCE - VEHICL	TERMINAL SUPPY CO.	TRUCK #57 LIGHTS	141.32	
		Total For Dept 537 WATER DISTRIBUTION	DISTRIBUTION	3,469.29	
		Total For Fund 591 Water	Fund	3,948.83	

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Page: 4/4

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Amount Check #
			Fund Totals:		
			Fund 101 General	27,122.10	
			Fund 202 Major Street	445.53	
			Fund 590 SEWER FUND	23,827.90	
			Fund 591 Water Fund	3,948.83	
			Total For All Funds:	55,344.36	

# CITY OF MT. MORRIS COUNTY OF GENESEE, MICHIGAN

### **ORDINANCE 2023 – 02.**

AN ORDINANCE AMENDING THE MT. MORRIS CITY ZONING CODE OF ORDINANCES (APPENDIX D) BY THE ADDITION OF MACHINE SHOP TO THE CONDITIONAL USES PERMITTED UNDER 6.11(2)(B)

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

### SECTION I

The Mt. Morris City Zoning Ordinance, APPENDIX D, the Zoning Ordinance, Section 6.11(2)(b) is hereby amended by the addition of "machine shop" to the conditional uses permitted as follows:

- 6.11 Commercial "C-R" (commercial-retail) district.
  - 2. Conditional uses permitted.
    - b. Other uses:
      - Machine Shop

### **SECTION II**

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

### **SECTION III - 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 IV – PRIOR ORDINANCES**

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

# **SECTION V**

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 7<sup>th</sup> day after publication.

# **SECTION VI**

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
RV: SDENICER LEWIS CITY CLERK

Ordinance introduced on: 02/27/2023

Second Reading: 03/13/2023

Publication date: Effective date:

### **RESOLUTION 23-11**

# FIFTH AMENDMENT TO CONTRACT FOR PURCHASE AND SALE AND ESCROW INSTRUCTIONS

### (WOODSIDE TRAILS, GENESEE COUNTY, MICHIGAN)

THIS FIFTH AMENDMENT TO CONTRACT FOR PURCHASE AND SALE AND ESCROW INSTRUCTIONS (the "Amendment") is made this \_\_\_\_\_ day of March, 2023, by and between WJH LLC, a Delaware limited liability company (hereinafter, "Buyer"), and CITY OF MOUNT MORRIS, a Michigan municipal entity (hereinafter, the "Seller").

### WITNESSETH:

- WHEREAS, Seller and Buyer entered into that certain Contract for Purchase and Sale and Escrow Instructions having an Effective Date of April 19, 2022 (the "Agreement"), for the purchase and sale of certain real property commonly known as **Woodside Trails**, located in the County of Genesee, State of Michigan and more particularly described on Exhibit "A" of the Agreement (the "Property", or each individual lot being referred to as a "Lot");
- WHEREAS, Buyer is engaged in the business of building and selling residential real properties in the midwestern United States, among other places, and acquires vacant lots or land from time to time in furtherance of that business;
- WHEREAS, Buyer desires to purchase the Property from Seller, and Seller desires to sell the Property to Buyer;
- **WHEREAS**, Buyer and Seller previously amended the Agreement by First Amendment dated August 23, 2022;
- **WHEREAS**, Buyer and Seller previously amended the Agreement by Second Amendment dated September 15, 2022;
- **WHEREAS**, Buyer and Seller previously amended the Agreement by Third Amendment dated September 30, 2022;
- **WHEREAS**, Buyer and Seller previously amended the Agreement by Fourth Amendment dated December 20, 2022; and
- WHEREAS, Buyer and Seller desire to extend the date of the Initial Closing and clarify responsibilities for the payment of water and sewer tap fees.
- **NOW THEREFORE**, for and in consideration of the mutual covenants, agreements and premises set forth herein and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby expressly acknowledged by the parties hereto, intending to be legally bound hereby, covenant and agree as follows:
  - 1. All capitalized terms used herein will have the meanings ascribed to those terms in the Agreement, unless otherwise specified.
  - 2. The recitals set forth above are incorporated herein as part of this Amendment.

- 3. Where conflicting, the terms and provisions of this Amendment shall supersede and control over those set forth in the Agreement.
- 4. The date of closing for the Initial Closing is extended and will close by or before May 1, 2023. All provisions set forth in the Amendment relating to default and the right to cure remain in full force and effect.
- 5. Seller agrees the purchase price of each Lot is inclusive of all water and sewer tap fees that would otherwise be due for payment to Seller, in its capacity as a governing municipality. Buyer will pay any costs required for the acquisition and installation of the water meter and reading device. Buyer will pay any connection fees due to the County of Genesee.
- 6. The provisions set forth in this Amendment shall be binding on the Parties hereto and their respective successors and assigns. All other provisions of the Agreement not hereby amended shall remain in full force and effect.
- 7. This Amendment may be executed in multiple counterparts that, together, shall constitute the entirety of this Amendment. This Amendment may be executed and delivered by facsimile or email which facsimile or email shall constitute a binding and valid execution hereof.

**NOW THEREFORE,** Buyer and Seller, by and through their respective authorized agents, officers, or representatives, set their hands and seals to this Amendment as of the date first above written.

BUYER:	SELLER:
WJH LLC, a Delaware limited liability company	CITY OF MOUNT MORRIS, a Michigan municipal entity
By: Michael B. Madden Title: Corporate VP of Land Acquisition Date:	By: Title: Date:
	ed by Councilmember and thereafter adopted by regular meeting held Monday, March 13, 2023 at 7:00 p.m.  Nay Absent
Sara Dubey, Mayor	April Smith, Deputy City Clerk

Tony Bauer

1040 E. Pine Ave

Mt. Morris, MI. 48458

### Dear Council Members,

I am writing to request the use of City property on August 12, 2023 for the annual Back to the Bricks Tune-Up Party and Dancing in the Streets event. The Back to the Bricks Tune-Up Party event brings nearly 600 cars and over 1000 people to the city, thus bringing income to our local businesses. For most if not all of the local businesses this is the busy day of the year for them. The Dancing in the Streets also brings a crowd to town. Both events develop the sense of community here in Mt. Morris.

It is my hope that the council sees the value these events bring to the City of Mt. Morris and approve our request to block the city streets as illustrated below from 11:00 AM to 11:00 PM on August 12<sup>th</sup>. Although there have never been any issues requiring the police department we are also requesting the services of the city police department that day.

Last year we had 432 cars and the streets where packed with people and families all day. On a bad weather day.

Please contact me with any questions at 810-938-5040.

Thank you for your consideration,

Tony Bauer



