
JUNE 19, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held Monday, June 19, 2006 at 7:30 p.m. in the Council Chamber of Durand City Hall.

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

Council Present: Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hildebrandt, McDonough

Council Absent: Douglass

**Boggs moved, Hildebrandt supported to approve the agenda with the addition of: Item F – Appoint Travis Sink to the Library Board
Carried.**

**McDonough moved, Boggs supported to approve the minutes of the regular meeting held June 5, 2006 with corrections.
Carried.**

McDonough moved, Hildebrandt supported to approve the payment of the City bills numbering 32849-32901.

YEAS: Mayor Canute, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

CITIZENS PRESENT: No one spoke at this time.

Boggs moved, Tim Doyle supported to approve the budget amendments for the 2005-06 fiscal year.

YEAS: D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute

NAYS: None

Carried.

Maureen Wegner from Capital Consultants was present to discuss the grant application and answer any questions regarding the Trumble Park improvements. She stated that Phase I will include sidewalks, basketball courts, signage and play structure. The grant needs to be postmarked July 1, 2006. The DNR will then do their review and selections will be made by fall.

McDonough moved, Hildebrandt supported to approve the resolution authorizing the Michigan Natural Resources and Water Trust Fund application for improvements to Trumble Park.

YEAS: Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, D. Doyle

NAYS: None
Carried.

McDonough moved, Hildebrandt supported to honor Lloyd Fredericks by designating the West Ball Field at Optimist Park Fredericks Field.
Carried.

Tim Doyle moved, McDonough supported to approve the proposal from Diesler Electric to install the scoreboard at Optimist Park at the cost of \$5640.00.
YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, D. Doyle, Tim Doyle
NAYS: None
Carried.

D. Doyle moved, Hildebrandt supported to approve The Authorizing Resolution #2 for the SATA reorganization.
YEAS: None
NAYS: McDonough, Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hildebrandt,
Failed 0-6

Boggs moved, McDonough supported to appoint Travis Sink to the Library Board.
Carried.

CITIZENS COMMENTS: No one spoke at this time.

DEPARTMENT REPORTS: City Manager: We are in the process of filling out paperwork for 211 Mercer St. Streetscape work should begin within the next two weeks the delay has been with MDOT. Methodist church closing papers are being prepared.

COUNCIL COMMENTS: Tim Doyle: Discusses the MML paper work that he distributed to Council Members.

McDonough: Asked if we will be having a City Auction.

City Manager responded that the City usually loses money at these types of auctions. The vehicles that we have will be put out for bids.

Mayor Canute adjourned the meeting at 7:55 p.m.

JUNE 5, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held Monday, June 5, 2006 at 7:30 p.m. in the Council Chamber of Durand City Hall.

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

Council Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt,

McDonough

Council Absent: None

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

Boggs moved, Tim Doyle supported to approve the minutes of the regular meeting held May 15, 2006 and the special meetings held May 24, 2006 & May 31, 2006. Carried.

Tim Doyle moved, Boggs supported to approve the payment of the City bills numbering 32781-32848.

YEAS: Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

CITIZENS PRESENT: No one spoke at this time.

Chief Tanner presented a proposal to create a new supervisory, non-union position of Lieutenant. During his presentation to the City Council he stated that the position of Lieutenant would be a working position. This person will be expected to respond to complaints, make traffic stop, and do most of the other duties that patrol officers are required to do. This position will be a non-union position, which would give more flexibility with scheduling.

Chief Tanner stated that a Lieutenant position would reduce the reliance on part-time officers and provide more continuity on the night shift. The creation of this position would result in fewer times that part-time officers would be on duty by themselves.

Tim Doyle moved, Boggs supported to approve the creation of a Lieutenant position in the Police Department.

YEAS: Douglass, D. Doyle, Tim Doyle, Hildebrandt, Boggs, Mayor Canute

NAYS: McDonough

6-1 Carried.

Boggs moved, McDonough supported to approve the request of the Durand Rotary Club to serve beverages including alcohol at their annual dinner at the Depot on June 6, 2006.

Carried.

Boggs moved, McDonough supported to authorize the City Treasurer to collect the delinquent utility bills and that the City Treasurer be authorized to place the delinquent amounts on the tax roll for collection.

YEAS: D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve the purchase of a new pump for the Vinewood Lift Station at a cost of \$5,143.00.

YEAS: Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, D. Doyle

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve the purchase of trees from Land Arts in an aggregate amount not to exceed \$7,875.00.

YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle

NAYS: None

Carried.

Tim Doyle moved, McDonough supported to approve the request from the Durand Area Chamber of Commerce for rent of the skate rink at Optimist Park on September 9, 2006. The Chamber and the wrestling group provide proof of insurance and adding the City as an additional insured.

Carried.

Boggs moved, McDonough supported to pass the resolution authorizing the City Manager to make application for a Quit Claim Deed to the State of Michigan Land Bank Fast Track Authority for the conveyance of the property at 211 Mercer Street in exchange for demolition of the blighted property.

YEAS: McDonough, Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt

NAYS: None

Carried.

CITIZENS SPEAK: Rod Hall asked if the trees to be purchased from Land Arts are grown in Michigan. DPW Director stated that they are.

DEPARTMENT REPORTS: Fire Chief: We are going to be donating old air packs to the Shiawassee County Haz Mat team. They are willing to waive two years of training fees to the Durand Fire Department (\$400.00 annually). Also, we will be burning a home on old M-78 for practice and training.

Boggs moved, McDonough supported to donate the 11 used air packs to Shiawassee Haz Mat Team pending waiver of liability.

YEAS: Boggs, mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough

NAYS: None

Police Chief: Railroad Days was very quiet and smooth. We did have two officers apprehend two people attempting a breaking and entering at Durand Forms.

DPW Supervisor: MDOT notice – “local jobs today” program - N. Saginaw St. in an excellent candidate for the pull-ahead project. We will know by late July if this is approved.

City Attorney: Old Mill property and Methodist Church should close this week.

City Manger: Trumble park signage design was included in the City Council packets.

COUNCIL COMMENTS: Douglass asked about the City Managers opinion on the latest proposal from the Township.

City Manager responded that personally he doesn't think that we would want to agree to PA 425. Once a 425 is in place you cannot attach any additional property for future annexations. There also maybe legal issues with current 425 agreements once they expire. None within the state have expired to my knowledge so I hesitate to enter into any until we know if there will be future problems. Also, unless we negotiate a Headlee rollback, we cannot move forward.

Douglass: Vernon Township offered 30 years instead of 50 years.

City Manger: I don't have any problems with the years. I would negotiate the millage and the type. If the City Council would like me to contact Bert DeClerg, I would be happy to contact him.

Douglass and Mayor Canute stated that they would like to have the City Manager contact Bert DeClerg, Vernon Township Supervisor.

D. Doyle: MML is in support of “Defend Michigan” opposing Constitutional amendment.

Mayor stated that City of Corunna invited the City Official to participate in the 4th of July Parade. Regarding Park and Recreation grant are we going to be a fit?

City Manger: We are a good fit but there are no guarantees, our plan does fit their criteria though.

Mayor Canute asked about the DDA façade program. City manager answered that they are working on W. Main St., Club Car Lounge and Dietrich's Flower Shop.

Mayor Canute stated also that SATA requested that the City Council re-consider resolution #2.

Boggs: Concerned if all municipalities approve either of the resolutions, then PA 198 structure could go forward.

Mayor Canute adjourned the meeting at 8:50 p.m.

MAY 15, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting, May 15, 2006, in the Council Chambers of Durand City Hall.

Mayor Pro-Temp Boggs called the meeting to order at 7:30 p.m.

Council Present: Boggs, D. Doyle, Tim Doyle, Hildebrandt, McDonough

Council Absent: Mayor Canute (excused), Douglass (excused)

**D. Doyle moved, McDonough supported to approve the agenda with the addition of: Item G – Resolution of Cable Franchise
Carried.**

**Tim Doyle moved, McDonough supported to approve the minutes of the regular meeting held May 1, 2006.
Carried.**

CITIZENS PRESENT: No one spoke at this time.

D. Doyle moved, Tim Doyle supported to approve the payment of the City bills numbering 32735-32780.

YEAS: D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve the first reading of the budget for fiscal year 2006-07.

Carried.

McDonough moved, Tim Doyle supported to approve the invoice for membership from the Michigan Municipal League in the amount of \$3,270.00

YEAS: Tim Doyle, Hildebrandt, McDonough, Boggs, D. Doyle

**NAYS: None
Carried.**

McDonough moved, Tim Doyle supported to approve the amendment to the contract with Wade-Trim in the amount of \$1,000.00 for consulting services for a new Master Plan.

YEAS: Hildebrandt, McDonough, Boggs, D. Doyle, Tim Doyle

**NAYS: None
Carried.**

**D. Doyle moved, Tim Doyle supported to remove the SATA resolution from the table from the May 1, 2006 meeting.
Carried.**

D. Doyle moved, McDonough supported to approve the SATA request to organize as an Act 196 Authority.

YEAS: None

**NAYS: McDonough, Boggs, D. Doyle, Tim Doyle, Hildebrandt
Failed 0-5**

D. Doyle moved, Tim Doyle supported to approve MDOT Contract No. 05-5454 for the Main Street Rehabilitation & Streetscape Project.

YEAS: Boggs, D. Doyle, Tim Doyle, Hildebrandt, McDonough

**NAYS: None
Carried.**

**Tim Doyle moved, D. Doyle supported to remove Contract Amendment to Main Street Rehabilitation and Utility Improvements off the table from the May 1, 2006 meeting.
Carried.**

Tim Doyle moved, McDonough supported to approve Amendment No. 1 to the Proposal for Engineering Services for the Main Street Rehabilitation and Utility Improvements.

YEAS: D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs,

**NAYS: None
Carried.**

D. Doyle moved, McDonough supported to approve the Resolution Expressing Support of Local Control of Cable Franchising and Opposition to Michigan Senate Bill 1157 and House Bill 5896.

Carried.

CITIZENS SPEAK: No one spoke at this time.

DEPARTMENT: DPW Director: Heavy rains caused a slight overflow at the WWTP approximately 2,000 gallons. We have been getting ready for Railroad Days.

City Manager: Steve Mince has prepared a brochure regarding the W. Main St. project.

Capital Consultants has found out that the DNR is going to be offering some additional grants, 50% match – the Trumble Park Master Plan is a good match for this grant program.

COUNCIL COMMENTS: McDonough asked if the bill for Signature Ford should be covered under warranty?

Chief Tanner answered it was not.

Boggs: Reminder to Council members that there is a meeting on My 24th, 2006, Goal Planning Session a ½ hour before meeting

Mayor Pro-Temp Boggs adjourned at 8:20 p.m.

MAY 1, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held Monday, May 1, 2006, in the Council Chambers of Durand City Hall.

Mayor Canute called the meeting to order at 7:35 p.m.

Council Present: Boggs, Mayor Canute, Douglass, D. Doyle, T. Doyle, Hildebrandt, McDonough

Council Absent: None

D. Doyle moved, McDonough supported to approve the agenda with the following changes:

- 1. Delete Item F and replace with MDOT Contract for West Main St.**
- Carried.

Boggs moved, McDonough supported to approve the minutes of the regular meeting held April 17, 2006 and the minutes of the Executive Session held April 17, 2006.

Carried.

T. Doyle moved, McDonough supported to approve the payment of the City bills numbering 32692-32734.

YEAS: Mayor Canute, Douglass, D. Doyle, T. Doyle, Hildebrandt, McDonough,

**Boggs,
NAYS: None
Carried.**

CITIZENS PRESENT: No one spoke at this time.

**McDonough moved, Hildebrandt supported to approve the request of the Kiwanis of the Durand Area to hold their gold annual Peanut Sale on May 19 & 20, 2006.
Carried.**

**Boggs moved, McDonough supported to approve the request from Light of Faith Fellowship Church to hold a rally on the lawn outside City Hall on Friday, May 12, 2006 from 4:00 p.m. to 5:00 p.m.
Carried.**

**McDonough moved, T. Doyle supported to declare the list of unpaid utility accounts as delinquent.
YEAS: Douglass, D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute
NAYS: None
Carried.**

**Boggs moved, McDonough supported to approve the Articles of Incorporation of the Shiawassee Area Transportation Authority, with the correct citation number.
Boggs withdrew motion.
Boggs moved, McDonough supported to table SATA Request until the May 15, 2006 meeting.
Carried.**

**McDonough moved, Hildebrandt supported to approve the Resolution for Changing MERS Benefits for the full time police officers changing the benefit from B-3 to B-4.
Carried.**

**D. Doyle moved, McDonough supported to table MDOT Contract regarding West Main St. until the May 15, 2006 meeting.
Carried.**

D. Doyle moved, McDonough supported to approve Amendment No. 1 to the Proposal for Engineering Services for the Main Street Rehabilitation and Utility Improvements.

D. Doyle withdrew the motion.

**Boggs moved, Douglass supported to table the Main Street Rehabilitation and Utility Improvements until the May 15, 2006 meeting.
Carried.**

Boggs moved, McDonough supported to authorize the acceptance of the payment of a total of \$100,000.00 from the Durand Convalescent Center in three equal installments over the next three months as a settlement of their utility accounts.

YEAS: D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass

NAYS: None

Carried.

CITIZENS SPEAK: No one spoke at this time.

DEPARTMENT REPORTS: City Manager spoke about C&D Hughes agreement for concrete crushing. D. Doyle stated that there are several by-products in the concrete and when it's crushed those contracts get into the air. City Manger responded that there is arsenic and other by-products. Additionally, it could be very messy for neighboring businesses. City Attorney stated that C&D Hughes was trying to avoid a County permit but with potential run off he does not believe that they can avoid it.

Budget workshops are scheduled for this month. May 24th will be the workshop and May 31st will be the Public Hearing and Adoption of the budget.

COUNCIL COMMENTS: Douglass asked if Hometown money goes to Industrial Development. City Manager responded that it has in the past but not this year.

McDonough: inquired if the City Manager has followed up on the Village of Vernon issue. City Manager answered that he has not had any direction from the City Council at this time. He did speak with Mike Fuja and nothing has come before the County Commissioners. Also, last October he had met with one of the Village Council members and they were not interested.

Douglass stated he heard that the trailer park has high levels of arsenic. City Manger responded that this was true.

Mayor Canute asked how we are doing with the DVA Contract. City Attorney answered that it had been well over 6 weeks since we have heard from them. Boggs added that there hasn't been a meeting since March.

City Attorney reported that the Durand Feed and Grain Property should be wrapped up by the next meeting.

Mayor Canute stated that he received a letter from Chuck McKone's office and asked what happen to the City inspections. He also reported that he received a letter of resignation from Bonnie Mann of the Library Board.

Mayor Canute adjourned the meeting at 8:48 p.m.

APRIL 17, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council held Monday, April 17, 2006, in the Council Chambers of Durand City Hall.

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

Council Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt,

McDonough

Council Absent: None

D. Doyle moved, Boggs supported to approve the agenda with the following changes:

- 1. Remove Items A & C**
- 2. Change Item D to Shelter Agreement: Shiawassee Co. Red Cross Chapter**
- 3. Move Executive Session to End of Agenda**

Carried.

McDonough moved, Boggs supported to approve the minutes of the regular meeting held April 3, 2006 with corrections.

Carried.

Tim Doyle moved, Hildebrandt supported to approve the payment of the City bills numbering 32656-32691.

YEAS: Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

CITIZENS PRESENT: No one spoke at this time.

Boggs moved, McDonough supported to approve the request from Durand Ministerial Association to conduct a ceremony recognizing the National Day of Prayer on May 4th at the Sandula Clock Tower.

Carried.

There were two representatives from the Red Cross present at the meeting to discuss or answer any questions from the City Council.

D. Doyle moved, McDonough supported to approve the shelter agreement with Red Cross.

Carried.

D. Doyle moved, Hildebrandt supported to approve the purchase agreement for the property at 105 W. Clinton St. in the amount of \$56,971.33.

YEAS: Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute

NAYS: None

Carried.

CITIZENS SPEAK: No one spoke at this time.

DEPARTMENT REORTS: Commissioner Fuja reported that Deputy Hansen has been moved out of intensive care after his accident on March 17.

DPW Director: Reported that the Treasurer and himself had attended an MDOT training regarding Street Access Management. He wanted to bring it to the attention of the Council that he is getting approached alot by MDOT regarding looking at our street system as a network. Until the Small Urban District was created money was not available to Durand streets due to the population being under 5000. They are looking into increasing the transfer of funds from major street funds to local street funds from 25% to 100%. There will many requirements and procedures such as developing a long term plan for Street program and TASER program.

City Manager added that the significant part of this is that our major streets are available for some grant funds. But once our major street projects are done we will then be able to move the money to the local street fund. This will not be a cure all for our street problems but will definitely help the situation.

City Manager: The Methodist Church demolition is done and they will be closing very soon. I am still working with the Chamber and the DDA to fill the new position. Also, the SATA agreement that we have been working on will hopefully be finished this week.

COUNCIL COMMENTS: McDonough: Thank you to Waste Management for picking up yard waste.

Hildebrandt: Thank you to the Police Department for sitting on Monroe Rd. before and after school.

Boggs: Asked if there was any research done on the millage.

City Manager responded that he would be coming to the Council with more information before the first week of June.

D. Doyle moved, McDonough supported to adjourn to Executive Session to consider the purchase of property to do so in front of the public might be detrimental to future agreements.

YEAS: D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass
NAYS: None
Carried.

Mayor Canute adjourned to Executive Session at 7:54 p.m.

Mayor Canute opened the meeting at 8:18 p.m.

Mayor Canute adjourned meeting at 8:18 p.m.

APRIL 3, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council held Monday, April 3, 2006, in the Council Chambers of Durand City Hall.

Mayor Canute called the meeting to order at 7:00 p.m.

Council Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt,
McDonough

Council Absent: None

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

T. Doyle moved, McDonough supported to approve the minutes of the regular meeting held March 20, 2006.
Carried.

T. Doyle moved, McDonough supported to approve the payment of the City bills numbering 32613-33655.

YEAS: Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

CITIZENS PRESENT: Bill Frederick, 208 Marquette, requested a 45 day extension on an ordinance violation regarding two junk vehicles in his drive way.

Chief Tanner stated that Mr. Frederick was issued an ordinance violation ticket that stated he has 30 days to correct the situation, the end of the 30 days will be on April 7th or 9th.

Mr. Fredericks stated that he is trying to sell one vehicle to make the money to buy parts for the second vehicle which needs a rear end.

D. Doyle moved, McDonough supported to grant Bill Frederick of 208 Marquette St. a 45 day extension on the Junk Vehicle Ordinance Violation ticket from the expiration date of the original ticket for both vehicles.

**YEAS: Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough Boggs,
Mayor Canute.**

**NAYS: None
Carried.**

D. Doyle moved, McDonough supported to approve the purchase agreement be approved for the property at 105 W. Clinton St. in the amount of \$51,756.81.

YEAS: D. Doyle, Hildebrandt, Boggs

**NAYS: Tim Doyle, McDonough, Mayor Canute, Douglass
3-4 Failed.**

McDonough moved, Tim Doyle supported to table the shelter agreement with the Red Cross until a Representative from the Red Cross is present.

Carried.

Tim Doyle moved, Boggs supported to accept the proposal from Capital Consultants for preparing a master Plan for Trumble Park.

**YEAS: Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass,
D. Doyle**

**NAYS: None
Carried.**

CITIZENS COMMENTS: No one spoke at this time.

DEPARTMENT REPORTS: DPW Director: Brush pick up starts tomorrow, scheduled the first Tuesday of the month until November.

City Attorney: Addressed item 1 on the City Manager's Report, 211 Mercer St. We have been trying to find a solution to make this property go away. The State Land Bank owns the property and it does not have the money budgeted to do a demolition. Be prepared in the near future to be looking at the ordinance to make sure a situation like this does not happen again.

City Manager: The State Land Bank does not have the money for a demolition and has asked if we would pay for that at about \$7000.00. If this was to happen I would request to have a lean on the deed or to have the deed given to the City for ownership. After talking with the State Land Bank they have stated that if this was to happen they require a redevelopment within 6 months.

The doctor's office that sits next door is 2 years delinquent on their taxes and may be go in to the hands of the State Land Bank in the near future. There may be some options if the two properties next to each other are in their hands as far as combining them. The Land Bank will be speaking with the Attorney General's office tomorrow for more information.

City Manager also stated that the DDA has agreed to fund up to \$5700.00 for irrigation in the Main Street Streetscape Project. The DDA is also discussing extending its boundaries to include the 300 block of N. Saginaw St. and 103 Mercer.

COUNCIL COMMENTS: Boggs asked if the millage could be on the next agenda.

Mayor Canute adjourned the meeting at 8:15 p.m.

MARCH 20, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council held Monday, March 20, 2006, in the Council Chambers of Durand City Hall.

Mayor Canute called the meeting to order at 7:00 p.m.

Council Present: Boggs, Mayor Canute, D. Doyle, T. Doyle, Hildebrandt, McDonough

Council Absent: Douglass (excused)

D. Doyle moved McDonough supported to approve the agenda with the addition of Item A-1, Solicitation Request: Knights of Columbus - Tootsie Roll Drive.
Carried.

Boggs moved, McDonough supported to approve the minutes of the regular meeting held March 6, 2006.
Carried.

McDonough moved, Boggs supported to approve the payment of City bills numbering 32541-32612.

YEAS: Mayor Canute, D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

CITIZENS PRESENT: John Matejewski asked when the downtown park would be finished. City Manager responded that grants are not announced until December and awards are made in the following spring.

D. Doyle moved, McDonough supported to approve the mayoral appointment of Todd Hatherill to the Parks and Recreation Board filling a vacancy of Maggie Smith.

Carried.

D. Doyle moved, McDonough supported to approve the Knights of Columbus request for the annual Tootsie Roll Drive on April 7, 8 & 9, 2006.

Carried.

McDonough moved, T. Doyle supported to accept the bid for a Skid Steer from Lloyd Miller & Sons in the amount of \$25,554.00.

YEAS: D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute

NAYS: None

Carried.

Presentation: Sewer Separation Project - "Look how Far We've Come"

Steve Mince, Director of Public Works, addressed the City Council about the Phase 4 Sewer Separation Project. Mr. Mince went over the goals of the project:

- 1. Reduce Sanitary Sewer Overflow and Their Effects**
- 2. Protect the Public & Environment**
- 3. Comply with DEQ Mandates as Required Under an Admin. Consent Order**
- 4. Gain Capacity in System and Plant**
- 5. Reduce Costs Associated with Pumping and Treating Storm Water**

So far the Sewer Department has found that over 40% of the homes in Durand have footing drains or sump pumps illegally discharging storm water into the sanitary system. This causes storm water to be pumped and treated unnecessarily resulting in excessive storm water in sanitary system ensuing Sanitary Sewer Overflows.

Mr. Mince explained the inspection process as a typical inspection completed in only a few minutes by the sewer department checking for storm water connections. If a more in depth inspection is needed then the process may include the use of video and/or dye testing.

Starting in the 1990's we have been working on correcting the problem by conducting door-to-door inspections. The Administration then developed a Footing Drain Separation Program with financial assistance for homeowners. The financial assistance from the City has been grant funds of approximately \$66,000.00 and single lot assessment funds in the amount of approximately \$18,000.00.

The typical cost of the Footing Drain Separation for an average home runs around \$1,500.00 if completed by a contractor or for approximately \$500.00 if the homeowners does the work themselves.

The accomplishments of the program to date have been:

- Phase 1 - 84 homes disconnected
- Phase 2 - 125 homes disconnected
- Phase 3 – 95 homes disconnected

The impact of the program has reduced the average plant flow by 200,000 GDP or the equivalent flow of approximately 1000 homes. The Phase 4 and 5 are expected to have very few connections compared to phases 1, 2 & 3. Also, point of sale inspections to be enforced and upgrade stations and collection system with computerized flow monitoring in the future.

Boggs moved, D. Doyle supported to approve the second reading of the ordinance regulation pets/animals in areas designated for festivals/special events:

ORDINANCE NO. 06-01

AN ORDINANCE TO PROHIBIT DOMESTIC ANIMALS FORM CERTAIN AREAS OF THE CITY DURING CELEBRATIONS; PENALTY; EFFECTIVE DATE.

THE CITY OF DURAND ORDAINS:

Section 1. Public Purposes. The City Council of the City of Durand does hereby

Deem it to be in the best interests of the citizens of the City of Durand to prohibit domestic animals, whether leashed or not, during specific celebrations.

Section 2. Railroad Days. No person shall allow a domestic animal owned by them or under their control upon public streets, sidewalks and other public property in the following areas of the City during Railroad Days:

**100 and 200 Blocks of North Saginaw Street;
100 Block of East Clinton Street;
100 Block of West Clinton Street;
100 Block of West Main Street;
100 and 200 Blocks of East Main Street;
100 Block of Hagle Street;
100 Block of Railroad Street;
Property upon which Durand Union Station is located; and
Centennial Walkway.**

Section 3. End of Summer Cruises. No person shall allow a domestic animal owned by them or under their control up on public streets, sidewalks and other public property in the following areas of the City during the End of Summer Cruises:

**100, 200, 300, 400 and 500 Blocks of North Saginaw Street;
100 Blocks of East Clinton Street;
100 Blocks of West Clinton Street;
100 Block of West Main Street;
100 and 200 Blocks of East Main Streets;
100 Block of Hagle Street;
100 Block of Railroad Street;
Property upon which Durand Union Station is located; and
Centennial Walkway.**

Section 4. Other Celebrations. In the event that the City Council should approve a Celebratory event, the Council by Resolution may determine that domestic animals are to be prohibited in a certain area during that celebration. In that instance, in order for the Resolution to be enforceable, the resolution shall be either published at least fifteen (15) days prior to the celebration or posted throughout the area designated at least two (2) days prior to the celebration.

Section 5. Penalty. Any person convicted of violating any provision of this ordinance shall be guilty of a misdemeanor and may be fined up to Five Hundred (\$500.00) Dollars and/or imprisoned for a period not to exceed ninety (90) days or both.

Section 6. Effective Date. This Ordinance shall become effective fifteen (15) days after enactment and after publication hereof.

**YEAS: T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, D. Doyle
NAYS: None
Carried.**

Public Hearing: MNRTF Grant Application for Diamond District Park

Mayor Canute opened Public Hearing at 8:17 p.m.

Maureen Wegener and Joe Wright from Capitol Consultants were present to answer any questions from the City Council or the public regarding the proposed park plan. No one from the audience spoke at this time.

Public Hearing closed 8:19 p.m.

T. Doyle, Boggs supported to approve:

**City of Durand
Resolution of Authorization
Michigan Natural Resources Trust Fund
Parks and Recreation Grant Application**

WHEREAS, the City of Durand has an approved 5-year Parks and Recreation Master Plan on record with the Michigan Department of Natural Resources; and

WHEREAS, the City of Durand Parks and Recreation Master Plan outlines the creation of Diamond District Park as one of its priorities for the year 2006; and

WHEREAS, the Durand City Council approved the development of Diamond District Park Master Plan; and

WHEREAS, the Durand City Council has approved the local share financing for the grant application of the project, and that funding sources of the local match will be provided by the Downtown Development Authority Fund, City of Durand General Fund, and other local donations from civic organizations and individuals;

NOW, THEREFORE, the Durand City Council does hereby authorize the submittal of a grant application to the Michigan Department of Natural Resources for the consideration of Diamond District Park as a 2006 recipient of the MNRTF grant.

YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, D. Doyle, T. Doyle

NAYS: None

Carried.

D. Doyle moved, McDonough supported to approve:

**City of Durand
Resolution Authorizing Main Street Improvements
Michigan Department of Transportation
JN 86022-Durand-Streetscape-ENH 05-0024**

WHEREAS, The City of Durand has applied for and received funding to undertake the redevelopment of Main Street within the City of Durand, which includes replacement of water main, construction of roadway and new enhancements for streetscape beautification; and

WHEREAS, all required for construction and maintenance of the project in under the control of the City of Durand; and

WHEREAS, the local share for the Main Street Improvements project, including the roadway, utility and streetscape improvements is in place and the source of the local match will be provided from major Street Fund, Water Fund, Downtown Development Authority Fund and HUD-EDI grant funds; and

WHEREAS, the City of Durand will be responsible for maintenance of the completed project; and

WHEREAS, the City of Durand has completed all of the necessary engineering documents for the project;

NOW, THEREFORE, having been selected as a recipient of the Michigan Department of Transportation Enhancement Grant, the Durand City Council requests that the federal enhancement grant funds be awarded to the City of Durand and we further authorize the City Manager to act as our representative for the project.

YEAS: McDonough, Boggs, Mayor Canute, D. Doyle, T. Doyle, Hildebrandt

NAYS: None

Carried.

CITIZENS COMMENTS: No one spoke at this time.

DEPARTMENT REPORTS: Chief Tanner: The 2006 Ford is in service and Code Enforcement is in full swing.

City Manager:

- Peerless Environmental has completed the Baseline Environmental Assessment for Durand Feed and Grain property.
- The DNR has approved the Park's five-year plan.
- Congratulations to Brian Boggs for being elected Secretary of the DVA Board of Directors
- Developers for the old Middle School have submitted the grant application to MSHDA

Boggs inquired about the street millage. City Manager stated that the 1994 street millage of 2 mills levied \$102,000 annually and now Headlee has reduced that to approximately 1 mill or \$70,000. The City Council has to decide how it wishes to fund streets. If there is going to be a street millage then the City Council is going to have to put it to a vote of the voters.

McDonough stated that he wants to do a survey to see if residents are interested.

Boggs asked if anyone had driven down the streets in the "Y" and Brand Street. City Manger responded that those are possibly the two worst sections of streets in the City. Mayor Canute asked when something could be done in that area. City Manager stated that the small urban district meeting is March 30th and there may be an opportunity to get the "Y" streets in the plan. Mince added that there might be some opportunity for other grants.

Mayor Canute adjourned that meeting at 8:40 p.m.

Minutes of the Durand City Council held Monday, March 6, 2006, in the Council Chambers of Durand City Hall.

Mayor Canute called the meeting to order at 7:00 p.m.

Council Present: Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hildebrandt, McDonough

Council Absent: Douglass

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

McDonough moved, Boggs supported to approve the minutes of the regular meeting held February 20, 2006 with corrections.

Carried.

Tim Doyle moved, Hildebrandt supported to approve the payment of City bills numbering 32503-32540.

**YEAS: Mayor Canute, D. Doyle, Tim Doyle, Hildebrandt, McDonough
Boggs**

NAYS: None

Carried.

CITIZENS PRESENT: John Matachewski, 708 Kingswood St., stated that he would like to talk about unlicensed vehicles sitting in yards.

City Attorney responded that if Mr. Matachewski is referring to unlicensed vehicles, then it is not good enough for us to take actions. If we are referring to junk vehicles then there are means to control the blight.

Mr. Matachewski stated that on Kingswood St. there are cars parked in front yard and there is junk all around home.

City Attorney stated that there is something that can be done about it and the Police Department can address this.

Tim Doyle moved, McDonough supported to approve the Pets on the Street During Celebrations Ordinance (or whatever the City Attorney names it) for the first reading.

Carried.

Boggs moved, McDonough supported to authorize the administration to approve a change in our liability deductible from \$0 to \$2,500.

YEAS: D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute

NAYS: None

Carried.

D. Doyle moved, McDonough supported to authorize the City Manager to execute the HUD Grand Agreement and accompanying documents, and thank Congressman Roger's office for assisting.

Carried.

DEPARTMENT REPORTS: City Manager stated that Peerless Environmental completed the environmental assessment on the Methodist Church. There was an authorized payment to the contractor for \$20,000.00. Also, ZBA met this week and approved the use variance for WODA Development. The Planning Commission will be meeting on March 7th to review the site plan.

City Manager also stated that the Building Inspector has received the building permit application for the Self Serve Lumber project.

Police Department: Information regarding parking violations and fines was distributed; it was asked that the Council look at these documents and make a recommendation at the next meeting.

City Clerk: On May 22nd there will be the MML League Conference with Capitol Consultants dinner to follow.

COUNCIL COMMENTS: McDonough: On Vinewood and Manfred there was scattered garbage and garbage cans.

Tim Doyle: Stated that he attended a MML Tax and Finance Committee and different legislation was talked about and being worked on in Lansing.

- HB 5413 – Exempt New Residential Develop Property**
- HB 5126 – Special Assessment Per parcel or ad valarum – police services**
- HB 1031 – Create entertainment and cultural events tax district**

Also discussed revenue sharing and cable franchising.

Mayor Canute: Cable Franchise – None of the Senators are supporting the legislature at this time. He also stated that there was no DPW report included in the packet.

Mayor Canute adjourned the meeting at 8:03 p.m.

FEBRUARY 20, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council held Monday, February 20, 2006, in the Council Chambers of Durand City Hall.

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

**Council Present: Boggs, Mayor Canute, Douglass, D. Doyle, T. Doyle, Hildebrandt
McDonough**

Council Absent: None

**D. Doyle moved, Boggs supported to approve the agenda with the addition of:
Item F – Reappointment to Parks and Recreation Board.**

Carried.

**Boggs moved, McDonough supported to approve the minutes of the regular meeting
held February 6, 2006.**

Carried.

**T. Doyle moved, Boggs supported to approve the payment of City bills numbering
32466-32502.**

**YEAS: Mayor Canute, Douglass, D. Doyle, T. Doyle, Hildebrandt, McDonough,
Boggs**

NAYS: None

Carried.

**CITIZENS PRESENT: Rod Hall, 724 Princeton Dr., addressed the Council stating
that the adoption of the Five Year Park Plan is very important to the community
and that he hopes that everyone could put differences aside and move the Parks
Plan forward in the best interest of the community.**

**Dennis Rainwater, 505 Vassar Dr., of the Durand Patriots stated that John Diem's
barracks burned and the Patriots are trying to get together items to send. They
have already replaced a 20" television, portable DVD and a laptop computer.**

**Kent Edwards, President of Railroad Days, Inc. was present to answer any
questions regarding the activities for Railroad Days this year. He noted that the
committee was planning on hosting a wine tasting event and he requested that the
city restrict animals from the congested areas during the festival.**

**City Attorney noted that if the City Council so directed, he would prepare an
ordinance restricting all pets from city festivals. The City Council was in favor of
having the ordinance prepared.**

**McDonough moved, T. Doyle supported to approve the requests from Railroad
Days for the annual festival in May 2006.**

Carried.

**D. Doyle moved, McDonough supported to accept the bid for aggregate from
McConnell Sand and Gravel at a cost of \$12.65 per ton.**

**YEAS: Douglass, D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs, Mayor
Canute**

NAYS: None

Carried.

T. Doyle moved, Hildebrandt supported to approve the bid for sand from Fuoss Gravel in the amount of \$4.35 per ton.

YEAS: D. Doyle, T, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve the bid for cold patch from Saginaw Asphalt Paving in the amount of \$64.68 per ton.

YEAS: T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, D. Doyle

NAYS: None

Carried.

**CITY OF DURAND
RECREATION PLAN
RESOLUTION OF ADOPTION**

WHEREAS, the Durand City Council has undertaken a Five Year Parks and Recreation plan which describes the physical features, existing recreation facilities and the desired actions to be taken to improve and maintain recreation facilities during the period between 2006 and 2010, and

WHEREAS, a public comment session was held Monday, February 6, 2006 at Durand City Hall to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Plan, and

WHEREAS, after the public hearing, the Durand City Council voted to adopt said Recreation Plan.

NOW, THEREFORE BE IT RESOLVED the Durand City Council hereby adopts the City of Durand Recreation Plan as a guideline for improving recreation for the residents of the City of Durand.

YEAS: McDonough, Boggs, Mayor Canute, Douglass, D. Doyle, T. Doyle,

NAYS: Hildebrandt

Carried, 6-1.

Doyle moved, McDonough supported to reappoint Al Kregger to the Parks and Recreation Board.

Carried.

CITIZENS SPEAK: Rod Hall thanked the Council for passing the Five Year Parks Plan.

DEPARTMENT REPORTS: City Manager stated that there will be a Public Hearing at the March 2, 2006 Zoning Board of Appeals meeting regarding the Arthur Lucas Middle School property. There will also be a Site Plan Review for this project on March 7, 2006 at the Planning Commission meeting.

COUNCIL COMMENTS: Boggs: Happy Presidents Day.

Mayor Canute adjourned the meeting at 7:50 p.m.

FEBRUARY 6, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council held Monday, February 6, 2006, in the Council Chamber of Durand City Hall.

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

Council Present: Boggs, Mayor Canute, D. Doyle, T. Doyle, Hildebrandt, McDonough

Council Absent: Douglass (excused)

D. Doyle moved, Boggs supported to approve the agenda with the addition of: Item B-1 - Contract with AKT Peerless: Baseline Environmental Assessment for Durand Feed & Grain property.
Carried.

McDonough moved, T. Doyle supported to approve the minutes of the regular meeting held January 16, 2006.
Carried.

McDonough moved, Hildebrandt supported to approve the payment of City bills numbering 32385-32465.

YEAS: Mayor Canute, D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

CITIZENS PRESENT: No one spoke at this time.

D. Doyle moved, McDonough supported to approve the resolution establishing the fees and time requirements regarding the issuance of peddlers' and solicitors' license.

YEAS: D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute

NAYS: None

Carried.

Tim Doyle moved, Boggs supported to approve the Phase 1 Environmental Assessment for the Methodist Church property from AKT Peerless not to exceed \$2,250.00.

YEAS: Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, D. Doyle

NAYS: None

Carried.

D. Doyle moved, McDonough supported to approve the Baseline Environmental Assessment for 105 W. Clinton St. from AKT Peerless not to exceed \$2,400.00.

YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, D. Doyle, T. Doyle

NAYS: None

Carried.

2006 Streetscape Project

Maureen Wegner of Capital Consultants Engineering gave an overview of the 2006 Streetscape project for East and West Main Street. This project will cost \$1 million dollars. The Grants through MDOT – Small Urban District will encompass the three way stop at Saginaw St. and E. Main. Traffic survey results recommended a 3-way stop at the intersection of Saginaw and E. Main Streets. Council members raised several questions about the proposed stop sign for traffic traveling East on Main Street regarding traffic flow due to railroad tracks located so close to the stop sign.

Four and a half months are expected for completion of the project, bids will be going out in April and the project will begin the week after Railroad Days.

Joe Wright presented the layout of the streetscape showcasing diamonds throughout the streetscape.

Boggs moved, D. Doyle supported to approve the plans for the streetscape project for Main St., without the three way stop.

YEAS: McDonough, Boggs, Mayor Canute, D. Doyle, T. Doyle, Hildebrandt

NAYS: None

Carried.

Diamond District Park

Joe Wright, Land Development Engineer from Capital Consultants explained the proposal for Diamond District Park. The park has facilities to house vendors for the Farmers' Market, an outdoor amphitheatre that looks like a boxcar that will be surrounded by railroad rolling stock that the city already owns. There is water play area, along with a children's playscape. Also included are restroom facilities and snack bar area. Mayor Canute asked questions regarding the fountain and if the water would be recycled or not. Wright explained that recycling water for water park areas is very expensive, and the city would have to decide if the water would be recycled or not.

Mayor Canute opened the Public Hearing for the 5- Year Parks and Recreation Master Plan at 8:35 p.m. No public comments were made. He closed the Public Hearing at 8:36 p.m.

Hildebrandt stated that the plan for Diamond District Park was nice, but maybe it isn't the right time to do this project. She would like to see street improvements and improvements for the parks that we all ready have.

T. Doyle stated that the city already has a plan for the streets that has been followed and the city has made a lot of improvements to its streets.

Discussion continued between the members of the City Council regarding priorities for the 5 year Parks and Recreation Master Plan. City Manager also explained the reason that the city needs a Parks and Recreation Master Plan, and how the Diamond District Park concept was developed.

D. Doyle moved, Boggs supported to approve the five-year Parks and Recreation Master Plan, as prepared by Capital Consultants – May 2005.

YEAS: Boggs, D. Doyle, T. Doyle

NAYS: Mayor Canute, Hildebrandt, McDonough

Failed 3-3

CITIZENS SPEAK: No one spoke at this time.

DEPARTMENT REPORTS:

DPW Director stated that he takes exception to the statement that our parks are not maintained and that street repairs are pretty darn good considering what we've been given to work with.

Treasurer stated that with the updating of computers general ledger and cash receipting are being converted.

City Attorney stated that the Peddler's Ordinance has been held up and prosecutors can defend this ordinance.

City Manager updated the City Council on the Planning Commission – Self Serve Lumber's site plan was approved last month. At the February 7, 2006 meeting the new motel will be present for a continuation of the site plan. It has been reported that the motel will be a Quality Inn, which is a part of the Clarion chain.

There has been some movement with the old Jr. High building. A development firm has shown interest in acquiring the building.

City Manager stated that he did not like it when these types of heated discussions happen. It is difficult when personalities get in the way. These are philosophical differences but the City Council has the final say on what transpires within the City. We have to carry out their direction.

I think that the direction that the City Council wants to go in has changed. Several years ago the City Council went away on a planning retreat, and maybe we should consider doing the same.

WWTP – Monitoring location with WWTP – Steve Mince, Maureen Wegner and I have been working with the DEQ regarding the monitoring point at the Shiawassee River. Our current permit states that our monitoring point is at the WWTP. What might the limits be? The existing drain is 2 ½ miles long and we cannot control what happens between the plant and the river discharge point. The community cannot afford \$1 million dollars every time DEQ issues us a new permit. They might even make some modifications to the City's ACO with DEQ.

COUNCIL COMMENTS: McDonough: Good job on snow removal; pass it on to the guys.

Mayor Canute: I apologize to Steve; I did not mean to make it sound like the DPW doesn't do their jobs.

Mayor Canute adjourned the meeting at 9:35 p.m.

JANUARY 16, 2006 CITY COUNCIL MINUTES

Minutes of the Durand City Council held Monday, January 16, 2006, in the Council Chambers of Durand City Hall.

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

Council Present: Boggs, Mayor Canute, D. Doyle, T. Doyle, McDonough

Council Absent: Douglass

D. Doyle moved, Boggs supported to approve the agenda with the addition of Appointment to Zoning Board of Appeals and Parks and Recreation Board Carried.

McDonough moved, D. Doyle supported to approve the minutes of the regular meeting held December 19, 2005. Carried.

T. Doyle moved, Boggs supported to approve the payment of the City bills numbering 32249-32384.

YEAS: Mayor Canute, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs
NAYS: None
Carried.

CITIZENS PRESENT: Rod Hall, 724 Princeton Dr., stated that Solicitor's Permits are currently \$5.00 per day. He suggested that the permit be changed to \$100.00 daily and require permit applicants to apply 30 days in advance so there can be a background check. City Manager agreed with Mr. Hall adding that the City has had problems for quite some time with solicitors. The City Manager was unsure if a background check could be required, but if the law has not changed then they should be required.

Hall asked about state sales tax being an issue. City Attorney responded that the sales tax is not a City regulation. It is a State regulation.

Hall asked what resources he would have if a solicitor ignores the "No Trespassing" sign and harasses customers. City Attorney stated that he can ask them to leave and call the Police; they will be arrested and prosecuted.

Leslie Dietrich, Durand Chamber of Commerce President, supported Rod Hall's comments regarding Solicitors and also added that they do not contribute to our community and they don't support the Kiwanis, Rotary or the Band. She then suggested that the charges include \$25.00 per additional person, \$250.00 weekly rate and \$2500.00 for an annual rate with a 30-day waiting period.

Bob Strachan, 610 Vinewood St., stated that he was present on behalf of the Parks and Recreation Board.

Joe Borgstrom, 500 Brand St., stated that he has comments regarding the Parks and Recreation Plan. He supports the Diamond District Park and it had been discussed at the DDA meetings. "We are aware that it is being submitted for a grant which will include the 2006 streetscape plan".

T. Doyle moved, McDonough supported to approve the purchase of an influent pump for the Waste Water Treatment Plant from Dubois – Cooper Associates in the amount of \$12,588.00.

YEAS: D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute
NAYS: None
Carried.

D. Doyle moved, Boggs supported to appoint Bob Strachan and Mike Fuja as members to the Zoning Board of Appeals and to appoint Rod Hall and Jason DeFrenn as alternates to the Zoning Board of Appeals.
Carried.

Discussion Re: Parks and Recreation 5 year Master Plan

Bob Strachan, Parks Board Chairman, stated that the Parks Board has not been involved in the planning of the Diamond District Park. He repeated the history of 2004/2005 Parks and Recreation Plan, as they were outlined.

City Manager responded that on December 19, 2005 the City Council hired Capital Consultants to formulate a plan for the park and to write a grant to develop the park. The City Council had made it a priority to develop that area when they first purchased the Trainview Corp. property in 1995. Howard Johnson's family donated the rest of the property from the block. The City also purchased the Tiny Russell home as part of the property acquisition.

City Manager also noted that he had attended the Public Hearing that the Parks and Recreation held in September to hear comments about the proposed plan and there were no problems with the plan.

Rob Dolehanty stated that Trumble Park needs a facelift and it is a park that greets the public and it has not been maintained.

D. Doyle noted the Downtown merchants have invested their money to pay for the bands during the summer concert series and that the Diamond District Park will be used by hundreds of people during the summer months. If the city moves Diamond District Park to the bottom of our priorities then we cannot even apply for the grant.

Dietrich added that the D.D.A.'s strategy for development in the Downtown includes the Diamond District Park.

Boggs added that there have been plans at the depot for some type of park in the downtown since 1974.

Mayor Canute: "The problem I have with this is that the City Manager told us to wait on Trumble Park until after the plan was completed. Now, Trumble Park has been lost to Diamond District." He also is concerned about the maintenance on three parks. "If we are going after any money then it should be for Trumble Park."

T. Doyle asked if a Master Plan would be done for Trumble Park before applying for grants. City Manager noted that the 5-year plan calls for a Master Plan to be done for Trumble Park in the first year of the plan.

Joe Borgstom: With the Diamond District Park being in the DDA, the ongoing maintenance could be covered by DDA funds.

City Manager added that time is running out on the deadline for D.N.R. grant application.

**D. Doyle moved, Hildebrandt supported to table the appointment of Parks and Recreation Board until next meeting.
Carried.**

CITIZENS SPEAK: Art Borkowski introduced himself as the new Argus Press representative for the Argus Press.

DEPARTMENT REPORTS: None

COUNCIL COMMENTS: Tim Doyle thanked former City Council and administration for sewer separation plan. Everyone took a lot of heat for his or her decisions, but it was the right decision and it saved the city thousands of dollars.

Boggs asked about the parking ticket fines being too low. Chief Tanner responded that they are not out of line. City Attorney noted that if the fines are set too low then they need to be increased periodically. Boggs responded that he would like to look into this.

McDonough inquired about false alarms. Tanner answered that there are no updates.

Mayor Canute asked about Durand Feed & Grain environmental issues. City Manager responded that he spoke with Pete Shield and the DNR still requires a test after the tanks are removed. He also has called the state to find out what the City needs to do for closure.

Mayor Canute asked the DUS Centennial finances. City Manager responded that the project broke even, but did not lose money.

Mayor Canute adjourned the meeting.

JANUARY 2, 2006 CITY COUNCIL MINUTES

(No Meeting)

DECEMBER 19, 2005 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held Monday, December 19, 2005, in the Council Chambers of Durand City Hall.

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

Council Present: Boggs, Mayor Canute, Douglass, D. Doyle, T. Doyle, Hildebrandt, McDonough

Council Absent: None

**D. Doyle moved, McDonough supported approve the agenda with the addition of:
Item E: Appointment to Vernon Township negotiation team.**

Carried.

McDonough moved, Boggs supported to approve the minutes of the regular meeting held December 5, 2005.

Carried.

Boggs moved, T. Doyle supported to approve the payment of the City bills numbering 32198 & 32217 through 32248.

YEAS: Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

CITIZENS PRESENT: Paula Brooks, 104 W. Summit St., stated that supposedly, the township did not receive a formal proposal extending the years. City Manager stated that he would have to check to see if a letter was sent.

Paul Bailey of Stewart, Beauvais and Whipple presented the audit from the 2004-05 fiscal year. The City of Durand, once again, has an unqualified opinion. He outlined the balance sheets of the various city funds and noted that the fund balance is \$603,748, or 21% equity.

D. Doyle moved, T. Doyle supported to approve the audit for the 2004-05 fiscal year and order that it be placed on file with the Clerk's office.

YEAS: D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass

NAYS: None

Carried.

Julie Johnston of Wade-Trim presented the new Master Plan. She noted that during the waiting period when other units of government have an opportunity to comment, Shiawassee County requested that language be added that a future land use plan does exist within the county. Also, all of the street improvements that the city has made in the past 10 years have been added to the plan.

She reviewed current statistics of the local demographics. She noted that most of the housing stock dates prior to 1960; however the majority is structurally sound. 59.4% of the residents have professional occupations. Poverty has decreased significantly between 1990 and 2000. There is a demand for new housing units – 315 more by the year 2020.

Durand is becoming a commercial destination. Land Use trends have basically followed pre-existing historical housing neighborhoods. During the visioning sessions, the following priorities were identified.

- 1. High quality of life**
- 2. Ensure diversity and stability of the economy**
- 3. Provide multiple transportation opportunities**
- 4. Capitalize on the city's assets**

Additionally, the Planning Commission requested that a special study be done for the Lansing Road and added to the Master Plan. This plan addresses Lansing Road as:

- 1. Gateway area into the city**
- 2. Provide safety and efficiency**
- 3. Cohesive look – signage, structured design, landscaping, lighting, pedestrian amenities.**

Johnston concluded her presentation by mentioning that Wade-Trim would like to submit this Master Plan at the next annual state planning conference for consideration for a state recognized planning award.

City Manager stated that serving on the Planning Commission, along with the Mayor and Councilperson Deb Doyle was a valuable experience. “I think that the Planning Commission did a great job, along with Wade-Trim. I am especially pleased with the Lansing Road Sub Plan.

Boggs moved, McDonough supported to approve the City of Durand a Master Plan Update 2005.

YEAS: D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass

NAYS: None

Carried.

Joe Wright, Landscape Architect, from Capital Consultants Engineering, was present to outline a conceptual layout of a proposal to design “Diamond District Park”. City Manager outlined the history of acquiring the land downtown for this park. In 1995, the city purchased the old Leland Pontiac dealership buildings. In 1998, we purchased the “Tiny” Russell home on Russell Street. Then, the city acquired the rest of block from the family of Howard Johnson.

Wright noted that the proposal covers the development of the conceptual drawing to a formal plan ready to submit for grants and designed for development.

Boggs asked if the depot would still be in view from Main Street once the park is developed. “I just don’t want to see it blocked.” Wright responded that the goal is to enhance the depot. We want to bring people down here and closer to the depot.

D. Doyle moved, T. Doyle supported to approve the proposal from Capital Consultants to complete the plans for a park on the downtown area and to prepare the grant application to the Michigan Natural Resources Trust Fund.

YEAS: T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass,

D. Doyle

NAYS: None

Carried.

T. Doyle moved, D. Doyle supported to cancel the regularly scheduled City Council meeting scheduled for January 2, 2006.

Carried.

T. Doyle asked several questions directed at Douglass regarding his philosophy of intergovernmental agreements; PA 108 versus PA 425, and what his strategy would be while serving on this committee.

McDonough moved, Hildebrandt supported to appoint Mike Douglass to replace Mike Bemis in the negotiation with Vernon Township.

YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, D. Doyle

NAYS: T. Doyle

Carried, 6-1.

CITIZENS SPEAK: Brooks asked who currently is serving on the city/township committee. City Manager answered that the members are D. Doyle, C. Canute and M. Douglass.

DEPARTMENT REPORTS: Police Chief: the Police Department and Fire Department are participating in the "Shop with your Hero". The enforcement of parking violations has been in effective, there have been over 100 tickets written. U-turns in the downtown area are happening on Sundays form 10-12 a.m.

DPW Director: Happy Holidays

Treasurer: Happy Holidays

City Attorney: Happy Holidays

City Manager: There is a report on the streets in the Council packets and a copy of the CDBG grants statistics. The city does not meet the criteria eligibility. He noted that it was a meeting where the City Council had an opportunity to meet the professionals that the administration works with. He also thanked the Treasurer & Clerk's office for assistance in working on the preparation of the budget. He did note that the fund balance is declining; the city is spending more of its fund equity to balance the budget every year. The State of Michigan has been eroding the constitutional state shared income.

City Clerk: Toys for Local Children served 25 families during the Christmas season this year.

COUNCIL COMMENTS: McDonough inquired about Self Serve Lumber. City Manager stated that the Planning Commission is working with them on their site plan.

DECEMBER 5, 2005 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held Monday, December 5, 2005, in the Council Chambers of Durand City Hall.

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

Council Present: Boggs, Mayor Canute, Douglass, D. Doyle, T. Doyle, Hildebrandt, McDonough

Council Absent: None

**D. Doyle moved, McDonough supported to approve the agenda with the addition of: Item D: Social Security Privacy Policy.
Carried.**

**McDonough moved, Boggs supported to approve the minutes of the regular meeting held November 21, 2005.
Carried.**

T. Doyle moved, McDonough supported to approve the payment of the City bills numbering 32199-32216.

YEAS: Mayor Canute, Douglass, D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

CITIZENS PRESENT: Rod Hall, 724 Princeton Dr., stated that he heard that there was a meeting with the Township last week. Mayor Canute responded that there was not a meeting that he had attended.

T. Doyle moved, McDonough supported to approve the Consent Agenda as presented:

1. Solicitation Request: Salvation Army-Kettle Ringers

2. Solicitation Request: Durand Eagles-Old Newsboys Paper Sales/De. 10th

Carried.

McDonough moved, Boggs supported to accept the proposal from DMS Solutions for computer hardware in the amount of \$21,964.00.

McDonough moved, Boggs supported to amend the computer purchase request to upgrade the workstations to 1 gig of memory and cover the additional cost.

**YEAS: Douglass, D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs
Mayor Canute**

**NAYS: None
Carried.**

**YEAS: D. Doyle, T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute,
Douglass**

**NAYS: none
Carried.**

Boggs moved, McDonough supported to approve the purchase of 12 Self Contained Breathing Apparatus for the Fire Department from Douglass Safety Systems in the amount of \$45,600.

**YEAS: T. Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass,
D. Doyle**

**NAYS: None
Carried.**

T. Doyle moved, Boggs supported to approve the new State of Michigan Social Security Number Privacy Policy.

**YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, D. Doyle,
T. Doyle**

**NAYS: None
Carried.**

CITIZENS SPEAK: No one spoke at this time.

DEPARTMENT REPORTS:

Fire Chief: The Fire Department will be helping out with the Eagles “Old Newsboys”.

D.P.W. Director: All of the leaves have been picked-up through out the City.

City Manager: Planning Commission will be having a special meeting on December 13, 2005 to review a site plan for Self Serve Lumber.

McDonough asked if there had been any news on bio-diesel. City Manager did not have any update. There has been no contact.

D. Doyle thanked the Fire Department for bringing Santa into town; the Rotary Club appreciates it. MML Foundation will be underwriting the cost of training for any member municipalities that wish to participate.

Boggs thanked DPW Director and City Manager for reports and thanked the City Clerk for the Planning Commission minutes.

Mayor Canute adjourned meeting at 7:48 p.m.

NOVEMBER 21, 2005 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held Monday, November 21, 2005, in the Council Chambers of Durand City Hall.

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

Council Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt,

McDonough

Council Absent: None

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

Boggs moved, McDonough supported to approve the minutes of the regular meeting and executive session held November 7, 2005 and the minutes of the Executive Sessions held October 3, 2005 and the special meeting held November 17, 2005. Carried.

McDonough moved, Boggs supported to approve the payment of the City Bills numbering 32154-32197.

YEAS: Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

CITIZENS PRESENT: John Matejewski, 708 Kingswood St., asked how the sewer separation project saved the residents money. There was a rate increase on this year's bills; no decrease. City Manager responded that the City had the choice of doing what they did with the sewer separation project or investing \$1,000,000.00 into a retention center to hold the sewage until the WWTP could process it. "The tax payers were saved over \$1,000,000.00, but we did spend \$50,000 for the sewer separation project. The savings is not seen in every day treatment, it is in what we did not have to spend; it is a long-term savings."

City Manager and the City Clerk explained the rates for water and sewer that were effective July 1, 2005. Part of the rate increase is the fact that the rates were not meeting the expenses of the Water and WWTP funds. There are several improvements that have been made to the WWTP and we can only afford to do so much. The Waste Water permit will expire next year and we cannot afford to make improvements at \$1,000,000.00 each time. We are doing a study to prove that we are not hurting the environment when we discharge into the Shiawassee River.

Douglass moved, McDonough supported to set the ambulance assessment at \$25.00 per household per year, \$25.00 for each apartment per year, on each business at the rate of \$25.00 per year for five employees or fraction thereof and on the convalescent center at the rate of \$25.00 per year for each five residents or fraction thereof.

**YEAS: Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs,
Mayor Canute**

NAYS: None

Carried.

D. Doyle moved, McDonough supported to authorize the City Treasurer to place the Ambulance Assessment on the Winter Tax Roll.

**YEAS: D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute,
Douglass**

NAYS: None

Carried.

Boggs moved, Tim Doyle approved the list of outstanding invoices, declaring them as delinquent and authorize the City Treasurer to place them on the winter taxes for collection.

**YEAS: Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass,
D. Doyle**

NAYS: None

Carried.

Boggs moved, D. Doyle supported to approve the purchase of a new video system for a patrol car from Mobile-Vision, Inc. in the amount of \$3,290.00.

**YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, D. Doyle, Tim
Doyle.**

NAYS: None

Carried.

D. Doyle moved, Tim Doyle supported to approve the purchase of BS&A Software for office operations in the amount of \$24,060.00.

**YEAS: McDonough, Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle,
Hildebrandt.**

**NAYS: None
Carried.**

CITIZENS SPEAK: No one spoke at this time.

DEPARTMENT REPORTS: Fire Chief stated that the Fire Department will be bringing Santa to the downtown on Friday night. He also reported that there are five Firefighters attending the Firefighter I & II Academy for 6 months at the Corunna Fire Station 2.

City Attorney congratulated Mrs. Hildebrandt and Mr. Douglass on their new appointment to the City Council and told them that they would have fun.

City Attorney also stated that a few meeting ago, Mr. McDonough brought up the situation of false alarms. We have been responding but not fining other entities for these false alarms. The schools have been having several alarms, which cause the City to respond. Since they are always false alarms there is becoming an issue with complacency. Since it is nearing the end of the year, we believe that this is a good time to review the ordinance and to enforce it more efficiently.

City Manager stated that Mr. Matejewski had brought up some good points tonight. We have been trying to keep rates from raising any faster. The sewer separation system saved the customers over \$1,000,000.00.

D.U.S.I. is hosting Christmas at the Depot and the City has a tree in the Parade of Trees being put together by the City Clerk.

City Manager discussed the recent articles in the papers about Delphi filing Bankruptcy. This may have a direct impact on the state shared revenue that the City receives towards our annual budget, along with school revenue. Constitutional Revenue Sharing can't be touched, but the state legislators set Statuary Revenue Sharing. "We've lost \$120,000 in revenue sharing. If they cut Statutory Revenue Sharing we would lose \$200,000 or approximately 3 mills. We don't have 3 mills to levy. If you get a chance to talk to our State Legislators make sure that you let them know that we cannot afford to lose any more Statuary Revenue Sharing."

COUNCIL COMMENTS: McDonough: We've got to develop a newsletter to communicate with the citizens.

Boggs: Maybe we should put together a fact sheet.

Mayor Canute: Tele Conference with Governor's Office on October 18th. The major points were:

- 1. Consolidating industries – personal property tax decrease**
- 2. Merit Award – any student who graduates from high will receive**

3. 90,000 job vacancy in healthcare and road construction
4. More road construction planned for next year

City Manger stated that he would be wary of any program that cuts out personal property tax, and then supposedly gives it back to the municipalities.

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

NOVEMBER 7, 2005 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held Monday, November 7, 2005, in the Council Chambers of Durand City Hall.

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

Council Present: Bemis, Boggs, Mayor Canute, D. Doyle, T. Doyle, Hall, McDonough

Council Absent: None

Boggs moved, McDonough supported to approve the agenda with the addition of item I: Purchase of Real Estate.

Carried.

Tim Doyle moved, Boggs supported to approve the minutes of the regular meeting held October 17, 2005.

Carried.

McDonough moved, Hall supported to approve the payment of the City Bills numbering 32064-32153.

YEAS: Boggs, Mayor Canute, D. Doyle, T. Doyle, Hall, McDonough, Bemis

NAYS: None

Carried.

CITIZENS PRESENT: Karen Carsten, 608 Mackinaw St., Publicity for D.U.S.I. - we met last year and the City Clerk served on this project. We would like to put together a Community Calendar – after the first of the year we should sit down and organize a list of what’s going on with all the various community groups.

Thomas Johnson, 103 Sycamore St., stated that he talked with the original owner of the old Jr. High School (100 Sycamore Street) about trespassers. The owner instructed us to contact the Durand Police Department. When we contacted the department, the Police Chief stated that we were creating busy work for the department. I just want to know if the Police Department is going to respond to this issue.

Chief Tanner responded that he had spoken with Mr. Johnson's wife and spoke with safety officer about security and the possibility of putting a fence around the building. He also has sent a letter to Mr. Siminski which came back returned. He has also sent a letter to the new owner/partner and it came back returned. He stated that he received an updated address from the City Manager earlier today, and that a letter is going out tomorrow to schedule a walk through. City Manager stated that he was at the auction on Saturday and thinks that it would be helpful if people would not let neighborhood kids play around the building. It might be a good idea to remove the basketball nets in the parking lot. City Manager also noted that the new owner realizes that the building has become an attractive nuisance. It was discussed about boarding and fencing the property. The new owner seems to be very concerned about liability.

Mr. Johnson stated that the kids that were hanging out there on Saturday are the same ones doing the damage. They are not intimidated about being there. There needs to be a better bus stop area for the school children than in front of that building.

Joe Borgstrom, Executive Director of Shiawassee Regional Chamber of Commerce representing Shiawassee Economic Development Partnership addressed the City Council regarding the potential of a Bio-Diesel manufacturing plant being built in Durand's Industrial Park. He explained that diesel engines were originally designed to run using peanut oil. However, the petroleum industry produced diesel oil therefore the engine runs on diesel oil. Now, as diesel oil prices have sky rocketed, environmentally produced oil has become very interesting.

There are two different investor groups: natural and natural and used oil products. There are also several incentives: municipally owned land, agriculture renaissance zones, by-products - Crushing and protein feed and the refinery side - Glycerin, what soap is made from. A refinery like this would be the first in MI. Charlie Keenan, from Representative Ball's Staff, also spoke. "There is no "re-finishing" going on. There is no air or smell pollutants. It's 100% biodegradable and there are no biohazards." Keenan stated that Oakland University gave a small scale presentation on making bio-diesel. I have not actually been to a plant to see a plant in operation.

Borgstrom stated that there could potentially be 20-25 new jobs and CDBG money was available to pay for water and sewer access to the property. Keenan: Expansion for a crushing plant and a refining plant is our overall goal. This would be a wonderful opportunity for Durand.

Tim Doyle asked about the status of HB 4235 Richard Ball, State Representative #85 stated that the bill is coming out of the Ag. Committee. It would require jumpstarts like this bill to entice the industry into Michigan. The bill requires 2% bio-diesel mixed into all diesel oil in Michigan. Doyle also asked if the developers are dependent upon this legislation passing. Keenan stated that it's more of a commitment that there will be a demand for bio-diesel for consumers. We have to

increase availability so the public can make a choice. In the meantime, the developers are still trying to secure contracts without passage of the house bill.

Borgstrom: The Durand area is a very good location because of its access to Kettering University in Flint, the Detroit market and international market. There is also opportunity for other jobs and spin off opportunities.

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

- 1. Proclamation: Homeless Awareness Week**
- 2. Appointments to Downtown Development Authority**
- 3. Approval: Election Inspectors for Odd Year City Election**

YEAS: Mayor Canute, D. Doyle, T. Doyle, Hall, McDonough, Bemis, Boggs

NAYS: None

Carried.

McDonough moved, Bemis supported to pay Shiawassee County Drain Commission the Special Assessment for the Durand Relocation and Grandview Drains in the amount of \$346.59.

YEAS: D. Doyle, T. Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute

NAYS: None

Carried.

Boggs moved, McDonough supported to approve the MERS Benefit E Program for retirees.

YEAS: T. Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute, D. Doyle

NAYS: None

Carried.

D. Doyle moved, McDonough supported to approve the franchise agreement for the sewer service at 5221 S. Durand Road in Vernon Township.

YEAS: Hall, McDonough, Bemis, Boggs, Mayor Canute, D. Doyle, T. Doyle

NAYS: None

Carried.

Boggs moved, Bemis supported to approve the annexation request from Robert J. Killewald for the vacant property on Obert St, in Vernon Township.

YEAS: McDonough, Bemis, Boggs, Mayor Canute, D. Doyle, T. Doyle, Hall

NAYS: None

Carried.

Bemis moved, D. Doyle supported to accept the proposal in the amount of \$6,500.00 from Capital Consultants to conduct the Evaluation of Dissolved Oxygen Concentration at the Waste Water Treatment Plant from outfall 002A through

outfall 002.

YEAS: Bemis, Boggs, Mayor Canute, D. Doyle, T. Doyle, Hall, McDonough

NAYS: None

Carried.

Bemis moved, Boggs supported to approve the contract amendment with Wade-Trim for the Master Plan increasing the budget by \$4,000.00.

YEAS: Boggs, D. Doyle, T. Doyle

NAYS: Mayor Canute, Hall, McDonough, Bemis

Failed 3-4

Bemis moved, McDonough supported to approve the commitment of \$86,593.96 for matching funds for the grant for the Main Street Streetscape Enhancement Project.

YEAS: Mayor Canute, D. Doyle, T. Doyle, Hall, McDonough, Bemis, Boggs

NAYS: None

Carried.

Boggs moved, Tim Doyle supported to approve the real estate purchase agreement to purchase the property at 311 N. Saginaw St., commonly known as The First United Methodist Church, for \$50,000.

YEAS: D. Doyle, T. Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute

NAYS: None

Carried

CITIZENS SPEAK: Mike Douglass, 500 Cambridge Dr., asked what would it cost the citizens of Durand to get the Industrial Park going? City Manager responded that it would be approximately \$300,000. Douglass stated that the engineering jobs that the Bio-diesel firms would pay would be \$12-14 an hour. The Bio-diesel company would be paying no taxes. City Manager stated that he doubted that engineering jobs would be filled if they paid only \$12-14 an hour. The jobs will pay what the market bears.

Tom Johnson, 103 Sycamore, The church has been a better neighbor to us than the school district.

DEPARTMENT REPORTS: Chief Tanner reported that there is no parking on City Streets from 3-6 a.m., permits are \$15.00 per vehicle, and that applications are available now.

DPW Director reported on the Abandoned Well Management – have completed the geo-technical information at Lincoln Street and the program is moving along.

City Manager reported that the City Planner, City Manager and Jeff Brands, a Planning Commission Member met with Self Serve Lumber about reconditioning a

building on Lansing Rd. to meet it's needs. DVA cancelled existing contract, and the City Clerk and I met with Bob Christianson.

City Clerk stated that the Election is tomorrow and that the DUSI Raffle will be held Thursday, November 10, 2005.

COUNCIL COMMENTS:

Hall: Leaves – can we get some overtime to get them picked up?

Boggs: Request minutes of the Planning Commission meetings in all of the Council Packets.

Doyle asked if bags are available for residents to use to bag their leaves. Mince: Bags would cost approximately \$8,000 and that's with only providing five bags per resident.

D. Doyle: Speaking as a member of the Planning Commission – Wade-Trim attended 7 extra meetings, did extra work on an expanded plan of the Lansing Rd. corridor and completed an animated CD.

Mayor Canute asked if leaves are still being picked up. Mince responded yes.

Mayor Canute: Veteran's Day Parade in Corunna @ 7:00 p.m., line up at 6:00 p.m.

Boggs moved, Bemis supported to adjourn the meeting to move into Executive Session to discuss the City Manager Evaluation.

YEAS: T. Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute, D.Doyle

NAYS: None

Carried.

Meeting recessed at 9:25 p.m. Meeting reconvened at 11:37 p.m.

Bemis moved, McDonough supported to give the City Manager a 3% raise retroactive to July 1, 2005 and to increase the City Manager's fringe benefit package: Severance Payment from 90 days severance pay to 120 days severance pay, unless the City Manager's position is eligible for unemployment benefits under the MESC provisions, then the benefit would remain at 90 days severance pay.

YEAS: Hall, McDonough, Bemis, Boggs, Mayor Canute, D. Doyle, T. Doyle.

NAYS: none

Carried.

Mayor Canute adjourned the meeting at 11:38 p.m..

Minutes of the regular meeting of the Durand City Council held Monday, October 17, 2005, in the Council Chambers of Durand City Hall.

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

**Council Present: Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall
Council Absent: McDonough (excused)**

**Boggs moved, Tim Doyle supported to approve the agenda as presented.
Carried.**

**Boggs moved, Tim Doyle supported to approve the minutes of the regular meeting held October 3, 2005.
Carried.**

**Tim Doyle moved, Boggs supported to approve the payment of the City bills numbering 32017-32063.
YEAS: Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, Bemis
NAYS: None
Carried.**

CITIZENS PRESENT: Lorenda Neal was present at the meeting discussing a school bus shelter at the Shaw Park bus stop. The structure would be 8 x 8 with a cement slab that would be constructed by the parents. The parents would like to have permission to construct this shelter for the bus stop.

**Tim Doyle moved, Boggs supported to approve the resolution for Keeping the Lights on After School which supports positive activities for children after the school day ends.
Carried.**

**Boggs moved, Bemis supported to approve the purchase of new bulletproof vests from CMP Distributors in the amount of \$2,742.00.
YEAS: Mayor Canute, D. Doyle, Tim Doyle, Hall, Bemis, Boggs
NAYS: None
Carried.**

**D. Doyle moved, Tim Doyle supported to approve the Clean Michigan Initiative Recreation Bond Program Development Project Agreement Amendment.
YEAS: D. Doyle, Tim Doyle, Hall, Bemis, Boggs, Mayor Canute
NAYS: None
Carried.**

**Discussion held regarding the HVAC System at Durand City Hall.
CITIZENS SPEAK: No one spoke at this time.**

DEPARTMENT REPORTERS: Director of DPW informed the board that Mike Kurkowski has submitted his resignation.

- Hot patching utility repair areas
- Cleaning water tower and tank this week
- Have been approved for a \$2000.00 in replacement trees for Emerald Ashes that have been diseased.

Treasurer stated that the annual audit will start tomorrow.

City Attorney presented draft proposal for the agreement with ambulance.

City Manager stated the Chamber of Commerce annual dinner will be held November 3rd. He also reported that the streetscape enhancement grant conditional notices for approximately \$350,000.00.

City Clerk announced that the Halloween Trick or Treat hours will be 6-8 on October 31st.

COUNCIL COMMENTS: Hall stated that the downtown trees need to be trimmed and the lights need to be replaced.

DPW Director suggested starting an "Adopt a Tree" program.

Mayor Canute adjourned the meeting at 8:40 p.m.

OCTOBER 3, 2005 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held Monday, October 3, 2005, in the Council Chambers of the Durand City Hall.

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

Council Present: Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough

Council Absent: None

Tim Doyle moved, McDonough supported to approve the agenda as presented.
Carried.

McDonough moved, Tim Doyle supported to approve the minutes of the regular meeting held September 19, 2005.

Carried.

D. Doyle moved, Bemis supported to approve the payment of the City bills numbering 31960-32016.

YEAS: Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough, Bemis

NAYS: None

Carried.

CITIZENS PRESENT: Councilwoman Deb Doyle recognized Charles McKone for receiving the William L. Schutte Ethics & Civility Award at the MML Convention last week.

Mayor Canute recognized Councilwoman Deb Doyle as being elected to the Board of Directors of the MML for a three year term.

Boggs moved, McDonough supported to approve the resolution for local control broadband and cable franchising.

Carried.

CITY OF DURAND

CITY COUNCIL

RESOLUTION SUPPORTING LOCAL CONTROL

OF MUNICIPAL BROADBAND

AND CABLE FRANCHISING

MUNICIPAL BROADBAND:

WHEREAS, cities/villages have an interest in making available telecommunications technology which is beneficial to all businesses, economic development, municipal service provision, and all residents; and

WHEREAS, cities/villages are developing programs and municipal broadband initiatives to offer high-speed and wireless internet to their citizens; and

WHEREAS, the City of Durand believes that internet services are an essential service that should be provided to all residents irrespective of age, race, education, or income level, and

WHEREAS, the goal of these municipal broadband initiatives is to prepare cities/villages and their workforce for the jobs and technology of tomorrow and enhance the ability to attract and retain high-tech jobs; and

WHEREAS, in many cases, Michigan urban and rural areas are underserved and uncompetitive, and in many cases the service is inadequate and unaffordable, and

WHEREAS, this is a local control issue and our residents should be able to request any essential service from their local government, and

WHEREAS, members of the legislature have made inaccurate claims that these municipal broadband initiatives are anti-competitive and has proposed a moratorium on wireless expansion in the State of Michigan in order to stall or derail municipal broadband projects.

CABLE FRANCHISING:

WHEREAS, cities/villages have a long and very successful history of supporting the introduction of cable services by the cable industry, a successful deployment made possible in large part by the current system of local franchising, and

WHEREAS, SBC and Verizon have been actively advocating across the country that local franchise agreements should be eliminated and replaced with state-wide franchise agreements, and

WHEREAS, local government participation in cable franchising process ensures that all residents irrespective of age race, education, or income level, receive the same service, and

WHEREAS, cities/villages revenue sharing has been significantly reduced over the last few years, and franchise fee revenue assists cities/villages in providing essential services, and

WHEREAS, franchise agreements assure that the public education channels are provided for the community, and

WHEREAS, a state-wide franchise system would deny consumers local resolution of problems, now

THEREFORE BE IT RESOLVED, that the City Council of the City of Durand hereby affirms its support for municipal broadband initiatives creating broadband wireless service.

BE IT FURTHER RESOLVED, that the City Council is opposed to any effort by the State Legislature to place a moratorium, or further limitations, on the expansion of municipal broadband in the State of Michigan.

BE IT FURTHER RESOLVED, that the City Council hereby affirms opposition to a state-wide franchise agreement system.

BE IT FURTHER RESOLVED, that the City Council hereby supports the current local cable franchise agreement system.

BE IT FURTHER RESOLVED, that the Durand City Clerk is to forward a copy of this adopted resolution to the Governor of Michigan, their State Representative Richard Ball, their State Senator Vlade Garcia, the House Energy and Technology Committee, and the Michigan Public Service Commission.

Date Adopted: _____

YEAS: _____

NAYS: _____

Cameron Canute, Mayor

Amy J. Roddy, City Clerk

Tim Doyle moved, D. Doyle supported to approve the purchase of a 2006 utility truck from Red Holman Pontiac GMC in the amount of \$25,508.00.

YEAS: Mayor Canute, D. Doyle, Tim Doyle, Hall, Bemis, Boggs

NAYS: McDonough

Carried 6-1

D. Doyle moved, Bemis supported to accept the proposal for engineering for the Abandon Well Management Grant Project from Capitol Consultants in the amount of \$4,500.00.

YEAS: D. Doyle, Tim Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute

NAYS: None

Carried.

McDonough moved, Bemis supported to accept the proposal from Geosphere, Inc., for a geophysical survey of the Lincoln Street Well Site, in the amount of \$3,100.00

YEAS: Tim Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute, D. Doyle

NAYS: None

Carried.

Bemis moved, D. Doyle supported to extend an offer back to Vernon Township on item 4 to 16 years.

YEAS: D. Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute

NAYS: Tim Doyle

Carried, 6-1

CITIZENS SPEAK: No one spoke at this time.

DEPARTMENT REPORTS: City Attorney stated that he was honored at the MML Conference because of who the award honors. Mr. Schutte was a wonderful man and I am honored to have received this award. I have been with the City of Durand for many years and as well as working with you we have become friends.

City Manager congratulated Charles McKone for receiving his honor and stated that there is no attorney more deserving. He also congratulated Councilwoman Doyle on being elected to a three year term on the MML Board of Directors.

The City Manager reported that he has received communication from Vernon Township and there is no change in their position. The Downtown Streetscape project is waiting to hear from MDOT on the enhancement grant: HUD – No Match, 19% grant of \$375,000 and MDOT Match 20% of \$400,000. Lastly the fireworks for the Depot celebration on Saturday, Sept. 24th were excellent.

COUNCIL COMMENTS: Hall: There are phone wires still connected to Durand Grain & Feed. Suggested Corn Stalks to decorate light poles through out the downtown for the fall season.

Hall stated that in front of Ben Franklin there were two bikes chained to a tree. City Manager responded that a bike rack in the ally could be a possibility. The bikes should not be chained to the trees the and the ordinance prohibits bikes in the downtown.

Hall proposed that the Industrial Park property frontage be rezoned for Commercial growth and to Develop the Blue Water Sub-development with Condo's and explore feasibility of development.

Boggs congratulated Deb and Chuck on their achievements. He also stated that there is a video of a coyote wandering the north section of town.

McDonough stated that it is time for condemnation of 211 Mercer Street and he asked what the status of the Old Jr. High building was. City Attorney responded that he has a problem with the City Council taking a position on what should be condemned or not.

Bemis stated to extend an offer back to the Township on the item 4 to 16 years and that the roads to the depot have many pot holes and water run-off. City Manager responded that he didn't know if anything can be done with out putting in storm sewers which will be very expensive.

City Manger stated that if you were to put in curb & gutter you would undercut the street and the homes would be higher.

Fire Dept. – Las Vegas Night is October 15th 7 p.m. – 1 a.m.

Boggs moved, Hall supported to adjourn to executive session to discuss the City Manager evaluation.

YEAS: Hall, McDonough, Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle

NAYS: None

Carried.

Mayor Canute adjourned to executive session at 8:27 p.m.

Reconvene at 8:54 p.m.

Mayor Canute adjourned meeting at 8:54 p.m.

SEPTEMBER 19, 2005 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held Monday, September 19, 2005, in the Council Chambers of Durand City Hall.

Mayor Canute called the meeting to order at 7:31 p.m.

Council Present: Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough

Council Absent: Bemis (excused)

D. Doyle moved, McDonough supported to approve the agenda with the addition of: Item J - Appointment of Brian Boggs to S.A.T.A Board

Carried.

McDonough moved, Boggs supported to approve the minutes of the regular meeting held August 15, 2005.

Carried.

Tim Doyle moved, Boggs supported to approve the payment of the City bills numbering 31819-31959.

YEAS: Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough

NAYS: None

Carried.

CITIZENS PRESENT: Allen Jerke, 120 E. John St., received a letter from the City in regards to sump pump discharge onto the street. He stated that he now has to discharge the water into his back yard, which will cause a mosquitoes breeding home. City Manger stated that he is probably going to have to install a french drain or a dry well.

Mr. Jerke stated that he will be installing a dry well but is concerned about the neighbors not being able to.

Jeffery Cooney, E. John St., stated that he has a dry well, but the clay in the ground does not drain the yard properly. He dug a trench to the street to get the water away from the house. The sump pump was kicking on so much that he didn't have much of a choice..

John Yeager, 120 E. Perry St., stated that all of his utilities are on his property, can he put the drywell in the easement.

Tim Doyle moved, D. Doyle supported to approve the request of the Chamber of Commerce to serve alcohol at their annual dinner at the Durand Union Station with the following provisions: 1) The Chamber of Commerce submit the request in writing, 2) The Chamber of Commerce acquire the necessary licensing from the LCC, and 3) The Chamber of Commerce have insurance to cover the event and name the City of Durand and Durand Union Station as an additional insured.

YEAS: Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough, Boggs

NAYS: None

Carried.

Boggs moved, Tim Doyle supported to approve the invoice from DMS Solutions in the amount of \$2,400.00.

YEAS: D. Doyle, Tim Doyle, Hall, Boggs, Mayor Canute

NAYS: McDonough

Carried. 5-1

D. Doyle moved, Boggs supported to approve the hiring of Trudy Bemis as a substitute school crossing guard.

YEAS: Tim Doyle, Hall, McDonough, Boggs, Mayor Canute, D. Doyle

NAYS: None

Carried.

Public Hearing 8:00 p.m. – Terex/Simplicity

The public hearing is being held to hear comment regarding an application from Terex/Simplicity for Industrial Facilities Exemption Certification for building improvements and machinery. Simplicity is putting in new equipment and is hiring 10 new employees.

Public Hearing opened at 8:05 p.m.

Jason Adams and Michelle Fox of Terex/Simplicity stated that there would be 3-5 third shifts in addition to the 10 new employees.

Lindsay Eister of the Shiawassee Economic Development Partnership stated that she was here to support Terex/Simplicity and their expansion. There are several management and hourly positions available at this business.

Public Hearing closed at 8:10 p.m.

Resolution Approving Application of Terex/Simplicity for Industrial Facilities Exemption Certification for Building Improvements

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after duly noticed public hearing held on September 19, 2005 by the Durand City Council by resolution established a new Industrial Development District No. 1, as requested by Terex/Simplicity; and

WHEREAS, Terex/Simplicity has filed an application for an industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed within the Industrial Development District No. 1; and

WHEREAS, before acting on said application, the Durand City Council held a hearing on Monday, September 19, 2005, in the Council Chambers of Durand City Hall at 8:00 p.m., at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction of the facility and installation of new machinery and equipment had not begun earlier then six (6) months before August 12, 2005. The date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the facility is calculated to an will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Durand; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Durand, after granting this certificate, (will/will not) exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Durand that:

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Durand, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Durand.

2. The application of Terex/Simplicity for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed on the following described parcel of real property situated within the New Industrial Development District No. 1 to with:

CITY OF DURAND, MISC DESCRIPTION SEC. 21, T6N, R4E ALL THAT PART OF SE ¼ OF NE ¼ LY NWLY OF RR. ALSO BEG OF E SEC LN 708 FT S OF NE COR OF SEC TH W PAR WITH N SEC LN TO E 1/8 LN TH S TO SW COR OF NE ¼ OF NE ¼ TH E ALG N 1/8 LN TO NWLY LN OF GTWRRR/W TH NELY ALG R/W TO E SEC LN TH N TO BEG.

Be and the same is hereby approved.

3. The Industrial Facilities Exemption Certification when issued shall be and remain in force and effect for a period of (1 12) years after completion.

AYES: McDonough, Boggs, Mayor Canute D. Doyle, Tim Doyle, Hall

NAYS: None

RESOLUTION DECLARED ADOPTED.

Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Durand, County of Shiawassee, Michigan, at a regular meeting held on September 19, 2005.

Clerk

D. Doyle moved, McDonough supported to approve the Act 198 tax abatement application for Simplicity/Terex for 50% for 12 years and the resolution approving the application.

YEAS: McDonough, Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough

NAYS: None

Carried.

D. Doyle moved, Tim Doyle supported to award the bid for hot patching to Ace Asphalt in the amount of \$12,376.62.

YEAS: Hall, Boggs, D. Doyle, Tim Doyle

NAYS: Mayor Canute, McDonough

Carried 4-2

McDonough moved, Boggs supported to award the bid for the cleaning of the water tower to Scrub A Home Inc., in the amount of \$6,450.00.

YEAS: Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough

NAYS: None

Carried.

Boggs moved, McDonough supported to accept the bid for the 2000 Ford Crown Victoria from Bay Ridge Auto Sales, Inc. in the amount of \$789.00

YEAS: Mayor Canute, D. Doyle, Tim Doyle, Hall McDonough, Boggs

NAYS: None

Carried.

Tim Doyle moved, Boggs supported to approve of hiring Wolverine Fireworks to conduct the fireworks display for the celebration of the 100th Anniversary of Durand Union Station in the amount of \$5,000.00.

YEAS: D. Doyle, Hall, McDonough, Boggs, Mayor Canute, Tim Doyle

NAYS: None

Carried.

CITIZENS SPEAK: Paula Brooks stated that they are beginning to decorate that Depot for Christmas.

Mr. Strachan stated that he was a little disappointed that there was no turn out for the Public Hearing.

Strachan added that there is also a need for expanded parking in the Optimist Park. We would like to have expanded parking as an added item in the Parks Plan.

DEPARTMENT REPORTS: City Manger stated that the Planning Commission has sent out the Master Plan.

City Clerk: Election information regarding City Council elections.

COUNCIL COMMENTS: Hall asked what was going on with Russell St. regarding drainage at the South end. Someone from the City should be contacting the Township before spring.

Boggs introduced Felix Wren a foreign exchange student who is staying with Jean Sloan and attending Durand High School.

McDonough asked what is going on with the Ash Trees. City Manager responded that they are going to be torn down.

Mayor Canute announced a blood drive at the Depot on Friday, September 23, 2005.

Mayor Canute adjourned the meeting at 8:37 p.m.

SEPTEMBER 5, 2005 CITY COUNCIL MINUTES

No Meeting Due to Labor Day Holiday

AUGUST 15, 2005 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held Monday, August 15, 2005, in the Council Chamber of Durand City Hall.

Mayor Pro-Temp Bemis called the meeting to order at 7:30 p.m.

Council Present: Bemis, Boggs, D. Doyle, Tim Doyle, Hall, McDonough

Council Absent: Mayor Canute (excused)

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

**McDonough moved, Hall supported to approve the minutes of the regular meeting held August 1, 2005 and the Executive Session held August 1, 2005.
Carried.**

McDonough moved, Boggs supported to approve the payments of the City bills numbering 31739-31818.

YEAS: Boggs, D. Doyle, Tim Doyle, Hall, McDonough, Bemis

NAYS: None

Carried.

CITIZENS PRESENT: No one spoke at this time.

**D. Doyle moved, McDonough supported to cancel the regularly scheduled meeting on Monday, September 5, 2005.
Carried.**

**McDonough moved, Boggs supported to approve the distribution of the Mater Plan.
Carried.**

CITIZENS SPEAK: No one spoke at this time.

DEPARTMENT REPORTS: City Clerk gave update on retired police cars.

Police Chief reported on the status of new cars.

City Manager reported that he will be working with the DDA on the Downtown Streetscape for next year.

COUNCIL COMMENTS: Hall had concerns regarding dogs being walked and not being cleaned up after. Something should be done to address this issue.

Boggs: Dogs and leashes

McDonough asked about the bid for the ambulance. City Manger has asked DVA to submit a proposal to City for consideration.

Bemis asked about motorized scooters and the regulations on them. City Manager stated that they are becoming an issue all over the state. We definitely need to address the situation.

Mayor Pro-Temp Bemis adjourned the meeting at 7:54 p.m.

AUGUST 1, 2005 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held Monday, August 1, 2005, in the Council Chambers of Durand City Hall.

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

**Council Present: Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall
McDonough**

Council Absent: None

**D. Doyle moved, Boggs supported the agenda with the addition of Item E.
Authorization to Acquire Durand Feed and Grain and Executive Session
Carried.**

**McDonough moved, Bemis supported to approve the minutes of the regular meeting
held July 18, 2005.
Carried.**

**McDonough moved, Bemis supported to approve the payments of the City bills
numbering 31706-31738.**

YEAS: Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough, Bemis

**NAYS: None
Carried.**

CITIZENS PRESENT: Paula Brooks, 104 W. Summit St., asked if there had been any further development with the Township. City Manager responded that the City has sent the Township a proposal.

Tom Johnson, 103 W. Sycamore St., asked what was going on with the old Jr. High School. The City Attorney outlined the steps of condemnation. He then stated that the City needs to secure an engineering type individual to serve as a hearing officer through out the condemnation process, a name that can be produced by the next meeting.

Mayor Canute moved, Tim Doyle supported to approve the consent agenda items including the list of election inspectors for the August 2, 2005 election; the delegate and alternate for the MML Convention designating Mayor Canute as the delegate and Tim Doyle as the alternate; the slate of candidates for the Board of Trustees for the MML Workers Compensation Fund; and, the Resolution to support maintaining the current level of state funding for Amtrak.

**YEAS: Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough, Bemis, Boggs
NAYS: None
Carried.**

Boggs moved, Tim Doyle supported to accept the bid from Bill Robinson Tree Service for this fiscal years' tree trimming project, not to exceed \$12,500.00.

**YEAS: D. Doyle, Tim Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute
NAYS: None
Carried.**

Bemis moved, McDonough supported to approve the Annual Maintenance Agreement with FundBalance in the amount of \$4,529.00.

**YEAS: Tim Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute, D. Doyle
NAYS: None
Carried.**

McDonough moved, Boggs supported to accept the CMI grant in the amount \$45,000 and authorize the Mayor and City Clerk to sign the Clean Michigan Initiative Abandoned Well Management Grant Agreement between the City of Durand and the Michigan Department of Environmental Quality.

**YEAS: Hall, McDonough, Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle
NAYS: None
Carried.**

City Manager requested that the City Council take no action on item E. Authorization to Acquire Durand Feed and Grain until he can speak with the DDA for their financial contribution.

CITIZENS SPEAK: Tom Johnson, 103 Sycamore, asked how he could get a tree. City Manager told him to come into City Hall and speak with Steve Mince or Michelle Hart.

Dennis Rainwater reported that the Chicken BBQ raised enough money to donate defibrillators to the Durand & Vernon Township Fire Departments.

DEPARTMENT REPORTS: Police Chief : There have been liquor inspections for under age sales.

City Attorney: The 11:00 p.m. news will have the story on the defibrillators tonight.

City Manager: Asked the City Council to review the proposal for HVAC and will be discussed at the next meeting. He also asked them to review the five year Recreation Plan. The Parks and Recreation Board will make a recommendation before the Council adopts it.

City Clerk: There is an election tomorrow for the DVA assessment and the polls will be open from 7:00 a.m. to 8 p.m.

COUNCIL COMMENTS: D. Doyle: The Planning Commission will be meeting on Wednesday to approve the draft of the Master Plan. Also, the first train came in for the train art contest.

Bemis moved, Hall supported to recess to Executive Session to discuss pending litigation for MI Tax Tribunal – LEM, LLC & Memorial Healthcare vs. City of Durand

YEAS: McDonough, Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall

NAYS: None

Carried.

Reconvene 8:32 p.m.

Bemis moved, McDonough supported to follow the City Attorney's direction regarding pending litigation.

YEAS: Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough

NAYS: None

Carried.

Mayor Canute adjourned the meeting at 8:33 p.m.

Minutes of the regular meeting of the Durand City Council held Monday, July 18, 2005, in the Council Chambers of Durand City Hall.

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

Council Present: Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough

Council Absent: None

**Bemis moved, Tim Doyle supported to approve the agenda with the addition of:
Item A. Recognition of Fireman of the Year
Item G. Authorization to Purchase New Police Cruiser
Carried.**

**D. Doyle moved, Boggs supported to approve the minutes of the regular meetings held June 20, 2005 and June 6, 2005.
Carried.**

McDonough moved, Bemis supported to approve the payment of the City bills numbering 30593-31705.

YEAS: Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough, Bemis

NAYS: None

Carried.

CITIZENS PRESENT: Mike Fisher, 805 N. Oak St., read a statement of the death regarding Rachel Scott of Vernon to the City Council and also announced that he is planning to run for Shiawassee County Commissioner against Mike Fuja.

Dan Loomis a Deputy Friend of the Court/Referee, stated that he is planning on running for probate judge.

Mike Douglas, 500 Cambridge, stated that he was under the impression that the proposal regarding P.A. 425/108 to Vernon Township was going to be discussed.

Mayor Canute gave recognition to Jason DeFrenn for the achievement of being the 2005 Firefighter of the year.

D. Doyle moved, Tim Doyle supported to approve the appointment of Mike Bemis as the alternate to the SATA Re-organization Committee.

Carried.

Boggs moved, McDonough supported to accept the low bid for sidewalk replacement from Dave Collard Masonry.

YEAS: Mayor Canute, D. Doyle, Tim Doyle, Hall, McDonough, Bemis, Boggs

NAYS: None

Carried.

D. Doyle moved, McDonough supported to award the bid for the 2001 & 2002 Ford Crown Victoria's to Yousef Dahbough in the amounts of \$2185.00 & \$4187.00 respectfully.

YEAS: D. Doyle, Tim Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute

NAYS: None

Carried.

McDonough moved, Tim Doyle supported to approve the membership renewal for the Michigan Municipal League in the amount of \$3,164.00

YEAS: Tim Doyle, Hall, McDonough, Bemis, Boggs, Mayor Canute, D. Doyle

NAYS: None

Carried.

McDonough moved, Boggs supported to approve the payment of \$2,495.63 as a commitment to continue as a participating in the Shiawassee Area Transportation Agency.

YEAS: Hall, McDonough, Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle

NAYS: None

Carried.

McDonough moved, Bemis supported to approve the purchase of a 2006 Ford Crown Victoria Police Interceptor at the state purchasing price of \$20,282.00.

YEAS: McDonough, Bemis, Boggs, Mayor Canute, D. Doyle, Tim Doyle, Hall

NAYS: None

Carried.

D. Doyle moved, Boggs supported to forward the new proposal from the City of Durand to Vernon Township for their consideration:

PROPOSAL

RE: Annexation Requests

The City of Durand would propose a Master Agreement between the City of Durand and Vernon Township for the equal treatment of annexation requests by owners of real estate outside the city. Upon application of a property owner, the City and the Township would enter into a P.A. 108 Agreement. The terms would include the following:

- 1. Annexation would occur upon the adoption for the agreement or, if referendum is necessary, upon conclusion of the election.**
- 2. The City would pay to the Township one mil to represent the general operating millage levied by the Township. If Headlee Amendment reduces the amount assessed by the City, then the payment to the Township would be decreased accordingly.**
- 3. The City would pay to the Township an amount equal to the actual money**

collected by the Township for fire protection in the last year prior to the annexation.
4. Payments under P.A. 108 would continue for a period of 15 years.

Both the City and the Township would take steps necessary to effectuate the transfer of the property. Any council/board action to approve the transfer, including Resolutions would be passed. Neither the City nor the Township would actively oppose the P.A. 108 Agreement should a referendum be required. Form documents would be created to effectuate the process.

This Proposal does not apply to City owned property.

Carried.

CITIZENS SPEAK: Mike Douglas asked questions regarding the proposal between the City and Township. The City Attorney responded to his questions.

DEPARTMENT REPORTS: City Attorney addressed the proposal to the Township with regards to the annexation of property.

City Manager stated that they are working on the streetscape for the Downtown. We have submitted a streetscape grant under the state enhancement program for \$250,000. The City Manager also addressed the application for consideration of approval for no whistle blowing with in the City. We were approved under a grandfather clause, yet there are papers to be submitted by December.

COUNCIL COMMENTS: Hall asked if before Durand Feed and Grain building is demolished could it be fumigated.

Tim Doyle commented on the progress of the motel and that it looks great.

Boggs stated that the articles for the book are due August 1, 2005.

Mayor Canute stated that Corunna wants to donate their old score board to us. Fundraiser softball game between Corunna, Durand, Owosso and Perry starts at 6:15 p.m. and all revenues go to the Red Cross.

Mayor Canute adjourned the meeting at 8:55 p.m.

JULY 4, 2005 CITY COUNCIL MINUTES

No Meeting Due to Independence Day Holiday

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