

**JUNE 16, 2008 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held June 16, 2008 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.**

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough  
Absent: None**

**Doyle moved, McDonough supported to approve the agenda with the addition of setting a hearing date for the next regular meeting.**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting and the Executive Session held June 2, 2008 as presented.**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the payment of the City bills numbering 35382-35445.**

**YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs**

**NAYS: None**

**Carried.**

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

**McDonough moved, Hildebrandt supported to approve the payment of the invoice for membership renewal in the Michigan Municipal League at a cost of \$3,468.00.**

**YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute**

**NAYS: None**

**Carried.**

**Doyle moved, Hildebrandt supported to approve local funding request from the Shiawassee Area Transportation Agency at a cost not to exceed \$6,642.39**

**YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass**

**NAYS: none**

**Carried.**

**McDonough moved, Doyle supported to authorize the City Treasurer to place the delinquent accounts receivable in the amount of \$6,814.77 on the tax roll for collection.**

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

**NAYS: none**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the letter of mutual understanding with Waste Management for a 3% increase in unit pricing for residential curbside collection and disposal/recycling services to the City of Durand.**

**YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute Douglass, Doyle**

**NAYS: None**

**Carried.**

**McDonough moved, Hildebrandt supported to award the bid for the Dover Lift Station Force Main Replacement to Perrin Construction in an amount not to exceed \$26,650.**

**Boggs moved, McDonough supported to amend the motion to read as “in the amount of \$26,650”.**

**YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough**

**NAYS: None**

**Carried.**

**On the original motion -**

**YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs**

**NAYS: None**

**Carried**

**City Attorney McKone informed the City Council that the Vacation of the Alley agenda item would require no action at this time as he is waiting for a complete legal description from Sagelink’s architect.**

**McDonough moved, Hildebrandt supported to approve the amendments to the 2007-08 budget, as presented.**

**YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Canute**

**NAYS: None**

**Carried.**

**City Council members discussed the pending vacancy of the City Manager position. Mayor Canute would like to set up a committee to review the resume’s, then have the entire City Council interview.**

**McDonough noted that he would like to have the opening advertised in the Flint Journal. City Manager suggested that the advertisement be placed in the Michigan Municipal Review and with the ICMA for better distribution.**

**Boggs moved, Doyle supported to appoint Amy Roddy, City Clerk, as Interim City Manager effective July 8, 2008 until such time a permanent replacement is secured.**

**YEAS: Doyle, Boggs, Mayor Canute, Douglass**

**NAYS: Hildebrandt, McDonough**

**Carried, 4 – 2.**

**McDonough moved that the Mayor appoint a committee to appoint a City Manager. (Motion died due to lack of support.)**

**McDonough moved, Doyle supported to advertise for the position of City Manager.**

**YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, Doyle**

**NAYS: none**

**Carried.**

**McDonough moved, Hildebrandt supported to set a hearing for Officer Lex Crooks in Executive Session at his request at the collusion of the business meeting.**

**Carried.**

**CITIZENS SPEAK: Mike Fuja, Shia. Co. Commissioner stated that there was nothing new happening at the county at this time. He did request that the interviews for the City Manager be held in open forum so that the business community could participate in the process.**

#### **DEPARTMENT REPORTS:**

**City Manager informed the City Council that he is wrapping up projects at this time. The City did**

receive the “go ahead” for the bond closings. We received the authorization from the State Department of Treasury.

**COUNCIL COMMENTS:** Hildebrandt suggested that the city either enforce the U-turns downtown or abolish the ordinance. Also, a citizen complained about an officer parked on Lansing Road for 3 hours. City Manager stated that it’s a frustration because the officer must be present when someone makes a U-turn into a parking place on Saginaw Street. The law is part of the Uniform Traffic Code. He also noted that with the rising cost of gas, having an officer parked monitoring traffic speed for longer periods of time, is a cost savings measure for the city. Police Chief also noted that there are 3 or 4 traffic control areas within the town that the officers do park for longer periods of time to monitor traffic. Hildebrandt also stated that there are dogs all over town that are not on a leash. Police Chief recommended that when she encounters a loose dog that she immediately contact the Police Department. City Attorney also stated that he has been prosecuting local ordinances for 34 years, and dogs are a problem. Most of the time, the police can resolve the issue.

Douglass asked if an officer could go downtown on foot patrol and observe those making U-turns. City Attorney stated that one of the problems with that type of turn is that violator doesn’t believe that they’ve violated a U-turn ordinance. Angle parking creates this type of problem.

McDonough mentioned that the vacant lots next to Vinewood and down across from Kingswood need to be mowed. Also, there is a pool at 501 Manfred that is unsecured and the lot has not been mowed.

Doyle thanked the DPW for their cleanup efforts after the storm.

Mayor Canute inquired about the Ash tree problem. DPW Director was not present, but will have information at the next meeting. Also, the restrooms are not getting opened at the parks and there is a problem with the fencing along the softball fields at Optimist Park. City Clerk responded that the bathrooms are opened in the morning by the DPW and closed by the Police during the week and the janitor opens them on the weekend, and Police close them at night. The bathrooms at Optimist are locked at all times unless there is a scheduled event due to the reoccurring vandalism there. Mayor Canute suggested that signs be placed on the doors so that people would know why the bathrooms are locked.

Mayor Canute adjourned the meeting at 8:25 p.m.

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## JUNE 2, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held June 2, 2008 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.

**ROLL CALL:** Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough  
Absent: None

Boggs moved, McDonough supported to approve the agenda with the addition of an Executive Session – Pending Litigation against D.V.A.  
Carried.

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held May 19, 2008 and the special meeting held May 27, 2008 as presented.**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the payment of the City bills numbering 35332-35381.**

**YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs**

**NAYS: None**

**Carried.**

**CITIZENS PRESENT: Norma Ward, 706 Princeton Drive, asked when the applications are due for those residents interested in running for the vacancy on the council. City Clerk explained that the filing deadline was May 12th at the County Clerk's office. No one filed before the deadline therefore the election will be a write-in election. Those residents interested must file with the clerk's office by 4:00 p.m. on August 2nd.**

**Ward then asked about the millage that was shifted from the streets to the General Fund to balance the Police budget. Was that millage that was voted by the citizens for streets? City Manager stated that there never has been a street millage that the citizens voted on. The City Council authorized the administration to use a portion of the operational millage and designate it for streets.**

**Ward completed her comments by stating that she wanted to thank Lynn Markland, City Manager, for attending all of the depot meetings and providing expertise in many areas. "Several managers have been on the board, but none attended meetings as faithfully as you have. I am speaking for both Karen Carsten and myself."**

**Doyle moved, McDonough supported to approve the appointment of Alan Manville to the Planning Commission to fill the vacancy left by**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the appointment of Jason DeFreen as a member of the Zoning Board of Appeals to replace the seat previously held by Timothy Doyle.**

**Carried.**

**It was noted that there will be two vacancies for alternates on the ZBA and also possibly another member (Stokes) may be resigning.**

**Doyle moved, Hildebrandt supported to approve the request from Jamie Wilson to serve beer and wine at the wedding reception on August 30, 2008 providing that the sponsors list the city and DUSI as additional insured and that DUSI approve the request.**

**Carried.**

**Boggs moved, Hildebrandt supported to approve Traffic Control Order #173 to place a stop sign at the northeast corner of Sycamore and Pine Streets.**

**YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute**

**NAYS: None**

**Carried.**

**Boggs moved, McDonough supported to approve Traffic Control Order #174 to place a stop sign at the southwest corner of Yale and Oxford Drives.**

**YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass**

**NAYS: None  
Carried.**

**McDonough moved, Hildebrandt supported to authorize the City Treasurer to place delinquent accounts on the tax roll for collection.**

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

**Boggs moved, McDonough supported to adjourn the meeting to Executive Session to discuss pending litigation because to discuss this in public may jeopardize the city's position.**

**YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, Doyle,  
NAYS: None  
Carried**

**Meeting recessed at 7:47 p.m. and reconvened at 7:55 p.m.**

**Don Westcott, newly elected President of DUSI introduced himself to the City Council. For 40 years he has resided in Flint, but he was born, raised and educated in Durand. While living in Flint he has served on many board and committees. He noted that all of those persons involved in saving the depot should be commended. It was taken for granted by people when he was growing up in town, and those people who worked so hard to save it should be recognized. He has no plans to promote a personal agenda and wants to work with the board and community to make Durand Union Station viable to Durand and to Michigan. He has 5 goals that he would like to accomplish:**

**§ Generating income to promote programs at the depot**

**§ Interacting with local and business community, including the schools**

**§ Working with the county and state organizations to promote historic preservation and restoration**

**§ Collecting, conserving and preserving the historical data**

**§ Promoting the historic value**

**Beginning this Saturday, the library and archives will be open for public information and review. The short-term goal is to bring in experts to train volunteers to work in the archives. There is a tremendous amount of information in the depot. If anyone would like to meet with me, please contact Durand Union Station and I will get back to you.**

**CITIZENS SPEAK: Norma Ward noted that the city will be placing two new stop signs in town. She wanted to know if the spots would be marked so that residents see them. City Manager responded that the new stop signs can be marked with flags so that people realize that they are new.**

#### **DEPARTMENT REPORTS:**

**City Manager informed the City Council on the progress of the new SageLink project. The administration closed on all of the residential properties and the Planning Commission and Zoning Board of Appeals approved the site plan and variances, so they should be well on their way. He then read the following letter:**

**Dear Members of the City Council:**

**The purpose of this letter is to announce my resignation from the City of Durand, effective July 7, 2008.**

**This was not an easy decision to make, on my part. The past 15 years have been very rewarding and I feel that together with Residents, City Council, employees and Administrative Staff, we have accomplished a great deal. I have enjoyed working for past City Councils and managing a good team dedicated to making the City of Durand a great place to live and work. I leave the city with several very important**

projects currently underway – the renovation of the old middle school into senior apartments named Sycamore House, the Sagelink Credit Union Headquarters project and the soon to be started improvements to Trumble Park.

I have accepted a position as City Manger of Fenton, Michigan. The opportunity gives me the chance to grow professionally and embark upon new challenges in another Mid-Michigan community.

I wish the Durand community all the best for the future. I am certain that the many friendships that I have made while in Durand will be lasting ones.

Very truly,  
/s/  
Lynn H. Markland

Boggs moved, Doyle supported to accept the resignation of the City Manager with regret.  
Carried.

**COUNCIL COMMENTS:** McDonough wished the City Manager “Good Luck”.  
Hildebrandt also wished Markland “good luck”.

Mayor Canute adjourned the meeting at 8:13 p.m.

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**MAY 19, 2008 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held May 19, 2008 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.

**ROLL CALL:** Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough  
Absent: None

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

McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held May 5, 2008, the Budget Workshops held May 12 & 13 and the special meeting held May 14, 2008 with corrections.  
Carried.

Doyle moved, Hildebrandt supported to approve the payment of the City bills numbering 35271-35331.  
**YEAS:** Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs  
**NAYS:** None  
**ABSTAIN:** McDonough (check #35318)  
Carried.

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

**McDonough moved, Doyle supported to approve the request to hold a block party in the 100 block of Detroit St. providing that all of the liability requirements are met and that the hosts meet with the Police Chief to review city ordinances.  
Carried.**

**Boggs moved, McDonough supported to approve the ordinance rezoning lots 23,24,25,26,27 and 28, Block 18 City of Durand, Shiawassee County, Michigan.  
YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute  
NAYS: None  
Carried.**

**AN ORDINANCE TO AMEND THE ZONING MAP, BEING A PART OF SECTION 301, ZONING CODE ORDINANCE OF THE CITY OF DURAND, MICHIGAN; EFFECTIVE DATE.**

**THE CITY OF DURAND ORDAINS:**

**Section 1. The Zoning Map, which is part of Section 301, Zoning Code Ordinance of the City of Durand, which establishes zoning districts, shall be amended to fix the zoning classification of property described as follows:**

**Durand Land Company's Second Addition, Lots 10, 11, 12, 13, 14, 15, 16 and 17, Block 18, City of Durand, Shiawassee County, Michigan.**

**From CBD Central Business District to C-3 General Business District, and**

**Durand Land Company's Second Addition, Lots 23, 24, 25, 26, 27 and 28, Block 18, City of Durand, Shiawassee County, Michigan.**

**From R-3 Single Family Residential to C-3 General Business District.**

**Section 2. This Ordinance is adopted pursuant to MCLA 125.3405 and constitutes a contractual zoning of the subject property. In the event that the project which is set forth in the Agreement dated February 29, 2008, is not completed the City of Durand retains the right to return the zoning of the above described property to classification which existed prior to this Ordinance.**

**Section 3. This Ordinance shall be published within fifteen (15) days after its enactment in a weekly newspaper in the City of Durand, Shiawassee County, Michigan and shall take effect twenty (20) days after enactment.**

**The City of Durand**

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**Cameron Canute, Mayor**

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**Amy J. Roddy, City Clerk**

**Doyle moved, McDonough supported to remove from the table the lease for farm land.  
Carried.**

**Doyle moved, Hildebrandt supported to approve the contract for the property on Durand Road for the use of farming.**

**YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass**

**NAYS: None**

**Carried.**

**Public Hearing and Adoption: 2008-09 City of Durand Budget**

**Public Hearing opened at 7:45 p.m.**

**Debbie Ingram, 202 Oakland St., asked if the City is going to be cutting police services.**

**City Manager responded that the City has had seven years of State Shared Revenue cuts, and have cut employees from the Clerk's Department, DPW and Treasurer. The Police have not had any cuts and now we have no other choice but to eliminate a full-time officer.**

**Ingram: Will the officer be alone at night? City Manager: That is a possibility, I am sure that the County is facing similar situations.**

**McDonough: I am reluctant to adopt our budget with the elimination of a full time officer.**

**Public Hearing closed at 7:48 p.m.**

**Boggs moved, Hildebrandt supported to approve 2008-09 budget resolution, as presented.**

**YEAS: Boggs, Douglass, Doyle**

**NAYS: Mayor Canute, Hildebrandt, McDonough**

**Motion Failed 3-3**

**Boggs moved, McDonough supported to approve the ballot language for Ambulance Service and have the City Clerk make the necessary arrangements to have the ballot language placed on the August 5th Primary.**

**YEAS: McDonough, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt**

**NAYS: None**

**Carried.**

**Hildebrandt moved, McDonough supported to approve the ballot language for Capital Improvements and have the City Clerk make the necessary arrangements to have the ballot language placed on the August 5th Primary.**

**YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs**

**NAYS: None**

**Carried.**

**Boggs moved, McDonough supported to amend motion to authorize the administration to modify ballot language to eliminate Headlee Rollback potential, and to remove "Capital Improvement" language and replace it with "Street Construction and Repairs".**

**YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough**

**NAYS: None**

**Carried.**

**Boggs moved, Doyle supported to approve contract services for design and project management of the Columbia Street Lift Station in an amount not to exceed \$16,500.00.**

**YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute**



**NAYS: None  
Carried.**

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

**DEPARTMENT REPORTS: Police Chief: It was a very busy weekend.**

**Director of Public Works: Hydrant flushing this week 6 p.m. to midnight.**

**Of the 146 ash trees, 143 show signs of ash bore damage. New treatment available through MSU which looks promising for saving some of the trees. We need to develop a tree program where homeowners pay half and the City pays half for treatment of these trees.**

**Columbia Street lift station and gravity line – exploratory digging to find out exactly what is going on with the sewer. We need to coordinate with the schools for their renovation project.**

**COUNCIL COMMENTS: Douglass: How is the Sagelink Project Coming along? City Manager: We will close on the project on May 28th.**

**City Attorney added that this is a really great project and the Planning Commission did a great job last week with the review.**

**Douglass: Complimented the Police and DPW on Railroad Days.**

**Boggs: Thank you to the administration for all the work that you did on the budget.**

**Mayor Canute: Thank you to the DPW and the Police Department for a successful Railroad Days.**

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

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### **MAY 5, 2008 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held May 5, 2008 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

**Mayor Pro-Tem McDonough called the meeting to order at 7:30 p.m.**

**ROLL CALL: Present: Boggs, Douglass, D. Doyle, Hildebrandt, McDonough  
Absent: Mayor Canute (excused)**

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

**D. Doyle moved, Hildebrandt supported to approve the minutes of the regular meeting held April 21, 2008 and the Executive Session held April 21, 2008 as presented.  
Carried.**

**D. Doyle moved, Hildebrandt supported to approve the payment of the City bills numbering 35220-35270.**

**YEAS: Douglass, D. Doyle, Hildebrandt, McDonough, Boggs**

**NAYS: None**

**Carried.**

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

**Boggs moved, Hildebrandt supported to approve the proclamation for National Train Day.**

**Carried.**

**State of Michigan, United States of America**

**Proclamation**

**National Train Day**

**May 10, 2008**

**WHEREAS, on May 10, 1869 the “golden spike” was driven into the final tie at Promontory Summit, Utah to join the Central Pacific and the Union Pacific Railroads, ceremonially completing the first transcontinental railroad; and**

**WHEREAS, passenger trains provide safe, convenient and cost effective travel choice that reduces congestion on roads and in the skies, thus saving fuel and improving air quality; and**

**WHEREAS, passenger trains bring people from throughout the Midwest to enjoy Michigan’s scenic attraction, festivals, and sporting events; and**

**WHEREAS, forty-four Michigan towns and cities are served by Amtrak trains and Indian Trails through-way buses, providing access to some 500 other locations across the nation; and**

**WHEREAS, a record 691,545 passengers traveled Michigan trains last year; and**

**WHEREAS, Durand has two daily trains which last year brought more than 8,100 travelers to our community; and**

**WHEREAS, many in our student community depend on trains for travel between their homes and Michigan State University, Western Michigan University or Kalamazoo College; and**

**WHEREAS, Durand’s historic train station, recently restored and expanded, is a source of civic pride, a gateway to our community, and a toll for economic growth;**

**NOW, THEREFORE, be it proclaimed that I, Cameron Canute, Mayor of the City of Durand, do hereby declare Saturday, May 10, 2008, as National Train Day and that Durand will join cities and towns across the country in encouraging train travel as a smart travel choice and a vital part of our state’s and nation’s transportation system.**

**D. Doyle moved, Boggs supported to approve the purchase of new uniforms for the DPW union employees from Wolverine Enterprises in the amount of \$1,589.74.**

**YEAS: D. Doyle, Hildebrandt, McDonough, Boggs, Douglass**

**NAYS: None**

**Carried.**

**Boggs moved, D. Doyle supported to approve the first reading of the ordinance as submitted to adopt and approve the amendment to the development plan and tax increment financing plan of the City of Durand Downtown Development Authority.  
Carried.**

**Boggs moved, Hildebrandt supported to approve the first reading of the ordinance rezoning Durand Land Company's Second Addition, Lots 10, 11, 12, 13, 14, 15, 16 and 17, Block 18, City of Durand, Shiawassee County, Michigan from CBD Central Business District to C-3 General Business District, and Durand Land Company's Second Addition, Lots 23, 24, 25, 26, 27 and 28, Block 18 City of Durand, Shiawassee County, Michigan from R-3 Single Family Residential to C-3 General Business District.  
Carried.**

**Boggs moved, Hildebrandt supported to table the contract for the property on Durand Road for the use of farming.  
Carried.**

**D. Doyle moved, Hildebrandt supported to set the Budget Workshops for May 12 & 13, 2008 at 7:30 p.m. to approve the first reading of the budget.  
Carried.**

**Presentation of the 2008-09 Budget: The budget was presented to the City Council by the City Manager.**

**Oath of Office - City Treasurer: City Clerk administered oath of office to newly appointed Treasurer, Lisa David.**

**Retirement Presentation: The City of Durand presented Donna Tobias with a wall clock pendulum for her 19 years of service as the City Treasurer.**

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

**DEPARTMENT REPORTS: DPW Director: D.E.Q. Administrative Consent Order is now hold. Have been working with C2AE on Holmes Street drainage and street repairs. The week of May 19th we will be hydrant flushing.**

**City Treasurer: Introduced her mother, Vernelle O'Hara and husband, Jim David.**

**City Attorney: Stated that the City was very well served by Donna Tobias for the past 20 years.**

**City Manager: Stated that he felt vindicated when D.E.Q. finally got the financial picture. It's nice to see that they finally understand. MMR has started ambulance service here in the City on May 1.**

**The budget process has begun; the City Clerk, Treasurer and City Manager have worked several hours of overtime on this. Sagelink site plan will be reviewed tomorrow night at the Planning Commission meeting.**

**Congratulations to Donna on your retirement.**

**City Clerk: Announced the postponement of the May 5, 2008 Public Hearing on Amendment to Development Plan and Tax Increment Financing Plan of the City of Durand Downtown Development Authority to the Special City Council meeting to be held on May 14, 2008 at 7:00 p.m.**

**COUNCIL COMMENTS: Douglass: Many happy years, Donna**

**Boggs: It has been a pleasure working with Donna.**

**D. Doyle: Congratulations**

**Hildebrandt: Will there be street sweeping before Railroad Days.**

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**APRIL 21, 2008 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held April 21, 2008 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

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

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough  
Absent: None**

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

**Boggs moved, Doyle supported to approve the minutes of the regular meeting held April 7, 2008 & executive session held April 7, 2008 as presented and the special meeting held April 14, 2008 with corrections.  
Carried.**

**McDonough moved, Hildebrandt supported to approve the payment of the City bills numbering 35191-35219.  
YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs  
NAYS: None  
Carried.**

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

**McDonough moved, Hildebrandt supported to award the bid for cold patch to Saginaw Asphalt in the amount of \$76.09 per delivered ton.  
YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute  
NAYS: None  
Carried.**

**McDonough moved, Doyle supported to award the bid for sand to Constines Inc. in the amount of \$6.95 per delivered ton.  
YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass  
NAYS: None  
Carried.**

**Doyle moved, Hildebrandt supported to award the bid for stone to Wirt Stone Dock in the amount of \$17.95 per delivered ton.**

**YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, Doyle**

**NAYS: None**

**Carried.**

**McDonough moved, Doyle supported to declare the accounts submitted by the Clerk's Office as delinquent.**

**YEAS: McDonough, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt**

**NAYS: None**

**Carried.**

**Boggs moved, Doyle supported to approve the layout of the basketball courts with a north to south layout.**

**YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough**

**NAYS: None**

**Carried.**

**Doyle moved, Hildebrandt supported to approve the contract for ambulance services with Mobile Medical Response, Inc.**

**City Attorney explained that we have gone away from special assessments for the ambulance service and there will be a vote of the residents for a millage. The contract is for a two-year period with a one-year extension. We have decided that there would be no need for an advisory board since the City of Durand would be the only municipality being covered by MMR and they will report to the City Council.**

**Response times are not believed to be an issue since within in the City homes, businesses and schools are in close proximity. The ambulance will be parked outside at the fire hall and if they decide to move it would be required for them to be at a location north and east of the major railroad crossings. MMR has also offered first responder training to our fire department at no charge.**

**Fire Chief expressed concerns regarding MMR sharing a building with the Fire Department over a long period of 2-3 years. He had discussed temporary housing at the fire hall with the City Manger in the past.**

**MMR Representative explained that MMR could not afford to pay rent on a building and will not easily be making a profit in the City of Durand, this is a much smaller area then we are accustomed to covering. The City Attorney, City Manager and myself spent a lot of time negotiating this contract and would like to see it work.**

**Boggs moved, Douglass supported to table the contract for ambulance service with Mobile Medical Responder, Inc. until after the Executive Session.**

**YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs**

**NAYS: None**

**Carried.**

**Hildebrandt moved, McDonough supported to set a service fee of \$50.00 for the enforcement of the City's grass and weed ordinance.**

**YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute**

**NAYS: None**

**Carried.**

**McDonough moved, Hildebrandt supported to confirm the appointment of Lisa David as Treasurer for the City of Durand.**

**YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass**

**NAYS: None**  
**Carried.**

**Boggs moved, Hildebrandt supported to move into Executive Session to discuss pending litigation with D.V.A. Ambulance because to do so in public session could have detrimental effect on the City's position.**  
**YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass**  
**NAYS: None**  
**Carried.**

**Adjourned to Executive Session at 8:10 p.m.**

**Reconvene at 8:30 p.m.**

**Doyle moved, Boggs supported to take from the table the motion relating to the ambulance services contract with Mobil Medical Responder, Inc.**  
**YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, Doyle**  
**NAYS: None**  
**Carried.**

**Doyle moved, Hildebrandt supported to approve the contract for ambulance services with Mobile Medical Response, Inc.**  
**YEAS: McDonough, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt**  
**NAYS: None**  
**Carried.**

**CITIZENS SPEAK: Trudy Bemis, 600 Princeton Dr., could the basement at City Hall be used for MMR.**  
**City Manager: This could be a possibility.**

**DEPARTMENT REPORTS: Fire Chief: Who will be the person that will be in charge if there are any problems?**

**City Manager and City Attorney stated that the Fire Chief would be charge of the Fire Hall and any unresolved problems can be addressed to the City Manager or the City Council.**

**Police Chief: Saturday the Police and Fire Department will be having a safety day for children to include popcorn, slush machine and bounce houses. The current status of the Neighborhood Watch is 20 members from all over town who are receiving weekly email updates from myself.**

**DPW Director: Would like to recognize Larry Porter for his assistance on a call to Trumble Park from Central Dispatch for a child stuck in a tree. Larry helped get the child out of the tree and stayed until the end. He has told me that he does not want to accept any overtime for this due to the nature of the call.**

**Also, would like to recognize Dara Sprague for volunteering an evening to give a local Cub Scout Troop a tour of the Waste Water Treatment Plant.**

**Mayor Canute thanked Larry Porter and Dara Sprague for their commitment.**

**Treasurer: I look forward to fulfilling my duties.**

**City Attorney: Congratulations to Lisa.**

**City Manager:** Had a meeting with the Sagelink architect and Planning Commission Chairman regarding preliminary plans for the Credit Union. The Credit Union has done the soil boring at the site already.

**COUNCIL COMMENTS: Boggs:** Congratulations to Lisa and I hope that the ambulance sharing the building with Fire Department can all be worked out.

**Hildebrandt:** Congratulations to Lisa

**Doyle:** Congratulations to Lisa

**McDonough:** Congratulations to Lisa. There are leaves on the south side that need to be picked up.

**Mince:** We don't pick up leaves until the fall but if they are bagged the garbage company will take them on Monday's.

**McDonough:** Compliments to Hartz on response to the church this past weekend and I would like to have Fire Department trained as first responders.

**Mayor Canute:** I will not be able to be at the May 3rd meeting.

**Mayor Canute** adjourned the meeting at 8:47 p.m.

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**APRIL 7, 2008 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held April 7, 2008 at 7:30 p.m. in the Council Chambers of Durand City Hall.

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

**ROLL CALL: Present:** Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough  
**Absent:** None

**Doyle** moved, **McDonough** supported to approve the agenda with the addition of:  
**Item I – D.U.S.I. Discussion**  
Carried.

**McDonough** moved, **Hildebrandt** supported to approve the minutes of the regular meeting held March 3, 2008, executive session held March 3, 2008 and special meeting held March 31, 2008 as presented.  
Carried.

**McDonough** moved, **Hildebrandt** supported to approve the payment of the City bills numbering 35066-35190.  
**YEAS:** Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs  
**NAYS:** None  
Carried.

**CITIZENS PRESENT:** Tom Dorey, 500 Vassar Dr., stated that he is concerned that the City may be without ambulance service and that he has been hearing rumors that the negotiations have broke down.

**City Attorney responded that there had been two occasions of meeting with MMR. In meeting with them the terms of the agreement the City wanted were a three year contract. MMR was asking for a 90 day cancellation clause. They also did not feel they could operate without Vernon Township participation. At the next meeting the price is probable but the City would have to provide housing for the ambulance, this was a surprise to us. MMR had not mentioned the housing nor bringing in the Township in the past. It was not what we expected.**

**City Manager: I contacted Corunna Ambulance and contracted with them for \$1500.00 for two weeks and I have extended it for another two weeks.**

**Gene Roussin, 506 Marquette St., I think that MMR is getting the shaft.**

**City Attorney: We'd commence the contract on April 1, 2008 and pay from the general fund until such time the electors approve an ambulance company.**

**Steven Flayer, the new Director of the Shiawassee District Library, thanked the City Council for their support of the branches of the library.**

**Presentation: Fair Tax Legislation/Ken Themm**

**Mr. Themm discussed the Fair Tax Plan that replaces all federal income payroll based taxes with an integrated approach including progressive national retail sales tax, a prebate to ensure no American pays federal taxes on spending up to the poverty level, dollar-for-dollar federal revenue replacement, and, through companion legislation, the repeal of the 16th Amendment.**

**Presentation: Update on Sycamore House Project/Craig Patterson**

**Mr. Patterson expressed his condolences to Deborah Doyle and the City Council. Tim Doyle was a supporter of this project and he will be missed by our organization.**

**Mr. Patterson discussed the progress being made at Sycamore House and that the site will be fenced as we become more aggressive with construction. Hope to have historic preservation in July and start construction this summer, leasing by fall 2009. There will be new construction in the rear of the building of 6700 sq. ft. At this time we are on schedule.**

**McDonough moved, Hildebrandt supported to appoint Ann Zick to represent the City of Durand on the Shiawassee District Library.**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the request of the VFW to hold their annual Buddy Poppy Sales on May 15, 16 & 17, 2008 providing they show proof of liability insurance and names the City of Durand as an additional insured for the event.**

**Carried.**

**Boggs moved, McDonough supported to approve the contract with the Full Time Police Teamsters Local 214.**

**YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute**

**NAYS: None**

**Carried.**



**McDonough moved, Hildebrandt supported to approve the invoice from BS&A for software support in the amount of \$5,500.00.**

**YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass**

**NAYS: None**

**Carried.**

**D. Doyle moved, McDonough supported to schedule a public hearing on Monday, May 5, 2008 to hear public comments on the DDA Expansion Plan.**

**YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, Doyle**

**NAYS: None**

**Carried.**

**City of Durand**

**County of Shiawassee, State of Michigan**

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**RESOLUTION CALLING PUBLIC HEARING REGARDING APPROVAL OF  
AMENDMENT TO DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN  
OF THE CITY OF DURAND DOWNTOWN DEVELOPMENT AUTHORITY**

**Minutes of a regular meeting of the City Council of the City of Durand, County of Shiawassee, State of Michigan, held on the 7th day of April, 2008, at 7:30 p.m. Eastern Daylight Time.**

**PRESENT: Members Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, Doyle**

**ABSENT: Members None**

**The following preamble and resolution were offered by Member Doyle and supported by Member McDonough:**

**WHEREAS, the City of Durand, County of Shiawassee, State of Michigan (the "City"), is authorized by the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"), to create a downtown development authority; and**

**WHEREAS, pursuant to Act 197, the City Council of the City duly established the City of Durand Downtown Development Authority (the "Authority"), which exercises its powers within the Downtown District designated by the City Council (the "District"); and**

**WHEREAS, the City Council previously approved the Authority's Development Plan and Tax Increment Financing Plan (the "Plan") for the Development Area described in said Plan pursuant to adoption on October 21, 1991; and**

**WHEREAS, in accordance with the provisions of Act 197, the Authority has prepared and submitted to the City Council for approval Amendment No. 1 to the Plan attached hereto as Exhibit A (the "Plan Amendment"); and**

**WHEREAS, prior to approval of the Plan Amendment, it is necessary to conduct a public hearing in connection with the consideration of such proposed Plan Amendment as required by Act 197.**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1. The City Council hereby acknowledges receipt of the Plan Amendment from the Authority and directs the City Clerk to submit the Plan Amendment to the governing body of each taxing jurisdiction within the Authority's District that levies taxes subject to capture by the Authority.**
- 2. There shall be a public hearing on Monday, the 5th day of May, 2008, at 7:30 p.m., prevailing Eastern Time, in the City Hall to consider adoption by the City Council of an ordinance approving the Plan Amendment.**
- 3. The City Clerk shall cause notice of said public hearing to be published twice before the public hearing in Shiawassee Independent, a newspaper of general circulation in the City, qualified under State law to publish legal notices. The first such notice shall be published not less than 20 days, nor more than 40 days, before the date set for the public hearing and shall be published as a display advertisement prominent in size. The City Clerk also shall cause the notice to be mailed by first class mail not less than 20 days, nor more than 40 days, prior to the hearing to all property taxpayers of record in the Authority's District (as expanded) as shown by the most recent tax roll of the City and shall send a copy**

of such notice, by certified mail, to all local taxing jurisdictions within the Authority's District whose taxes are subject to capture. The City Clerk also shall post, or cause the posting of, the notice in at least 20 conspicuous and public places in the District not less than 20 days, nor more than 40 days, before the hearing. The notice shall be published for a second time approximately one week before the scheduled date of the public hearing.

4. The notice of the hearing shall be in substantially the following form:

**CITY OF DURAND**

**COUNTY OF SHIAWASSEE, STATE OF MICHIGAN**

**NOTICE OF PUBLIC HEARING ON AMENDMENT TO**

**DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN OF THE  
CITY OF DURAND DOWNTOWN DEVELOPMENT AUTHORITY**

**TO ALL INTERESTED PERSONS IN THE CITY OF DURAND:**

**PLEASE TAKE NOTICE** that the City of Durand, County of Shiawassee, State of Michigan, will hold a public hearing on Monday, the 5th day of May, 2008, at 7:30 p.m., prevailing Eastern Time, at the City Hall, 215 West Clinton Street, Durand, Michigan 48429, to consider the adoption of an ordinance approving an amendment to the existing Development Plan and Tax Increment Financing Plan (the "Plan") for the City of Durand Downtown Development Authority pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended.

The boundaries of the development area to which the Plan and the amendment to the Plan apply are as follows:

**DESCRIPTION OF PROPERTY TO BE ADDED TO THE BOUNDARIES OF THE AUTHORITY  
DURAND LAND CO'S 2ND ADD. LOT 24 BLK. 8 and DURAND LAND CO'S 2ND ADD. LOT 26  
BLK. 8 and DURAND LAND CO'S 2ND ADD. COM AT NW COR OF LOT 28 TH S 117 FT E 14 FT 11  
IN TH IN A NE'LY DIR 75 FT TO PT IN W LN OF WASHTENAW ST 76 FT SE OF BEG TH ALG W  
LN OF SD ST 76 FT TO BEG. S 17 FT RESERVED FOR DRIVEWAY BLK. 8 and DURAND LAND  
CO'S 2ND ADD. LOT 25 BLK. 8 and DURAND LAND CO'S 2ND ADD. LOT 27 BLK. 8 and DURAND  
LAND CO'S 2ND ADD LOT 28 EX COM AT NW COR OF SD LOT TH S 117 FT E 14 FT 11 IN TH  
NE'LY 75 FT TO PT ON W LN OF WASHTENAW ST 76 FT SE OF PLACE OF BEG TH ALG W LN  
OF SD ST 76 FT TO BEG. S 17 FT RESERVED FOR DRIVEWAY BLK. 8 and DURAND LAND CO'S  
1ST ADD. E 40 FT OF LOTS 14 AND 15 EX N 10 FT OF E 40 FT OF LOT 15. BLK 4 and DURAND  
LAND CO'S 2ND ADD LOTS 12-13-14-15 & 2 FT OFF S SIDE OF LOT 16 BLK 8 and DURAND  
LAND CO'S 2ND ADD. LOT 18 & S 5 FT OF LOT 19 BLK 8 (VACANT) and DURAND LAND CO'S  
2ND ADD. LOT 19 EX S 5 FT BLK 8 (VACANT) and DURAND LAND CO'S 2ND ADD. LOTS 10 & 11  
BLK 8 (VACANT) and DURAND LAND CO'S 2ND ADD. LOT 17 & N 23 FT OF LOT 16 BLK 8  
(VACANT) and DURAND LAND CO'S 2ND ADD. LOT 23 BLK. 8 and CITY OF DURAND-ORIG  
PLAT N 12' OF E 1/2 OF LOT 1. BLK 1 ALSO LOTS 6 & 7 ALSO LOTS 2-3-4-5, W 1/2 OF LOT 1 & S  
18 FT OF E 1/2 OF LOT 1 BLK 1 ALSO COM ON W LN OF LOT 7, BLK 1, 112 FT S OF NW COR OF  
BLK 1, TH W TO CS & MRR R/WY, TH SELY ALG R/WY TO W LN OF LOT 7, TH N ON W LN OF  
LOT 7 TO BEG. ALSO N 1/2 OF VACATED JUDSON ST (FROM MAPLE ST) ALSO BEG AT PT ON  
W LN OF OAK ST N 27 FT FROM NE COR OF LOT 1, BLK2 OF PLAT OF CITY OF DURAND, TH  
N 3 FT, TO A PT ON C/LN OF VACATED JUDSON ST FORMER MAPLE ST, TH ALG C/LN  
N89°30'35" W 223.45 FT TO PT ON NELY LN OF GTWRR R/WY TH S27°09'07"E 3.39 FT TO A PT  
WH IS 3 FT MEAS AT R/ANG S OF C/LN OF VACATED JUDSON ST, TH PAR WITH C/LN & A  
DIST OF 3 FT S MEAS AT R/ANG TO C/LN S 89°30'55"E 221.91 FT TO W LN OF OAK ST & P.O.B.  
SUBJECT TO EASEMENTS OF RE- CORD. And ASSESSOR'S PLAT NO. 1, DURAND CITY E 78 FT  
OF LOT 6, BLK. 9. and DURAND LAND CO'S 1ST ADD. LOT 3, BLK. 2. and CITY OF DURAND,  
ORIG PLAT LOT 1 & PARTS OF LOTS 2, 3, 4 & 5, BLK 2 & PART OF RESERV #1 DESC AS- BEG  
AT POINT ON W LN OF OAK ST N 27 FT FROM NE COR OF LOT 1, BLK 2 TH ALG W LN OF  
OAK ST, S 300.50 FT TO NELY LN OF GTWRR R/W LN TH ALG R/WY LN N40°31'02"W 100.05 FT  
& N39°36' 16"W 86.27 FT & N39°05'33"W 85.63 FT & N27°09'07"W 104.98 FT TO A PT WHICH IS**

**3.0 FT MEAS AT RT/ANG S OF C/LN OF VACATED JUDSON ST FORMER MAPLE ST- TH PAR ALG SD LN S89\*30' 35''E 221.91 FT TO W LN OF OAK ST & P.O.B. RESERVING AN EASEMENT FOR DRIVEWAY PURPOSES. And ASSESSOR'S PLAT NO. 1, DURAND CITY N 122 FT OF LOT 5, BLK. 10. and DURAND LAND CO'S 1ST ADD. LOTS 6 AND 7, BLK. 2. and DURAND LAND CO'S 2ND ADD LOTS 8-9-10-11-12-13 BLK 9 and DURAND LAND CO'S 2ND ADD. LOTS 16-17-18-19-20-21 BLK 9 and DURAND LAND CO'S 2ND ADD. LOTS 14-15 BLK 9 and CITY OF DURAND- ORIG PLAT N 12' OF E 1/2 OF LOT 1. BLK 1 ALSO LOTS 6 & 7 ALSO LOTS 2-3-4-5, W 1/2 OF LOT 1 & S 18 FT OF E 1/2 OF LOT 1 BLK 1 ALSO COM ON W LN OF LOT 7, BLK 1, 112 FT S OF NW COR OF BLK 1, TH W TO CS & MRR R/WY, TH SELY ALG R/W TO W LN OF LOT 7, TH N ON W LN OF LOT 7 TO BEG. ALSO N 1/2 OF VACATED JUDSON ST (FROM MAPLE ST) ALSO BEG AT PT ON W LN OF OAK ST N 27 FT FROM NE COR OF LOT 1, BLK2 OF PLAT OF CITY OF DURAND, TH N 3 FT, TO A PT ON C/LN OF VACATED JUDSON ST FORMER MAPLE ST, TH ALG C/LN N89\*30'35'' W 223.45 FT TO PT ON NELY LN OF GTWRR R/WY TH S27\*09'07''E 3.39 FT TO A PT WH IS 3 FT MEAS AT R/ANG S OF C/LN OF VACATED JUDSON ST, TH PAR WITH C/LN & A DIST OF 3 FT S MEAS AT R/ANG TO C/LN S 89\*30'55''E 221.91 FT TO W LN OF OAK ST & P.O.B. SUBJECT TO EASEMENTS OF RE- CORD. And DURAND LAND CO'S 1ST ADD. S 36 FT OF LOT 6, BLK. 3. and DURAND LAND CO'S 1ST ADD. LOT 17, BLK. 4. (VACANT) and THE EAST 304.01 FT OF RESERVATION NUMBER 2 PART OF ORIGINAL TOWN PLAT CITY OF DURAND EXCEPT THAT PART KNOWN AS BRAND STREET. And DURAND LAND CO'S 1ST ADD. LOT 7, AND N 14 FT OF LOT 6, BLK. 3 and DURAND LAND CO'S 3RD ADD. LOTS 1-2 BLK 18.**

**Copies of the Plan and the proposed amendment to the Plan, maps, plats, etc. are on file at the office of the City Clerk for inspection.**

**At the public hearing, all interested persons desiring to address the City Council shall be afforded an opportunity to be heard in regard to the approval of the proposed amendment to the Plan and all aspects of the Plan and the proposed amendment thereto will be open for discussion at the public hearing.**

**FURTHER INFORMATION may be obtained from the City Clerk's office.**

**This notice is given by order of the City Council of the City of Durand, County of Shiawassee, State of Michigan.**

\_\_\_\_\_  
**City Clerk, City of Durand**

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

**AYES: Members** \_\_\_\_\_

**NAYS: Members:** \_\_\_\_\_

**RESOLUTION DECLARED ADOPTED.**

\_\_\_\_\_  
**City Clerk**

**I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Council of the City of Durand, County of Shiawassee, State of Michigan, at a regular meeting held on the 7th day of April, 2008 and that public notice of said meeting was given pursuant to and in full compliance with Act No 267, Public Acts of Michigan, 1976, as amended, and that minutes of the meeting were kept and will be or have been made available as required by said Act.**

\_\_\_\_\_  
**City Clerk**

**EXHIBIT A**

**[Attach Plan Amendment]**

**Douglass moved, Hildebrandt supported to have City Manager continue negotiations with M.M.R. or any other ambulance service.**

**YEAS: McDonough, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt**

**NAYS: None**

**Carried.**

**McDonough moved, Hildebrandt supported to submit a formal letter to the D.U.S.I. requesting a meeting with the new depot board within 30 days after the April 15, 2008 election.**

**Carried 5-1**

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

**DEPARTMENT REPORTS: Fire Chief: Worked with the City Clerk on an Application for F.E.M.A. Medical First Responder grant.**

**COUNCIL COMMENTS: Douglass: Farmers Market and bleachers need paint, can we get this done?**

**Mayor Canute: Street Sweeping.**

**Boggs moved, McDonough supported to move into Executive Session to discuss pending litigation because to do so in public session could have detrimental effect on the City's position.**

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

**NAYS: None**

**Carried.**

**Reconvene at 8:58 p.m.**

**Mayor Canute adjourned the meeting at 8:58 p.m.**

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**MARCH 17, 2008 CITY COUNCIL MINUTES**

**MEETING CANCELED**

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**MARCH 3, 2008 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held March 3, 2008 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

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

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, D. Doyle, Hildebrandt, McDonough**

**Absent: Tim Doyle (excused)**

**Boggs moved, McDonough supported to approve the agenda with the changes and additions as followed:**

- Executive Session to be held before Items of Business**
- A-1: Knights of Columbus Tootsie Roll sale**
- D: Purchase of Bunker Gear**
- E: Discussion of Ambulance Services**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held February 18, 2008, executive session held February 18, 2008 and special meeting held February 27, 2008 as presented.**

**Carried.**

**D. Doyle moved, Hildebrandt supported to approve the payment of the City bills numbering 35025-35065.**

**YEAS: Mayor Canute, Douglass, D. Doyle, Boggs**

**NAYS: Hildebrandt, McDonough**

**4-2 Carried.**

**CITIZENS PRESENT: Gene Roussin, 506 Marquette St., MMR offers an insurance program for those interested.**

**Leo Krupp, 607 Wickshire Ln., Corunna has been here since November and I know that we are not under any legal requirement, but I believe that we have a moral obligation to pay them something for their services.**

**McDonough moved, Douglass supported to adjourn to an executive session to discuss the pending litigation with D.V.A., because discussing this issue in an open meeting would be detrimental to the City of Durand's position in the case.**

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

**NAYS: None**

**Carried.**

**Adjourn to Executive Session at 7:40 p.m.**

**Reconvene 8:04 p.m.**

**D. Doyle moved, Boggs supported to approve the appointment of Donna Tobias to the Board of Review to fill the vacant seat. The appointment will be effective March 13, 2008.**

**Mayor Canute noted that he is recommending Ken Themm to fill the vacancy on the Board of Review. D. Doyle stated that at the Planning Commission Themm had requested to resign as Chairman as he has had some health issues that have resulted in him missing a lot of Planning Commission meetings. Mayor Canute noted that he would be resigning from the Planning Commission.**

**D. Doyle withdrew her motion and Boggs withdrew his support of the motion.**

**McDonough moved, Hildebrandt supported to appoint Ken Themm to the Board of Review and Jeanette Fury as the resident representative to the DDA.**

**Carried.**

**McDonough moved Hildebrandt supported to allow the Knights of Columbus Tootsie Roll sale from March 14-16.**

**Carried.**

**Boggs moved, D. Doyle supported to approve the contract from C2AE for Trumble Park grant improvements –Phase I.**

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

**NAYS: Douglass, McDonough**

**Carried 4-2.**

**McDonough moved, D. Doyle supported to approve the contract with Teamsters Local 214 for July 1, 2006 to June 30, 2011.**

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

**NAYS: None**

**ABSTAIN: Hildebrandt.**

**Carried.**

**Boggs moved, Hildebrandt supported to spend an amount not to exceed \$4169.95 for gear in the Fire Department.**

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

**NAYS: None**

**Carried.**

**McDonough moved, D. Doyle supported to allow City Attorney and City Manager enter into negotiations with MMR for ambulance service.**

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

**NAYS: None**

**Carried.**

**Boggs moved, McDonough supported to thank the Ambulance Committee, approve their recommendation and disband the committee.**

**Carried.**

**CITIZENS SPEAK: Mike Downer, 203 Shiawassee St., asked where the money from the City will come from for the match.**

**City Manager: The General Fund.**

**DEPARTMENT REPORTS: Treasurer: Tax season has ended and dog licenses can be obtained at the Shiawassee County Treasurer Office.**

**City Attorney: I would like to thank the Treasurer; she has served the City well.**

**City Manager: Thank you to Donna for her services with the City. I've worked with her for 15 years.**

**Contracts have been signed with Sagelink and the Middle School project is moving ahead.**

**City Clerk: Legislative Conference will be held on April 2nd.**

**COUNCIL COMMENTS: D. Doyle: Good luck in your retirement, thank you to the Ambulance Committee.**

**Douglass: Thank you to Donna for all the help you have given to me.**

**Boggs: Thank you to Donna for all of your service.**

**Mayor Canute: Congratulations on your retirement, I am sure you will still be around. Thanks again to the Ambulance Committee.**

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

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**FEBRUARY 18, 2008 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held February 18, 2008 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

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

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough  
Absent: None**

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

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held February 4, 2008 as presented.  
Carried.**

**Boggs moved, Hildebrandt supported to approve the payment of the City bills numbering 34959-35024.  
YEAS: Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, Boggs  
NAYS: McDonough  
Carried.**

**CITIZENS PRESENT: Pat Post, 624 Monroe Rd., asked for an update on the City and the D.U.S.I. Board communications. City Manager responded that Dan Brooks has not contacted him.**

**Post: Thank you to Mike Douglass for allowing me to interview him for the Shiawassee County training for the Chamber of Commerce.**

**McDonough moved, Hildebrandt supported to approve the request from the Durand Chamber of Commerce to serve alcohol during their annual dinner to be held at Durand Union Station on March 20, 2008, providing they list the City of Durand and Durand Union Station, Inc. on their insurance policy as an additional insured for the event.  
YEAS: Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute  
NAYS: None  
Carried.**

**Tim Doyle moved, McDonough supported to approve the development agreement in form with Sagelink Credit Union and absent any substantive changes we authorize the Mayor and City Clerk to sign the agreement on behalf of the City of Durand.  
YEAS: Tim Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, D. Doyle  
NAYS: None  
Carried.**

**Boggs moved, D. Doyle supported to adopt the revised Medical Insurance Opt-Out Option Policy.**

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

**Tim Doyle**

**NAYS: None**

**Carried.**

**Discussion: Urban Cooperation Agreement with Vernon Township**

**Mayor Canute stated that he would like to put together a negotiation team to include Mike Douglass and Ken McDonough to work with Vernon Township on the agreement.**

**Douglass added that he would like to see a letter go to Vernon Township to set up some negotiation dates.**

**D. Doyle moved, Hildebrandt supported to appoint Cameron Canute, Ken McDonough and Mike Douglass to a team for negotiations with Vernon Township.**

**Carried.**

**CITIZENS SPEAK: Pat Post: March 20, 2008 will be the annual Chamber of Commerce award banquet.**

**Mike Fuja, County Commissioner, stated that the County has agreed to pay the 25% match on the grant for the 800 megahertz radios.**

**DEPARTMENT REPORT: Police Chief: Neighborhood Watch meeting will be held on February 27.**

**DPW: The City is doing well with the salt supply.**

**City Attorney: Thank you to the Council and those in the community for their concern with the fire we had at our building. We have moved a couple miles down Linden Rd. and your services will be in no way interrupted.**

**City Manager: There will be a special meeting held February 27th to look at ambulance service.**

**COUNCIL COMMENTS: McDonough: The City Council retreat was good.**

**Tim Doyle: Thank you to the administration for the work on the Woda and the Sagelink Project.**

**Boggs moved, McDonough supported to adjourn to executive session to discuss negotiations with Teamsters #214.**

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

**Hildebrandt**

**NAYS: None**

**Carried.**

**Reconvene 8:32 p.m.**

**D. Doyle moved, Boggs supported to allow the City Manager to hire a labor union lawyer if necessary during union negotiations with Police unions.**

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

**NAYS: McDonough**

**Carried.**



Mayor Canute adjourned the meeting at 8:34 p.m.

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**FEBRUARY 4, 2008 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held February 4, 2008 at 7:30 p.m. in the Council chambers of Durand City Hall.

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

**ROLL CALL: Present: Boggs, Mayor Canute, D. Doyle, Hildebrandt, McDonough  
Absent: Douglass (ex.), Tim Doyle (ex.)**

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

**McDonough moved, D. Doyle supported to approve the minutes of the regular meeting held January 21, 2008 as presented.  
Carried.**

**Boggs moved, Hildebrandt supported to approve the payment of the City bills numbering 34924-34958.  
YEAS: Mayor Canute, D. Doyle, Hildebrandt, McDonough, Boggs  
NAYS: None  
Carried.**

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

**MML President and City Council member Deborah Doyle presented a Michigan Municipal League Workers' Compensation Fund Loss Control Achievement Award 2007-08. The City of Durand had the second best improved rates factor for the 2007 year.**

**Presentation: Joe Bixler, Shiawassee County Extension Director – Smart Growth Readiness Assessment.**

**Boggs moved, McDonough supported to approve the City's participation in a Smart Growth Readiness Assessment jointly with Vernon Township and conducted by the MSU Extension Office.  
Carried.**

**Presentation: Steve Mince, DPW Director – Street Inventory Program**

**Mince made a presentation to the City Council on the Street Inventory Program. We have new software through GLS Region V that allows us to rate our streets and provides us with information that can be used for planned maintenance programs.**

**Discussion: City Council/Manager Weekend Get-Away Planning Forum**

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

**DEPARTMENT REPORTS: City Attorney: Land acquisition for Sagelink Project. The City Council received a document tonight for review before it is adopted. We may need a special meeting late this week**

to adopt this document. City Manager and I will be developing a purchase agreement for each property. We want to have this entire project completed 90 days after February 20, 2008.

City Manager: Met with MMR Ambulance, the contract has been passed out for your review.

COUNCIL COMMENTS: Boggs: Nice job on the presentation. It was very interesting to learn about all we can do with the program.

McDonough: Good job on the presentation and good job to the DPW on the snow removal.

Mayor Canute adjourned the meeting at 8:35 p.m.

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### JANUARY 21, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held January 21, 2008 at 7:30 p.m. in the Council Chambers of Durand City Hall.

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

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

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

McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held January 7, 2008 as presented.  
Carried.

McDonough moved, Hildebrandt supported to approve the payment of the City bills numbering 34835-34923.

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

NAYS: None

Carried.

CITIZENS PRESENT: Connie Krupp, 507 Wickshire Ln., Corunna Ambulance has done a heck of a job. We need to thank them; they are our neighbor and they can be here if we need them. Will they be paid?

Mayor Canute: We have no contract with them.

Douglass: Speaking for myself only, I believe that they should be paid.

Krupp: I believe that they should be paid also, since November they were here when we needed them.

PRESENTATION: AMBULANCE SERVICE-AMBULANCE ADVISORY COMMITTEE

Gene Roussin, Chairman of the Ambulance Advisory Committee reported the committee findings.

Letters were sent to the following ambulance companies:

1. Mobile Medical Response Inc.
2. Corunna Area Ambulance Service
3. Southwest Shiawassee Emergency Service Alliance
4. Durand Vernon Area Ambulance Inc.

The Committee chose MMR of Saginaw to provide ambulance service for the City of Durand due to:

1. 14 years in business
2. Covers 10 counties in the state
3. Have their own dispatch, billing and maintenance centers
4. Monthly reports given to the City
5. Will station back up ambulances in Durand
6. Disaster assistance response team
7. MMR has committed to cover Durand with or without Vernon Twp

City Attorney: Details need to be worked out now; the City Manager needs to meet with MMR to discuss terms. I would also advise the City council to refrain from discussing any means of compensation with C.A.A.S. until a contract has been negotiated.

Tim Doyle moved, D. Doyle supported to approve the request from Durand Railroad Days Festival to hold the event May 16, 17 and 18, 2008.

Carried.

Tim Doyle moved, Hildebrandt supported to approve the invoice of \$2,895.00 from Huron & Eastern Railway, Inc. for annual maintenance for active control devices.

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

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve a five (5) year renewal of the lease with Amtrak for the use of Durand union Station commencing 09/1/08 through 08/31/13 under the same terms and conditions contained in the Lease and renewal letter dated June 5, 2003.

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

NAYS: Hildebrandt

6-1 Carried.

Boggs moved, Hildebrandt supported to approve the Professional Service Agreement with Wade Trim Associates, Inc. using option #2.

Douglass moved, McDonough supported to table the contract with Wade Trim Associates, Inc. until the next regular meeting for more information on hourly costs.

Carried.

Hildebrandt moved, McDonough supported to approve the request for transfer of ownership of escrow 2007 SDD and SDM licensed business located at 503 S. Oak Street to Jason Hansen.

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

D. Doyle

NAYS: None

Carried.

**CITIZENS COMMENTS: Paula Brooks, 104 W. Summit St., It looks like the Ambulance Authority is recommending MMR, but what if the voters don't approve the \$30.00 per month cost?**

**City Attorney: There won't be a per house fund; we are required to request a millage from the voters to cover the costs and that amount won't be set until after we have a negotiated contract.**

**Mike Downer, 207 Shiawassee St., When you choose what ambulance service you are looking at, look real close at Corunna. They only have two operational rigs; the 3rd rig is only for back-up.**

**Leao Krupp, 507 Wickshire Ln., Does the City have funds that have been collected for ambulance services?**

**City Attorney: Yes, the City does have funds that have been collected, but we cannot spend the money until the outcome of the lawsuit determines what the money can be spent on.**

**DEPARTMENT REPORTS: Police Chief: New Software installed and being used. Also, 911 has received a grant for radios for emergency vehicles.**

**City Manager: Craid Patterson of WODA called to let us know that they will be under construction by April 16, 2008.**

**COUNCIL COMMENTS: Douglass: asked Gene Roussin if he was aware that there is no money until August. Gene Responded no, but he wished he would of been aware of this.**

**D. Doyle: Thank you to the Ambulance Advisory Committee.**

**McDonough: How's the neighborhood watch going? Police Chief responded that it is not going to well.**

**Mayor Canute asked if there are two police vehicles sitting? Police Chief responded that one will used for the Fire Department and the other one needs to have some work done on the door. Once the mechanic gets to it we can sell it, we have sold our last 2-3 cars on ebay to cab companies in Chicago.**

**Mayor Canute adjourned the meeting at 9:02 p.m.**

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### **JANUARY 7, 2008 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held January 7, 2008 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

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

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, D. Doyle, Hildebrandt, McDonough**

**Absent: Tim Doyle (excused)**

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

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held December 17, 2007 as presented.**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the payment of the City bills numbering 34784-34834.**

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

**NAYS: None**

**Carried.**

**CITIZENS PRESENT: Pat Post, Director of the Chamber of Commerce, stated that on February 1, 2008 the writer of Chicken Soup for the Soul will be speaking at the Chamber.**

**McDonough moved, Hildebrandt supported to approve the list of Election Inspectors for the 2008 Michigan Presidential Primary to be held on January 15, 2008.**

**Carried.**

**D. Doyle moved, Boggs supported to remove the delinquent water and sewer assessments for 211 Mercer Street in the amount of \$406.62.**

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

**NAYS: None**

**Carried.**

#### **Ambulance Service with Corunna Area Ambulance**

**The most recent agreement from Corunna Area Ambulance Service has been distributed. The City Attorney has been reviewing the contract. Rick Croteau, the administrator of the ambulance service is present for questions.**

#### **Discussion: Durand Union Station**

**City Manager: Durand Union Station has been going through some turbulence. They have terminated their Director. Over the last five years they have had at least three Project Directors and that number does not include the interim project Directors they have had. In my opinion this has contributed to the instability of the project. The original restoration project has been mostly complete for about 5-7 years. The depot is currently a working Amtrak Station and the facility is used for several functions including fundraisers for the organization D.U.S.I. However, I believe the facility could play a much larger role in the economic development of the community, especially in the area of tourism. The City of Durand, D.U.S.I and the community have invested well over one million dollars in the restoration of the building. The community has done an exemplary job in the restoration project. I believe the project needs to move forward to the next step. I am not sure that the facility can reach its full potential under its current organizational structure. I have recommended a facilitator be hired.**

**Douglass moved, D. Doyle support to suspend the rules of the City Council and open discussion to the public.**

**Carried.**

**City Attorney: D.U.S.I. is its own separate entity with its own board of directors. The City of Durand owns the building and D.U.S.I. is the City's tenant. There are several board members that are also City Council members.**

**McDonough asked if the City can evict them and the City Attorney responded yes.**

**Boggs:** There are several documents that indicate that there is a working agreement with the City and D.U.S.I.

**Mayor:** Are there any documents in the City files regarding the agreement with D.U.S.I.

**Douglass:** I'd just like to say that boards with more than 7 members are inefficient. Who exactly is the boss at the Depot?

**Vivian Van Norwich, 10103 Corunna Rd.,** I was the first Director of D.U.S.I. I thought I may be able to get some historic value of the D.U.S.I., I have been actively involved since 1979. The D.U.S.I. was formed because the City could not afford to support the day to day operations. ISTEA Grants were available to the depot, but the City would not qualify. I spent 3 ½ years as Director with a wonderful board. We made a lot of progress. It's a lot of work and some times people don't get along and sometimes they simply just get burned out. Think about what you do before you consider causing them to disband or causing them not to be able to operate with their own funds.

**Dianne Cannon (Carsten) 40101 Sheridan Rd.,** I remember my mom putting on a kerchief on her head and yellow kitchen gloves spending hours and hours pulling weeds, cleaning toilets and working for the depot. Everyone here tonight is here because of the conflict on the current board. There are too many City Council members on the board. I know many people that don't volunteer anymore because of the way they have been treated.

**Paula Brooks, 104 W. Summit St.,** When Dan and I moved here in the 1970's Durand was known as Durand Dirties. Now, it is known as a small town with a large and beautiful depot.

**Tom Dorey, 500 Vassar Dr.,** How big is the committee, how do they get on the board, are there term limits and are the meetings open to the public?

There are 13 members on the committee, they are elected by the membership and all have term limits except for the director and the meetings are not open to the public.

**Pat Roussin, 506 Marquette St.,** It's been very brave of the City to take on this. I don't like what's going on here. Deb Canute was a fine director, I've served for the last few months on PR committee to no avail.

**Carol Douglass, 500 Cambridge,** We're all here for the same reason, we're just going at it in different directions. The board is too large; Hurley Hospital operates with 7 members. Once the board is reduces they need to attend a seminar.

**Ralph Carle, 705 Harvard Dr.,** Is there a master plan for the D.U.S.I.?

**City Manager:** There are at least two Master Plans. It seems to me each new board re-develops it to meet their own needs.

**Mike Douglass:** How many former Directors are here? Who did you answer to?

**V. VanNorwick:** I answered to the board, but consulted directly with the president or Vice President to set agenda and daily information.

**Douglass:** It seems to me that the Directors answer to the President, Vice President and then another 13 directors.

**Joe hammontree, 507 Gilbert St. Owosso, How many volunteers are there that are not members? I think that what Councilman Boggs said is true. So many of the board members are volunteers also and they have lost sight of what they were charged to do. I personally would like to see a complete new board with a focus.**

**Sharon Kline, 10374 S. Durand Rd., under the direction of Theresa Dillon, D.U.S.I. was finally getting into the role of what was intended. A museum is suppose to teach with working displays and hands on exhibits. We should be teaching not having Halloween parties and rentals.**

**Carl Hechman, Ovid, Board of Directors, I think that it is time that the City get out of the Depot.**

**Pat Post, 624 W. Monroe Rd., I am saddened by what this has come to ..... bickering. I served on the Shiawassee County Visitors Bureau and traveled Michigan this told us that what Shiawassee County has got going on is trains and railroad history. It has been a pleasure to work with Deb Canute. Both of us were new in our positions and we were attending non-profit academy. The Board needs training; the new members get their own ideas and forget the depot. I love the depot, I love Durand, and I don't want to see this happen.**

**Mayor Canute: We are going to sit down the Board of Directors of D.U.S.I and share with them what has been discusses.**

**City Manager: From here we request a meeting with the D.U.S.I. Board of Directors. We need a community wide plan facilitated by a facilitator. Negotiate a new lease with DUSI that would require them to follow the plan within a time frame.**

**CITIZENS COMMENTS: Pat Post: Will there be feed back on the progress of what is going on?**

**City Manager: When the City Council meets it will be a public meeting.**

**Dallas Brownston, Saginaw MI., I would like to make the recommendation that the depot board meeting be opened to the general public.**

**Gene Roussin, I pay for the right to attend meetings by purchasing a membership, don't open it up.**

**Mike Fuja: GLS Region II Planning Group has an opening and needs an elected official to serve this capacity.**

**COUNCIL COMMENTS: Boggs: Thank you for coming here this evening and expressing your support for D.US.I.**

**McDonough: Please come to the next D.USI. meeting. The DPW did a great job on snow removal.**

**Mayor Canute: Thank you to the DPW for the snow removal. Also, thank you to all of you who came on behalf of D.U.S.I.**

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

**Minutes of the Durand City Council meeting held December 17, 2007 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

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

**Roll Call: Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt  
McDonough  
Absent: None**

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

**McDonough moved, D. Doyle supported to approve the minutes of the regular meeting held December 3, 2007 as presented.  
Carried.**

**D. Doyle moved, McDonough supported to approve the payment of the City bills numbering 34716-34783.**

**YEAS: Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough,  
Boggs  
NAYS: None  
ABSTAIN: McDonough 34715  
Carried.**

**CITIZENS PRESENT: Gene Roussin, 506 Marquette St., reported that the Ambulance Advisory Committee has met and will be interviewing on January 10, 2008.**

**Discussion: City Council Strategic Plan for 2008**

**City Manager reported that he has contacted Lou Bender to see if he will facilitate the meeting. Mr. Bender conducted the last session we had several years ago and he did an excellent job.**

**The Council members agreed upon February 15, 2008 as the date available for the Strategic Plan meeting.**

**CITIZENS PRESENT: Paula Brooks asked if the first meeting in January would be cancelled. City Manager responded no.**

**DEPARTMENT REPORTS: County Commissioner, Mike Fuja, had nothing to report but present if the Council has anything that they would like him to take back to the County.**

**Police Chief: Merry Christmas and Happy New Year**

**DPW Supervisor: Happy Holidays  
Treasurer: Merry Christmas**

**City Attorney: Merry Christmas**

**City Manager: I have handed out the Ambulance Service Agreement for the Council to review also we are looking at new chairs for the offices. Merry Christmas to everyone.**



**COUNCIL COMMENTS: Douglass: Happy Holidays**

**Tim Doyle: Merry Christmas**

**Boggs: Merry Christmas**

**McDonough: Merry Christmas**

**Deb Doyle: Merry Christmas**

**Hildebrandt: Merry Christmas**

**Mayor Canute: Asked if we do finger printing and what the charges are.**

**Chief Tanner responded that we only do them for employment purposes and the charge is \$15.00.**

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

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**DECEMBER 3, 2007 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held December 3, 2007 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

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

**Roll Call: Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough**

**Absent: None**

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

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held November 19, 2007.**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the payment of the City bills numbering 34705-34715.**

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

**NAYS: None**

**Carried.**

**CITIZENS PRESENT: Mike Bemis, 600 Princeton Dr., Congratulations to those of you who were re-elected.**

**Reminder about the 2 mills & 30 years, don't give away the farm. Stand tall and be firm. Do the right thing for the City of Durand.**

**Paul Bailey from Stewart, Beauvais and Whipple was at the meeting to present the results of the audit for the 2006-07 fiscal year.**

**D. Doyle moved McDonough supported to accept the 2006-07 audit presented by Paul Bailey of Stewart, Beauvais and Whipple.**

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

**NAYS: None**

**Carried.**

**Boggs moved, McDonough supported to approve the contract with Invisalink Wireless, Inc.**

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

**Douglass**

**NAYS: None**

**Carried.**

**McDonough moved, Hildebrandt supported to reduce the cost of the rental of the property to Tracy Slieff by \$10.00 per acre.**

**YEAS: Douglass**

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

**Failed 1-6**

**CITIZENS PRESENT: Bemis: On the item of health care, this is an issue being faced by the private sector. The employee has to be contributing or the City will not cover it at all.**

**DEPARTMENT REPORTS: Police: The new software has been installed.**

**DPW: We have had verbal notification that Federal Railroad Association has approved all quiet zones.**

**Leaf Pick-up will hopefully be completed by Friday. 103 Mercer St. was demolished today. 211 Mercer Street has medical records in the office. The Office of Civil Rights, HIPAA Laws will have direct contact with doctor.**

**Treasurer: Dog licenses available until February 28th and tax bills were mailed last week.**

**City Attorney: City Manager, City Clerk and I met with the insurance company regarding the lawsuit with DVA. We will keep you informed on any progress.**

**City Manager: The Quiet Zone was not easy to get. A lot of the credit goes to Steve for keeping our quiet zones. Thank you Steve for your work.**

**We are in negotiations with the Teamsters for Public Works and Police. Positions have been congenial and we both understand each other issues.**

**COUNCIL COMMENTS: Douglass: How many records are we talking about?**

**Mince: There are approximately 12-15 file folders and several stacks of x-rays.**

**Douglass: I hate to see this hold up tearing down the house for the surrounding residents.**

**City Manager: It's really a matter of HIPAA and who is qualified to handle the files.**

**Douglass: When are we going to have a newsletter and I would like to see a goal setting session the first of the year.**

**City Manager: By the end of December**

**Boggs: Thank you to Mike Bemis for coming out and giving us your thoughts, it is nice to hear peoples views.**

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

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**NOVEMBER 19, 2007 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held November 19, 2007 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

**City Manager called the meeting to order at 7:30 p.m.**

**McDonough moved, D. Doyle supported to elect Cameron Canute as Mayor.  
YEAS: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt,  
McDonough  
NAYS: None  
Carried.**

**City Clerk administered Oath of Office to newly elected Mayor.**

**City Clerk administered Oath of Office to newly elected council members:**

**Brian Boggs, Precinct I Cameron Canute, Precinct II  
Deborah Doyle, Precinct I Kenneth McDonough, Precinct II  
Michael Douglass, At Large**

**Hildebrandt moved, Douglass supported to elect Kenneth McDonough as Mayor Pro-Tem.**

**Boggs moved, Douglass supported to elect Tim Doyle as Mayor Pro-Tem.**

**ROLL CALL VOTE:**

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

**McDonough: 4 Votes  
Tim Doyle: 3 Votes**

**City Clerk administered Oath of Office to newly elected Mayor Pro-Tem, Kenneth McDonough.**

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough**  
**Absent: None**

**Boggs moved, Hildebrandt supported to approve the agenda with the addition of:**  
**Item: D. Discuss Advisory Board for Ambulance**  
**Carried.**

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held November 5, 2007.**  
**Carried.**

**D. Doyle moved, Tim Doyle supported to approve the payment of the City bills numbering 34639-34704.**  
**YEAS: Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, Boggs**  
**NAYS: None**  
**ABSTAIN: McDonough**  
**Carried.**

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

**D. Doyle moved, McDonough supported to approve the Proclamation recognizing the services of Joshua Bohnard.**  
**Carried.**

**D. Doyle moved, Hildebrandt supported to place the Service Agreement with Corunna/Caledonia Area Ambulance Services on the table for discussion.**  
**Carried.**

**Hildebrandt moved, McDonough supported to authorize the administration to work with Vernon Township to seek short-term solution to ambulance service.**  
**Carried.**

**City Manager stated that he has received several ambulance services inquiring what we are going to do for ambulance service. He believes that we should work with Vernon Township to provide services for the entire community. Corunna is willing to work with us on a prorated basis until a decision is finalized.**

**Discussion: Ambulance Advisory Committee**

**Douglass stated that he would prefer to have a public meeting with the ambulance services open to the public to discuss the potential services.**

**D. Doyle stated that she didn't mind the advisory committee, but it should be posted so that people can attend and give input.**

**Mayor Canute recommended the following people to be appointed to the Ambulance Advisory Committee:**

**Connie Krupp**  
**Ed Hatherill**  
**Jim Stinger**

**Gene Roussin  
Mike Downer**

**Boggs moved, Hildebrandt supported to form an Ambulance Advisory Committee to meet regarding ambulance service, which is to comply with the Open Meeting Act and to report to the City Council in 60 days.**

**Carried 6-1**

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

**DEPARTMENT REPORTS: City Manager: Congratulations to the City Council members that were re-elected, I look forward to working with you.**

**Inflation Factor Rate: The calculation is set by the State Department of Treasury and has been established. In 2008 – 2.3% is the inflation increase. Even during a depressed economy, the inflation rate will be going up.**

**COUNCIL COMMENTS: Douglass: Congratulations to Cameron and Ken.**

**Boggs: I am simply ecstatic to be back.**

**Mayor Canute adjourned the meeting.**

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**NOVEMBER 5, 2007 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held November 5, 2007 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

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

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough**

**Absent: None**

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

**Carried.**

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held October 15, 2007, the special meetings held October 24, 2007 & November 1, 2007 and the Executive Session held November 1, 2007 as presented.**

**Carried.**

**Tim Doyle moved, D. Doyle supported to approve the payment of the City bills numbering 34540-34638.**

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

**Boggs**

**NAYS: None**

**Carried.**

**CITIZENS PRESENT: Marc Smith, 308 E. Naldrette St., stated that he is in support of the Neighborhood Watch Program and hopes that the City Council will endorse it.**

**Mike Downer, 207 N. Shiawassee St., asked if there would be any proposals on the ballot at the Nov. 6th election. City Clerk responded no. Also, Mr. Downer asked if any of the Council knew that Vogle Roofing was leaving Durand and going back to Wisconsin.**

**Christina Goodman, 310 Mackinaw St., asked the Council if they all received the packet she dropped off for all of them regarding the Neighborhood Watch Program.**

**McDonough moved, Hildebrandt supported to commit to continue our participation in the S.E.D.P. at a cost of \$7,866.00 per year, with the provision that the decision to continue participation may be reconsidered annually.**

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

**Canute**

**NAYS: None**

**Carried.**

**Boggs moved, McDonough supported to cast the city ballot for all of the candidates on the ballot for the MML Liability and Property Pool Board of Directors.**

**Carried.**

**Tim Doyle moved, Hildebrandt supported to approve the Proclamation recognizing November 11-17 as Homeless Awareness Week.**

**Carried.**

**Boggs moved, D. Doyle supported to award the bid for demolition of 103 Mercer and 211 Mercer to Frank Fisher at a cost of \$14,776.00, pending deed on 211 Mercer St.**

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

**Douglass**

**NAYS: None**

**Carried.**

**D. Doyle moved, Hildebrandt supported to approve the purchase of new software for the police department from DDP Police Services at a cost of \$4,200.00**

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

**D. Doyle**

**NAYS: None**

**Carried.**

**Hildebrandt moved, Boggs supported to approve the Ordinance to adopt and approve the resolution and ordinance from the DDA Plan Amendment:**

**AN ORDINANCE TO ADOPT AND APPROVE AN AMENDMENT TO THE DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN OF THE CITY OF DURAND DOWNTOWN DEVELOPMENT AUTHORITY PURSUANT TO THE PROVISIONS OF ACT 197, PUBLIC ACTS OF MICHIGAN OF 1975, AS AMENDED.**

**WHEREAS, pursuant to an Ordinance of the City of Durand (the "City") adopted on September 4, 1990, the City Council approved the Development Plan and Tax Increment Financing Plan (the "Original Plan") of the City of Durand Downtown Development Authority (the "Authority"); and**

**WHEREAS, in accordance with the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"), the Authority has prepared and recommended for approval certain amendments to the Original Plan entitled "Amendment No. 1 to Development Plan and Tax Increment Financing Plan," which amendments have been presented to the City Council and are on file with the City Clerk (the "2007 Amendments"); and**

**WHEREAS, on October 24, 2007, the City Council held a public hearing on the 2007 Amendments pursuant to Act 197; and**

**WHEREAS, the City Council has given the taxing jurisdictions in which the Development Area of the Authority is located an opportunity to meet with the City Council and to express their views and recommendations regarding the 2007 Amendments, as required by Act 197; and**

**WHEREAS, after consideration of the 2007 Amendments, the City Council has determined to approve the 2007 Amendments to the Original Plan.**

**NOW, THEREFORE, THE CITY OF DURAND ORDAINS:**

**1. Findings.**

**(a) The Plan, as amended by the 2007 Amendments, meets the requirements set forth in Act 197.**

**(b) The proposed method of financing the development is feasible and the Authority has the ability to arrange the financing.**

**(c) The development is reasonable and necessary to carry out the purposes of Act 197.**

**(d) The land included within the Development Area to be acquired is reasonably necessary to carry out the purposes of Act 197 and the Plan, as amended by the 2007 Amendments, in an efficient and economically satisfactory manner.**

**(e) The Plan, as amended by the 2007 Amendments, is in reasonable accord with the Master Plan of the City.**

**(f) Public services, such as fire and police protection and utilities, are or will be adequate to service the Development Area.**

**(g) Changes in zoning, streets, street levels, intersections and utilities, to the extent required by the 2007 Amendments, are reasonably necessary for the Original Plan, as amended by the 2007 Amendments, and for the City.**

**2. Public Purpose. The City Council hereby determines that the Original Plan, as amended by the 2007 Amendments, constitutes a public purpose.**

**3. Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to proceed with the 2007 Amendments to the Original Plan in order to halt property value deterioration, to increase property tax valuation, to eliminate the causes of the deterioration in property values, and to promote growth in the Development Area.**

**4. Approval and Adoption of 2007 Amendments. The 2007 Amendments are hereby approved and adopted. A copy of the Original Plan, the 2007 Amendments and all later amendments thereto shall be maintained on file in the City Clerk's office.**

**5. Conflict and Severability. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed, and each section of this Ordinance and each subdivision of any section hereof is hereby declared to be independent, and the finding or holding of any section or subdivision hereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance.**

**6. Paragraph Headings. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this Ordinance.**

**7. Publication and Recordation. This Ordinance shall be published in full promptly after its adoption in Independent/Advisor, a newspaper of general circulation in the City qualified under State law to publish legal notices, and shall be recorded in the Ordinance Book of the City, which recording shall be authenticated by the signature of the City Clerk.**

**8. Effective Date. In accordance with the City Charter, this Ordinance shall become effective upon the latest to occur of (i) publication of this Ordinance in the manner prescribed by Section 7 of this Ordinance, and (ii) seven days after adoption of this Ordinance by the City Council.**

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

**ABSENT: None**

**NAYS: None**

We hereby certify that the above Ordinance was duly adopted by the City Council and signed by the Mayor and City Clerk on the 5th day of November, 2007.

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Mayor

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City Clerk

**McDonough moved, Hildebrandt supported to remove from the table, the consideration of the Neighborhood Watch Program.**

**Carried.**

**D. Doyle moved, McDonough supported to approve the Durand Neighborhood Watch Program as presented by the Chief of Police with the addition of all Block Captains being required to consent to criminal background checks.**

**Carried.**

**McDonough moved, Hildebrandt supported to table the Corunna Area Service Agreement until the next meeting.**

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

**NAYS: Douglass**

**ABSTAIN: Boggs,**

**Carried.**

**Consideration to Approve: Administrative Consent Order as Amended/DEQ**

**The City Manager explained that there are huge costs to maintain the wastewater treatment system. There has been considerable discussion about our sewer rates, but so much of what we pay for is out of our control. We are trying to spread these costs so that when our existing revenue bonds are paid off, we can use the same revenue source to pay for the new projects.**

**Douglass: How much do you think we spend annually on DEQ requirements?**

**City Manager: It's very difficult to estimate but based on these costs, it's approximately \$175,000 - \$200,000 annually.**

**Steve Mince: We actually looked at building a total effluent plant but it was estimated to be \$5 million.**

**CITIZENS SPEAK: Jack Wooton, 507 Mackinaw St., If we don't have an ambulance agreement, what happens to the Corunna Ambulance Service?**

**City Manager: They are planning to stay here for the next few weeks.**

**Christina Goodman: Why don't we utilize the Fire Department as first responder?**

**City Manager: Because when a call comes out you get 20 responders and it's not cost effective.**

**Goodman: Is there any option of having the firemen providing the service?**



**City Manager:** We really haven't looked at it, but I'm aware of some communities that do and it's very expensive. The City has the responsibility to provide ambulance service, but we have a fiscal responsibility to provide it the most cost effective way.

**Leo Krupp:** Is there any way to check homes when they are sold for the completion of sewer separation?

**City Manager:** That's a really good idea to adopt a point of sale ordinance to check separations.

**Ed Hatherill:** Are there any negotiations going on? **Canute:** No

**Department Reports: Fire Chief:** Regarding 803 W. Main St., there is usually a 30 day wait time until structures are demolished.

**Police Chief:** Very quiet Halloween and Devil's Night.

**DPW:** Last leaf collection for the first pick up is this week.

**City Manager:** When DVA left town, they didn't notify the City or the Township. Corunna had been discussing taking over DVA territory for several weeks, and were told that DVA would notify the community. The advisory committee should look at several ambulance services and all should be invited to give proposals.

**City Clerk:** New elections laws: Photo ID and no permanent AV list.

**COUNCIL COMMENTS:** **Tim Doyle:** Thank for coming out tonight.

**Boggs:** The election is tomorrow; don't forget to vote.

**McDonough:** Don't forget to vote.

**Mayor Canute:** Wish you all luck tomorrow.

**Mayor Canute** adjourned the meeting at 8:45 p.m.

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### **OCTOBER 15, 2007 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held October 15, 2007 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

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

**ROLL CALL: Present:** Boggs, Mayor Canute, Douglass, D. Doyle, Hildebrandt, McDonough

**Absent:** Tim Doyle (excused)

**McDonough** moved, **Boggs** supported to approve the agenda with the addition of:

**Item D – Appointment to SATA Board**

**Carried.**

**McDonough moved, D. Doyle supported to approve the minutes of the regular meeting held October 1, 2007 as presented.**

**Carried.**

**D. Doyle moved, Boggs supported to approve the payment of the City bills numbering 34458, 34506-34539.**

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

**NAYS: None**

**Carried.**

**CITIZENS PRESENT: Christina Goodman, 310 N. Mackinaw St., stated that the neighborhood watch was started in June of 2007, and that the people sitting here in the audience are the members. The Shiawassee Sheriff Department donated signs to place at the entrances of the community.**

**Katie Cawood-Sicard, 301 W. Main St., added that she has attended a neighborhood watch meeting and thought that it was very good.**

**Mark Smith, 308 Naldrette St., stated that he is a block captain and is supportive of the Neighborhood Watch program.**

**Boggs moved, D. Doyle supported to approve the Election Inspectors, as presented, for the November 6th Election:**

**Precinct I Precinct II**

**Carol Stephens, Chairperson D Patricia Tullar, Chairperson D**

**Ann Collard D Donna Turner R**

**Tracy Lytle R Kathleen Sutherland R**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the resolution adopting the Shiawassee County Hazard Mitigation Plan.**

**DURAND CITY COUNCIL  
RESOLUTION  
HAZARD MITIGATION PLAN ADOPTION**

**WHEREAS, Shiawassee County Michigan has prepared a Hazard Mitigation Plan that outlines the community's option to reduce overall damage and impact from natural and technological hazards; and**

**WHEREAS, the City of Durand is a municipality within Shiawassee County and has actively participated in the development of the Hazard Mitigation Plan;**

**WHEREAS, the Hazard Mitigation Plan is available for review by community residents and local business owners. The Plan has been reviewed by federal, state and local agencies, and has been revised to reflect their concerns; and**

**NOW, THEREFORE, BE IT RESOLVED,**

**1. The Hazard Mitigation Plan is hereby adopted as an official plan of City of Durand. It is our understanding that the following items will be implemented by Shiawassee County:**

- a. A hazard mitigation planning group is hereby established as a permanent community advisory body. The Emergency Manager/Homeland Security Coordinator shall recommend its members, subject to approval of Shiawassee County Board of Commissioners. They shall serve three-year terms. The roles and responsibilities of the group shall be as designated in the Hazard Mitigation Plan.**
- b. The Emergency Manager/Homeland Security Coordinator is charged with supervising the implementation of the Plan's recommendation within the funding limitations as provided by the Department of Homeland Security/FEMA or other sources.**
- c. The Hazard Mitigation Advisory body shall make recommendations on the priority of projects.**
- d. The Emergency Manager/Homeland Security Coordinator shall convene the Hazard Mitigation Advisory body semi-annually. The planning group shall monitor implementation of the plan and submit an annual written progress report to the Shiawassee County Board of Commissioners in accordance with the following format:**

- i. A review of the original plan.**
- ii. A review of any disasters or emergencies that occurred during the previous calendar year.**
- iii. A review of the actions taken, including what was accomplished during the previous year.**
- iv. A discussion of any implementation problems.**
- v. Recommendation for new projects or revised action items. Such recommendations shall be subject to approval by Shiawassee County Board of Commissioners.**

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

**NAYS: None**

**Carried.**

**Hildebrandt moved, McDonough supported to table the Neighborhood Watch Program approval.**

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

**NAYS: Boggs**

**Carried 5-1**

**McDonough moved, Hildebrandt supported to approve the appointment of Cameron Canute to the SATA Board.**

**Carried.**

**CITIZENS SPEAK: Walt Thompson, 205 Mercer St., asked what the tabling of the Neighborhood Watch Program would mean. D. Doyle responded that the council only received the information regarding the subject on Friday and there are several questions that the Council has such as liability and background checks.**

**City Attorney: There are guidelines to be followed and this information needs to be provided to the City Council before they approve it.**

**Diane McRay asked if background checks are costly.**

**City Attorney: There is a cost for background checks and cannot be performed by the Police Department.**

**DEPARTMENT REPORTS: Police Chief: Halloween is right around the corner, there will be additional patrol out at this time. The City is sponsoring a Veterans Day Parade on November 11th at 2:00 p.m.**

The State of Michigan has changed the means of which Police Department file reports to the state. We are looking at software companies and the possibility of reformatting our existing software.

**DPW Supervisor:** Street paving is wrapping up at Ann Arbor, Brand & Perry St.

**City Attorney:** To bring the City Council up to date on the lawsuit with DVA, we have mediation.

Last November the City Council was still in negotiations with DVA for a contract. There was intent on DVA's part to eliminate memberships for city residents. The City attempted to purchase memberships, but the purchase was rejected. The City filed an injunction with the court system. We are waiting for the court to determine if we can have membership in DVA. A counter suit was filed against the City regarding unpaid assessments, the money is insignificant and it will be resolved.

**City Manager:** WODA – Developers from Columbus Ohio will be present at the Oct. 23rd ZBA meeting to request a variance for the Sycamore House project at the old Arthur Lucas Junior High. The Project will begin sometime in the spring.

October 24th there will be a special meeting for Sagelink to discuss the expansion of DDA Boundaries. This project will bring 34 jobs to the downtown area.

**City Clerk:** WODA Press Release, Chamber of Commerce is sponsoring “Meet the Candidate Night”, Trick or Treat hours 6-8 p.m.

**COUNCIL COMMENTS:** McDonough: Lynn and Leo – Thank you for the old schmielgers from residents in that neighbors

**Canute:** Great job to the Fire Department with their work on the fire at W. Main.

Haunted House at the Depot next two Saturday's \$5.00/cost and on October 27th a Chili cook off from 1-5p.m.

**Boggs:** Great Hemingway Display at the Depot.

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

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### OCTOBER 1, 2007 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held October 1, 2007 at 7:30 p.m. in the Council Chambers of Durand City Hall.

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

**ROLL CALL:** Present: Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle, Hildebrandt, McDonough  
Absent: None

McDonough moved, D. Doyle supported to approve the agenda with the addition of:  
Item H – Replace Submersible Pump at Lansing Rd. Lift Station  
Carried.

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held September 10, 2007 as presented.**

**Carried.**

**D. Doyle moved, Tim Doyle supported to approve the payment of the City bills numbering 34437-34505.**

**D. Doyle moved, Tim Doyle supported to amend the motion to exclude City bill number 34458.**

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

**NAYS: None**

**ABSTAIN: McDonough**

**Carried.**

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

**McDonough moved, Hildebrandt supported to approve the request from the AMVETS Post 2273 to use city streets and sidewalks for their annual White Clover fundraising drive October 26th and 27th, 2007.**

**Carried.**

**McDonough moved, Hildebrandt supported to move that we purchase a 2007 Dump Truck Chassis from Signature Ford in the amount of \$19,595.00.**

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

**Mayor Canute**

**NAYS: None**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the purchase a 2007 Dump Truck body and Equipment from Truck and Trailer Specialties in the amount of \$9,970.00.**

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

**Douglass**

**NAYS: None**

**Carried.**

**McDonough moved, Tim Doyle supported to approve the request from Shaw's Pharmacy to affix an approved permanent canopy to its business at 221 N. Saginaw Street, Durand, MI.**

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

**D. Doyle**

**NAYS: None**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the first reading of the DDA Boundaries Amendment Ordinance and set the second reading and adoption for the October 15th City Council meeting.**

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

**Tim Doyle**

**NAYS: None**

**Carried.**

**McDonough moved, D. Doyle supported to approve the resolution to set a Public Hearing on October 24, 2007 at 7:00 p.m. for the amendment to the Downtown Development Authority's Development and Tax Increment Finance Plan.**

**Carried.**

**McDonough moved, Douglass supported to bring off the table to discuss the Revenue Sharing Agreement with Vernon Township of P.A. 108 of 30yrs and 2 mills.**

**Carried.**

**Discussion ensued. City Attorney: If the City enters were to enter into a P.A. 108, we would not be able to collect our millage, and then also collect more to share with Vernon Township. The City should not be a party to an agreement between the Township and a property owner wishing to be an annexed property.**

**Boggs: How do we move forward in this type of agreement? City Attorney: Wait. There is no parcel in question at this time and I am very concerned that in the future a different City Council may wish to honor or not honor this negotiation tool.**

**Douglass stressed the importance that an agreement with Vernon Township is so that the area can grow and develop. D. Doyle agreed with Douglass that the community needs to continue to grow, but she stated that she is not in favor of sharing revenue with the township at the city taxpayer's expense. She is in favor of annexation.**

**McDonough moved, Douglass supported to enter into a Revenue Sharing Agreement with Vernon Township by P.A. 108 for 2 mills for 30 years with Headlee rollback.**

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

**NAYS: D. Doyle**

**Carried 6-1**

**Boggs moved, McDonough supported to approve the purchase for a submersible Pump at Lansing Rd. Pump Station from Hydro-Dynamics in the amount of \$3,832.00.**

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

**McDonough**

**NAYS: None**

**Carried.**

**CITIZENS SPEAK: Rod Hall: I am glad that you are taking a step forward with Vernon Township.**

**Tim Shaw: Obviously the last proposal was voted down because people didn't understand, I thought it was a good proposal. I think that you have to give the Township an incentive to release the property.**

**Ed Hatherill: I agree with Rod and Tim, the City needs to grow and we are surrounded completely by Vernon Township.**

**Jack Wooten: This is a start, now is the time to move forward. We need the growth.**

**Jerry Wooten: Is in agreement with other speakers that we need the growth.**

**DEPARTMENT REPORTS: DPW: The street project is moving along, Brand St. will be milled on Thursday. The sewer project is underway it was started one week ago. Working with DEQ on amending the ACO.**

**Sidewalk Project is complete.**

**Brush pick-up tomorrow, the last scheduled pick up will be in November.**

**Leaf Loader is scheduled for delivery first of November.**

**COUNCIL COMMENTS: McDonough: I agree with Rod Hall, we need to sell our water.**

**D. Doyle: Asked the DPW Supervisor if there are enough leaves to do a pick-up?  
McDonald responded that the leaves are already down on the south side.**

**Boggs: The City is looking very nice. The agreement in the first step toward working with the Township.**

**T. Doyle: Thank you, to audience, for your input tonight. It's the first I have heard from you. My concern is for City revenue. When we give 2 mills away, we can't afford to fix streets. The states is experiencing economic decline, the demographics show that homes are not going to be built. We're going to make an agreement and give them 30 years of revenue and we will not be able to use in it. When Flint sold it's water, what happened to it's downtown – It went to Genesee Valley. When Owosso sold it's water to Caledonia Township – It suffered losses. I just don't want the same thing to happen here. 2 mills is a lot to loss that we will not be able to use on streets, water, etc.**

**Douglass: Is the sidewalk replacement program done? Dave's Muffler sidewalks are not done.**

**Police Chief – Skateboards and bicycles in alley's and in the downtown.**

**Mayor Canute: Congratulations to Deb and Tim on their accomplishments. The MML was a great conference.**

**Mayor Canute adjourned the meeting at 8:42 p.m.**

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**SEPTEMBER 10, 2007 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held September 10, 2007 at 7:30 p.m. 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**

**McDonough moved, D. Doyle supported to approve the agenda with the deletion of Executive Session.  
Carried.**

**D. Doyle moved, McDonough supported to approve the minutes of the regular meeting held August 20, 2007 as presented.  
Carried.**

**McDonough moved, Hildebrandt supported to approve the payment of the City bills numbering 34343-34436.**

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

**NAYS: None  
Carried.**

**CITIZENS PRESENT: Brenda Kane, Kane's Club Car, is requesting to use Lion's Park for parking of 3-4 RV's during their shuffle board tournament.**

**Toshiko Brennan, 106 Fauble St., referred to the "Sidewalk Replacement" letter. Mrs. Toshiko asked if she would be able to make payments on a monthly basis instead of all at once. She was instructed to speak with the treasurer to set up a payment plan.**

**McDonough moved, Hildebrandt supported to award the bid for the Waste Water Treatment Plant Ferris Chloride System improvements to RCL Construction in the amount of \$82,200.00.**

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

**Boggs moved, McDonough supported to award the bid for the street paving to Perrin Construction in the amount of \$144,290.00.**

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

**Second Reading, Public Hearing and Adoption: Rezoning of Parking Lot on Lincoln Street R-3 to C-2/Riverside Market.**

**No Comments**

**AN ORDINANCE TO AMEND THE ZONING MAP, BEING A PART OF SECTION 301, ZONING CODE ORDINANCE OF THE CITY OF DURAND.**

**THE CITY OF DURAND ORDAINS:**

**Section 1. The Zoning map, which is part of Section 301, Zoning Code Ordinance of the City of Durand, which establishes zoning districts, shall be amended to fix the zoning classification of property described as follows:**

**DURAND LAND CO'S 3RD ADD. LOT 7-8 BLK 18.  
City of Durand, Shiawassee County, Michigan**

**From (R-3) Single Family Residential to (C-2) Service Commercial District.**

**Section 2. This Ordinance shall be published within fifteen (15) days after it is enactment in a weekly newspaper in the City of Durand, Shiawassee County, Michigan and shall take effect (20) days after enactment.**

**Tim Doyle moved, McDonough supported to adopt the ordinance rezoning the property identified as 20-36-018-007-00 from R-3 to C-2.**

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

**D. Doyle moved, McDonough supported to adopt the PILOT ordinance for the Sycamore House project with the developer WODA, Inc.**



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

**Discussion: Revenue Sharing Agreement with Vernon Township**

**McDonough moved, Boggs second to support the agreement under P.A. 108 for 2 mils for 30 years with Headlee rollback.**

**Tim Doyle discussed an addition to the agreement that would result in the Township receiving their 2 mils, the property owner getting the utilities at the same millage rate of all Durand residents and the City would not be losing 2 mils.**

**Douglass: This would be something that would have to be negotiated by the property owner and the Township.**

**Council requested having the City Attorney prepare an agreement to include the suggestion by Tim Doyle and to have at the next City Council meeting.**

**McDonough moved, Boggs supported to table the discussion regarding Revenue Sharing Agreement with Vernon Township until the next meeting.**  
**Carried.**

**McDonough moved, Hildebrandt supported to allow camping in Lion's Park not to exceed 3 RV's with no alcohol allowed for National Shuffle Board Tournament hosted by Kane's Club Car.**

**McDonough moved, Boggs supported to amend the motion to include a \$25.00 fee for electrical hook-up to be paid in advance.**

**YEAS: McDonough, Boggs, Douglass**  
**NAYS: Mayor Canute, D. Doyle, Tim Doyle, Hildebrandt**  
**Failed 4-3**

**D. Doyle moved, McDonough supported to approve the payment to SATA for the amount not to exceed \$3339.96 for the 2007-08 contributions.**

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

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

**DEPARTMENT REPORTS: Building Inspector stated that there has been over 1.7 million in property damage from the July hail storm.**

**DPW: Alley paving will be finished tomorrow and the project will be done by the end of the week, 16 businesses took part in the program. The sidewalk program will be coming to an end soon. Tree trimming will be starting very soon.**

**Treasurer: The audit will start October 1, 2007.**

**City Manager:** Car Cruise was successful and thanks to all the volunteers, participants and sponsors. There was a meeting today at 5:30 regarding the flooding on McBride St.

**I will not be present at the October 1st meeting due to vacation.**

**COUNCIL COMMENTS:** Douglass: Compliments to the DDA on the Alley paving.

**Tim Doyle:** Regarding the Kane's Club Car request for camping, it may seem unfair after the City has allowed the carnival workers to camp there during Railroad Days but we have asked them to make other arrangements in the future.

**Boggs:** I agree with Tim regarding the Club Car request and I am also very pleased with the paving of Brand St. and the PILOT Program.

**McDonough moved, Hildebrandt supported to set a \$25.00 flat fee for all building permits issued to homes with storm damage and to refund the money to all those who have pulled permits.**

**YEAS:** Hildebrandt, McDonough

**NAYS:** Boggs, Mayor Canute, Douglass, D. Doyle, Tim Doyle

**Failed 5-2**

**Canute:** Depot tickets going on sale and there is talk about a Texas Hold'em Tournament.

**Mayor Canute adjourned the meeting at 9:00 p.m.**

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**SEPTEMBER 3, 2007 CITY COUNCIL MINUTES**  
**NO MEETING**

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**AUGUST 20, 2007 CITY COUNCIL MINUTES**

**Minutes of Durand City Council meeting held August 20, 2007 at 7:30 p.m. 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

**McDonough moved, D. Doyle supported to approve the agenda with the addition of items: I. Bid: Leaf Loader**

**J. Cancel Sept. 3rd & 17th City Council Meeting**

**Carried.**

**McDonough moved, Boggs supported to approve the minutes of the regular meeting held August 6, 2007 as presented.**

**Carried.**

**McDonough moved, D. Doyle supported to approve the payment of the City bills numbering 34308-34342.**

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

**NAYS: None**

**Carried.**

**CITIZENS PRESENT: Sally Wings, 110 E. Vinewood, voiced a concern regarding the contractors she has doing work on her house from storm damage having to pull a solicitors permit in the City of Durand.**

**McDonough moved, Hildebrandt supported to appoint Mayor Canute as the delegate and Mayor Pro Tem Boggs as the alternate to represent the City at the 2007 Michigan Municipal League Annual meeting.**

**Carried.**

#### **PUBLIC HEARING: DDA BOUNDARY EXPANSION**

**Mayor Canute opened P.H. 7:45 p.m.**

**Tim Shaw, owner of Shaw's Pharmacy, stressed importance of the DDA boundary expansion and that the DDA can not proceed with future plans without this.**

**Eddie Barber, 318 Shiawasse St., owner of one of the properties involved in the boundary expansion, the economy is bad right now and Durand needs the growth.**

**Mayor Canute closed P.H. 7:47 p.m.**

**Boggs moved, McDonough supported to direct the administration to proceed with the Special Assessment District Costs – McBride/Lovejoy Area project.**

**Carried.**

**T. Doyle moved, D. Doyle supported to approve the purchase of an MV7-pro recording system from L3 Communication for the police department at a cost of \$3,315.00.**

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

**NAYS: None**

**Carried.**

**McDonough moved, D. Doyle supported to approve the contract extension for the full-time Police Officers represented by Teamsters Local 214.**

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

**NAYS: None**

**Carried.**

**McDonough moved, Boggs supported to approve the contract extension for the labor agreement for the DPW employees represented by Teamsters Local 214.**

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

**NAYS: None**

**ABSTAIN: Hildebrandt**

**Carried.**

**McDonough moved, Boggs supported to approve the contract extension with Synagro Central for bio-solids removal in the amount of 0.0341 per gallon.**

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

**NAYS: None  
Carried.**

**McDonough moved, Hildebrandt supported to approve the payment of items for N. Saginaw Street Water Main Project in the amount of \$28,303.92.**

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

**NAYS: None  
Carried.**

**Boggs moved, McDonough supported to approve the first reading of the rezoning of the employee parking lot at Riverside Market, identified as property 20-36-018-007-00. The property will be rezoned to the classification of C-3.**

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

**NAYS: None  
Carried.**

**McDonough moved, T. Doyle supported to award the bid for a Leaf Loader to Dinkmar, Inc in the amount of \$39,293.00 for the unit with the John Deere engine.**

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

**NAYS: None  
Carried.**

**D. Doyle moved, McDonough supported to cancel the September 3rd and 17th meeting and reschedule for September 10, 2007.**

**Carried.**

**D. Doyle moved, McDonough supported to adjourn to Executive Session to discuss Durand vs. DVA because to discuss the matter in public maybe detrimental to our financial interest.**

**Carried.**

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

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### **AUGUST 6, 2007 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held August 6, 2007 at 7:30 p.m. 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**

**Boggs moved, McDonough supported to approve the agenda as presented.**

**Carried.**

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held July 16, 2007 as presented.**

**Carried.**

**D. Doyle moved, Hildebrandt supported to approve the payment of the City bills numbering 34225-34307.**

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

**NAYS: None**

**ABSTAIN: McDonough**

**Carried.**

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

**T. Doyle moved, McDonough supported to approve the street closing request from the Chamber of Commerce for the 18th Annual End of Summer Cruisin'.**

**Carried.**

**McDonough moved, D. Doyle supported to award the bid for tree trimming to Robinson's Tree Service.**

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

**NAYS: None**

**Carried.**

**McDonough supported to award the bid for this year's sidewalk program to Dave Collard Concrete, Inc. at a price of \$3.75 per square foot for 4" sidewalk, \$4.00 per square foot for 6" sidewalk and \$4.50 for 10" sidewalk the total amount not to exceed \$22,000.**

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

**NAYS: None**

**Carried.**

**D. Doyle moved, T. Doyle supported to award the bid for Pavement Markings to R.S. Contracting in the amount of \$2,385.00**

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

**NAYS: None**

**Carried.**

**T. Doyle moved, D. Doyle supported to approve the purchase of an Impala police cruiser at a cost of \$16,453.00.**

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

**NAYS: Hildebrandt, McDonough**

**Carried. 5-2**

**D. Doyle moved, T. Doyle supported to authorize the purchase of the property at 314 Shiawassee St. in the amount of \$82,500 with an earnest deposit of \$8,000.00 and a pro-ration of taxes.**

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

**NAYS: None**

**Carried.**

**DEPARTMENT REPORTS: Police Chief: Kids have been vandalizing street signs**

**DPW: Saginaw Street is wrapped up and the storm situation is cleaned up.**

**City Attorney: D.U.S.I. policy should be ready by the next regular meeting.**

**City Manager: The City was denied for the enhancement grant for N. Saginaw St. We are taking a step back to see what we can do to try to get other grants – federal or MSHDA funds to finish the project.**

There was a Public Hearing held by DDA for property owners – special meeting for residents at the next City Council Meeting.

City Clerk: Present Mayor the trophy from the County softball game.

COUNCIL COMMENTS: Douglass: Are we planning to do any street repair this year?

City Manager: We met with Mr. Feur from c2ae regarding seal coating to get more streets done with less money spent. The streets do not last as long, but it is a trade off, we need to decide what we are going to do to fund streets. I'd like to see the City Council consider putting a referendum on the November ballot for streets, possibly 2-3 mills. I realize that the economy is bad, but the bridge failure in Minneapolis brings the point to all of us that this country has not re-invested in infrastructure.

McDonough: Thank you to the DPW for its fast response, there were some complaints from residents regarding no street sweeping on the south end of town and local contractors should be doing the work.

Mayor Canute adjourned the meeting at 8:35 p.m.

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### JULY 16, 2007 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held July 16, 2007 at 7:30 p.m. 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

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

D. Doyle moved, McDonough supported to approve the minutes of the regular meeting held July 2, 2007 and the minutes of the Executive Session held June 18, 2007.  
Carried.

McDonough moved, Hildebrandt supported to approve payment of the City bills numbering 34183 – 34224.

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

CITIZENS PRESENT: Katie Cawood-Sicard & Dave Sicard, 300 W. Main St., presented a letter to the City Council regarding Streetscape Concerns and Solutions dated July 16, 2007. They also addressed the City Manager stating that a majority of the taxes are being captured by the DDA and that in 1991 the amount that the City captured were frozen. Any increase has been directed to the DDA for their development and projects.

Mrs. Cawood-Sicard asked if there is a way that we can come up with as a meeting point on this issue. The Sicard's feel as if the businesses on the east and west have been left out of the streetscape and beautification project of Main St. City Manager agreed that there could probably be a small enhancement project, but the grants are not usually funded without a street project. The small urban district eligible with 80/20 matching, we received \$375,000 and then the City applied for an enhancement grant for the area where the street project was going on.

Mike Malachowski, 301 W. Main St. & 205 E. Main St., stated that he also felt left out of the entire streetscape project on the east and west sides of Main Street. He believes we should have done all that could have been done from the depot going west until the money ran out. Mr. Malachowski has owned the Muffler Shop at 301 W. Main since 1980 and 205 E. Main since before the project was started. He wanted 39 feet of approach done and his sidewalks to match what was being done. His parking has been eliminated and feels like both of his businesses were left out.

City Council members agreed that the properties should of been included for enhancements, but there are not funds available.

**PUBLIC HEARING: Rezoning of 311 & 401 N. Oak St.**

Mayor Canute opened the Public Hearing at 8:05 p.m.

No Comments

Mayor Canute closed the Public Hearing at 8:05 p.m.

D. Doyle moved, McDonough supported to approve the rezoning of 311 N. Oak Street and 401 N. Oak Street to C-2 Service Commercial District.

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

NAYS: None

Carried.

Boggs moved, D. Doyle supported to approve the proposal from c2ae for engineering services for the Genesee Street and Dover Estates Lift Station Improvements.

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

NAYS: None

Carried.

McDonough moved, Boggs supported to award the bid for the Water Well Abandonment Project to Layne-Northern in the amount of \$8,849.00.

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

NAYS: None

Carried.

D. Doyle moved, Hildebrandt supported to approve the resolution setting the Public Hearing to expand the DDA boundaries.

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

NAYS: McDonough, Douglass

Carried 5-2

City of Durand

County of Shiawassee, State of Michigan

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**RESOLUTON CALLING PUBLIC HEARING REGARDS  
EXPANSION OF BOUNDARIES OF THE  
CITY OF DURAND DOWNTOWN DEVELOPMENT AUTHORITY**

Minutes of a regular meeting of the City Council of the City of Durand, County of Shiawassee, State of Michigan, held in the City Hall on the 16th day of July, 2007, at 7:30 p.m., Eastern Daylight Time.

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

**ABSENT: Members: None**

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

**WHEREAS, the City of Durand (the "City") is authorized by the provision of Act 197, Public Acts of Michigan, 1975 as amended ("Act 197"), to create a downtown development authority and to designate its boundaries; and**

**WHEREAS, pursuant to Act 197, the City Council of the City has established the City of Durand Downtown Development Authority (the "DDA") and designated the boundaries of the downtown district (the "District"); and**

**WHEREAS, the DDA and the City desire to expand the boundaries of the DDA for the purpose of adding certain properties to the District to further encourage economic growth and to correct and prevent deterioration in the business portions of the District; and**

**WHEREAS, a proposed ordinance designating the amended District boundaries has been presented to the City Council; and**

**WHEREAS, it is necessary to conduct a public hearing in connection with the consideration of such proposed ordinance as required by Act 197.**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1. The City Council determines that it is necessary for the best interests of the public to amend the boundaries of the DDA pursuant to Act 197 in order to correct and prevent deterioration of property value in the District and to promote economic growth, and the City Council hereby declares its intention to amend those boundaries.**
- 2. The District subject to the jurisdiction of the DDA as provided in Act 197 is hereby tentatively amended to add the property described on Exhibit A attached hereto.**
- 3. There shall be a public hearing on Monday, the 20th day of August, 2007, at 7:30 p.m., Eastern Daylight Time, in the City Hall in the City to consider adoption by the City Council of an ordinance amending the DDA boundaries.**
- 4. The City Clerk shall cause notice of said public hearing to be published in the Independent/Ad-Visor, a newspaper of general circulation in the City, twice before the public hearing, each time not less than 20 and not more than 40 days before the date set for the public hearing. The notice shall be published as a display advertisement prominent in size. The City Clerk shall also cause the notice to be mailed by first**



class mail not less than 20 days prior to the hearing to all property taxpayers of record in the proposed district as shown by most recent tax roll of the City, shall cause the notice to be mailed via certified mail not less than 20 days prior to the hearing to the governing body of each taxing jurisdiction levying taxes subject to capture by the DDA, and shall cause the notice to be posted in 20 prominent places in the proposed district not less than 20 days prior to the date of hearing.

5. The notice of the hearing shall be in substantially the following form:

**CITY OF DURAND  
COUNTY OF SHIAWASSEE, MICHIGAN**

**NOTICE OF PUBLIC HEARING**

**ON THE AMENDMENT OF THE DISTRICT BOUNDARIES OF  
THE CITY OF DURAND DOWNTOWN DEVELOPMENT AUTHORITY**

**TO ALL INTERESTED PERSONS IN THE CITY OF DURAND:**

**PLEASE TAKE NOTICE** that the City Council of the City of Durand, Michigan, will hold a public hearing on Monday, the 20th day of August, 2007, at 7:30 p.m. Eastern Daylight Time, in the City Hall, 215 W. Clinton St., Durand, Michigan 48429, to consider the adoption of an ordinance amending the district boundaries of the City of Durand Downtown Development Authority pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended. Copies of maps, plats, ect. are on file in the office of the City Clerk for inspection.

**PROPOSED BOUNDARIES**

The boundaries of the proposed amended district within which the Downtown Development Authority shall exercise its powers shall be as follows:

(INSERT DESCRIPTION)

The proposed amendment would add the following parcels of land to the district.

(INSERT MAP)

At the public hearing, all citizens, taxpayers, and property owners of the City of Durand desiring to address the City Council shall be afforded an opportunity to be heard in regard to the approval of the amendment to the district boundaries of the Downtown Development Authority.

**FURTHER INFORMATION** may be obtained from the City Clerk's office.

This notice is given by order of the City Council of the City of Durand, Michigan.

6. All resolutions and parts of resolution insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

**AYES: Members: Boggs, Mayor Canute, D. Doyle, T. Doyle, Hildebrandt**

**NAYS: Members: Douglass, McDonough**

## **RESOLUTION DECLARED ADOPTED**

**McDonough moved, Hildebrandt supported to table the authorization of the purchase of 314 Shiawassee St.**

**Carried.**

**CITIZENS SPEAK: Hoss Green, 310 Shiawassee, asked if the credit union project is on schedule. City Attorney responded that the project is on schedule and part of the project is working with the Bond Attorneys and that is the point where we are at right now.**

**DEPARTMENT REPORTS: Shiawassee County Commissioner: We are in favor of economic development even if it cost money.**

**Police Department: We are getting the new computers installed in the cars this week.**

**D.P.W. Department: Water project is coming along well at this time. We have a new employee at the Waste Water Treatment Plant, working on tree trimming, sidewalks, ect.**

**City Manager: Many people think that since we are not hearing about the budget crisis then it is over, the state hasn't even begun to address the crisis at the state level .**

**Clerk's Department: MML convention registrations made and the county softball game is scheduled for July 27, 2007.**

**COUNCIL COMMENTS: McDonough: What is going on with the camera's at Optimist Park? City Manager: Working with someone to put up wireless internet service in Durand and I'm negotiating cameras.**

**D. Doyle: Bids to paint the old train – Paul Rearick is interested in obtaining funds to get it done.**

**Mayor Canute adjourned the meeting at 8:43 p.m.**

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## **JULY 2, 2007 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held, July 2, 2007 at 7:30 p.m. 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 as presented.  
Carried.**

**Hildebrandt moved, McDonough supported to approve the minutes of the regular meeting held June 18, 2007 with corrections.**

**Carried.**

**McDonough moved, D. Doyle supported to approve payment of the City bills numbering 34129-34182.**

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

**NAYS: None**

**Carried.**

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

**D. Doyle moved, Boggs supported to approve payment of the invoice from Miller, Canfield, Paddock and Stone in the amount of \$5,250.00.**

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

**NAYS: None**

**Carried.**

**T. Doyle moved, D. Doyle supported to approve the Land and Water Conservation Fund Development Project Agreement and that we authorize the Mayor and City Clerk to sign the agreement.**

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

**NAYS: None**

**Carried.**

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

**DEPARTMENT REPORTS: Treasurer: Summer tax bills have been sent out.**

**City Manager: Huron Eastern Railroad will repair a crack on E. Main St.**

**City Clerk: Reminder to Council members regarding MML Conference, also a letter from Governor Granholm's office acknowledging the budget resolution was in the packets.**

**COUNCIL COMMENTS: D. Doyle: Concern that the horseshoe pits facing the pavilion are to close.**

**Mayor Canute: What was the outcome of the tar on W. Main Street. City Manager: Steve has contacted the County about this.**

**Mayor Canute adjourned the meeting at 8:43 p.m.**