
JUNE 27, 2001 CITY COUNCIL MINUTES

Minutes of the Special meeting of the Durand City Council held Wednesday, June 27, 2001 in the Council Chambers of Durand City Hall.

Mayor Pro-Tem Canute called the meeting to order at 5:05 p.m.

Council Present: Canute, D Doyle, T Doyle, Krupp.

Council Absent: Bemis, Fuja, Mayor Schuyler.

Tom Traciak, Financial Advisor, explained how the bids for the bond issues were determined. The bonds will be closed on July 17, 2001, and the money will be wired as of July 19, 2001. He also explained how interest rates don't affect pay back as much as the duration time for pay back.

He gave his recommendations to go with the A.G. Edwards for the 2001 General Obligation Unlimited Tax Water Refunding Bonds, and Raymond James & Assoc. for the 2001 General Obligation Unlimited Tax Sewer Refunding Bonds.

The following preamble and resolution were offered by Member D. Doyle and supported by Member T. Doyle:

WHEREAS, Wednesday, June 27, 2001 at 3:30 o'clock p.m., Eastern Daylight Time, has been set as the date and time for opening bids for the purchase of the City's \$450,000 2001 General Obligation Unlimited Tax Sewer Refunding Bonds (the "Bonds"); and

WHEREAS, said bids have been publicly opened and read; and

WHEREAS, the bids attached hereto as Exhibit A have been received; and

WHEREAS, it is appropriate for the City to award the sale of the Bonds to the bidder whose bid meets the requirements of law and which has been determined to produce the lowest interest cost to the City.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. Award. The bid of \$450,000, as attached hereto as part of Exhibit A, is determined to produce the lowest interest cost to the City and the bid is hereby approved and accepted.**
- 2. Return of Good Faith Checks. Checks received from the unsuccessful bidders shall be returned to each bidder's representative or by registered mail or overnight courier as set forth in the Official Notice of Sale as published.**
- 3. Terms of the Bonds. The Bonds shall be dated, shall be in the principal amounts, shall mature, bear interest and otherwise conform in all respects to the terms set forth in the Official Notice of Sale published with respect to the Bonds.**
- 4. Tax Covenant. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the**

interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended, including, but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds.

5. Repealer. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

AYES: Canute, D Doyle, T Doyle, Krupp.

NAYS: None.

RESOLUTION DECLARED ADOPTED.

The following preamble and resolution were offered by Member D. Doyle, and supported by Member T. Doyle:

WHEREAS, Wednesday, June 27, 2001 at 3:30 o'clock p.m., Eastern Daylight Time, has been set as the date and time for opening bids for the purchase of the City's \$2,255,000 2001 General Obligation Unlimited Tax Water Refunding Bonds (the "Bonds"); and

WHEREAS, said bids have been publicly opened and read; and

WHEREAS, the bids attached hereto as Exhibit A have been received; and

WHEREAS, it is appropriate for the City to award the sale of the Bonds to the bidder whose bid meets the requirements of law and which has been determined to produce the lowest interest cost to the City.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Award. The bid of \$2,255,000, as attached hereto as part of Exhibit A, is determined to produce the lowest interest cost to the City and the bid is hereby approved and accepted.

2. Return of Good Faith Checks. Checks received from the unsuccessful bidders shall be returned to each bidder's representative or by registered mail or overnight courier as set forth in the Official Notice of Sale as published.

3. Terms of the Bonds. The Bonds shall be dated, shall be in the principal amounts, shall mature, bear interest and otherwise conform in all respects to the terms set forth in the Official Notice of Sale published with respect to the Bonds.

4. Tax Covenant. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended, including, but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds.

5. Repealer. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

AYES: D Doyle, T Doyle, Krupp, Canute.

NAYS: None.

RESOLUTION DECLARED ADOPTED.

D. Doyle moved, Krupp supported to appoint Mike Fuja and Denny Stokes to Zoning Board of Appeals.

YEAS: T Doyle, Krupp, Canute, D Doyle.

NAYS: None.

Carried.

Mayor Pro-Tem Canute adjourned the meeting at 5:15 p.m.

JUNE 18, 2001 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, June 18, 2001 in the Council Chambers of Durand City Hall.

Mayor Pro-Tem Canute called the meeting to order at 7.30 p.m.

Council Present: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp.

Council Absent: Mayor Schuyler.

D Doyle moved, Fuja supported to approve the agenda, as presented.

Krupp moved, Bemis supported to approve the minutes of the regular City Council meetings held on May 21, 2001 and June 4, 2001, as corrected.

D Doyle moved, Fuja supported to approve payment of city bills numbering from 25918 – 25981.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Carolyn Geyer, 109 Obert Street, stated that the Vernon Township board released her property for annexation to the city. City Attorney stated that the city will be receiving paperwork from the township and the property will be released in its entirety.

Paula Brooks, 104 W. Summit Street asked what the actual city millage is. City Manager stated that he would be glad to give her the exact number when he has the information in front of him, but with the Headlee rollback, the number fractioned.

Teresa Hall, owner of Teresa's Hallmark, 119 N. Saginaw Street, stated her concern with U turns in the downtown area and also, rollerbladers on the sidewalks. Police

Chief stated that the patrolmen are spending additional time in the downtown and he will look into U-turn issues.

Agnes Witherell, 609 Brand Street, stated that she has been noticing that there are trees dying all over town. It seems that they are diseased, and that most of them are maples. City Manager stated that he will contact the County Extension Office.

Mayor Pro-Tem Canute presented Councilwoman Doyle with a plaque recognizing her achievement for completing Level One of the Elected Officials Academy.

Fuja moved, D Doyle supported to accept the bid for employee uniforms from Wolverine Enterprises in the amount of \$1,918.00.

YEAS: D Doyle, T Doyle, Fuja, Krupp, Bemis, Canute..

NAYS: None.

Carried.

Krupp moved, Fuja supported to accept the bid for the 1984 Ford fire squad vehicle from Monica Jamroch in the amount of \$827.00.

YEAS: D Doyle, T Doyle, Fuja, Krupp, Bemis, Canute.

NAYS: None.

Carried.

D Doyle moved, Fuja supported to approve the Change Order #3 for the South Oak Street Reconstruction Project in the amount of \$46,419.53.

YEAS: Fuja, Krupp, Bemis, Canute, D Doyle, T Doyle.

NAYS: None.

Carried.

T Doyle moved, Fuja supported to approve payment #3 for the South Oak Street Reconstruction Project in the amount of \$218,752.70.

YEAS: Krupp, Bemis, Canute, D Doyle, T Doyle, Fuja.

NAYS: None.

Carried.

D Doyle moved, Bemis supported to approve the invoice in the amount of \$3,847.00 for the city's membership renewal in the Michigan Municipal League.

YEAS: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp.

NAYS: None.

Carried.

Fuja moved, T Doyle supported to approve the list of delinquent accounts as presented and authorize the City Treasurer to place the amount owed on the property tax invoice as a lien against the property for payment.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Bemis.

NAYS: None.

Carried.

Fuja moved, Krupp supported to approve the budget amendments for the 200-01 fiscal year as presented.

YEAS: D Doyle T Doyle, Fuja, Krupp, Bemis, Canute.

NAYS: None.

Carried.

D Doyle moved, Bemis supported to approve the utility agreement with Creek Point Estates.

YEAS: T Doyle, Fuja, Krupp, Bemis, Canute, D Doyle.

NAYS: None.

Carried.

PUBLIC COMMENT: No one spoke at this time.

DEPARTMENT REPORTS:

Markland stated that the parking lot at City Hall should be completed this week. He also stated that the DNR will be getting the documents to the city to begin the park improvement grant at Optimist Park.

COUNCIL COMMENTS:

Krupp: What is the status on the remodeling for the Fire Hall? City Manager stated that he should talk with the Fire Chief. He has the final prints, and the front bay doors are different, like the original prints.

Bemis: What is the status of the South Side drainage project? City Manager stated that the DPW should be working on the project at the end of the month, or at least by the middle of next month.

Canute asked about the situation with the chickens that being raised as pets. City Attorney stated that domestic farm animals are not allowed under the ordinance unless they can be considered as pets and can survive in the house. There are no variances to the ordinance. Canute also asked about resurfacing the basketball courts at Trumble Park. City Manager stated that he hasn't been over there to look at them. Canute also noted that the siding on the pavilions needs to be looked at and possibly be redone. Canute stated that the Parks Board is looking into developing a putt-putt golf course in Trumble Park with a railroad theme. It will be an interesting project for the city. There will be a teen dance in Trumble Park on July 20th from 7-11 p.m.

Mayor Pro-Tem Canute adjourned the meeting at 8:36 p.m.

Minutes of the Regular meeting of the Durand City Council held Monday, June 4, 2001 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:33 p.m.

Pledge of Allegiance was recited at this time.

**Council Present: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.**

**D Doyle moved, Krupp supported to approve the agenda, with the deletion of the minutes from the regular meeting held May 21, 2001.
Carried.**

Canute moved, T Doyle supported to approve payment of city bills numbering from 25840 – 25917.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Rose Purdy, Durand Area High School student, discussed the possible improvements that could be made to the downtown businesses, utilizing a low interest loan fund.

Cody Harding, Durand Area High School student, discussed the possibility of constructing an overpass for traffic over the railroad crossings.

Erin Demo, Durand Area High School student, discussed the possibility of improving the parks in town.

Sherry Wilson, President of the Dan Wilson Foundation, presented the city with the liability insurance certification for the foundation walk-a-thon.

Alan Mandal, 205 Shiawassee St., requested a variance to the city's domestic animal and fowl ordinance. He purchased baby chicks for this children at Easter; they are pets for his children. He believes that the ordinance is outdated since it does not address pets such as snakes, ferrets, etc. City Attorney noted that he will review the ordinance and give an opinion at the next regular meeting.

D Doyle moved, Canute supported to accept the bid for sidewalk replacement from Randy's custom concrete as follows:

1) Standard 4" - \$4.25 per square foot

2) Driveway 6" - \$4.50 per square foot

3) Commercial 10" - \$4.75 per square foot

YEAS: D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

Canute moved, Fuja supported to approve payment of the invoice from SME, Inc. in the amount of \$1,615.19 for services during the South Oak Street Reconstruction Project.

YEAS: T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle.

NAYS: None.

Carried.

Krupp moved, Canute supported to approve the purchase of HP8150 from EKOS at a cost of \$2,583.00.

YEAS: Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle.

NAYS: None.

Carried.

(YEAS: Fuja, Krupp, Mayor Schuyler, Canute, D Doyle, T Doyle.

NAYS: Bemis.

Carried, 6-1)

PUBLIC COMMENT:

Agnes Witherell, 615 Brand Street, asked what the law of the city regarding sidewalks? There is no sidewalk on Brookfield from Brand to Main Street and kids are walking in the street to get to school. This is not a good idea.

Paula Brooks, 104 W. Summit Street, asked what the model # of the printer was that the city is going to purchase.

DEPARTMENT REPORTS:

Police: The department is busy in the downtown area and we have beefed up patrol in downtown, both foot and car. We are enforcing U-turns in the downtown area.

DPW: South Oak Street is complete. City Hall parking lot reconstruction begins in two weeks. There will be some temporary changes for parking, and the next City Council meeting will be held at Durand Union Station.

City Attorney: A motion for mandamus in Circuit Court regarding Blackburns and Vernon Township vs. the City of Durand was denied. Another request for injunctive relief was adjourned by the judge for 60 days, and requested that the city and the township continue negotiations. The city has received a letter from Vernon Township in the form of a proposed agreement. The City Manger sent a letter to Vernon Township with tentative dates to sit down and discuss the situation. A written report should be forthcoming from Philip Erickson by the next meeting.

City Manager: The TEA-21 grant for the walking museum was denied. Congressman Rogers will continue to support the city's efforts in this grant acquisition.

City Clerk: The city received its reimbursement for the train derailment last summer.

COUNCIL COMMENTS:

Krupp: What's the update on the computers for the police cruisers? Tanner responded that Pletscher has been trained and will train the other officers. Hopefully, the computers will be installed in the cars by the end of June.

Canute asked about the old vehicle stored at the Lincoln Street well house and about the bus, boat and trailer that are parked out in a lot on W. Monroe Street, out behind the DPW barn.

Bemis: What's the update on the S. Side weep tile project? Mince reported that it is on tract. The DPW is working there towards the end of the month. There will be a meeting for residents.

Mayor Schuyler adjourned the meeting at 8:30 p.m.

MAY 21, 2001 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, May 21, 2001 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:34 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.

D Doyle moved, Canute supported to approve the agenda as presented.
Carried.

Krupp moved, Canute supported to approve the minutes of the regular meeting and Executive Session held on May 7, 2001, Budget Workshops held May 8, 9, & 10, 2001, and Special Meeting held May 21, 2001.
Carried.

Canute moved, Bemis supported to approve payment of city bills numbering from 25799 – 25839.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT: Angela Aguilar, 504 W. Main Street, spoke regarding the Chief of Police and City Manager.

Teresa Hall, owner of Teresa's Hallmark, stated that she is very concerned with the bicycles, skateboards, rollerblades and profanity in the downtown. She also stated that there needed to be better dog control in the neighborhoods.

Hannah Doyle, Durand Area High School student, spoke regarding the need for an auditorium in the community. She stated many good reasons why it would benefit the citizens and other community groups.

Kris Drew, Durand Area High School student, spoke regarding teen restrictions and extending the current curfew. (this was met with extreme resistance from the other members of the audience.)

Matthew Shepherd, Durand Area High School student, listed many ideas on how the city could provide better drinking water. Councilperson Doyle invited him to visit the city's water treatment facility and test the water, and see how pure Durand's water is.

Valde' Garcia, State Senator #26, introduced himself to the City Council and those in attendance. He is ready to represent his constituents. He addressed the task facing the Senate in dealing with Sen. David Jaye, who is facing expulsion for behavior unbecoming a legislator, relating to his personal life. He also informed us that the state will experience \$1 million shortfall this year, so we can expect budget cuts.

Tina Hildebrandt, 402 Mackinaw Street, inquired as to why the DARE program has been cut. City Manager responded that there have been several surveys conducted demonstrating that the program does not work. The city is still committed to providing education for the youth in this area. We are just trying to find an alternate program. Fuja spoke on behalf of the City Council regarding their position on maintaining a drug awareness educational program in place within the school district. Hildebrandt commented that someone from the school stated that the district was unaware that the program had been dropped. Chief Tanner stated that the Superintendent of Schools was aware and that he is cooperating to find another program.

Nancy Rowley, 508 Wickshire Ln. stated that if the D.A.R.E. program is not working then she is glad that the city is seeking other alternatives. She also stated that she thinks that the city's curfew is good.

Carolyn Geyer, 109 Obert Street, stated the Police patrol was great during Railroad Days, and that the DPW did a great job restoring the city back to normal. The city curfew is good.

Agnes Witherell, 612 Brand Street, asked what is the state of the old jr. high school building. What is going to be done with it? City Manager responded that he and the Building Inspector have met with the owner and that the owner is going before the ZBA for an exception in the Zoning Ordinance.

Canute moved, Fuja supported to accept the bid from Hydro Dynamics for rebuilding the final effluent pumps at the WWTP in the amount of \$5,835.00 per unit or a total of \$11,670.00.

YEAS: D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

D Doyle moved, T Doyle supported to award the bid for construction inspection services for Creek Pointe Estates to Capital Consultants in the amount of \$47,700.00.

D Doyle moved, Krupp supported to amend the first motion to specify \$47.70 per hour (average).

YEAS: T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle.

NAYS: None

Carried.

Bemis moved, D Doyle supported to authorize administration to work with Capital Consultants on specific contract language for site inspection of Creek Pointe Estates.

YEAS: Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle.

NAYS: None.

Carried.

Canute moved, T Doyle supported to approve the April payment request in the amount of \$8,862.02 from G.P. Graham Construction Corp. for work done to date at Durand Union Station.

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle, Fuja.

NAYS: None.

Carried.

D Doyle moved, Bemis supported to Table Item E – Authorization to Participate in Countywide Household Waste Grant

Carried.

Krupp moved, T Doyle supported to approve the consent agreement for the tax tribunal case with Rite Aid as proposed by the City Attorney and City Assessor.

YEAS: Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp.

NAYS: None.

Carried.

Mayor Schuyler opened the public hearing for the 2001-02 budget at 9:16 p.m. City Manager Markland noted that there was a ½ mill decrease in the city's debt retirement. There will also be a \$.40 decrease in water rates, however, there will be an \$.80 increase in sewer. He stated that he is hesitant to adopt the budget because state shared revenues very well may be cut. The city will only be receiving \$2,000 increase from last year, and there is a good chance that there could be a decrease due to the economic slow down. The city is experiencing a loss in Act 51 and state shared revenues.

D Doyle moved, Canute supported to adopt the following:

WHEREAS, The City Charter of the City of Durand, Michigan states that “not later than the second meeting in May, the City Council shall, by Resolution, adopt

the Budget, for the next Fiscal Year, and, shall provide for a levy, of the amount necessary, to be raised by taxes, upon real and personal property for Municipal Purposes”...

NOW, THEREFORE, BE IT RESOLVED, That the budget for the City Fiscal year beginning July 1, 2001 as recommended by Administration and adopted by the City Council, and as described in the Summary as follows:

	Revenue	Expenditures
General Fund	\$1,995,000	\$1,995,000

Be the same and is hereby adopted, and, the amount therein provided as recommended, appropriations are hereby appropriated according to the department totals;

BE IT FURTHER RESOLVED, that in order to carry-out the provisions of the above

described Budget, the following Tax Rate be applied to the Completed Assessment Roll Valuation of \$ 56,625.99 as approved by the City of Durand Board of Review and required by the State Constitution, and be applied to all properties, subject to the Commercial Facilities Taxes, which shall have one-half of the Tax Rate applied, and be applied to all properties subject to the same;

WHEREAS, The Total City Tax Levy for General Fund Purposes, as of July 1, 2001,

shall be 17.50 per \$1,000 of Taxable Valuation, subject to all related provisions of the Truth in Taxation and Headlee Amendment and, \$3.25 per \$1,000.00 of Taxable Valuation Tax Levy, for Debt Service.

BE IT FURTHER RESOLVED, To adopt the following Budgets:

Major Streets		\$295,400
Local Streets		87,800
Street Fund	121,400	
Debt Service-78	42,900	
Debt Service-94	\$142,000	
Debt Service-98	24,900	
Debt Service-99	102,600	
Sewer (WWTP) Fund		646,700
Water Fund		520,100
Refuse Service		185,000
Equipment Revolving		334,500

Fringe Benefits	292,000
Downtown Development Authority	40,000
Sidewalks & Curbs	20,200

and all other Capitol Improvement Projects for the Fiscal Year beginning July 1, 2001, and ending June 30, 2002;

BE IT FURTHER RESOLVED, that the City Manager as Chief Administrative Officer be allowed to exceed any line item or department or fund including both revenues and expenditures titles "TOTAL" or "GRAND TOTAL" to a value less than the amount extra revenues appropriation should exceed either of the above prior to such exceeding, the City Council must make a supplemental adjustment to the appropriation.

YEAS: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler

NAYS: none

MOTION CARRIED:

Canute moved, D Doyle supported to approve the list of accounts as delinquent.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None

Carried.

PUBLIC COMMENT:

Paula Brooks, 104 W. Summit Street, asked if there was a household hazard site and how it was going to work. City Manager stated that it would be drop off by appointment only.

Mary Richmond, 204 S. Oak Street stated that she likes the new street work.

DEPARTMENT REPORTS:

Police Dept: Chief Tanner reported that RR Days went very good. The officers did 8 hours of daily foot patrol, and there were no infractions. Officers Folaron and Pletscher participated in a program at Bertha Neal Elementary.

Dept. of Public Works: Water Department was cited for a monitoring violation. The Lead/Copper sample was sent in late, and a monthly report was submitted late. S. Oak Street project came in on budget, less the surprises and it was completed 4 weeks early.

Mince attended a meeting at the Shiawassee Road Commission regarding T-21 money, possibly for N. Oak Street next year. He was elected as the small cities representative for the County Task Force.

City Manager reported that he and the City Clerk were serving on the School District's Strategic and Marketing Plans committees. He stated that the school district and the downtown are the anchors of this community.

COUNCIL COMMENTS:

Krupp asked if the city had heard anything regarding the derailment reimbursement. City Clerk stated that she has heard nothing.

Fuja noted that there had been parking in the area between the two buildings downtown that used to be an alley. The city posted that area as "no parking", but people are still parking there. Additionally, she noted that in review of the monthly police report, there were 127 traffic stops – were those within the city limits? Were they assists? Tanner responded that the stops vary – and as soon as possible the officer clears the incident and is back in service. The City of Durand has mutual aid pact with the Village of Vernon, also. Fuja questioned why the police vehicles would be outside of the city limits. Tanner responded that there is a policy that addresses cars traveling outside of the city. Fuja also stated that during the daytime hours, it would be nice to see officers walking in the community, being more observant in the community.

Bemis: What is the update on the South side storm sewer project? Mince reported that the DPW is in position to begin doing some behind curb work. Bemis asked Clerk about the bid versus quote method of purchasing. She reported that to benefit from using the quoting method, the city needs to reconsider a charter amendment to allow administration more flexibility with spending limits.

Mayor Schuyler adjourned the meeting at 10:24 p.m.

MAY 14, 2001 CITY COUNCIL MINUTES

Minutes of the Special meeting of the Durand City Council held Monday, May 14, 2001 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:32 p.m.

Council Present: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.

Open Public Hearing 7:33 p.m.

PURPOSE OF MEETING: PUBLIC HEARING OF 2001-02 BUDGET

Discussion held regarding the City of Durand Budget for Fiscal Year 2001 – 2002. City Manager, Lynn Markland stated he had heard of some changes that will be happening within the Treasury Department, regarding State Shared Revenues.

Close Public Hearing 7:44 p.m.

D Doyle moved, Canute supported to approve the City of Durand Budget for Fiscal Year 2001 – 2002 to go to the regularly scheduled City Council Meeting to be held May 21, 2001 for 2nd reading and adoption.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

Meeting Adjourned 7:45 p.m.

MAY 7, 2001 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, May 7, 2001 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler.

Council Absent: Bemis.

D Doyle moved, Canute supported to approve the agenda with the addition of Item A-4 – Disabled Sports Week; Item G – City Hall Parking Lot; Item H – Engineering Services; Item I – Presentation: Fire Hall; and Item J – Executive Session: possible purchase of property.

Carried.

Krupp moved, T Doyle supported to approve the minutes of the regular meeting and Executive Session held on April 16, 2001.

Carried.

D Doyle moved, Canute supported to approve payment of city bills numbering from 25738 – 25798.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Schuyler.

NAYS: None.

Carried.

CITIZENS PRESENT:

City Attorney, Charles McKone presented the Mayor with a gift from Mike

Bloomfield, a NASA astronaut who graduated from Lake Fenton High School, and has spoken to students from many of the area school districts regarding space travel and some of his experiences in space. Bloomfield gave a presentation at the Durand Area Middle School in November and during that program, the Mayor Pro-tem presented him with a key to the city. Bloomfield was touched by this, and gave to the city a collage of his travels which included a picture of the space shuttle, Endeavor, the International Space station, a patch of the mission and pictures of the crew. It will be displayed in City Hall.

Canute moved, D Doyle supported to approve the Consent Agenda as follows:

- 1. V.F.W. Solicitation Request – Buddy Poppy Sales, May 10, 11, 12**
- 2. Election Inspectors – May 15th Special Election**
- 3. Resolution of Support – Comprehensive Transit Fund**
- 4. Proclamation – Disabled Sports Week, May 14 – 20, 2001**

YEAS: D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Canute.

NAYS: None.

Carried.

Canute moved, Fuja supported to approve Payment Request #4 in the amount of \$235,550.13 to Rohde Brothers Excavating, Inc. for work done to date on the S. Oak Street reconstruction project.

YEAS: T Doyle, Fuja, Krupp, Mayor Schuyler, Canute, D Doyle.

NAYS: None

Carried.

T Doyle, Canute supported to approve Change Order #1, in the amount of \$8,206.14, for the renovations to Durand Union Station Project #9949.

YEAS: Fuja, Krupp, Mayor Schuyler, Canute, D Doyle, T Doyle.

NAYS: None.

Carried.

Rowland Ferwerda, employee at the Waste Water Treatment Plant requested that City Council grant him a waiver of residency. He would like to move from his current home within the city, and although he is indefinite as to where he will eventually move, he would like to keep his options open if he were to find a house outside of the city limits. City Manager commented that the laws regarding residency had changed and that the State of Michigan stipulates that a municipality can require its employees to live within 20 miles of their employment. The union contract language currently reads that the city requires residency for its Teamsters employees.

D Doyle moved, Fuja supported to direct the Administration to renegotiate Local Union #214 Labor Contract.

YEAS: Krupp, Mayor Schuyler, Canute, D Doyle, T Doyle, Fuja.

**NAYS: None.
Carried.**

D Doyle moved, Fuja supported to approve the following resolutions authorizing the debt refinancing:

1. Resolution Authorizing 2001 General Obligation Unlimited Tax Sewer Refunding Bond.

2. Resolution Authorizing 2001 General Obligation Unlimited Tax Water Refunding Bond.

YEAS: Mayor Schuyler, Canute, D Doyle, T Doyle, Fuja, Krupp.

NAYS: None.

Carried.

D Doyle moved, T Doyle supported to adopt the notice of sale for the debt refinancing.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler.

NAYS: None.

Carried.

Krupp moved, T Doyle supported to award the bid for City Hall Parking Lot improvements to Ace Asphalt in the amount of \$90,659.06.

YEAS: D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Canute.

NAYS: None.

Carried.

D Doyle moved, Canute supported to approve the contract for engineering services for repairing City Hall Parking Lot with deletion of paragraphs outlined by the City Attorney.

YEAS: T Doyle, Fuja, Krupp, Mayor Schuyler, Canute, D Doyle.

NAYS: None.

Carried.

Fire Chief Rinker and City Manager Markland presented the proposed fire hall renovations that are planned for the summer. Plans include office space for the Chief, the officers, new bathroom, new electrical lighting, new wash sink for air masks, and new bay for #602. The old election room will be renovated into a conference room used for training. Exterior renovations include re-bricking to match the City Hall exterior, a crest along the roofline and enhanced trim around the bay doors. Windows that were blocked in will be restored with energy efficient windows.

**Krupp moved, Fuja supported to have the City Manager and the Fire Chief put together bids for interior and exterior renovations of the Fire Hall.
Carried.**

PUBLIC COMMENT:

Rowland Ferwerda, 608 E. Vinewood Street thanked the City Council and City Manager for their consideration of Item D.

DEPARTMENT REPORTS:

Fire Chief reported that they have hired a new firefighter. The new rescue response vehicle will fit our needs well. The grant for the new siren is out. Hopefully, the city will receive the grant. If we do have a weather emergency, though, we will go out with the police and inform the citizens.

DPW Director reported that he would be attending a sanitary sewer overflow seminar. South Oak Street is being paved Thursday and Friday of this week and that restoration is scheduled for next week. Krupp asked about the RR crossing and the difference in elevations. Who is going to pay for the difference? City Manager stated that it would depend. The City met with them and received their elevations, and then they built the crossing at a different elevation. We had to spend an extra \$10,000 to bring the street elevations close to what the railroad's were. T. Doyle asked if there was any way that the city could recoup the money that was spent to adjust elevations since the railroad had not indemnified the city by not completing the crossing as specified.

COUNCIL COMMENTS:

Krupp asked if the city had been reimbursed for the railroad spill. City Clerk responded that they had not received the money yet.

Fuja asked if the city had ever been compensated for the Bush campaign rally. City administration replied yes.

Canute noted that the streetlights on the west side of North Saginaw Street are out.

Canute moved, Krupp supported to Adjourn into Executive Session at 8:54 p.m. to discuss possible land acquisition.

YEAS: Fuja, Krupp, Mayor Schuyler, Canute, D Doyle, T Doyle.

NAYS: None.

Carried.

Reconvened and adjourned at 9:07 p.m.

Minutes of the Regular meeting of the Durand City Council held Monday, April 16, 2001 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

**Council Present: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp, Schuyler.
Council Absent: None.**

**D. Doyle moved, Canute supported to approve the agenda with the addition of Item A-1 – Presentation – Compak, Inc., and Executive Session to discuss pending litigations.
Carried.**

**Canute moved, T Doyle supported to approve the minutes of the regular meeting and Executive Session held on April 2, 2001.
Carried.**

Krupp moved, Bemis supported to approve payment of city bills numbering from 25664 – 25737.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT: Agnes Witherell, 612 Brand Street asked if there was anything that can be done to get the railroad to clean up some of their messes that they've left down along the tracks on Kent, Brand and Courtland Streets. Mince responded that the railroad would be working on the crossing at S. Oak very soon and he would make a point to speak with someone regarding the debris.

**Canute moved, Fuja supported to approve the request from Our 206 Bar for Temporary Outdoor Service with the following restrictions: 1) The band and all music inside the beer tent and outdoor area will stop at 1:00 a.m. on May 18th and 19th 2) That the request for outdoor service on the Sunday the 20th be denied.
Carried.**

Compak-Webcorp representative, Joel Liggett, Director of Sales and Marketing, came to the City Council to give them the news that the companies are planning to merge their operations to the Durand facility. He summarized their operations – Webcorp has a facility in Burton and in Memphis, TN. Corporate offices are on Bristol Road in Flint. The company does not own the building on Center Road (Burton) and it is the intention to relocate its operations prior to the lease expiration at that plant. The company also plans to close the facility in Flint, which will mean that 60 jobs and employees will be moved to the Durand facility. Additionally, 17 office personnel will move to Durand, where Compak-Webcorp plans to develop

new corporate offices. The anticipated cost of the project is 5 million dollars and consolidation of the operations is most sensible.

In preliminary talks with the City Manager, there have been discussions about purchasing land from the city to construct the new manufacturing expansion. Also, to limit access onto Lansing Road, a road access cut would be made directly onto the current westerly drive at the city's water plan.

SPO sends 1 –2 truckloads daily to AC-Delphi, which is the company's only Michigan customer. All other shipments are shipped out of Michigan.

Webcorp currently has 4 shifts working; Compak has 3 shifts. The planned operations for Durand would be three shifts working round the clock 6 days a week.

The only thing that is required is acquiring land from the city. The city owns the land; Compak needs the land. Hopefully, we will be working out details and making a final request to the City Council.

Questions from the audience included: Agnes Witherell: Will it cause any problems for expansion of either the Water or WWTP in the future? City Manager explained that the engineers, Capital Consultants, have reviewed the land available, and believe that we have adequate facilities for future expansion. Mary Richmond: What about the retention pond? How much does it collect? City Manager responded that the pond is used only for natural collection.

Bemis asked Liggett what he viewed as the big issue for the project. Liggett replied that coming to terms with the property purchase was the big issue. He then stated that there were three phases to the project: Phase I – corporate offices Phase II – sand fill of the land Phase III – construction of the new facility.

D Doyle moved, Fuja supported to authorize City Manager to continue negotiations with Compak regarding sale of property on Lansing Road.

YEAS: T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle.

NAYS: None.

Carried.

D Doyle moved, Bemis supported to approve change order #2, in the amount of \$20,700 for the cost of the removal of bridges of Fauble Street and extending forced main last of the intersection of Vinewood and Oak Streets.

YEAS: Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle.

NAYS: None

Carried.

D. Doyle, T Doyle supported to approve Payment #3 to Rhode Bros In the amount of \$148,694.84 for the reconstruction of S Oak Street.

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle, Fuja.

NAYS: None.
Carried.

Bemis moved, T Doyle supported to approve the proposal for Engineering Services – Manfred Subdivision Inflow Evaluation from Capital Consultants in the amount of \$11,000 with the deletion of paragraph F.

Krupp moved to amend the original motion by deleting paragraph E, which failed due to lack of support.

YEAS: Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp.

NAYS: None

Carried.

T Doyle, Fuja supported to adopt the following ordinance:

AN ORDINANCE TO AMEND THE DURAND CITY CODE BY ADDING A NEW CHAPTER WHICH SHALL BE CHAPTER 20 OF TITLE II OF SAID CODE TO ESTABLISH A POLICY FOR THE STORAGE OF IMPOUNDED MOTOR VEHICLES; SETTING OF FEES; LEIN AGAINST VEHICLE; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 2.151. Public Policy. It is hereby deemed to be necessary by the City Council of the City of Durand to establish a policy for the impounding of motor vehicles which are required to be impounded by the laws of any governmental unit or which are found to be in violation of the Ordinances of the City or which are a hazard to public safety because of their location upon a public street during a declared emergency or during snow removal operations.

Section 2.152. General Policy. It is hereby declared to be the general policy of the City that any vehicle to be impounded shall be stored by the towing company engaged to remove the vehicle. Said towing company shall establish its own fees and charges. The City shall not be responsible for the subject vehicle in any manner.

Section 2.153. Storage Area. The City Manger, with the approval of the City Council, shall establish a secure area for the storage of motor vehicles, which are impounded under Section 2.151, above. The storage area shall be utilized only when the towing company engaged to remove the vehicle is not able to store the vehicle as provided in Section 2.152, above. The storage area shall be made secure and shall be maintained in a secure manner during any time a vehicle is stored in the area.

Section 2.154. Fees. At the inception of this Ordinance the fee for storage of a vehicle shall be \$15.00 for any calendar day or portion of calendar day that the vehicle is stored. The City prior to releasing the vehicle shall receive payment in full of the storage fees, and any towing charges. The fee for storage may be amended from time to time by the City Council by resolution.

Section 2.155. Lien. The City of Durand shall have a lien interest against any vehicle stored for the full amount of any storage charges and for any towing charges charged by the towing company engaged by the City. Enforcement of the lien shall comply strictly with MCLA 570.301 through MCLA 570.309.

Section 2.156. Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: April 16, 2001

Date Published: May 13, 2001

YEAS: Bemis, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler.

NAYS: Canute.

Carried, 6-1.

D Doyle moved, Krupp supported to approve the grant application for the FEMA grant for three new civil/defense storm-warning sirens in the amount of \$30,600.00, up to \$60,000.00.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZEN COMMENTS:

Agnes Witherell, 612 Brand Street asked if the warning siren is broken, and shouldn't the citizens be informed that it does not work. Mince responded yes and they are working to repair it.

DEPARTMENT REPORTS:

Mince: S. Oak Street Project: Last of water connections are completed. Storm sewer will be installed this week. They will be finish the road base, and plan to pave mid-May. There will be spot curb and gutter replacement.

Markland: The city experienced a loss in the census of 350 people, which means an adjustment in state shared revenue of \$28,286.00. Currently working on refunding of bonds that the city has outstanding. It will lower the debt millage by a ¼ mill.

COUNCIL COMMENTS:

Krupp asked about the derailment bill and payment. City Clerk responded that she would follow up with Sgt. Barber of the Sheriff's Dept. and find out what happened. Krupp also asked about the Fire Hall remodeling. City Manager stated that the Fire Chief is on vacation and he will be meeting with him as soon as he gets back. The architect has new drawings. Is the fascade holding up the project? Can we move ahead on it? City Manager stated that it really should be bid as a package.

Bemis thanked DPW Director for the information on the sewer separation for the south side of town.

D Doyle moved, Krupp supported to adjourn to Executive Session at 8:55 p.m. to discuss pending litigations:

- 1) Canfield vs. City of Durand**
- 2) Vernon Township vs. City of Durand**

Reconvene and Adjourn at 10:02 p.m.

APRIL 2, 2001 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, April 2, 2001 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Bemis, Canute, D Doyle, T Doyle, Krupp, Schuyler.

Council Absent: Fuja

D. Doyle moved, Krupp supported to approve the agenda with the addition of Item G – Knights of Columbus MR Tootsie Roll Drive, April 6-8, 2001, as presented. Carried.

Krupp moved, Bemis supported to approve the minutes of the regular meeting held on March 19, 2001, as printed. Carried.

Krupp moved, Canute supported to approve payment of city bills numbering from 25542 – 25599.

YEAS: Canute, D Doyle, T Doyle, Krupp, Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Carolyn Geyer, 108 Obert Street, asked if the city had received any answer to the last proposal made to Vernon Township by the city in regards to intergovernmental agreements. Mayor Schuyler stated that there had been no response.

Donna Riley, 103 N. Oak Street asked about the construction of S. Oak Street, specifically regarding the fact that both ends of the street are closed. Mince

responded about the schedule change. The contractors encountered an old abandoned bridge buried under the street that needs to be removed, so the south end of the street will have to be closed until the end of the week. Due to this situation, the work at the other end of the project has been temporarily stopped.

Canute moved, T. Doyle supported to approve the requests from the Durand Railroad Days Committee, as presented.

Carried.

D. Doyle moved, Canute supported to approve payment request #6 in the amount of \$19,594.00 from Sky Electric for the stand-by power modifications

YEAS: D Doyle, T Doyle, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

D. Doyle moved, Canute supported to approve the right of way permit for Great Lakes Comnet, Inc., subject to administration's negotiations to reimburse actual costs for the permit.

YEAS: T. Doyle, Krupp, Mayor Schuyler, Bemis, Canute, D. Doyle

NAYS: None

Carried.

D. Doyle, Krupp supported to pass the ordinance for storage of impounded vehicles to second reading.

Carried, 5 – 1.

Krupp moved, Bemis supported to approve the Knights of Columbus solicitation request for the MR Tootsie Roll Drive on April 6 – 8, 2001, contingent on the provision of liability insurance naming the city as an additional insured.

Carried.

CITIZEN COMMENTS: Mary Richmond, 204 S. Oak Street stated that the schools are losing because this area does not offer recreational opportunities for young children. No theatre, no skating rink, no auditorium. City Manager stated that he and the superintendent of schools have been working with the YMCA to bring a program to the community.

DEPARTMENT REPORTS:

McKone: At the next meeting, the attorney representing the city in the Vernon Township lawsuit will be present.

Markland: The census results have been released in the newspapers and the city experienced a loss of 350 people. We are currently reviewing the negative impacts that this drop will have on the city. If you recall during the Chamber of Commerce's Annual Breakfast, the school superintendent stated that the school district has been experiencing a decline in enrollment for the past several years. This decline is serious for the school's financial stability. I would like to have the

City Council authorize the city to work cooperatively with the school on a joint solution to the census situation.

**D. Doyle moved, Krupp supported to authorize the City Manager to work with the School Superintendent to identify means of changing the census results.
Carried.**

City Manager also stated that he is working on opportunities to re-finance the city's debt.

COUNCIL COMMENTS:

Krupp: The Firemen's Ball was very successful. Thank you to the community for its support.

Canute: The Parks Pancake Breakfast is from 8 – 11 on Sunday morning at the V.F.W.

Bemis: I'd like to get an ongoing update on the progress of the storm drain televising. Mince noted that, and then added that he is working with Capital Consultants on a proposal, and from his initial findings, it appears that many of the homes could disconnect from the weep tiles and hook directly to sump pumps now.

Canute moved, D. Doyle supported to adjourn to Executive Session to discuss:

- 1. Union Negotiations**
- 2. Purchase and/or sale of land**

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, D. Doyle, T. Doyle.

NAYS: none

Carried.

Meeting reconvened at 8:32 p.m.

D. Doyle moved, Krupp supported to approve the Police Union #214 contract, as presented by the City Manager.

YEAS: Mayor Schuyler, Bemis, Canute, D. Doyle, T. Doyle, Krupp

NAYS: none

Carried.

Meeting adjourned at 8:34 p.m.

MARCH 19, 2001 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, March 19, 2001 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp, Schuyler.

Council Absent: None.

D Doyle moved, Fuja supported to approve the Agenda as presented.

Carried.

Krupp moved, T Doyle supported to approve the minutes of the regular meeting held on March 5, 2001, as printed.

Carried.

D Doyle moved, Canute supported to approve payment of city bills numbering from 25488 – 25541.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Rob Duvae, representing the Dan Wilson Foundation and American Diabetes Association, requested that the City Council approve a 5 K walk on June 23rd. There will be a \$10.00 entry fee. Liability insurance coverage will be provided through the American Diabetes Asso., but he has not received the documentation yet. The route that the 5K walk would take is the same one that is used during Cruisin', but the starting point would be at the Clock Tower, instead of the Catholic Church.

Canute moved, D. Doyle supported to tentatively approve a 5K Walk to raise funds for the Dan Wilson Foundation & American Diabetes Assoc., contingent on providing verification of proper liability coverage.

Carried.

Paul Deisel, representing the Durand Church of God, updated the City Council on the church sponsored Easter Egg Hunt that was approved at the last meeting. He noted that he did not realize that the ball fields were not part of the park. Instead, they are owned by the school district. He further noted that they still plan to have the tent, but may not have the inflatable games if the school's field is in use for spring baseball. He also presented the liability binder of coverage for the event.

D Doyle moved, Fuja supported to approve the list of Election Inspectors for the Special Election to be held March 20,2001.

Carried.

Canute moved, Krupp supported to approve the low bid for lawn care from C.M. Warner Lawn and Landscapes.

YEAS: D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

CITIZEN COMMENTS:

Paula Brooks, 104 W. Summit Street asked if the ground care contract would restore the mounds of dirt that were pushed into the park during snow removal. Mince responded that the mounds of dirt would be removed.

DEPARTMENT REPORTS:

Tanner: The cameras in all three cars are almost working.

Mince: We have been working through problems on the website. S. Oak Street has been open most of the time during construction. Consumers Power gas main installation has been slowing down the process.

Markland: The U.S. Post Office announced that they have delayed the building of the new post office until sometime in the future due to financial matters. Also, since there has been a decrease in interest rates, I am looking into refinancing the debt service. I met with the school superintendent and Director of the YMCA to possibly start a local program.

COUNCIL COMMENTS:

Canute: There is a situation with local resident Pam Marrs with the Water Department. Markland, Mince and D. Doyle responded that they also had spoken with Marrs and that whatever the problem was it was isolated and resolved.

Meeting adjourned at 8:00 p.m.

MARCH 5, 2001 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, March 5, 2001 in the Council Chambers of Durand City Hall.

Mayor Pro-tem Canute called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp.

Council Absent: Mayor Schuyler.

D Doyle moved, Krupp supported to approve the Agenda as presented.

Carried.

**Krupp moved, T Doyle supported to approve the minutes of the regular meeting and the Executive Session held on February 19, 2001, as printed.
Carried.**

Krupp moved, D Doyle supported to approve payment of city bills numbering from 25441 – 25487.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Lloyd Fredrick, Chairperson of the Parks and Recreation Board reported that there are three teen dances scheduled for the summer – the 3rd Wednesday in June, July and August at the V.F.W. On March 24th, the Parks Board will be sponsoring a Pancake Breakfast to raise the funding to pay for the Disc Jockey for the dances.

Paul Deisel, Youth Pastor of the Church of God, was present requesting permission of the City Council to hold an Easter Egg Hunt on April 14th in Trumble Park. The church will cover all of the costs and provisions for the hunt. He also owns his own community event company and has liability insurance through his business.

**D Doyle moved, Bemis supported to tentative approval for an Easter Egg Hunt on April 14, 2001 with the stipulation of insurance, time and a formal plan.
Carried.**

Dennis Rainwater, 505 Vassar Drive, stated that he supports the city in its efforts of defending the water and sewer. The citizens passed a millage to pay for these services. Why would the township expect us to provide these services without a premium for them? And, what services does the township provide to the city? Also, what about the lack of regulation of leaf burning that the township allows. Right down the street from my home people can burn leaves and that is a nuisance. I haven't seen any move on the township's part to address this. I am sure that there are other issues, but this just comes to mind. I'd also like to thank Amy Roddy for taking the time to keep me informed on these issues. She's a good employee and an asset to the city.

T Doyle moved, Fuja supported to purchase a new truck for the Water Department through the Oakland County purchasing program in the amount \$19,225.99.

YEAS: D Doyle, T Doyle, Fuja, Krupp, Canute, Bemis.

NAYS: None.

Carried.

D Doyle moved, T Doyle supported to pass the resolution authorizing the financing of the new fire truck by Citizens Bank.

YEAS: T Doyle, Fuja, Krupp, Canute, Bemis, D Doyle.

**NAYS: None.
Carried.**

Mayor Pro-tem Canute opened the Public Hearing at 8:07 p.m. to discuss the sale of Shaw Park located on E. Fauble Street. City Clerk noted that there had been a Public Hearing held during the last meeting of the City Council, and because there were no residents in attendance at that time the City Council had requested that the neighborhood be notified of the proposed closure and sale of the park. She mailed notices to all property owners within a 300-foot boundary to the park property. City Attorney stated that this Public Hearing is not required, but city officials felt that it was necessary to hear from the residents of the neighborhood.

Deena DiMarco, 115 E. Fauble Street stated that she does not want to part with the park. Small children need this. Our little kids need this park. The big park (Optimist) has too much traffic. There are big kids there – smoking, drinking, writing graffiti and we don't want the little kids picking up their bad habits.

Dan Petersen, 108 E. John Street asked what the values of the lots were. City Manager stated that he does not yet have a firm value, but a guess-timate would be approximately \$20,000 per lot.

Carl Hill, 107 E. Fauble stated that in the neighborhood, today, there are 13 houses for sale.

Karen Barnhardt, 104 E. Fauble Street stated that Optimist Park is really unaccessible for us due to the ball games. In fact, there is so much traffic that they park all the way in front of my house.

City Attorney commented that the City Council will listen to all of the comments, and then make a decision to either place it or not on the ballot so that voters can make a decision as to whether or not the land should be sold.

DiMarco noted "We are serious. We don't want to see this park gone. We will maintain the park, weed it, and paint the equipment. Whatever is needed to keep this park in our neighborhood. It's a small piece of property that benefits the small kids."

Hill noted that he feels that there is a lot of emphasis placed on Optimist Park, and it doesn't really meet the needs of smaller kids. Fredrick commented that on Monday, Tuesday and Wednesday evenings during the summer, there are ball leagues for 5 year olds and up. Hill noted that these are two different types of parks. Shaw Park is a playing park.

Barnhardt asked if the revenue of the sale of the park is needed for Optimist Park? Krupp responded "No, but we always need money." Barnhardt stated that once the property is lost, you could never get it back.

D. Doyle stated that she feels that residents are in a unique position. Some people don't have the luxury of sending their kids to a small park without supervision. Fuja also questioned the residents about what would happen when they move? What happens if new owners don't share in your view? DiMarco stated that she has no plans in moving, and if she does, her children would probably move into the home.

Bemis asked if the entire park is being used. Hill responded, "Yes. There is really very little equipment in the park – a slide and a couple of swings. It's a place where dads can go and throw a ball with their kids." Mrs. Hill also commented that she leaves for work at 7:40 a.m. and 90% of the time she drives past Optimist Park, the police cruiser is there, watching the bid kids.

Mayor Pro-tem Canute closed the Public Hearing 8:48 p.m. D. Doyle stated that she would like more time to think this over before making a decision. Krupp noted that he appreciated the citizens comments regarding the park.

D Doyle moved, Bemis supported to adopt the following:

AN ORDINANCE TO AMEND TITLE 1 CHAPTER 1 SECTION 1.1 OF THE DURAND CITY CODE BY ELIMINATING THE POSITION OF SUPERINTENDENT OF WATER DEPARTMENT; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 1. Amendment. Title 1 Chapter 1 Section 1.1 of the Durand City Code is hereby amended to eliminate the position of Superintendent of Water Department.

Section 2. Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: March 5, 2001

Date Published: March 18, 2001

YEAS: Fuja, Krupp, Bemis, Canute, D Doyle, T Doyle.

NAYS: None.

Carried.

Krupp moved, Bemis supported to adopt the following:

ORDINANCE NO. _____ -----

AN ORDINANCE TO PROHIBIT PERSONS UNDER THE AGE OF 21 YEARS FROM POSSESSING OR CONSUMING ALCOHOLIC BEVERAGES; ARREST BASED UPON REASONABLE CAUSE OR UPON RESULTS OF A

PRELIMINARY CHEMICAL BREATH ANALYSIS; PARTICIPATION IN UNDERCOVER PROGRAMS; PENALTIES; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 1. A minor shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, or possess or attempt to possess alcoholic liquor, except as provided in this Section. A minor who violates this section is guilty of a misdemeanor punishable by the following fines and sanctions:

A. For the first violation a fine of not more than \$100.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in Section 6107 of the Public Health Code, 1978 PA 368, MCL 333.6107, and designated by the Administrator of Substance Abuse Services, and may be ordered to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in Section 2.

B. For a violation of this Section following a prior conviction or juvenile adjudication for a violation of this Section or Section 33b(1) of former 1933 (Ex Sess) PA 8, a fine of not more than \$200.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in Section 6107 of the Public Health Code, 1978 PA 368, MCL 333.6107, and designated by the Administrator of Substance Abuse Services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in Section 2.

C. For a violation of this Section following 2 or more prior convictions or juvenile adjudications for a violation of this Section or Section 33b(1) of former 1933 (Ex Sess) PA 8, a fine of not more than \$500.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in Section 6107 of the Public Health Code, 1978 PA 368, MCL 333.6107, and designated by the Administrator of Substance Abuse Services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in Section 2.

D. The Secretary of State shall suspend the operator or chauffeur's license of an individual convicted of violating this Section or Section 3 of this Ordinance as provided in Section 319 of the Michigan Vehicle Code, 1949 PA 300, MCL 257.319.

Section 2. The Court may order the person convicted of violating Section 1 to undergo screening and assessment by a person or agency as designated by the Substance Abuse Coordinating Agency as defined in Section 6103 of the Public Health Code, 1978 PA 368, MCL 333.6103, in order to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs.

Section 3. A person who furnishes fraudulent identification to a minor, or notwithstanding Section 1, a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.

Section 4. A peace officer who has reasonable cause to believe a minor has consumed alcoholic liquor may require the person to submit to a preliminary chemical breath analysis. A peace officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis. The results of a preliminary chemical breathe analysis or other acceptable blood alcohol tests are admissible in a criminal prosecution to determine whether the minor has consumed or possessed alcoholic liquor. A refusal by a minor to submit to a preliminary chemical breath test analysis as required in this section is responsible for a civil infraction and may be ordered to pay a civil fine of not more than \$100.00.

Section 5. A law enforcement agency, upon determining that a person less than 18 years of age who is not emancipated under 1968 PA 293, MCL 722.1 to 722.6, allegedly consumed, possessed, purchased, or attempted to consume, possess or purchase alcoholic liquor in violation of Section 1 shall notify the parent or parents, custodian, or guardian of the person as to the nature of the violation if the name of a parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. The notice required by this Section shall be made not later than 48 hours after the law enforcement agency determines that the person who allegedly violated Section 1 is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6. The notice may be made by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first class mail. If an individual less than 17 years of age is incarcerated for violating Section 1, his or her parents or legal guardian shall be notified immediately as provided in this Section.

Section 6. This Ordinance does not apply to the following circumstances:

A. When a minor possesses alcoholic liquor during regular working hours and in the course of his or her employment if employed by a person licensed by the Michigan Liquor Control Act, by the Michigan Liquor Control Commission, or by an Agent of the Michigan Liquor Control Commission, if the alcoholic liquor is not possessed for his or her personal consumption.

B. To the consumption of alcoholic liquor by a minor who is enrolled in a course offered by an accredited post secondary educational institution in an academic building of the institution under the supervision of a faculty member if the purpose of the consumption is solely educational and is a requirement of the course.

C. To the consumption by a minor of sacramental wine in connection with religious services at a church, synagogue, or temple. To the purchase or receipt of alcoholic liquor by an underage person under the direction of the person's employer and with

the prior approval of the local prosecutor's office in an undercover operation which is part of an employer-sponsored internal enforcement action.

D. To an undercover operation in which the underage person purchases or receives alcoholic liquor under the direction of the State Police, the Michigan Liquor Control Commission, or a local police agency as part of an enforcement action unless the initial or contemporaneous purchase or receipt of alcoholic liquor by the underage person was not under the direction of the State Police, the Michigan Liquor Control Commission, or the local police agency and was not part of the undercover operation.

Section 7. This Ordinance does not limit the civil or criminal liability of the vendor or the vendor's clerk, servant, agent, or employee for a violation of the Michigan Liquor Control Act or the Ordinances of the City of Durand.

Section 8. Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: March 5, 2001

Date Published: March 18, 2001

YEAS: Krupp, Bemis, Canute, D Doyle, T Doyle, Fuja.

NAYS: None.

Carried.

D Doyle moved, Krupp supported to adopt to following:

ORDINANCE NO. _____ ------

AN ORDINANCE TO PROHIBIT THE POSSESSION OR CONSUMPTION OF ALCOHOLIC LIQUOR IN PUBLIC AREAS; EXCEPTIONS; PENALTY; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 1. It shall be unlawful for any person to consume alcoholic liquor or to possess alcoholic liquor in an open container on a public street, sidewalk, highway or in a public park, public place of amusement or other publicly owned area not licensed to sell alcoholic beverages for consumption on the premises.

Section 2. This Ordinance shall not apply to the consumption of alcohol or the possession of an open container of alcohol upon public property where said consumption or possession is within a grant of permission given by the City Council of the City of Durand.

Section 3. Any person in violation of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine up to \$500.00 or imprisonment in the

County Jail for a period not to exceed 90 days or a combination of said fine and imprisonment.

Section 4. Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: March 5, 2001

Date Published: March 18, 2001

YEAS: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp.

NAYS: None.

Carried

Krupp moved, T Doyle supported to adopt the following:

ORDINANCE NO. _____ ------

AN ORDINANCE TO AMEND TITLE 1 CHAPTER 9 OF THE DURAND CITY CODE; PURCHASING, CONTRACTING AND SELLING PROCEDURE; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 1.231 Purchasing Agent. The City Manager shall act as Purchasing Agent of the City, and shall adopt any necessary rules respecting requisitions and purchase orders.

Section 1.232 Purchases or Contracts under \$1500.00. Purchases of supplies, materials or equipment, the cost of which is less than \$1500.00, may be made in the open market but such purchases shall where practicable, be based upon at least three (3) competitive bids and shall be awarded to the lowest bidder meeting specifications. The Purchasing Agent may solicit bids verbally or by telephone, or may contact prospective bidders by written communication. Where bids are solicited by written communication, a request for such bids shall also be posted in the City Hall. A record shall be kept for six (6) months of all open market orders and the bids submitted thereon, which records shall be available for public inspection. Any or all bids may be rejected.

Section 1.233 Purchases or Contracts over \$1500.00. Any expenditure for supplies, materials or equipment, construction project or contract obligating the City, where the amount of the City's obligation is in excess of \$1500.00 shall be governed by the provisions of this section.

(1) Such expenditures shall be made the subject of a written contract. A purchase order shall be a sufficient written contract only in cases where the expenditure is in the usual and ordinary course of the City's affairs and in no case shall it be sufficient for the construction of public works or the contracting of supplies or

services over any period of time or where the quality of the goods or materials or the scope of the services bargained for is not wholly standardized.

(2) Notice inviting sealed competitive bids shall be published in the official newspaper at least five (5) days before the final date of submitting bids thereon. Such notice shall give briefly the specifications of the supplies, materials or equipment or construction project or other matter to be contracted for, and shall state the amount of bond or other security, if any is to be required, to be given with the bid, and the amount of bond or other security to be given with the contract. The Notice shall state the time limit, the place of filing and the time of opening bids and shall also state that the right is reserved to reject any or all bids. Any other conditions of award of the contract shall also be stated in general terms.

(3) The Purchasing Agent shall also solicit bids from a reasonable number of such qualified prospective bidders as are known to him by sending each a copy of the notice requesting bids and notice thereof shall be posted in the City Hall.

(4) Unless prescribed by the Council, the City Manager shall prescribe the amount of any security to be deposited with any bid which deposit shall be in the form of cash, certified or cashier's check or bond written by a surety company authorized to do business in the State of Michigan. The amount of such security shall be expressed in terms of percentage of the bid submitted. Unless fixed by the Council, the City Manager shall fix the amount of the performance bond and in the case of construction contracts, the amount of the labor and materials bond to be required of the successful bidders.

(5) Bids shall be opened in public by the City Manager, or in the event of his being absent or incapacitated, by the City Clerk, at the time and place designated in the notice requesting bids. The City Manager or the City Clerk and at least one other City official, preferably the head of the Department most closely concerned with the subject of the contract, shall be present at the opening of the bids. The Bids shall thereupon be carefully examined and tabulated and reported to the Council with the recommendation of the Purchasing Agent. After tabulation, all bids may be inspected by the competing bidders.

(6) When such bids are submitted to the Council, the contract to be executed, in a form approved by the City Attorney, shall also be submitted and if the Council shall find any of the bids to be satisfactory, it shall award the contract and shall authorize execution of the contract upon execution of the contract by the successful bidder and the filing of any bonds which may have been required, which bonds shall first be approved by the City Attorney as to form and content. Contracts shall be awarded to the lowest competent bidder meeting specifications unless the Council shall determine that the public interest will be better served by accepting a higher bid. Such award may be by resolution or ordinance. The Council shall have the right to reject any or all bids and to waive irregularities in bidding and to accept bids which do not conform in every respect to the bidding requirements.

(7) At the time any public works construction, maintenance or repair contract is executed by him, the contractor shall file a bond executed by a surety company authorized to do business in the State of Michigan, to the City, conditioned to pay all laborers, mechanics, subcontractors and material-

Men as well as all just debts, dues and demands incurred in the performance of such work. Said contractor shall also file evidence of public liability insurance in an amount satisfactory to the City Manager, and agree to save the City harmless from loss or damage caused to any person or property by reason of the contractor's negligence.

(8) All bids and deposits of certified or cashier's checks may be retained until the contract is awarded and signed. If any successful bidder fails or refuses to enter into the contract awarded to him within five (5) days after the same has been awarded, or file any bond required within the same time, the deposit accompanying his bid shall be forfeited to the City.

Section 1.234 Exception to Competitive Bidding. Competitive bidding shall not be required in respect to contracts for professional services. In any other case where competitive bidding clearly is not practical or where no advantage would result to the City to require competitive bidding, the Council upon the written recommendation of the City Manager, may authorize the execution of a contract without competitive bidding. Where a contract is let without competitive bidding the proposed contract shall be approved by the City Attorney as to form and content, unless prepared by him by direction of the Council, and submitted to the Council.

Section 1.235 Emergency Purchases. In case of emergency, any department head, with the approval of the City Manager, may purchase directly any supplies, material or equipment, the immediate procurement of which is necessary to the continuation of the work of his department. Such purchases and the emergency causing them shall be reported in detail to the City Manager within a week from the time when made and such reports shall be preserved for a period of two (2) years.

Section 1.236 Sale of Property. Whenever any City property, real or personal, is no longer needed for corporate or public purposes, the same may be offered for sale on approval by the Council. Personal property not exceeding \$1500.00 in value may be sold for cash by the Purchasing Agent after receiving quotations or competitive bids therefore for the best price obtainable. All real property and personal property with a value in excess of \$1500.00 may be sold after advertising and receiving competitive bids, as provided in Section 1.233 of the Code and after approval of the sale has been given by the Council. In the sale of automotive equipment, bidders may include in their bid a trade-in allowance for old equipment which shall be in lieu of all bids herein required.

Section 1.237 Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: March 5, 2001

Date Published: March 18, 2001

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Bemis.

NAYS: None.

Carried.

D Doyle moved, Krupp supported to adopt the following:

ORDINANCE NO. _____ -----

AN ORDINANCE TO AMEND TITLE 2 CHAPTER 24 SECTION 2.68 OF THE DURAND CITY CODE; RATE CHANGES; SPECIAL RATES; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 1. Title 2 Chapter 24 Section 2.68 is hereby amended to read as follows:

2.68 Rate Changes; Special Rates.

A. All water and sewer charges may be changed by Resolution of the City Council.

B. Special rates for water or sanitary sewer service may be fixed by Resolution of the City Council for customers outside the City, customers not having a metered water supply, customers using large quantities of water not discharged into the sanitary sewers and in other cases where special considerations are applicable, in the discretion of the City Council, anything contained in this Chapter to the contrary notwithstanding.

Section 2. Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: March 5, 2001

Date Published: March 18, 2001

YEAS: D Doyle, T Doyle, Fuja, Krupp, Bemis, Canute.

NAYS: None.

Carried

Krupp moved, Bemis supported to adopt the following:

ORDINANCE NO. _____ -----

AN ORDINANCE TO PROVIDE FOR THE LICENSING OF CERTAIN BUSINESSES CURRENTLY OPERATING IN THE CITY OF DURAND OR WHICH DESIRE TO OPERATE IN THE CITY OF DURAND IN THE FUTURE WHICH ARE WITHIN CERTAIN CLASSIFICATIONS; APPLICATION; RENEWAL; HEALTH OFFICER'S CERTIFICATE; FIRE CHIEF'S CERTIFICATE; POLICE CHIEF'S CERTIFICATE; ZONING/BUILDING OFFICIALS' CERTIFICATE; BONDS; SUSPENSION OR REVOCATION; DISPLAY; TRANSFERABILITY; SPECIFIED BUSINESSES; PENALTY; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Title 7. Business Licenses.

Chapter 71. Licenses Required.

Section 7.1 Licenses Required. No person shall engage, or be engaged in the operation, conduct or carrying on of any enumerated trade, profession, business or privilege for which any license is required by any provision of this Code without first obtaining a license from the City in the manner provided for in this Chapter. Any person duly licensed on the effective date of this Code shall be deemed licensed hereunder for the balance of the current license year. Any person conducting any enumerated business prior to or on the effective date of this Ordinance, but having not been licensed as now required, shall have thirty (30) days from the effective date of this Ordinance to become licensed.

Section 7.2 License Application. Unless otherwise provided in this Code, every person required to obtain a license from the City to engage in the operation, conduct or carrying on of any trade, profession, business or privilege shall make application for said license to the City Clerk upon forms provided by the City Clerk and shall state under oath or affirmation such facts as may be required for, or applicable to, the granting of such license.

Section 7.3 Contents of Application. The Application for a business license shall contain all information relevant and necessary to determine whether a particular license may be issued, including but not limited to:

A. The applicant's full name, current address, telephone number and proof of identity, together with one (1) full face photograph of the applicant, not less than 2 inches square, nor more than 3 inches square. For purposes of this sub-section, a photograph is required for all partners, shareholders, sole proprietors or other interested parties in any partnership, corporation, LLC, sole proprietorship or entity conducting the business;

B. A brief description of the nature, character and quality of goods, wares or merchandise to be offered for sale;

C. The specific location, if any, in which the business intends to conduct business;

D. If the applicant is employed by another, the name and address of the person, firm, association, organization, company or corporation employing the applicant;

E. If a motor vehicle is to be used, a description of the vehicle together with the motor vehicle registration number and license number;

F. A complete listing of any other licenses or permits issued to the applicant by the City within five (5) years immediately preceding the date of the application;

G. A complete list of any and all misdemeanor or felony convictions of any person or any business entity involved in the conduct of the business. To this end, all persons required to submit a photograph under sub-section A would be required to list their convictions under this sub-section G.

Section 7.4 Health Officer's Certificate. The request for a license shall be submitted to the Durand Health Officer. The Durand Health Officer shall conduct an actual inspection of the premises in which the applicant proposes to conduct or is conducting the trade, profession, business or privilege. The Health Officer shall certify that the proposed use complies with all of the health and safety standards of the City of Durand.

Section 7.5 Fire Chief's Certificate. The request for a license shall be submitted to the Durand Fire Chief. The Durand Fire Chief shall conduct a fire safety inspection of the premises in which the applicant proposes to conduct or is conducting the trade, profession, business or privilege. The Fire Chief shall certify that the proposed use complies with all of the fire safety standards of the City of Durand.

Section 7.6 Police Chief's Certificate. The application shall also be submitted to the Chief of Police who shall conduct such investigation as he deems appropriate. The Chief of Police shall certify that the applicant or the persons in ownership positions of the applicant are of good moral character.

Section 7.7 Building and Zoning Officer's Certificate. The application shall also be submitted to the Building and Zoning Officer of the City. The Building and Zoning Officer shall certify that the proposed use of the premises is within the appropriate Zoning guidelines and that the building or location proposed for a specific business is structurally adequate to house the proposed business or enterprise.

Section 7.8 Bonds. The City of Durand may by Ordinance require that an applicant for any license or permit furnish a bond. Prior to issuance of the license such bond shall be furnished in an amount deemed adequate by the City Manager or in an amount specified in an Ordinance of the City of Durand. The form of such bond shall be acceptable to the City Attorney. In lieu of a bond, an applicant for a license or permit may furnish one (1) or more policies of insurance in the same

amounts and providing the same protection as called for in any such bond. Any such policies of insurance shall be approved as to substance by the City Manager and as to form by the City Attorney.

Section 7.9 Renewal. Unless otherwise provided in this Code, an application for renewal of a license shall be considered in the same manner as an original application.

Section 7.10 Fees.

A. The fee required by this Code for any license or permit shall be paid at the office of the City Clerk.

B. The fee required to be paid and the amount of any bond required to be posted, or insurance required to be carried, to obtain any license to engage in the operation, conduct or carrying on any trade, profession, business or privilege for which a license is required by the provisions of this Code shall be established by resolution of the City Council. The City Council shall establish the fee by determining the anticipated cost of provide the necessary inspections by the City's employees and/or officials, the administrative costs in issuing the license or permit and any anticipated costs or expenses related to the regulation of the business. The City Council may from time to time by resolution amend or change the fees imposed.

C. In the event that an applicant for a license shall fail to apply in a timely manner, or if the payment of the fee is untimely, a late fee equal to twenty-five (25%) percent of the original license fee, but in no event less than Five (\$5.00) Dollars, shall be paid.

Section 7.11 Exempt Persons. No license fee shall be required from any person exempt from such fee by State or Federal Law. Such persons shall comply with all other provisions of this Article. The City Clerk shall in all such cases issue to such persons licenses which are clearly marked as to the exemption and the reason therefore.

Section 7.12 Suspension or Revocation. Any license issued by the City may be suspended by the City Manager for cause, and any permit issued by the City may be suspended or revoked by the issuing authority for cause. The licensee shall have the right to a hearing before the City Council on any such action by the City Manager, provided a written request therefore is filed with the City Clerk within five (5) days after receipt of the notice of such suspension. The Council may confirm such suspension or revoke or reinstate such license. The action taken by the City Council shall be final. Upon suspension or revocation of any license or permit, the fee therefore shall not be refunded.

Section 7.13 Display; Exhibition Upon Request. Any license issued under this Ordinance shall be prominently displayed at the place of business. Every licensee

shall produce his license for examination when applying for a renewal or when requested to do so by any City Police Officer or by any person representing the issuing authority.

Section 7.14 Displaying Invalid License. No person shall display any expired license or any license for which a duplicate has been issued.

Section 7.15 Transferability; Misuse. No license or permit issued under the provisions of this Code shall be transferable unless specifically authorized by the provisions of this Code. No licensee or permittee shall unless specifically authorized by the provisions of this Code, transfer or attempt to transfer his license or permit to another, nor shall he make any improper use of the license or permit. Improper transfer or misuse of such license or permit shall result in automatic revocation of such license or permit in addition to the general penalty provision for violation of this Article.

Section 7.16 Penalty. Any person who violates any provision of this Ordinance is guilty of a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment in the County Jail for not more than ninety (90) days or any combination thereof.

Section 7.17 Businesses Requiring License. The following businesses are required to secure a license from the City Clerk in order to conduct business within the Corporate Limits of the City of Durand:

A. Peddlers, solicitors and transient merchants are required to apply for and receive a license prior to conducting any business or solicitation activities within the City of Durand. United States Military Veterans are exempt from this requirement. For purposes of this sub-section the following definitions apply:

1. The word "Peddler" as used in this Ordinance shall include any person traveling by foot, wagon, automotive vehicle or other conveyance, from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, or other vehicle or conveyance. Any person who solicits orders and as a separate transaction makes deliveries to purchasers as part of a scheme or design to evade the provisions of this Chapter, shall be deemed a "Peddler". The word "Peddler" shall include the words "Hawker" and "Huckster".

2. The word "Solicitor" as used in this Ordinance shall include any individual, whether a resident of the City or not, traveling either by foot, wagon, automobile, motor truck, or any other type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for sale of goods,

wares and merchandise, books or magazines, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he is collecting advance payments on such sales or not, and such definition shall include any person who, for himself, or for another person, hires, leases, uses, or occupies any building, structure, tent, railroad box car, boat, hotel room, lodging house, apartment, shop, or any other place within the City of Durand for the sole purpose of exhibiting samples and taking orders for future delivery. The word "Solicitor" shall include the word "Canvasser".

3. The term "Transient Merchant" shall mean a trader who sells merchandise whether at retail or otherwise at a temporary location without intending to become a permanent merchant in that place. The term "Transient Merchant" shall include "Street Vendors".

B. Tattoo Parlors. No person or entity shall engage in the business of operating a tattoo parlor without first obtaining a license therefore. For purposes of this Ordinance the following definitions shall apply:

1. A "Tattoo Parlor" shall mean any person, business or entity which engages to any degree in tattooing, body piercing or branding upon human tissue or a human body.

2. The term "Tattoo" shall mean either an indelible mark made upon the body of another individual by the insertion of a pigment under the skin or an indelible design made upon the body of another individual by production of scars other than by branding.

3. The term "Body Piercing" shall mean the perforation of human tissue other than an ear for a non-medical purpose.

4. The term "Branding" means a permanent mark made on human tissue by burning with a hot iron or other instrument.

C. Sexually Oriented Businesses. Any person operating or intending to operate a sexually oriented business within the City of Durand shall first secure a license from the City Clerk. The definition of the term "Sexually Oriented Business" is as defined in the Zoning Code for the City of Durand.

Section 7.18 EffectiveDate. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: March 5, 2001

Date Published: March 18, 2001

YEAS: T Doyle, Fuja, Krupp, Bemis, Canute, D Doyle.

**NAYS: None.
Carried.**

D Doyle moved, Krupp supported to adopt the following:

ORDINANCE NO. _____ -----

AN ORDINANCE TO AMEND TITLE 1 CHAPTER 6 SECTION 1.163 OF THE CITY CODE OF THE CITY OF DURAND ALLOWING THE CITY CLERK TO DESIGNATE A PERSON TO ACT AS SECRETARY AND CLERK OF THE CITY PLANNING COMMISSION; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 1.163 of Chapter 6 of Title 1 of the Durand City Code is hereby amended to read as follows:

Section 1.163 Meetings and Records. The City Planning Commission shall annually elect its Chairman from amongst its appointed members and create and fill such other offices as it may determine. The City Clerk or his or her designee shall act as Secretary and Clerk of the City Planning Commission. The City Planning Commission shall hold at least one (1) meeting every three (3) months. It shall adopt rules for the transaction of business, and shall keep a record of its resolutions, transactions, findings and determinations which record shall be a public record.

Section 1.164 Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: March 5, 2001

Date Published: March 18, 2001

YEAS: Fuja, Krupp, Bemis, Canute, D Doyle, T Doyle.

NAYS: None.

Carried.

D Doyle, Krupp supported to adopt the following:

ORDINANCE NO. _____ -----

AN ORDINANCE TO AMEND TITLE 1 CHAPTER 6 OF THE CITY CODE OF THE CITY OF DURAND REDEFINING THE DUTIES AND POWERS OF THE PARKS AND RECREATION BOARD; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 1.178 Parks and Recreation Board. There is hereby established a Parks and Recreation Board of the City of Durand which shall consist of seven (7) members appointed by the Mayor with the consent of the City Council for three (3) year terms as hereinafter set forth.

Section 1.179 Organization. The Board shall, at its first meeting, and on the first meeting of each year thereafter elect one (1) of its members chairman and one (1) as secretary. The Board shall keep a correct record of the proceedings and shall meet at such times as it may determine, not less than once each quarter. The meetings of the Parks and Recreation Board shall be subject to the Open Meetings Act.

Section 1.180 Recommendations Regarding the Parks and Public Grounds. The Parks and Recreation Board shall have the power and the duty to make recommendations regarding all public parks and any lands or lots heretofore or hereafter devised and bequeathed to the City of Durand for park purposes and shall make recommendations regarding the ornamenting, adorning, laying out and improving of the grounds of said parks and may recommend the adoption of any and all rules necessary for the use of said parks. All recommendations shall be made to the City Council of the City of Durand, either directly or through the City Manager.

Section 1.181 Receipts, Donations, Disposition. All receipts on account of the City Parks, whether arising from rentals, fees, donations, sale of any part thereof, or of any lands so willed and devised by any person to said City, shall be exclusively expended and applied under the direction and control of the City Council of the City of Durand. All payments of rents, fees, donations or other monies shall be paid at City Hall. In the event that any money is paid to a city employee not at City Hall or to a member of the Parks and Recreation Board, that payment shall be paid over to the appropriate official at City Hall as soon as practicable. All such money shall be placed in the General Fund of the City of Durand. Any recommendations of the Parks and Recreation Board will be considered prior to such expenditures.

Section 1.182. Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: March 5, 2001

Date Published: March 18, 2001

YEAS: Krupp, Bemis, Canute, D Doyle, T Doyle, Fuja.

NAYS: None.

Carried.

D Doyle moved, Fuja supported to adopt the following:

ORDINANCE NO. _____ -----

AN ORDINANCE TO AMEND TITLE 1 CHAPTER 6 OF THE CITY CODE OF THE CITY OF DURAND BY AMENDING THE DUTIES AND RESPONSIBILITIES OF THE CITY LIBRARY BOARD; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 1.151 City Library Board. The Library Board of the City of Durand, heretofore established, is continued and shall have the powers and duties herein conferred.

Section 1.152 Members. The Library Board shall consist of five (5) members who shall be either residents or freeholders of the City of Durand and shall be citizens of the United States. Said members shall be appointed by the Mayor with the approval of the Council. Prior to the first day of July of each year, one (1) member or two (2) members, as the case may be, shall be appointed annually for a term of three (3) years. Each member of the present library board and each member hereafter appointed shall serve until his successor is appointed and qualified. Within ten (10) days after appointment and before entering upon his or her duties as a member of the Library Board, each appointee shall file written acceptance with the City Clerk and subscribe and file with the Clerk an oath to support the Constitution of the United States, the Constitution of the State of Michigan and to faithfully perform the duties of the office of Library Board Member to the best of his or her ability.

Section 1.153 Board Organization. The City Library Board shall organize by electing annually at their first regular meeting in July, a Chairman, Vice Chairman, Secretary and such other officers as may be necessary for the proper conduct of the duties of the City Library Board. The Secretary shall notify the City Council of the names of all such officers promptly after their appointment. Three (3) members of the City Library Board shall constitute a quorum for the transaction of business.

Section 1.154 Power and Duties. It shall be the duty of the City Library Board to study and observe the manner in which the Library is managed and maintained by the District Library Board, and for that reason it may make or adopt such recommendations to the District Library Board, City Manager or City Council as may be expedient and not inconsistent with this Chapter, the Charter of the City and the General Laws of the State of Michigan. It shall have the power to recommend candidates for Librarian to the District Library Board. However, the final decision for selecting a Librarian shall reside with the District Library Board. It shall make recommendations concerning library hours, custody and purchase of the books, magazines, furniture, fixtures and equipment in the Library. The City Library Board may accept donations, contributions and gifts on behalf of the City for use at the Library. All moneys received shall be deposited with the City Treasurer and, except as otherwise provided by law or Ordinance, credited to the general fund. Any expenditures of these funds shall be in the sole discretion of the City Council. Any purchases made by or on behalf of the District Library with such

moneys shall revert to the City of Durand should there be a termination of the District Library or should the City of Durand withdraw from the District Library.

Section 1.155 Records. The City Library Board shall keep a complete record of its proceedings. It shall make at the end of the fiscal year and at any other times when requested by the Council, a report to the City Council stating the condition of the Library and such statistics, information and suggestions as it may deem of general interest.

Section 1.156 (Repealed.)

Section 1.157 EffectiveDate. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: March 5, 2001

Date Published: March 18, 2001

YEAS: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp.

NAYS: None.

Carried.

CITIZEN COMMENTS: no one spoke at this time.

DEPARTMENT REPORTS:

Mince: The barricade located on Yale Drive that was asked about at the last meeting – it is due to damage to curb/sidewalk that was caught with the loader when moving snow. As soon as the weather breaks, we will get it fixed. I am getting quotes for lighting in the parking lot behind Saginaw Street. We are distributing cards to residents living in the S. Oak construction area. Cards will identify local traffic; the street will be open only to local traffic, not through traffic. Two per household have been issued.

City Manager thanked the residents in the Shaw Park area for their input.

COUNCIL COMMENTS:

Bemis asked if was still on the "to do" list to contract pricing distributors. City Manager and Clerk responded yes.

T. Doyle thanked Dennis Rainwater for his comments regarding the sale of water/sewer.

Krupp noted the same thank you. He inquired about the status of the computers for the police cruisers. Tanner responded that they are tentatively to be installed on March 20 or 21. Krupp also asked about the video cameras in the police cruisers –

are they working now? Tanner stated that one camera is going to a company in Novi for repairs.

Canute thanked the people who attended the meeting regarding Shaw Park.

Meeting adjourned at 9:08 p.m.

FEBRUARY 19, 2001 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, February 19, 2001 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

**Council Present: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.**

**D Doyle moved, Krupp supported to approve the Agenda with the addition of the Approval of Bills; and deletion of Item F – Second Reading and Adoption: City Code Proposed Amendments, replacing it with Executive Session: Police Negotiations.
Carried.**

**Canute moved, D Doyle supported to approve the Minutes of the Regular Meeting and Executive Session of February 5, 2001, as printed.
Carried.**

Krupp moved, Fuja supported to approve the payment of city bills numbering from 25401 – 25440.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Rod Hall, owner of Teresa's Hallmark, 115 N. Saginaw Street, asked if the city had looked into lighting the parking lot behind the 100 block of Saginaw Street. Mince responded that Consumers Energy quoted a cost of \$150.00 per light per month. The parking lot would probably require 3 lights, but we could install our own lights, but then we have to maintain them. D. Doyle asked if the theme lights that are downtown could be used in the parking lot. Markland responded that if there was a planned scape for the parking lot, they would look great, but the lights cost approximately \$3000.00 each. Fuja noted that when she previously brought this

item up at a Council meeting, she didn't remember any other options offered except for Consumers Energy.

**Peggy DeVoe, 105 Atwater Street made the following observations/requests:
"Recent flooding found Russell Street closed, except to higher vans and trucks by 2 – 3 feet of water at one spot. Since Russell Street was closed, both Ann Arbor and Atwater Streets citizens who reside there day and night, and depot visitors were trapped until the waters went down and we could get in and out of our neighborhood again. That area gets flooded every time in heavy rains. Perhaps someone could look into repositioning of the drains in that area – it appears from observation that the water is expected to run uphill to those drains.**

The flooding is over for the present, but it brought to the attention of the approximately 32 households in the Atwater, Ann Arbor, Russell Street area the great need to have another way of exit. The only way in or out is via Russell Street. If any future emergencies or natural disasters require emergency vehicles and services to our neighborhoods, Russell Street being blocked or closed would certainly hinder any QUICK response by the emergency teams, and our own escape, if the need arose.

I am here to ask you to re-consider the closing of North Atwater Street, or perhaps, a more practical solution: installing a locked gate, instead of the now existing metal barricade at the northeast end of Atwater Street near the alley. Emergency officials could unlock the gate to permit residents or emergency crews to exit or enter the Atwater, Ann Arbor, Russell Street areas whenever needed. I ask you to please give this matter your consideration for our safety's sake.

Two other areas of town that also need emergency exits considered area the Spring Street area and the many apartment buildings directly south of West Fitzgerald Street. They also have only one way in or out.

Several years ago dozens of double-bottomed gravel trucks traveled back and forth DAILY over Russell and Ann Arbor Streets to dump tons of debris and dirt illegally in the swamp area near the depot, until the asphalt was destroyed. Now, Ann Arbor Street is a dirt road with holes that get more numerous and destructive to brand new cars and trucks, as well as all other vehicles which use the street. I know the city has street repair plans. Just where and when does the Ann Arbor Street repair fit into that schedule?

When the city trucks plow the snow off Russell Street, they go right to the depot, why can't the trucks first go north down the alley to Atwater Street, then to Ann Arbor Street, then to the depot, then down S. Atwater Street, that alleyway, and finish Russell Street? They go to the depot, why not plow Atwater Street on the way, instead of making extra trips later in the day? Folks on Atwater need to get to their jobs, etc., as well as those on Russell Street or at the depot.

Thank you for your consideration."

Mayor Schuyler thanked Mrs. DeVoe for her comments, and asked if she would leave them so that the city administration would be able to review and respond to her.

Agnes Witherell, 620 Brand Street, noted that she was on Russell Street during the flooding, too. She thinks that maybe the Atwater Street area should be re-opened for access.

Paula Brooks, 104 W. Summit Street asked if there was any further development between the city and Vernon Township. Mayor Schuyler noted that Vernon Township should be scheduling a meeting.

**Canute moved, Fuja supported to approve the list of election inspectors for the February 27th special election.
Carried.**

Krupp moved, Bemis supported to approve payment request #14 in the amount of \$68,303.34 to Irish Construction Co. for work done at the 1999 WWTP Facility Improvements Project.

YEAS: D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

D Doyle moved, Canute supported to approve the changes for the new Squad Response Vehicle in the amount of \$5,130.00.

YEAS: T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle.

NAYS: None.

Carried.

Mayor Schuyler opened Public Hearing regarding the Sale of Shaw Park Property at 7:59 p.m.

Mrs. DeVoe asked if the equipment from Shaw Park would be used in Optimist Park. There will be another Public Hearing held at the next regular meeting on March 5, 2001.

Mayor Schuyler closed Public Hearing at 8:20 p.m.

Mayor Schuyler closed Public Hearing at 8:03 p.m.

Mayor Schuyler opened Public Hearing at 8:08 p.m. regarding the Second Reading and Adoption of the False Alarm Ordinance.

Mike Fuja, owner of Jon Michael's Fine Jewelry, stated that he has had an alarm system for 21 years. He noted that there are two times during the life of an alarm system when there will be problems; when a new equipment piece is installed and the bugs are being worked out, and when an old system is non-functional. He noted that he is concerned that with the implementation of this ordinance, the situation could get expensive. "This is not an owner problem; it is the alarm company problem. I have no access to my alarm system and I am just as surprised when a false alarm sounds." City Attorney McKone stated that there should be discretion in employing an ordinance. "If you communicate with City Hall, no one here is going to take advantage of a merchant or homeowner who is trying to work with the city."

Bemis asked if the ordinance was over a certain time period. McKone responded that it coordinates with one calendar year.

Bemis moved, Krupp supported to adopt the following:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF DURAND BY ADDING A NEW CHAPTER WHICH NEW CHAPTER SHALL BE CHAPTER 13 OF TITLE IX OF SAID CODE TO PROHIBIT FALSE ALARMS FOR EMERGENCY RESPONSES; PUBLIC PURPOSE; ENFORCEMENT; PENALTIES; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 9.01. Public Purpose. The City Council of the City of Durand does hereby declare that false alarms for fire; burglar or security purposes constitute a threat to public health and safety by diverting emergency services of the City from legitimate public safety demands. The Council further finds that the sounding of false alarms constitutes a public nuisance and that responding to a false alarm is an unwarranted expense to a public body.

Section 9.02. Violation. It is deemed to be unlawful for any person, business, corporation, partnership, association, company, vehicle owner or other legal entity to intentionally or unintentionally sound an audible fire, burglar or security alarm or to emanate an electronic notice to an alarm system monitoring company for emergency response when there is no legitimate purpose for said alarm.

Section 9.03. Enforcement. This Ordinance is to be enforced on the following basis:

a. Upon the first occurrence of a false alarm from a specific home, building, business location or automobile the City Manager shall direct a letter to be mailed to the person, business, corporation, partnership, association, company, vehicle owner or other legal entity deemed to be responsible for the false alarm. The letter shall

enclose a copy of this Ordinance and shall be sent by regular mail. No fine or penalty shall be assessed for a first occurrence. Failure to mail the appropriate letter or failure to receive the letter shall not be grounds to avoid the enhanced penalties provided for below.

b. Upon a second occurrence in a calendar year, the person, business, corporation, partnership, association, company, vehicle owner or other legal entity shall be responsible for a civil infraction. The fine for such a violation is \$100.00 plus reimbursement of actual costs incurred by the City in responding to the false alarm.

c. Upon a third or subsequent occurrence the person, business, corporation, partnership, association, company, vehicle owner or other legal entity shall be guilty of a misdemeanor punishable by a fine no less than \$100.00 and no greater than \$500.00 or imprisonment in the County Jail for a period not to exceed 90 days, or a combination of such fine and jail. In addition, the Court shall order restitution in the amount of the actual costs incurred by the City in responding to the false alarm.

Section 9.04. Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

Date Enacted: February 19, 2001

Date Published: February 25, 2001

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, D. Doyle, T. Doyle

NAYS: Fuja

Carried, 6 – 1.

NOTE: The motion to adopt the ordinance was taken before the Mayor opened the public hearing. After the public hearing was held, members of City Council were given an opportunity to re-vote. The vote stands as taken from the start.

Canute moved, Krupp supported to accept the City Manager's appointment of Michael Tanner as Chief of Police.

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle.

NAYS: Fuja.

Carried, 6-1.

CITIZEN COMMENTS:

Rod Hall asked if the money that may be made if the park land is sold would stay with the parks. City Attorney responded that state law mandates that any money made from parks land must be re-invested in parks. Carolyn Geyer, 109 Obert Street, asked if there would be any problem in selling the lots. City Manager stated that the city would determine a minimum price, and then let bids for the sale of the lots.

DEPARTMENT REPORTS:

Police Chief Tanner reported that there had been a rash of B & E's in the southwest

section of the city, and that four undercover officers resolved the crimes. Officer Folaron spent 16 hours in Critical Incident training. There will now be a north/south car for zoned travel.

Fire Chief Rinker stated that things are slow in the department. Regarding the Fire Hall renovations, the inside drawings are complete, and he needs to meet with the Building Inspector.

DPW Director Mince noted that the second half of the reconstruction of S. Oak Street is tentatively scheduled to begin on March 12th. He noted that it didn't leave much time to have a public meeting to inform residents affected by the construction project, but there would be a meeting. Mince also stated that there were water problems due to the thaw on Friday. Due to the tremendous intake at the wastewater plant, the city released water at the WWTP and Genesee Lift Station. The water that melted and accumulated was equivalent to 5-6" of rain. Also, the results of the sanitary sewer videotaping confirmed problems in the Manfred area.

City Manager reported that the former Smith Buick building has been demolished. The Parks and Recreation Chairman will be resigning as of March 1, but may stay on until June 30th. He is working on reorganization of the administrative offices.

COUNCIL COMMENTS:

Krupp asked what the status of the railroad chemical spill bill was. City Clerk reported that she has been in contact with Central Michigan Railroad and the Shiawassee County Emergency Coordinator in regards to payment of the bill.

Fuja congratulated Mike Tanner on his new appointment and wished him well.

Canute stated that he has spoken with some of the people who were flooded during the severe thaw on Friday. Is there any way that the city can do something for these people - maybe paying the deductible on their homeowners insurance? Would a water harvester and retention pond make any difference? City Manager responded that Capital Consultants recommended a \$1.5 million project, but it's not a very viable concept. He'd rather see the city use the money to resolve the issues, instead of applying a band-aid fix. Every piece of equipment that the city owns is working at 100%. There is nothing else that could have been done to eliminate the water flow. 1.2 million gallons of treated sewage was discharged from the WWTP to the Holly Drain; 450,000 raw sewage was discharged from Genesee Lift Station to Three Mile Creek. Canute then asked why there was a barricade on Yale? City Manager stated that possibly it's a catch basin that's deteriorated. Canute also congratulated Tanner on his appointment.

Bemis also extended congratulations to Chief Tanner. "Now, make us proud."

Mayor Schuyler asked what the status was with F.E.M.A. Mince stated that he is filling out the paperwork. F.E.M.A. will only authorize payment on manpower overtime, equipment rental and materials for the 48 hours of the storm.

D. Doyle moved, Krupp supported to adjourn to executive session to discuss Police Department Union negotiations.

YEAS: Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp.

NAYS: None.

Carried.

Reconvened and adjourned at 9:38 p.m.

FEBRUARY 5, 2001 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, February 5, 2001 in the Council Chambers of Durand City Hall.

Mayor Pro-tem Canute called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Canute, D Doyle, T Doyle, Fuja, Krupp.

Council Absent: Bemis, Mayor Schuyler.

D Doyle moved, Fuja supported to approve the Agenda with the addition of Item H – First Reading: Amendments to City Code; Item I – Memorandum of Understanding; Item J – Executive Session: Purchase of Property.

Carried.

Krupp moved, Fuja supported to approve the minutes of the regular meeting held January 15, 2001, as corrected.

Carried.

Krupp moved, Fuja supported to approve the minutes of the Executive Session held January 15, 2001, as printed.

Carried.

Krupp moved, Canute supported to approve payment of city bills numbering from 25306 – 25400.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp.

NAYS: None.

Carried.

CITIZENS PRESENT:

Paula Brooks, 104 W. Summit Street asked if there was any status update on the joint meetings between the city and township. City Manager noted that there was nothing to report since the two members of the city's committee (Schuyler and Bemis) are not present. Krupp added that the mapping was discussed at their meeting.

Judy Scranton, candidate for State Senate, introduced herself and left brochures regarding her campaign.

Carolyn Geyer, 108 Obert Street, asked if there was any news on the location of the post office. City Manager stated that the architects have looked at existing property and what they want to do won't work at that location. There is a 30-day comment period, then developers submit their suggested site, with another 30-day comment period.

**D Doyle moved, Fuja supported to adopt the proclamation that February 9th and 10th, 2001 be declared B95 radio station and St. Jude Children's Research Hospital Days in the City of Durand and urge our citizens to recognize the tremendous service that St. Jude's provides to stricken children.
Carried.**

**D Doyle moved, Krupp supported to table the invoice from Capital Consultants for further documentation regarding the costs.
Carried.**

**Fuja moved, T Doyle supported to approve the proposal from Root-Away Sewer Cleaning Co. to televise some sewer connections on the Southside for an amount not to exceed \$3,000.00.
YEAS: D Doyle, T Doyle, Fuja, Krupp, Canute.
NAYS: None.
Carried.**

City Attorney stated that the proposal from Vernon Township for utility extensions is right in the middle of the area that the city and township are negotiating. Neither of the committee is present this evening to give any input or direction, and the matter should be tabled until they can report on the status.

**D Doyle moved, T Doyle supported to table the Franchise Agreement for 5214 S. Durand Road.
Carried.**

**Krupp moved, T Doyle supported to approve the First Reading and move ordinance for False Alarms to second reading and Public Hearing.
Carried.**

**D Doyle moved, Krupp supported to set Public Hearing for next regular meeting regarding sale of Shaw Park.
Carried.**

**Fuja moved, D Doyle supported to approve Payment Request No. 3, in the amount of \$46,049.85, for work being done at Durand Union Station by Graham Construction Company.
YEAS: T Doyle, Fuja, Krupp, Canute, D Doyle.
NAYS: None.
Carried.**

Krupp moved, D Doyle supported to move First Reading of proposed amendments and pass to Second Reading and Public Hearing at the next meeting for the following:

**Eliminate Water Superintendent Position
Minors Possessing or Consuming Alcohol
Alcohol Possession or Consumption in Public Places
Purchasing, Contracting, and Selling Procedure
Rate Changes
Business Licensing
Tattoo Establishments
Secretary to Planning Commission
Parks and Recreation Members; Duties and Powers
Library Board Duties
Carried.**

**D Doyle moved, Fuja supported to approve memorandum of understanding, which amends the contract for Teamsters Local #214 – Labor.
YEAS: Fuja, Krupp, Canute, D Doyle, T Doyle.
NAYS: None.
Carried.**

CITIZEN COMMENTS:

Millie Smith, 505 Dartmouth Drive, asked if there would be a meeting on Feb. 19th, since it is President's Day. City Manager responded that the City of Durand would be open on the holiday, so there will be a City Council meeting.

Carolyn Geyer stated that she thought at the last meeting that the City Council made the final payment on the WasteWater Treatment Project. City Manager responded that yes, that is correct. This bill is for the engineers, not the contractors.

DEPARTMENT REPORTS:

Police Department: Tanner reported that two video cameras are not working properly and the business that repaired them no longer is doing the work. He is currently looking for another repair service. The mobile computer units that will be placed in the cruisers are expected the first of March.

City Attorney: McKone noted that the stored vehicle ordinance would be presented in March.

City Manager: Markland stated that there will be a reduction in state revenue sharing. Also, he will appoint a Police Chief when there is a full board present.

City Clerk: Roddy stated that Council member Canute had been selected to serve on the MML Finance Committee for a three year term. Utility billing is working much smoother, but is hesitant to say that everything is completely fixed.

COUNCIL COMMENTS:

Krupp: The Firefighter of the Year for 2000 for the Durand Fire Department is Chuck Olund. What's the status of the fire hall remodeling? City Manager stated that the Fire Chief is working with the architect on the project.

Fuja: Bernie Butcher, Shia. Co. Drain Commission mentioned to me that he had sent a fax to the city regarding the breakdown of the drain assessment. Administration members stated that they had not seen a fax come in regarding the drain assessment. What's the situation with the red and orange tag on the pick up in the downtown parking lot? Tanner responded that there is a Genesee Co. court ordered club placed in the vehicle prohibiting it from being moved. We are working with them to get this vehicle moved.

Doyle noted that the letter that the city received from the lady in the subdivision needs to be looked into. If we are sending out cold form letters, we should be revising them.

Krupp moved, Fuja supported to recess to Executive Session to discuss possible purchase of property.

YEAS: Krupp, Canute, D Doyle, T Doyle, Fuja.

NAYS: None.

Carried.

Reconvene at 8:59 p.m.

Meeting adjourned 8:59 p.m.

JANUARY 15, 2001 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, January 15, 2001 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler.

Council Absent: None.

D Doyle moved, Canute supported to approve the Agenda as presented.

Carried.

Canute moved, Krupp supported to approve the minutes of the regular meeting held December 18, 2000, as printed.

Carried.

Krupp moved, Canute supported to approve payment of city bills numbering from 25178 – 25305, except check 25268.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Paula Brooks, 104 W. Summit Street, asked if the city is addressing future growth plans with the township in their meetings. Mayor Schuyler responded that maps have been completed and that they are being used during the discussions with Vernon Township.

Carolyn Geyer, 109 Obert Street, asked if any additional meetings with the township had been scheduled. Mayor Schuyler acknowledged that the regular meeting with the township had been canceled and that they were attempting to set up a meeting for later in the week.

Ron Siminski, 3060 W. M-21, Owosso submitted paperwork to the City Council outlining his opinion of the reasonable use for the property he owns which he would like to have rezoned for senior citizen housing. This property is the former Jr. High School property located at 101 Sycamore Street. He asked the City Council for their comments. The City Attorney advised Mr. Siminski that the problem with his distribution of the document is that the Planning Commission has not reviewed it. There needs to be a Public Hearing to let people voice their opinions, and that he should seek a meeting with that board.

Mike Tanner, Acting Chief of Police addressed the City Council with the following comments.

On Thursday, January 11th, 2001 I submitted a written request to the City Manager to be placed on the January 15th, 2001 Council Agenda. The request stated that I wanted to discuss my future with the Durand Police Department. Late on the afternoon of January 12th, 2001, when I had received no reply from the City Manager concerning my request, I approached the City Manager. The City Manager advised me that he had not placed me on the agenda, but that I could make my presentation to the Council like any other citizen. The City Manager and I talk for a few minutes and he asked me if I would be interested in the position of Lieutenant? I stated that my first choice was Chief, second choice was retiring and that my third choice would be a lieutenant's position. The City Manager stated he had talked to several Council Members about this position and that he had received positive feedback. The City Manager stated the position would be a non-union position, at my current salary and that it would be a day position. The City Manager stated that although he could not guarantee that I would never work a night shift he could not see a situation that would require me to work night shifts.

My Personal History as Interim Chief of Police.

I was first appointed to the position of Interim Chief in January 1992 by Interim City Manager Amy Roddy. I held the position until February of 1993. In December of 1993 City Manager Lynn Markland appointed me Interim Chief. I have held this position since that appointment.

As Interim Chief of Police I have seen four of my children graduate from high school, I have seen two of my children get married, have become a grandparent three times, have went from 42 years old to 50 years old and have celebrated 8 wedding anniversaries with my wife Wendy.

My youngest son was seven years when I appointed interim Chief, he is now fifteen and a freshman.

I have more seniority in Durand City Government administration than the Director of Public Works and all city council members except for council members Doyle and Canute and I have as much seniority in the position as the Durand City Manager who was appointed, I believe, in the spring of 1993. I have seen a minimum of seven city council persons resign from the council.

In January 1994 Local 214, the Union that represents full-time officers, required that I leave the Union as long as I served in the position of Interim Chief of Police. I did this without hesitation.

Accomplished Goals.

Computerized the department records, including a network.

Improved the procedures for submission and entries of reports. New procedures have reduced time spent in the office by officers who now tape record all reports and have reduced the time spent by the secretary typing reports. (Officers use to

submit hand written reports to be typed.)

Durand Police Officers have become more involved in the community. (foot-patrol, bike patrol and Safety Day.)

Hired two full time officers by writing, submitting and receiving a three-year federal COPS grant.

Improved the department's and the city's communication abilities by assisting and working with other city departments in 1993 to establish a city wide communication system. I applied for and received a grant for the purchase of seven handheld radios for the police department. The grant resulted in all full time officers be issued their own handheld radio and has helped to reduced maintenance cost on radios.

Prior to receiving the grant the department had four hand-held radios, the department now has twelve handheld radios.

Officer's conduct and attitudes, the department's moral, and the relationship between the Durand Police Department and other public safety agencies has greatly improved over the past eight years.

I have conducted a citizen's survey and have addressed concerns that were revealed in the survey.

With the cooperation of DPW, a vehicle maintenance program was initiated. This program has allowed the department to keep patrol cars in service longer and to keep three cars in the rotation instead of two.

I have, along with all officers, made Railroad Days a safer and more pleasant place to be for families. The department has done this by employing more officers, on foot, in the downtown area both during the night and day.

I have assigned extra officers, again on foot, to patrol on Halloween and Devil's night.

The result has been that Halloween night is safer and there is less vandalism on both Halloween and Devil's night.

C. Other Accomplishments.

I have hired part time officers who have gone on to work full time for Shiawassee, Lapeer, Genesee and Eaton Counties, Taylor, Pontiac, Waterford, Richfield, Flushing and Argentine Townships, Central Michigan and Lansing.

I have, at minimal cost to the city, installed physical fitness equipment for officer's use.

Implemented a Neighbor Watch Program.

I have revised the following operating procedures: Domestic Violence, Vehicle Pursuit, Use of Weapon, and Use of Non-Lethal and Lethal-Force.

I have written and implemented the following procedures and policies: Use of Protective Equipment, Property Seizure and Forfeiture, Bomb Threat, On Job Discrimination and Harassment, Training, Reserve Officer Program, Employee Evaluation and policies concerning the Investigation of Citizen's Complaints Against Officers and Internal Investigations Procedures. The training program has drastically improved the training officers receive and the total hours of training each officer receives. This has been accomplished at minimal cost to the City.

D. Special Notes

As Interim Chief of Police I have addressed personnel problems within the department. I have approached and addressed each situation as it arose in a fair and appropriate manner. During the time I have been Interim Chief of Police, there has only been one grievance filed by the Union. This grievance was settled in favor of the city.

Changes that I have instituted within the department have not always been popular with officers. I listen to all officers who voice concerns about new policies or procedures, and on occasions I have used officer's suggestions and input, but I have always based decisions on what I believe is appropriate and right.

I have been honest with all citizens, officers, council members and city manager.

I have attempted to implement, in a timely manner, all directives issued by the City Council and City Manager.

As the Interim Chief of Police I have matured as a person, police officer and public servant.

I have developed close relationships of trust and friendship with the officers who work or have worked for me. Although friendships have been formed, I have not allowed friendships to interfere with my decisions or in matters of discipline.

I have not been reprimanded in eight years as Interim Chief of Police. In fact Council Members, the City Manager and the City Attorney have made positive comments concerning my performance as Interim Chief.

E. My History To Obtain the Position of Durand Chief of Police.

I have interviewed for the position two times. I believe that the first time was in January 1994 and the second time was in the winter of 1999. On both occasions Mr. Markland and Mr. McKone interviewed me. The second interviewed started with Mr. McKone making the statement, you're the logical one to start with. I assumed the statement was a positive.

On August 1st, 1997 while attending an officer's wedding at city hall I learned the Chief of Police from Elsie was going to be appointed to the position of Durand Police Chief. That same night I confronted the City Manager at city hall and asked him if it was true? I was told it was true. I asked the City Manager what was going to happen to me and I was told he couldn't guarantee me anything. I told the City Manager I was not going to stay in the position of Interim Chief and train the new Chief. I told the City Manager that I would resign and go back to patrol officer status. On August 4th, 1997 I came to work, and because I was deeply disappointed, I did my paper work, and then decided to take the rest of the day off after first telling the City Clerk.

Before I exited the building I was approached by the City Manager who advised me that he wanted to take me to lunch in Flint Township. I agreed to go to lunch with the City Manager. Before we arrived at Saginaw and Lansing Rds. the City Manager told me that he had decided not to appoint the Chief of Elsie to the position, but instead he was going to talk to council members privately and

recommend that I be appointed to the position of Chief. The City Manger stated that he could not promise me anything. When I asked him what he thought the chances were, he told me he wouldn't do it if he didn't think he could get the vote. The next day, August 5th, when I arrived at city hall, the City Clerk and City Manager asked me if I was looking for a house in Durand yet? This conversation took place in the City Clerk's office. Approximately two weeks later I was contacted by the City Manager who told me he did not have the majority of votes he required to appoint me to the position of Chief. The City Manager would not tell me how many votes were for me or how many votes were against me when I asked him.. He did tell me that he would not appoint me if the votes were less than 5 to 2 vote.

Although I have considered resigning as Interim Chief, I have not resigned from the position because I have always believed that some day I would be appointed to the position. I have based that belief on positive comments made both publicly and privately by Council Members, the City Attorney, and the City Manager and by citizens who have approached me. I was also advised by my attorney, retained December 5th, 1997, not to resign from the position.

My Goals If Appointed Durand Police Chief

My first goal is to continue to go forward with the progress the department has already made. The department has worked hard during the past eight years to improve services offered to the Durand Community and how those services are provided. I am not satisfied with where the department is now and I will never be satisfied. I intend to continuously make improvement on services offered and how those services are provided.

2. My second goal is to create the position of sergeant. If this position is authorized, the sergeant will be scheduled to work 8pm to 4am. I made the following statement to the City Manager and City Attorney during my second interview for the position of Police Chief. I said that if hired as the Chief I could run the department more effectively with the current staff, including increase police coverage at night, and save the City of Durand a minimum of \$50,000. With myself as Chief, a night shift sergeant, four full-time police officers and several part-time police officers I would increase the double coverage on nights between 8pm and 4am from four nights to seven nights a week. The current wages for the current full time staff, five police officers and myself, is approximately \$200,000. If I am demoted to the position of lieutenant at my current salary and a Chief is appointed and receives a salary of \$50,000 the wages of full-time staff (seven) within the department will increase to \$250,000. This does not include the increase cost of benefits that would result in the hiring of a new employee. My proposal would increase full-time wages between \$7000 and \$10,000 and there would be minimal benefit cost increase. Increases in wages in my proposal depend on the hourly wage the sergeant is offered and the salary I receive as Chief.

In closing I want to tell the council that I have worked hard as your Interim Chief for the City of Durand during the past eight years and I would continue to work hard as your Police Chief.

Respectfully,

**Michael L. Tanner
Interim Chief of Police
Durand Police Department**

Michael Douglass, 500 Cambridge Drive, "I think that it is totally unfair to give this man the job after 8 years. Someone should appoint him and the City Council should affirm.

Gene Roussin, 506 Marquette Street, stated that this situation needs to be resolved and that the City Council is not doing their jobs by letting this situation continue any longer. "If you want a Chief of Police, direct the City Manager to hire a Chief". City Manager stated that there were a number of reasons that a Police Chief had not been hired. In 1994, the former Chief of Police sued the city and that continued on for quite some time. There was reluctance to hire anyone at that time until the situation was resolved. Then, a chief was selected, but the city could not pay the salary demands. After that, it was very difficult to get people to apply for the position.

Rob Dolehanty, 312 Fitch Street, stated that if there is a job description and he meets the requirements, shouldn't he be given the job? If he doesn't, then he needs to know, or have him meet the performance guidelines.

Rhonda Taylor, 302 E. Clinton Street, stated that her son had come home from school stating that another person was going to be hired. Is there any truth to it? City Manager responded – yes and no. I was going to hire someone, but it would not be appropriate at this time.

Clayton Pletscher, 11140 Reid Road, stated that he is a 9-year veteran of the department, 7 of those under Mike as Chief. He is also the Union Steward. "If the city is going to treat Mike like this, I don't want to be here".

Verle Gilbert, 9051 Seymour Road: 14 year Reserve Officer – volunteer my time, one shift per week. Every single officer, employees and citizens are here supporting Mike Tanner. He's made things a lot better for the residents. There are better working conditions within the department.

Jerry Wooton, 200 Wayne Street, Debra Alumbaugh, 9145 S. Vernon Road, Judy Voorhies, 506 E. Clinton Street, Robert Sprague, 202 E. John Street and Wendy Tanner also spoke in favor of Mike Tanner.

Krupp moved, Canute supported to direct the City Manager to appoint Michael Tanner as Police Chief. The City Attorney advised that the motion was in violation of the City Charter as presented, and the motion failed to lack of appropriateness.

D Doyle moved, Fuja supported to accept the bid for Babbitt Bearings from the Douglas Corporation in the amount of \$4,300.00.

YEAS: D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried,

Krupp moved, Bemis supported to table Item B – Payment Request: Shiawassee County Drain Commission – Drain Assessment, until the City receives the information that was requested from the Drain Commission.

Carried.

Fuja moved, T Doyle supported to approve the invoice for professional services from Rowe, Inc. for preparation of a grant application under the TEA-21 grant program.

YEAS: T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle.

NAYS: None.

Carried.

Public Works Director Mince stated that there is a need for some type of ordinance so that the city has the ability to collect fees when a vehicle is impounded and stored on city property. City Council members questioned if this was necessary, and where the best area would be for that type of facility. It should not be located within a residential area, nor should it be on a major street. What is the city's liability if we are impounding the vehicles. Mince stated that the city would impound vehicles only as a last resort – if no space is available at one of the impound lots. City Clerk will look into the liability issue with the insurance carrier.

D Doyle moved, Fuja supported to request the City Attorney to prepare an ordinance setting a storage fee for vehicles at \$10.00 per day.

Carried.

Krupp moved, Fuja supported to approve the purchase agreement in the amount of \$60,000 for the property at 103 Mercer Street.

YEAS: Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle.

NAYS: None.

Carried.

CITIZENS COMMENTS:

Rob Dolehanty commented on impounding vehicles cautioning on length of time for the vehicle to stay there; no residential areas; and concern with ground contaminants.

Mike Douglass complimented the Department of Public Works on the wonderful job they did in snow removal.

Gene Roussin condemned the City Council on the purchase agreement for 103 Mercer Street. "You bought a house from a merchant, then will turn around and build him a parking lot." You just spent \$60,000 and gave it to the wrong people.

Rep. Larry Julian stated that he is running for State Senator. February 27th is the Primary Election. He also commented on the following:

regarding garage keeper liens; normal people get their cars.

Congratulations on receiving the grant for the park.

Shiawassee County fell just below the snowfall level for disaster funding, but we are working on getting some assistance from FEMA

He has been elected by his peers in the House to serve as Asso. Speaker Pro-tem.

The top four priorities that the State House will be facing this term are:

Education – how schools deal with rebuilding infrastructure

Health Care – long term

Agriculture

Land Use

DEPARTMENT REPORTS:

City Attorney McKone stated that the City had received a request for franchise agreement from Vernon Township for property located at 5214 S. Durand Road. There is some questions regarding the zoning of the property. It will come before the City Council at their next meeting.

City Manager reported that the city received a grant in the amount of \$272,000 for Optimist Park. He also commented that the house that the City Council purchased was included in the DDA plan that was done in the early 1990's. The DDA and the City Council cooperatively agreed to the plan. There is a need for parking in the downtown area.

COUNCIL COMMENTS:

T. Doyle asked if there was any way that the city can let the customers know that there will be no penalty on the water bills. City Clerk stated that we can print a notice on the bills, but they have already gone out. No penalties will be assessed.

Krupp commented regarding fire alarms, had Simplicity been approached about purchasing a battery back up system. Schuyler stated that the office building is complete and the shop area is next.

Fuja inquired on the status of the old Smith Buick building. City Manager reported that the 30 days is almost up and condemnation process will begin. City Attorney stated that the city should begin the process and go to the next step.

Canute asked if the DPW would be able to get some of the branches that they did not get to before the winter storm. Mince stated that they would be working on getting the large branches. Canute then complimented the Parks Board for initiating the work for the recreation grant that the city just received. He also stated that Mike Tanner came through tonight during the meeting. He'd like a copy of the job description for the Police Chief. "We need to do something. The choice was right here."

Bemis: "There have been a lot of comments by and for Mike Tanner. I want it to draw to a close. I'd like to hear more from the people of this community. It usually takes something like this to bring closure to situations."

Mayor Schuyler: Doesn't the garbage collectors pick up Christmas trees? There is a tree on Lovejoy Street that still has not been picked up.

Krupp moved, Bemis supported to adjourn to executive session to discuss personnel issues.

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle, Fuja.

NAYS: None.

Carried.

Reconvene at 10:30 p.m.

D Doyle moved, Bemis supported to give the City Manager a 3% increase, retroactive from July 1, 2000. Krupp moved to amend the motion to a 4% increase when a Police Chief is hired, but the amendment failed due to lack of support.

YEAS: Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle, Fuja.

NAYS: Krupp.

Carried, 6-1.

D Doyle moved, Krupp supported the resolution for MERS benefit V-6 for the City Manager.

YEAS: Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler.

NAYS: None.

Carried.

Meeting Adjourned 10:32 p.m.

DECEMBER 18, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, December 18, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Bemis, Canute, Doyle, Doyle, Fuja, Krupp, Mayor Schuyler.

Council Absent: None.

D Doyle moved, Canute supported to approve the Agenda, with the change to Item A – Audit Presentation, and addition of Item G – Cancellation of Regular meeting for January 1, 2001.

Carried.

Krupp moved, D Doyle supported to approve the minutes of the regular meeting held December 4, 2000 as reprinted.

Carried.

D Doyle moved, Canute supported to approve payment of city bills numbering from 25142 – 25177.

YEAS: Canute, D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT: No one spoke at this time.

Paul Bailey, CPA of Stewart, Beauvais and Whipple presented the results of the audit for the fiscal year 1999-2000. The City of Durand's total equity is \$12,388,274. This number includes cash, property and equipment. The city is in excellent financial standing. Bailey highlighted the fund balances for the various city funds, noting that all of them were sound.

D Doyle moved, Bemis supported to accept the 1999 – 2000 Audit, as presented.

YEAS: D Doyle, T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

D Doyle moved, Canute supported to approve payment of \$2,430.00 to Waste Management for the disposal of contaminated soil.

YEAS: T Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle.

NAYS: None.

Carried.

Canute moved, Bemis supported to approve Engineers Certificate No. 2 authorizing payment of \$157,378.91 to Rhode Bros. Excavating, Inc. for work performed on the S. Oak Street reconstruction project.

YEAS: Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle.

NAYS: None.

Carried.

D Doyle moved, Fuja supported to approve Change Order No. 1 for the S. Oak Street reconstruction project.

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle, Fuja.

NAYS: None.

Carried.

Canute moved, D Doyle supported to approve Payment Request No. 2 from G.P. Graham Construction Corp. in the amount of \$61,890.16 for work performed at Durand Union Station.

YEAS: Mayor Schuyler, Bemis, Canute, D Doyle, T Doyle, Fuja, Krupp.

NAYS: None.

Carried.

Krupp moved, Fuja supported to cancel the Regular City Council meeting scheduled for January 1, 2001.

Carried.

Mayor Schuyler presented Donna Dombly with a plaque in recognition of her 13 years of service on the Durand City Council.

CITIZENS COMMENTS: No one spoke at this time.

DEPARTMENT REPORTS:

Tanner informed the City Council that the charges for the repair of the video equipment for the police cruisers broke down as follows: \$650 for a new replacement deck and \$150 for repairs. He attended the Shia. Co. Chief's meeting and the Sheriff reports that the new mobile data terminals will be available for the cruisers within the next 60 days.

Mince noted that the tremendous snowfall that this area has received is 7/10" of breaking the state record for snow fall in a single month. The Fire Department has been clearing hydrants of snow in case of emergency; he urged citizens to keep walks and driveways clear. He also noted that the Shiawassee County Emergency Coordinator is seeking federal assistance for the snow emergency. The City has already spent \$6000 in wages and equipment for snow removal.

McKone congratulated Donna Dombly noting that she was "a true friend of the city". He also extended holiday wishes to those in attendance.

Markland duplicated McKone's wishes. He announced that the grant application for the railroad-walking museum was delivered to Lansing.

Roddy noted that the insurance claims against the city from the flooding in September have been resolved and the claim is closed.

COUNCIL COMMENTS:

Krupp moved to give the City Manager a 3% pay raise when a Police Chief is hired. Motion died due to lack of support.

Krupp thanked Mince for plowing out the firemen in case of an emergency. He stated that for the first time in his 19 years of experience on the Fire Department that he had cleared out fire hydrants due to snow. Most of the citizens did an excellent job in cleaning around the hydrants. He noted that Simplicity Engineering plagues the Fire Department with false alarms. McKone stated that he would have an answer by next meeting on some type of resolution. Krupp inquired about the Three Mile Creek study that had been going on. He understood that some of the homeowners were not cooperative in allowing entrance to their homes. Markland stated that an administrative search warrant may be sought, but he felt that it should be done at the completion of the study, pursuing all of the warrants at one time. Krupp also noted that he would miss Donna.

Fuja wished Domby a happy holiday and a healthy 2001.

Canute inquired about a water customer's water billing. Markland, Roddy and Mince responded that all were aware of her concerns and that everything possible was being done to answer questions and to resolve the issue, if there is any fault by the city. Canute thanked Domby for serving.

Bemis congratulated Domby, noting that her time was "a lot to give".

D Doyle noted that the city was going to miss Domby's service.

Meeting Adjourned at 8:35 p.m.

DECEMBER 4, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, December 4, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

**Council Present: Bemis, Canute, D. Doyle, T. Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.**

D. Doyle moved, Canute supported to approve the Agenda, with the change of Item E -Resolution: TEA-21 Grant, and Item F – Authorization to Purchase Street

**Lights.
Carried.**

**Krupp moved, D. Doyle supported to approve the minutes of the regular meetings held November 6 & 20, 2000, the Special Meeting held November 30, 2000, and the Executive Session held on November 6, 2000.
Carried.**

**Krupp moved, Canute supported to approve payment of city bills numbering from 25109 – 25141.
YEAS: Canute, D. Doyle, T. Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.
NAYS: None.
Carried.**

**CITIZENS PRESENT:
No one spoke at this time.**

**Canute moved, Fuja supported to approve the Proclamation honoring the individuals that have dedicated their time, skills and knowledge to the youth of our community for the Durand Youth Football Program – Gus Miller, Ronald Rozell, James Youngston, Lisa Youngston.
Carried.**

**D. Doyle moved, Fuja supported to accept the low bids from Dale Constine & Sons for washed sand at \$3.99/ton and limestone at \$10.50/ton.
YEAS: D. Doyle, T. Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.
NAYS: None.
Carried.**

**Krupp moved, Canute supported to accept the bid for cold patch from Saginaw Asphalt at a cost of \$53.08/ton.
YEAS: T. Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D. Doyle.
NAYS: None.
Carried.**

**D. Doyle moved, T. Doyle supported to accept the proposal from Wigen, Tincknell, Meyer & Associates in the amount of \$9,500.00 for architectural and engineering services for the Fire Hall renovation.
YEAS: Fuja, Krupp, Mayor Schuyler, Bemis, Canute, D. Doyle, T. Doyle.
Nays: None.
Carried.**

**D. Doyle moved, Canute supported to approve the TEA-21 grant Resolution.
YEAS: Krupp, Mayor Schuyler, Bemis, Canute, D. Doyle, T. Doyle, Fuja.
NAYS: None.
Carried.**

**D. Doyle moved, Canute supported to Table Item F – Approval to purchase Property:
103 Mercer Street.
Carried.**

**Canute moved, Krupp supported to approve the purchase of street lights at a cost of \$3,000.00 each.
YEAS: Mayor Schuyler, Bemis, Canute, D. Doyle, T. Doyle, Fuja, Krupp.
NAYS: None.
Carried.**

CITIZENS COMMENTS:

Paula Brooks, 104 W. Summit Street, asked if the hole on Summit Street would be patched now that cold patch had been approved. Mince responded that he will order cold patch tomorrow.

Agnes Witherell, 620 Brand Street noted that there is a hole at the corner of Brand and Brookfield Streets that needs to be repaired.

DEPARTMENT REPORTS:

Police: No report

Fire: Chief Rinker reported that the squad truck is not ready yet.

Water/WWTP/DPW: Mince reported that the repairs are finally completed from the lightning strike that the water wells took in September. Oak Street is done until next spring. DPW is behind on leaf pick up. They have been working on Christmas lights in the downtown area.

City Manager: Markland reported that the MML is organizing a Local Energy Aggregation Project, a pool for the purchase of electricity, which will give members the potential of lowering energy costs.

Clerk: Roddy reported that she has been working on Office Design for new furniture and layout of the administrative offices.

COUNCIL COMMENTS:

Krupp: Is the Planning Commission aware of the plans for the new post office? City Manager stated that he brought it up at the last meeting. The post office is a little behind on their plans. The Property Management Division is behind. The Planning Commission's goal is to maintain a walkable community for the residents. The Post Office will serve as an anchor for the downtown.

D. Doyle noted that she has hand-outs from a MML seminar on walkable communities and she will share it with staff and City Council.

Mayor Schuyler stated that the section of sidewalk along the railroad tracks on S. Oak Street has not been repaired yet and it is very dangerous. Consumers Energy tore it up and it has not been repaired. Mince stated that he had spoken with Ernie Sakraska of Consumers Energy and that it should be repaired within a few days.

Meeting Adjourned at 8:24 p.m.

NOVEMBER 30, 2000 CITY COUNCIL MINUTES

Minutes of the Special meeting of the Durand City Council held Thursday, November 30, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 5:19 p.m.

**Council Present: Bemis, Canute, Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.**

PURPOSE OF MEETING: Appointment of City Councilperson – Precinct I

There are two citizens interested in the vacant seat in Precinct I left when Donna Dobby resigned. They are Timothy Doyle, 420 W. Main Street and Shane Cornelius, 413 W. Main Street.

Bemis asked if everyone was comfortable with a husband/wife team on the City Council. Krupp responded that he was not. Fuja remarked that she was not comfortable with three firemen on the City Council. Doyle stated that part of the problem in filling the vacancy is that there was no one interested in serving. Tim is aware of the issues; he's been to MML classes for the Zoning Board of Appeals and attended MML functions. He does have more experience. Bemis responded that Cornelius is a young person who has expressed an interest in serving the community that may touch an age bracket that the city has not been able to reach. He has known Shane since he was a young boy and feels that he would be an excellent council representative.

Fuja moved, Canute supported to appoint Tim Doyle as Councilperson – Precinct I to fill the vacancy left by Donna Dobby's resignation.

YEAS: Canute, Doyle, Fuja, Mayor Schuyler

NAYS: Krupp, Bemis

Carried, 4 – 2.

City Clerk Roddy administered the Oath of Office to Tim Doyle.

Meeting adjourned 5:42 p.m.

NOVEMBER 20, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, November 20, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

**Council Present: Bemis, Canute, Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.**

**Canute moved, Doyle supported to approve the Agenda, with the deletion of the minutes of the regular and executive session from November 6, 2000.
Carried.**

**Canute moved, Doyle supported to approve the minutes of the regular meeting held October 16, 2000.
Carried.**

**Doyle moved, Canute supported to approve payment of city bills numbering from 25054 – 25108.
YEAS: Canute, Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.
NAYS: None.
Carried.**

CITIZENS PRESENT:

**Canute moved, Krupp supported to approve the Uniform Resolution for Adopting Benefit Program “E” Increase To Be Effective On Adjustment Date January 1, 2001, as presented.
YEAS: Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.
NAYS: None.
Carried.**

**Doyle moved, Canute supported to approve payment #1 to Rhode Bros. Excavating, Inc., in the amount of \$105,670.77, for the South Oak Street Reconstruction Project.
YEAS: Fuja, Krupp, Mayor Schuyler, Bemis, Canute, Doyle.
NAYS: None.
Carried.**

**Krupp moved, Bemis supported to Table Item C until next meeting for further information from Shiawassee Drain Commission.
Carried.**

CITIZENS COMMENTS:

DEPARTMENT REPORTS:

COUNCIL COMMENTS:

Meeting Adjourned at 8:35 p.m.

NOVEMBER 6, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, November 6, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Bemis, Canute, Doyle, Fuja, Krupp, Mayor Schuyler.

Council Absent: None.

Canute moved, Krupp supported to approve the Agenda, as printed.

Carried.

Canute moved, Doyle supported to approve the minutes of the special meeting held October 30, 2000.

Carried.

Doyle moved, Canute supported to approve payment of city bills numbering from 24971 – 25053.

YEAS: Canute, Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Carolyn Geyer, 109 Obert Street asked if the City Council would be giving a report on the meeting between Vernon Township and the city. Mayor Schuyler stated that there would be an update.

Vicky Rigdon, 604 Gomas Court, requested an update on the S. Oak Street project. Mince reported that the city has not been able to maintain through traffic. We made the decision on Oct. 17th that it was too dangerous. The project is on schedule though. City Manager added that the road is open to emergency traffic and they can respond through the construction area. Rigdon also asked about an alternate access route for the area of the community, which has been cut off from the rest of the town during the construction period. City Manager stated that he didn't see an access road happening unless it did not involve the railroad tracks. The railroad does not want to open crossings. They want to close crossings.

David Howard, from the property management division of the U.S. Postal Service spoke to the City Council regarding the intentions of the postal service to acquire a new building for the Durand service area. "Tonight begins day one of the new postal site process. There will be a 30 day period open forum for public comment." We are looking at expansion, but if it is not feasible, then we will look for another site in town. The goal is to have a new building up and going by Christmas next year. We require approximately 5,000 ft. building. This project requires cooperation from the community to have this project progress smoothly. It is critical that the building be located in close proximity to the downtown. The new building will be on the tax rolls; the current building is not.

Questions were asked regarding the length of the lease. Howard responded that the lease would be 20 years with 2-5 year options. What will happen to the old building? Asset Management looks into it. They look at state and local government first for acquisition.

Canute moved, Doyle supported to approve the request from the Durand Eagles Aerie 3851, F.O.E. to conduct a fund raising newspaper sale at major intersections and business locations throughout the City of Durand on Friday, December 9, 2000, during daylight hours. This request is granted providing the Durand Eagles notify the city which intersections will be used and that all necessary precautions are used during the solicitation. Also, that the Durand Eagles provide proof of liability insurance and that the City of Durand be listed as an additional insured.

YEAS: Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

Doyle moved, Canute supported to approve Payment Request #5 in the amount of \$18,821.00 to Sky Electric for work done to date on the Standby Power Modifications.

YEAS: Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

CITIZENS COMMENTS: No comments were made.

DEPARTMENT REPORTS:

Mince reported that the S. Oak Street project is underway. The contractors ran into contaminated soil. It has been sampled, tested and will be hauled away tomorrow. The water main is deeper than expected, so there has been extra excavating and backfill required.

Markland reported on the following:

Rowe Engineering is in the process of preparing the grant for the railroad history park.

DUSI board is preparing a master plan for the depot building. The building is restored for the most part. Questions raised were how do we promote it as a museum, community center and corner stone of the downtown area.

COUNCIL COMMENTS:

Krupp: How is the computer system working? City Clerk responded that Utility Billing continues to be a frustrating situation for the staff. The billing problems are not resolved, but the situation is monitored daily and staff is in daily contact with Fund Balance.

He then asked for an update on a Police Chief. City Manager stated that he would be glad to discuss it after the meeting.

Fuja: Is the lighting in the city parking lots adequate? Mince responded that unfortunately, Consumers Energy wants a small fortune for lights - \$150.00 per month, per light. That amounts to \$1,800.00 annually for one light.

Canute: Can City Council mail be opened and distributed. Some of the mail is time sensitive. City Clerk responded that she is not comfortable opening up City Council's mail for them. He asked about the light poles for the park. City Manager responded that the light poles are not designed for wide span lighting. It is not suitable for this pole to be used in the park. Canute also commented on the high speed chase that occurred in college subdivision, and he did not feel that it was appropriate for the police vehicles to be traveling at high rates of speed through a subdivision.

Bemis: The Mayor and I met with Kathy and Bert. The meeting lasted about 2 ½ hours. We will begin a Joint Planning Committee again after the first of the year. The Geyer home situation needs resolution. A lot of different information sharing went on. It comes right down to giving something and getting something.

Doyle: Thursday night is the Depot raffle.

Schuyler: I am truly sympathetic with people during the construction problem on S. Oak St. Access road possibility idea is not going to die, but we have been trying. We are not giving up.

Doyle moved, Krupp supported to adjourn to Executive Session to discuss Land Acquisition at 8:58 p.m.

Meeting reconvened and adjourned at 9:15 p.m.

OCTOBER 30, 2000 CITY COUNCIL MINUTES

Minutes of the Special meeting of the Durand City Council held Monday, October 30, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:02 p.m.

Council Present: Bemis, Domby, Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.
Canute arrived at 7:06 p.m.

PURPOSE OF MEETING: City of Durand Codes and Ordinances: Proposed Amendments

The City Attorney for City Council review and input presented the following.

- 1. Eliminate Water Superintendent Position.**
No changes were made.
- 2. Minors Possessing or Consuming Alcohol.**
No changes were made.
- 3. Alcohol Possession or Consumption in Public Places.**
No changes were made.
- 4. Purchasing, Contracting, and Selling Procedures.**
No changes were made.
- 5. Rate Changes.**
No changes were made.
- 6. Business Licensing.**
No changes were made.
- 7. Tattoo Establishments.**
After discussion, the City Attorney will redraft the ordinance for future presentation.
- 8. Secretary to Planning Commission.**
No changes were made.
- 9. Parks and Recreation Members; Duties and Powers.**
After discussion, the City Attorney will redraft the ordinance for future presentation.
- 10. Library Board Duties.**
No changes were made.

The amendments to the ordinances will be presented at a regular City Council meeting at a later date.

Meeting adjourned 9:02 p.m.

OCTOBER 16, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, October 16, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

**Council Present: Bemis, Canute, Domby, Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.**

**Doyle moved, Canute supported to approve the Agenda with addition of Item A-1 Consent Agenda: Halloween hours, and Election Inspectors; and Item F – Payment Authorization: Graham Construction (DUSI).
Carried.**

**Krupp moved, Fuja supported to approve the minutes of the regular meeting held October 2, 2000.
Carried.**

**Krupp moved, Doyle supported to approve payment of city bills numbering from 24931 – 24970.
YEAS: Canute, Domby, Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.
NAYS: None.
Carried.**

CITIZENS PRESENT:

**Doyle moved, Domby supported to approve the Consent Agenda as follows: 1) Approval of Halloween hours 6:00 – 8:00 p.m., 2) Approval of Election Inspectors. of \$28,867.00.
YEAS: Domby, Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.
NAYS: None.
Carried.**

**Canute moved, Fuja supported to approve Change Order #4, in the amount of \$5,890.00, for the contract with Benchley Builders, Inc. for the Reroofing and Masonry Restoration Project at Durand Union Station.
YEAS: Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, Domby.
NAYS: None.
Carried.**

**Canute moved, Fuja supported to approve payment #13 in the amount of \$36,905.00 to Irish Construction Co., Inc. for work completed on the 1999 Wastewater Treatment Facility Improvements Project.
YEAS: Fuja, Krupp, Mayor Schuyler, Bemis, Canute, Domby, Doyle.
NAYS: None.
Carried.**

There was a presentation / discussion regarding park development for the downtown area.

Canute moved, Doyle supported to approve the proposal from Rowe, Inc. for \$3,500.00 to prepare a grant application for the TEA-21 grant program.

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, Domby, Doyle, Fuja.

NAYS: None.

Carried.

Doyle moved, Bemis supported to request an extension from the Michigan Department of Treasury to file the city audit for the 2000-2001 fiscal year. By passing this motion the City Council is requesting that the deadline for the submission of the audit be extended to no later than December 31, 2000.

YEAS: Mayor Schuyler, Bemis, Canute, Domby, Doyle, Fuja, Krupp.

NAYS: None.

Carried.

Doyle moved, Krupp supported to approve the request for payment from G.P. Graham Construction for work on Durand Union Station, in the amount of \$30,119.99

YEAS: Bemis, Canute, Domby, Doyle, Fuja, Krupp, Mayor Schuyler.

NAYS: None.

Carried.

Krupp moved, Canute supported to appoint Mayor Schuyler and Bemis to serve on the negotiating team to meet with Vernon Township.

YEAS: Canute, Domby, Doyle, Fuja, Krupp, Mayor Schuyler, Canute.

NAYS: None.

Carried.

CITIZENS COMMENTS:

DEPARTMENT REPORTS:

COUNCIL COMMENTS:

Meeting Adjourned at 8:47 p.m.

OCTOBER 2, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, October 2, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Bemis, Canute, Domby, Doyle, Krupp, Mayor Schuyler.

Council Absent: Fuja.

Domby moved, Krupp supported to approve the Agenda with deletion of Item A – Payment Request: Irish Construction – WWTP.

Carried.

Krupp moved, Doyle supported to approve the minutes of the regular meeting held September 18, 2000.

Carried.

Krupp moved, Canute supported to approve payment of city bills numbering from 24878 – 24930.

YEAS: Canute, Domby, Doyle, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Tace Rissin, 604 Mackinaw Street, asked if there was a lift station for Mackinaw Street. Everyone on the street got water in their homes. City Manager stated that the sewer there is gravity flow. There is no lift station. Rissin also noted that Mackinaw Street needs to be repaved. It is really bad.

Ron Adkins, 301 W. Perry Street, requested that the City Council close the street for his annual block party to be held on October 21, 2000 from 4:00 p.m. until 2:00 a.m.

Doyle moved, Krupp supported to approve the block party on West Perry Street from S. Oak Street to Maple Street from 4:00 p.m. – 2:00 a.m. on Saturday, October 21, 2000.

Carried.

Paula Brooks, 104 w. Summit Street stated that she has been attending meetings of the city and the township for some time now and she would like to have both of the boards consider a new concept – negotiating instead of always being in a war on land use issues. Planning wasn't there and still isn't. There will be new officials at the township in November; maybe there can be a fresh start.

Canute moved, Doyle supported to approve payment to Sky Electric for the new generator as part of the Stand-By Power Program, in the amount of \$28,867.00.

YEAS: Domby, Doyle, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

Canute moved, Krupp supported to approve the resolution authorizing matching funds of \$270,875.00 for the DNRCMI Grant Amendment.

YEAS: Doyle, Krupp, Mayor Schuyler, Bemis, Canute, Dombly.

NAYS: None.

Carried.

Doyle moved, Canute supported to approve Amendment #1 to the Engineering Services Agreement of the S. Oak Street Reconstruction Project at an additional cost of \$5,950.00.

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, Dombly, Doyle.

NAYS: None.

Carried.

Doyle moved, Krupp supported to offer the P.A. 425 Agreement to Vernon Township, along with the 108 Agreement for their consideration.

YEAS: Mayor Schuyler, Bemis, Canute, Dombly, Doyle, Krupp.

NAYS: None.

Carried.

CITIZENS COMMENTS: no one spoke at this time.

DEPARTMENT REPORTS:

Mince reported that there will be hydrant flushing going on next week in the city. Also, there is a meeting scheduled for 7:00 p.m. on Wednesday regarding the S. Oak Street construction project.

Markland reported that the administration is looking into new office furniture. The Fire Chief met with Wignen, Ticknell and Meyer regarding Fire Hall renovations. Structurally, the building is in good shape, but it needs modification and character. Also, he is serving on the I-69 intermodal study committee, which consists of Genesee, Shiawassee, Lapeer and St. Clair counties. They will be studying commerce development on the highways.

Roddy reported that water bills are going out in the mail tomorrow. They are one day late this month, due again to the situation with the new software update. Ballots for the November elections were delivered today. AV ballots will be going out in the mail as soon as the Clerk's office can process them. She will be contacting all homeowners who contacted the city after the rainstorm on Sept. 21st. FEMA has been contacted for assistance, and she met with the insurance agents regarding the possible claims due to storm water in basements.

COUNCIL COMMENTS:

Dombly stated that there is still a hole that is not secured in front of 204 S. Oak Street from the work that Consumers Energy has been doing.

Krupp asked what the \$850.00 cost for the video camera is for. Is that to purchase new, or for repairs. He would like the Police Chief to answer that for him.

Canute asked if the light poles which were purchased for the Hagle Street teen hangout that were never used could be installed at Trumble Park. City Manager stated that it could be looked into.

Bemis stated that the voice mail distribution on the phone system should have the ability to retrieve by name of employee. He would also like a list of the employee extensions. City Clerk will get those to City Council members tonight after the meeting. He would also like the City Manager to research how the city gains the ability to negotiate contracts for better purchasing power.

Meeting Adjourned at 8:47 p.m.

SEPTEMBER 19, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, September 19, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

**Council Present: Bemis, Canute, Domby, Fuja, Doyle, Krupp, Mayor Schuyler.
Council Absent: None.**

**Doyle moved, Krupp supported to approve the Agenda with addition of Item G – Appointment of David Howe to the Planning Commission, and Item H – Delay of resignation of Dona Domby to October 31, 2000.
Carried.**

**Krupp moved, Canute supported to approve the minutes of the regular meeting held August 21, 2000 and special meeting held September 11, 2000.
Carried.**

Canute moved, Krupp supported to approve payment of city bills numbering from 24716 – 24877.

YEAS: Canute, Domby, Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

None.

Canute moved, Krupp supported to accept the bid for a Squad Response Vehicle from American Fire & Rescue in the amount of \$102,769.50.

YEAS: Dombly, Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute.

NAYS: None.

Carried.

Canute moved, Doyle supported to accept the bid from David Foutch for the 1984 station wagon in the amount of \$700.00; and accept the bid from Tom Tomkins for the 1984 Chevrolet pickup truck in the amount of \$479.00.

YEAS: Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, Dombly.

NAYS: None.

Carried.

Doyle moved, Bemis supported to accept the proposal from Peerless-Midwest, Inc. for repairs to Lincoln Street well #2 in the amount of \$8,430.98.

YEAS: Fuja, Krupp, Mayor Schuyler, Bemis, Canute, Dombly, Doyle.

NAYS: None.

Carried.

Doyle moved, Canute supported to approve Traffic Control Order #157, closing the alley on the north side of the 600 block of Fitzgerald Street between Holmes and Division Streets.

Carried.

Canute moved, Doyle supported to approve a 50% match for the CMI Recreation Grant.

YEAS: Krupp, Mayor Schuyler, Bemis, Canute, Dombly, Doyle, Fuja.

NAYS: None.

Carried.

Krupp moved, Dombly supported that we reject the P.A. 108 and P.A. 425 agreement submitted by Attorney Fahey on behalf of Vernon Township and notify Vernon Township of the rejection by certified mail, and further move that the two agreements be referred to City Administration to return with a recommendation for a counter proposal at our next regular meeting, if administration can do so by that time.

YEAS: Mayor Schuyler, Bemis, Canute, Dombly, Doyle, Fuja, Krupp.

NAYS: None.

Carried.

Canute moved, Fuja supported to appoint David Howe to the Planning Commission.

Carried.

**Krupp moved, Fuja supported to delay the resignation of Donna Domby to October 31, 2000.
Carried.**

CITIZENS COMMENTS:

Carolyn Geyer, 109 Obert Street, asked what it was that Vernon Township was asking for besides the millage? Also, what kind of feeling did you get from Boundary Commission after the Public Hearing?

City Attorney, Charles McKone, stated that they requested to share State Shared Revenues. And I never try to decide which way a judge will go before he/she gives their decision.

DEPARTMENT REPORTS

City Manager reported the following:

- The reason the City Clerk, Amy Roddy, was not at tonight's meeting was because she is on the board to pick the next school superintendent.**
- The construction on S. Oak Street is scheduled to begin.**

COUNCIL COMMENTS:

Domby: Was Simplicity sold (the simplicity building across the street on S Oak)? There have been kids over there playing loud music at late hours. Maybe they can have more police protection there.

Krupp: Leo asked Mayor Schuyler (who also works for Simplicity) if there was some way Simplicity could have something done so that the Fire Department doesn't get called out for false alarms?

Fuja: Asked if Kevin McDonald has filed yet? She was advised he had not.

Canute: Asked how the search for the chief was going? City Manager said he had talked to someone just today, and if you want to talk about it see me after the meeting.

Bemis: I am not happy with City Hall's voice mail system. Can we have another list of everyone's extensions, or have a directory to choose from when we phone in?

Meeting Adjourned at 9:05 p.m.

Minutes of the Special meeting of the Durand City Council held Monday, September 11, 2000 at 5:15 p.m. in the Council Chambers of Durand City Hall.

**Council present: Canute, Domby, Doyle, Krupp, Mayor Schuyler
Council absent: Bemis, Fuja**

PURPOSE OF MEETING: Bid Award – S. Oak Street Reconstruction Project

City Manager reported that the city had received bids on S. Oak Street. The project will be done in two phases. Phase I-Main Street to RR tracks reconstruction and Phase II-RR tracks to city limits reconstruction. The water main from Main to Fauble will also be replaced. The low bid is from Rhode Bros. Construction in the amount of \$778,430.05.

\$250,000 is water main cost. \$528,000 will have to be paid for out of street funds. Currently, there is approximately \$271,000 in the Street Fund and \$31,000 in Major Street Fund. The rest of the cost will have to be paid from General Fund. The Street Fund should have to repay the General Fund.

Doyle asked if the loan would be repaid beginning next fiscal year. City Manager responded yes, but the work would be completed before the end of this fiscal year. The entire water main will be completed this fall, and the reconstruction work will be split between the fall and the spring.

NOTE: Bemis entered the meeting at 5:20 p.m.

There were several questions regarding the cost of the water main versus the construction costs. Canute also questioned the dip in the approach to the railroad tracks. DPW Director stated that CN RR is planning to raise the tracks to align with the road construction.

City Manager noted that there should be a public meeting to let the neighborhoods know what's going on with the project. Simplicity should be included, too.

City Manager stated that his major concern with the project is cost and how we are going to pay for it. This project is expensive. His belief is that the City Council needs to look at millage to pay for long-term repairs for streets.

Bemis asked if there are any other communities that we can negotiate with to offer bigger packages to construction firms for better pricing. What about looking into changing the ordinances to allow for negotiations when bidding prices? City Manager stated that state law requires that any amount over \$20,000 be bid out, but joining forces with other communities may be something that we could look into.

Doyle moved, Canute supported to award the bid for the reconstruction project on S. Oak Street to Rhode Bros. in the amount of \$778,430.05.

YEAS: Canute, Domby, Doyle, Krupp, Mayor Schuyler, Bemis.

NAYS: none
Carried.

Meeting adjourned 5:43 p.m.

AUGUST 14, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, August 21, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Canute, Domby, Doyle, Krupp, Mayor Schuyler.
Council Absent: Bemis and Fuja.

Doyle moved, Krupp supported to approve the Agenda with deletion of Item C – Lease and Capital Outlay Agreements: Shiawassee District Library; and additions of Item F – Appointment to SATA Board, Item G – AMVET: White Clover Sale, Item H – Reschedule Labor Day Meeting, and Item I – End of Summer Cruise.
Carried.

Canute moved, Doyle supported to approve the minutes of the regular meeting held August 7, 2000 as presented.
Carried.

Canute moved, Domby supported to approve payment of city bills numbering from 24656 – 24715.
YEAS: Canute, Domby, Doyle, Krupp, Mayor Schuyler.
NAYS: None.
Carried.

CITIZENS PRESENT:

None.

Doyle moved, Domby supported to Approve the Consent Agenda as follows: Item A – 5K Walk/Run; Item F – appointment of Leo Krupp to the SATA Board; Item G – AMVET: White Clover Sale on September 2 & 3, 2000; Item H – Reschedule Labor Day Meeting; and Item I – End of Summer Cruise for September.
YEAS: Domby, Doyle, Krupp, Mayor Schuyler, Canute.
NAYS: None.
Carried.

Canute moved, Doyle supported to approve the License Agreement with Thomas Oliver, allowing the use of the water tower for the placement of an antenna and a repeater.

YEAS: Domby, Doyle, Krupp, Mayor Schuyler, Canute.

NAYS: None.

Carried.

Doyle moved, Canute supported to approve payment Application for Payment #12, in the amount of \$58,753.24, for work done to date on the 1999 Wastewater Treatment Facility Improvements.

YEAS: Doyle, Krupp, Mayor Schuyler, Canute, Domby.

NAYS: None.

Carried.

Canute moved, Doyle supported to approve Change Order #3 in the amount of an additional \$16,830.93 for the Wastewater Treatment Facility Improvements contract with Irish Construction Co., Inc.

YEAS: Krupp, Mayor Schuyler, Canute, Domby, Doyle.

NAYS: None.

Carried.

CITIZENS COMMENTS:

None were made.

DEPARTMENT REPORTS

Tanner reported that the Police Officers have trained on the new weapons. All police cruisers have working video cameras. Krupp asked the cost of video equipment for the vehicles. Tanner estimated the cost to be approx. \$3,500.00. It was then asked if a replacement unit could be obtained for usage while a unit is being repaired. Tanner will investigate the request.

Mince reported on the following:

WWTP project- demolition of the old filter began today.

Sanitary sewer inspection process has picked up pace, since beginning last week going house to house. The main areas of concern are illicit sump pump hookups, etc.

The air conditioning unit is finally fixed. The economizing controller needed fixing. Michael Kurkowski, who holds an S-3/D-3 license, has been hired for the Water Dept.

City Manager reported the following:

-Received a telephone call from a homeowner on E. Newburg Road regarding a failed septic system. It is very difficult to resolve these types of issues when they are

isolated. At this point in time, the people experiencing these problems must contact their twp. Officials. These homes are not contiguous to the city or to utility lines. All we can do is sympathize.

-We are working through some problems with the computer software.

-DNR Recreation Grant that the city applied for scored the highest possible points, so they reverted to a tie breaker, and there are 4 areas: per capita cost of project, per capita income, amount of matching funds, previous DNR grants. The only possible way that the city can score any higher amount in the tie breaker is to raise the matching funds that we can make available to the project. 50% is the highest amount for matching funding and that would be approximately \$270,000. The competition for this grant is fierce; next round will be the same. We should consider increasing the matching fund for this grant at the next meeting.

-The combined DDA/DUSI ISTE A grant was denied.

City Clerk reported that there was a very good probability that utility bills would not be mailed out this month. The new computer software has not transitioned well and there have been some complications. If bills cannot be sent out, then letters explaining the situation to customers will be mailed out in their place.

COUNCIL COMMENTS:

Domby: What is the status of re-codification? City Attorney reported that he and the City Clerk would be meeting and a special meeting of the City Council would be held to review the changes within the next 6 weeks.

Krupp noted that he was glad to see that the leaking valve at Columbia and Obert St had been fixed.

Canute: Has 421 W. Main Street been inspected? What's going on with the old jr. high school building? City Manager responded that he was fairly sure that the Building Inspector had inspected the home on Main Street during rental inspections, but he would find out for sure. Regarding the jr. high school building, he has had no contact with the owner. Is the new golf course affecting water levels at Leisure Lake? City Manager responded that it was a good question. D.E.Q. did require an additional liner in the lagoons. Canute also noted that the house at the corner of Tuscola and Mackinaw Streets has sold.

Meeting Adjourned at 8:24 p.m.

AUGUST 7, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, August 7, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Bemis, Canute, Domby, Doyle, Fuja, Krupp, Mayor Schuyler.

Council Absent: None.

**Doyle moved, Domby supported to approve the Agenda as presented.
Carried.**

**Canute moved, Doyle supported to approve the minutes of the regular meeting held July 17, 2000, and special meeting held July 31, 2000.
Carried.**

Krupp moved, Canute supported to approve payment of city bills numbering from 24600 – 24655.

YEAS: Canute, Domby, Doyle, Fuja, Krupp, Mayor Schuyler, Bemis.

NAYS: None.

Carried.

CITIZENS PRESENT:

Agnes Wtiherell, 612 Brand Street, questioned what, if any are the plans with the old Grand Trunk Building? City Manager, Lynn Markland, advised that it was slated for demolition this summer.

**Doyle moved, Krupp supported to Re-Appoint Ken Behnke to the Planning Commission Board for a three year term, and Julia Okenka to the Elections Commissions for a two year term.
Carried.**

**Doyle moved, Bemis supported to cast the ballot for the five (5) incumbents listed for the Michigan Municipal League Workers Compensation Fund Board of Trustees.
Carried.**

Canute moved, Bemis supported to accept the bid from Graham Construction, Inc. for the 1999 TEA-21 Grant project at the Durand Union Station in the amount of \$165,000.00.

YEAS: Doyle, Fuja, Krupp, Mayor Schuyler, Bemis, Canute, Domby.

NAYS: None.

Carried.

CITIZENS COMMENTS:

None were made.

DEPARTMENT REPORTS

All departments involved in the “Visit from Presidential Candidate Bush” wanted everyone to know everything went GREAT!!

City Manager: Just another mention of what a wonderful job everyone did on Saturday. Also, we will be reimbursed from the Bush Campaign.

COUNCIL COMMENTS

Domby: Just wondering what the status of the P. A. 108 offer to Vernon Township is? Also, what determines how a Police Car goes out? City Manager stated there really isn’t any new information on P.A. 108, it was just delivered. The City Attorney said that safety is the determining factor for police cars? Domby then asked if the camera was supposed to automatically come on? Police Chief stated that the camera was not operating. Domby then asked why the camera was not working in the second car? Police Chief stated this is still under investigation. Domby then questioned the overflow with the sanitary sewer? DPW Director, Steve Mince, said over the past 5-6 years there have been major improvements.

Krupp: On behalf of the Fire Chief, thanks to everyone involved in the train derailment.

Canute asked if there was any way that City Hall could let the council members know about an incident as soon as possible, so they could be better prepared when the phone calls start coming into their homes?

Mayor Schuyler wanted to thank everyone who helped with Presidential Candidate Bush’s visit. Also, he questioned the progress on reconstruction on S. Oak Street? Mince stated that the bids were out right now for S. Oak from Main Street to the tracks, including the water main. There is so much utility work that needs to be done.

Meeting Adjourned at 8:00 p.m.

JULY 31, 2000 CITY COUNCIL MINUTES

Minutes of the Special meeting of the Durand City Council held Monday, July 31, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:02 p.m.

Council Present: Canute, Domby, Doyle, Fuja, Krupp, Mayor Schuyler.
Council Absent: None.

**Canute moved, Dombly supported to approve the Agenda as presented.
Carried.**

**Doyle moved, Krupp supported to approve the nomination of Michael Bemis for
Council Member in Precinct II.
Carried, 6-0.**

Open Public Hearing 7:15 p.m.

Bill Wilson, 4645 S. Durand Road, explains he is the first property north of the Lind property. He realizes that the purpose of the land use is to be for Light Industrial, however there is no Light Industrial up to there or even across the street. He understands that years ago when this was all being discussed that had seemed to be the best use for the land, he just wonders if that is still the case. Isn't there possibly land available somewhere else that would give more room for future growth outside of town? Krupp asked what the land was currently zoned? No one really knew being that the land is currently in Vernon Township.

Public Hearing closed 7:30 p.m.

Doyle moved, Fuja supported to pass the Agreement for Transfer of Property on the Vernon Township for their consideration.

YEAS: Dombly, Doyle, Fuja, Bemis, Krupp, Mayor Schuyler, Canute.

NAYS: None.

Carried.

Meeting Adjourned 7:32 p.m.

JULY 17, 2000 CITY COUNCIL MINUTES

Minutes of the Regular meeting of the Durand City Council held Monday, July 17, 2000 in the Council Chambers of Durand City Hall.

Mayor Schuyler called the meeting to order at 7:30 p.m.

Pledge of Allegiance was recited at this time.

Council Present: Canute, Dombly, Doyle, Fuja, Krupp, Mayor Schuyler.

Council Absent: None.

Doyle moved, Canute supported to approve the Agenda with the addition of Item K – Special Meeting for July 31, 2000.

Carried.

Canute moved, Krupp supported to approve the minutes of the regular meeting held June 19, 2000, and special meetings held June 19, 2000 and June 23, 2000. Carried.

CITIZENS PRESENT:

James Roddy, 709 Olivet Drive read the following statement:

“To those of you who don’t know me, my name is Jim Roddy. I have lived at 709 Olivet for 27 years and in Durand for 53 years; all my life. I pay taxes and have been law abiding for 53 years.

On July 11, 2000 I was accosted by 3 of Durand’s law enforcement officers while in the parking lot of Ace Hardware for the possibility of not wearing a seat belt. This is a travesty of justice. Did you give these law enforcement officers a right to stop and harass Durand’s citizens? Because that is all they were doing. I did nothing wrong. Now, there are 4 trumped up criminal charges against me. It will cost me thousands of dollars, time off work and maybe my job because some how my work found out about this.

I know that I am not the only one who has been harassed and hassled by Durand Law Enforcement. When did the city get rid of pour peace officers and get law enforcement officers? Peace officers are to protect and serve, where law enforcement officers enforce laws that everyone cannot possibly know. The city, county, state and federal government pass hundreds of laws every day. It is impossible to know them, especially the way that they are written.

Durand citizens have paid for audio and video equipment for all police cars. Amazingly, none of it was working the day I was harassed and hassled.

If law enforcement has these kinds of rights to harass anyone they want to because they might not have a seat belt on, then the citizens have no rights. This is more commonly known as anarchy; it just hasn’t broken down into the most serious form of anarchy.

It is my understanding that Durand law enforcement officers and several other law enforcement officers from various small towns and villages and townships from around the area rented Fenton Lake Gun Range for a week. Each law enforcement officer practiced with M16-223 caliber full automatic and British Bull-pup 9mm full automatic rifles at 20 feet (half the width of this room) firing 5000 rounds each. Is crime in Durand so bad that our law enforcement needs machine gun training?

You, of the Durand City Council, need to check into law enforcement and rein them in.”

Mayor Schuyler suggested that an internal investigation be done. City Manager mentioned that usually outside agencies conduct investigations concerning the Police Dept. There was further discussion about the Police Department. Mayor Schuyler stated that this matter would be reviewed.

Domby moved, Doyle supported to approve the Consent Agenda as follows: 1) Approval of Election Inspectors-Primary Election. 2) Appointment/Reappointment to Parks and Recreation. 3) Solicitation Request: Shia. Humane Society-Pets on the Street. 4) Appointment of Delegate & Alternate/MML Annual Meeting.

YEAS: Doyle, Fuja, Krupp, Mayor Schuyler, Canute, Domby.

NAYS: None

Carried.

Canute moved, Doyle supported to accept the bid for Ferric Chloride from PVS Technologies, Inc. at a cost of \$254.00 per dry ton.

YEAS: Fuja, Krupp, Mayor Schuyler, Canute, Domby, Doyle.

NAYS: None.

Carried.

Canute moved Krupp supported to accept the bid for an air compressor from Industrial Supply Co. in the amount of \$2,685.00.

YEAS: Krupp, Mayor Schuyler, Canute, Domby, Doyle, Fuja.

NAYS: None.

Carried.

Krupp moved, Domby supported to exercise the first of two one year options on the bid for crack sealing from Scoddeller Construction in the amount of \$1.47 per pound of material used.

YEAS: Mayor Schuyler, Canute, Domby, Doyle, Fuja, Krupp.

NAYS: None.

Carried.

Doyle moved, Canute supported to approve Application and Certificate for Payment No. 10 to Irish Construction Co., Inc. for work completed to date at the WWTP in the amount of \$138,581.57.

YEAS: Canute, Domby, Doyle, Fuja, Krupp, Mayor Schuyler.

NAYS: None.

Carried.

Doyle moved, Fuja supported to approve payment requests #2 & #3 totaling \$8,390.00 to Sky Electric for work done to date on the Standby Power Additions/Modifications.

YEAS: Domby, Doyle, Fuja, Krupp, Mayor Schuyler, Canute.

NAYS: None.

Carried.

Canute moved, Krupp supported to approve the maintenance agreement for the Minolta 4000 Copier at a cost of \$2,060.00

YEAS: Doyle, Fuja, Krupp, Mayor Schuyler, Canute, Domby.

NAYS: None.

Carried.

Krupp moved, Doyle supported to approve the franchise agreement with TVC, Inc. Cable as presented.

YEAS: Fuja, Krupp, Mayor Schuyler, Canute, Domby, Doyle.

NAYS: None.

Carried.

Krupp moved, Doyle supported to take the P.A. 425 Agreement off the table.

Carried.

City Manager stated that the administration had begun the study of growth patterns for the community. The engineers are putting together the mapping, and are doing a capacity study for water and sewer. Not all information is available to date. The Perrin property, based on its proximity to the city, should be included in a P.A. 108 area. Krupp stated that if the city does not plan to expand its boundaries past New Lothrop Road, then maybe this property could be a P.A. 425 area. City Clerk responded that there is property on the East side of New Lothrop Road that owners are interested in developing once the boundaries are extended so that their property is contiguous. Mayor Schuyler suggested that maybe the city could offer a package deal to the township including Perrin's property and the Lind property on S. Durand Road. City Manager added that maybe this would be a good idea, since the petitions that were filed on that property with the Boundary Commission were found to be legally sufficient. There is a Public Hearing scheduled for September 7, 2000 at 4:00 p.m. Fuja agreed with the concept, but stated that she was under the impression that Jeff Perrin stated at a previous meeting that he did not want his property grouped with any others in a package. Perrin, who was present, stated that no, he wouldn't mind this offer. He just did not want the land involved in a large group of land tracts for annexation. Krupp asked if it would be too much to look at other properties on New Lothrop and Monroe Road, too. City Manager stated that he did not want to do that because he was not sure that there was interest. There have been no requests. Doyle stated that another property should be considered in this proposal – 109 Obert Street.

Krupp moved, Fuja supported to direct the administration to draw up a P.A. 108 for Lind Property, Perrin Property, and property located at 109 Obert Street.

YEAS: Krupp, Mayor Schuyler, Canute, Domby, Doyle, Fuja.

NAYS: None.

Carried.

Doyle moved, Krupp supported to approve the Traffic Control Order No. 56 for parking enforcement in the downtown area.

**YEAS: Mayor Schuyler, Canute, Domby, Doyle, Krupp.
NAYS: Fuja.
Carried, 5-1.**

**Doyle moved, Krupp supported to hold a Special Meeting at 7:00 p.m. on July 31, 2000.
Carried.**

CITIZENS COMMENTS:

None were made.

DEPARTMENT REPORTS

City Manager: We will be bringing a proposal to the City Council regarding amending the Labor Union contract with regards to residency.

COUNCIL COMMENTS

Domby: When will we have the Parliamentary Procedures class? City Clerk stated that anytime after the August 8th Primary is a good time. What about the cable wires – Hall & Liker property? City Manager stated that he had contacted the cable company with regards to the complaints. What about the Shiawassee District Library Lease agreement? City Clerk stated that the Librarian had requested that the City Council wait until the next regular meeting; she is on vacation this week.

There is a problem with the cable. The cable went out, then came back on and all available cable channels were on my television. This is unacceptable.

I'd like to see a monthly administrative questionnaire.

Canute: House on the corner of Tuscola and Mackinaw Street needs to be mowed inside the fence. Has the apartment at 421 W. Main Street been inspected? City Manager stated that he will follow up with the Building Inspector.

Doyle: It would be great if the press could get the information on the vacancy for City Council in the paper.

Schuyler: What's the update with Oak Street. City Manager stated that the Pipe Bursting bids were opened and came back much higher than anticipated. The engineers are redrawing the specs for conventional water main replacement. We are looking at possibly doing half of the street this fall (North Oak St.) and half of it next spring (South Oak Street).

Meeting Adjourned at 9:18 p.m.

JULY 3, 2000 CITY COUNCIL MINUTES

The regular meeting of July 3, 2000 was canceled due to the Independence Day Holiday.

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