

JUNE 15, 2009 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on Monday, June 15, 2009 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, Doyle, Hildebrandt, McDonough Schuyler

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

APPROVAL OF AGENDA:

Schuyler moved, Doyle supported to approve the agenda with the following addition: **J: Approve request for sanitary sewer at 208 W. Monroe Road, and to allow payment at time of closing.**

Carried.

APPROVAL OF MINUTES:

Boggs moved, Hildebrandt supported to approve the minutes of the regular meeting held on May 18, 2009 as presented.

Carried.

APPROVAL OF BILLS:

Hildebrandt moved, Boggs supported to approve the payment of City bills number 36807-36891.

YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs

NAYS: None

Carried.

CITIZENS PRESENT:

Harold Kuisel, Republican Candidate for State Representative 85th District, introduced himself and stated that he will be sending a formal letter of introduction very soon. He stated that he was a proponent of revenue sharing.

ITEMS OF BUSINESS:

**RESOLUTION CHANGING THE NON-PARTISAN
NOMINATING PETITION DEADLINE TO COINCIDE WITH
THE STATE OF MICHIGAN NOMINATING PETITION DEADLINE**

WHEREAS, the City of Durand non-partisan nominating petition deadline as printed in Chapter 3 Elections, Section 3.7 of the City of Durand Charter presently states “Nomination petitions shall be filed with the clerk between the thirty-fifth day preceding the regular city election and 5:00 p.m. on the thirtieth day preceding the regular city election”, and

WHEREAS, the City Council of the City of Durand desires to change the non-partisan nominating petition deadline to coincide with the State of Michigan nominating petition deadline, which is “the twelfth Tuesday preceding the odd-year November election” as permitted by MCL 168.644f and 168.644e of Act 116 of 1954 and MCL 117.3b(3) of Act 279 of 1909;

NOW THEREFORE BE IT RESOLVED, that nominating petitions for the City November General Election shall be filed with the Clerk no later than 4:00 o'clock P.M., E.S.T. on the twelfth Tuesday preceding the odd-year November election and is hereby adopted as recommended.

YEAS: Hildebrandt, McDonough, Schuyler, Boggs, Doyle

NAYS: None

Amy J. Roddy, City Clerk

Schuyler moved, Doyle supported to approve the resolution changing the non-partisan nominating petition deadline to coincide with the State of Michigan nominating petition deadline.

YEAS: Hildebrandt, McDonough, Schuyler, Boggs, Doyle

NAYS: None

Carried.

Doyle moved, Boggs supported to approve the rate increases for water and sewer rates, as outlined in Proposal II.

YEAS: McDonough, Schuyler, Boggs, Doyle, Hildebrandt

NAYS: None

Carried.

Doyle moved, Schuyler supported to cancel the first meeting in July due to the Holiday.

Carried.

Schuyler moved, Hildebrandt supported to award the bid for Lovejoy Street reconstruction to Perrin Construction in the bid amount of \$161,447.35.

YEAS: Schuyler, Boggs, Doyle, Hildebrandt, McDonough

NAYS: None

Carried.

Boggs moved, Hildebrandt supported to approve the amendments to the 2008-09 City of Durand budget, as recommended by the City Treasurer.

YEAS: Boggs, Doyle, Hildebrandt, McDonough, Schuyler

NAYS: None

Carried.

Doyle moved, Hildebrandt supported to amend the 2009-10 DDA Budget, as recommended by the City Treasurer.

YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs

NAYS: None

Carried.

Hildebrandt moved, Schuyler supported to declare the outstanding utility accounts as uncollectible and order the Treasurer to place the debts on the 2009 summer tax roll.

YEAS: Hildebrandt, McDonough, Schuyler, Boggs, Doyle

NAYS: None

Carried.

Doyle moved, Hildebrandt supported to declare the outstanding invoices due to the city as uncollectible and order the Treasurer to place the debts on the 2009 summer tax roll.

YEAS: McDonough, Schuyler, Boggs, Doyle, Hildebrandt

NAYS: None

Carried.

Boggs moved, Schuyler supported to approve the First Amended Administrative Consent Order between the State of Michigan Department of Environmental Quality Water Bureau and the City of Durand.

YEAS: Schuyler, Boggs, Doyle, Hildebrandt

NAYS: McDonough

Carried: (4-1)

Schuyler moved, Hildebrandt supported to approve the request for access to the sanitary sewer under the City of Durand and Vernon Township franchise agreement, at 208 W. Monroe Road, and to allow payment at time of closing.

YEAS: Boggs, Doyle, Hildebrandt, McDonough, Schuyler

NAYS: None

Carried.

CITIZENS SPEAK – AGENDA ITEMS ONLY:

Paula Brooks, Summit Street. Ms. Brooks asked details of the Proposal II rate increases. City Manager gave the proposed rates for both water and sewer.

DEPARTMENT REPORTS:

Fire Chief: No comment.

Police Chief: No comment.

DPW Director: On June 8th, 2009 there was an over flow at the Waste Water Treatment Plant, the City of Durand received ¼” of rain within 15 minutes. Fire Hydrant flushing is to start tonight and should be finished by Wednesday, June 17th. Our seasonal help started today. We have a crew of 12, with 5 people working the downtown area, 5 working with the DPW, one at the Waste Water Treatment Plant, and 1 at the Water Department. These employees are provided at no cost to the City, through the American Recovery Act Youth Program. It is an eight week program that runs June 15th through August 7th. The Lovejoy Street project is scheduled to begin late in July. Residents will receive a letter notifying them of project dates and information.

Treasurer: She stated that on June 24th there is a Chamber Breakfast at the new Chamber Office. It is to begin at 7:15 a.m.

City Attorney: He stated that he has a meeting scheduled with the Building Inspector to discuss several properties, he will report back to the Council. He wished the Council a “Happy Independence Day”.

City Manager: She stated that the flowers at Trumble Park are being planted “as we speak” by the Rotary Club. The Parks and Recreation Department is planning a celebration in the Park, sometime in mid to late July, City Manager will keep you updated! City Manager stated that the Fire Department submitted a grant on May 20th, and she hopes to receive the grant for a new fire truck.

COUNCIL COMMENTS:

Doyle: There are some residents helping tonight to plant flowers at Trumble Park that aren’t Rotary Members. Doyle thanked the City Attorney for writing the article on trains blocking the tracks in the newsletter of the Independent.

Schuyler: No comment.

Hildebrandt: She stated that she is seeing an increasing number of people riding their bikes on Main Street and would like to know what can be done about this problem. Chief of Police said that when they see children and/or adults riding on the sidewalks, they stop them and have them walk their bikes. It was

suggested that this be an article for an upcoming newsletter and also signage be posted on the sidewalks. Hildebrandt said that a local farmer has approached her about possibly bidding to farm the land of the Industrial Park. She told him to contact City Hall. Hildebrandt asked if the City could sell discarded wood/wood shavings collected through brush pickup, to residents for a small fee.

Boggs: He stated “That it is a testament to our community for all these volunteers who are planting flowers, trees, and building the playscape. Thank you”.

McDonough: He thanked the people who planted trees. He asked who was responsible for watering the trees? City Manager replied that the youth with the American Recovery Act would be responsible for watering the newly planted flowers and trees in Durand. McDonough asked how many hours the Building Inspector worked each day. “Can we get him more hours”? City Attorney stated that he works for Mundy Township besides being the Building Inspector for the City of Durand and is doing a great job for the City. McDonough thanked the Police Chief for getting the people who live on Vinewood to mow their lawns.

Mayor Pro-tem McDonough adjourned the meeting at 8:35 p.m.

JUNE 1, 2009 CITY COUNCIL MINUTES

NO MEETING

MAY 18, 2009 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on Monday, May 18, 2009 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, Schuyler

Absent: None

APPROVAL OF AGENDA:

Boggs moved, Schuyler supported to approve the agenda as presented.

Carried.

APPROVAL OF MINUTES:

McDonough moved, Boggs supported to approve the minutes of the regular meeting held on May 4, 2009 as presented.

Carried.

APPROVAL OF BILLS:

McDonough moved, Doyle supported to approve the payment of City bills number 36724-36806.

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

NAYS: None

Carried.

CITIZENS PRESENT:

Tim Shaw, 724 Princeton. Mr. Shaw is the owner of Shaw's Pharmacy in Durand and he wanted to voice his concerns regarding the carnival held in downtown Durand this past weekend during Railroad Days. He stated that perhaps moving the carnival to a different location would allow the festival to continue with the tradition of sponsoring a carnival, yet avoiding negatively impacting the downtown merchants. The City Manager stated that she will take this suggestion to the Railroad Days Committee.

Danette Bancroft, 423 W. Main Street. Ms. Bancroft stated that she lives next to a slum lord and she wants the City to enforce its ordinances so that he is forced to clean up his property. The house itself in extreme disrepair and the tenants are parking their vehicles in the front yard. The Chief of Police stated that he will contact the owner to get the vehicles out of the front yard. The City Manager stated she will have the Building Inspector inspect the property. The City Manager also stated that one of the goals of the City Council is to implement a Rental Maintenance Program.

Robert Golm, 208 W. Perry. Mr. Golm stated that he has lived in Durand for six years and lives next door to a home that is also in extreme disrepair, with doors that are broken, windows that are rotted, and the home is infested with carpenter ants. Mr. Golm contacted Rob Kehoe, the former Building Inspector last August and he sent a letter to the owner but nothing was done as a result of the letter. Mr. Golm wants the city to enforce its ordinance or to condemn the property. The City Manager stated that it is one of the goals of the City Council to implement a Rental Maintenance Program to help deal with problems such as were stated here tonight. Mr. Golm also stated that he believes that the neighbors are operating an illegal tattoo parlor out of the home. City Manager stated that she will investigate the situation.

PUBLIC HEARING OF THE 2009-2010 CITY OF DURAND BUDGET

Mayor Canute opened the Hearing at 8:35 p.m.

The City Manager gave a brief overview of the City of Durand Budget for 2009-2010.

Paula Brooks asked what the new "Ready to Serve" rates will be. The City Manager said that those rates are yet to be determined and would not go into effect until July when the new fiscal year begins. Mr. Robert Golm asked why the water/sewer rates in Durand are so much higher than in the City of Saginaw and Saginaw Township. The City Manager stated that it is hard to know what those areas are doing, but there are many more residents in those areas in which to spread the costs. She said that it is very expensive to maintain the sewer plant and then couple that with the State mandates, and the costs just keep increasing. She also pointed out that the water/sewer bills in Durand do include refuse in the amount of approximately \$14.00 per month. The City Manager also stated that when the new Radio Read System is fully in place, it should prevent inconsistencies in the water bills.

Mayor Canute closed the Public Hearing at 8: 50 p.m.

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to approve the request from Jeff Minton to allow alcohol to be served during a wedding reception on October 10, 2009 provided that a binder of insurance is submitted naming the City of Durand as an additional insured agent.

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

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve the invoice from Kelly Asphalt Maintenance and Paving for repairing Russell Street in the amount of \$2,911.65.

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

NAYS: None

Carried.

Doyle moved, Schuyler supported to approve the bid for perennials to be placed at Trumble Park in the amount of \$2,986.91 to LandTech wmi.

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

NAYS: Hildebrandt, McDonough

Carried 5-2.

McDonough moved, Hildebrandt supported to approve the bid award for the water damage restoration at Durand Union Station to Perrin Construction in the amount of \$30,279.18.

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

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve the bid award for a new spectrophotometer at the WWTP from Fisher Scientific in the amount of \$1,657.18.

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

NAYS: None

Carried.

Boggs moved, Doyle supported to adopt the 2009-2010 City of Durand Budget, as presented.

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

NAYS: None

Carried.

Schuyler moved, McDonough supported to approve the lease purchase of two Ford Crown Victoria Police Interceptors, with 4 semi-annual payments of \$10,915.05 through the State of Michigan purchasing program.

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

NAYS: None

Carried.

DEPARTMENT REPORTS:

Fire Chief: Nine students from the Medical First Responder's class recently passed the State exam and are now going on to the National level.

Police Chief: It was a quiet weekend for Railroad Days. Thank you for the two new vehicles.

DPW Director: No comment.

Treasurer: No comment.

City Attorney: City Attorney has spoken with the Building Inspector about the Bay Station, it is on his desk and he assures the City Attorney that he has not forgotten about it. We will keep you up to date. City Attorney stated that he has been working with the City Manager regarding two Charter Amendments: 1. Increasing the amount of money that the City Manager is allowed to spend without going to Council. 2. Changing the requirements of Special Assessments to extend the time out to help the residents. We will keep you informed.

City Manager: She reminded the Council that the Community Build project is Wednesday and Thursday of this week. The City Manager commented that it was a wonderful weekend for Railroad Days. She said that the City worked hard to get the town ready for visitors. The City Manager thanked all the department heads, especially Lisa David, for getting the budget ready. The City Manager informed the Council that the City has taken ownership of the DVA building and will take possession in 60 days. City

Manager met with Rural Development to determine the exact costs of storm, sewer and water improvements for the western part of the City. City Manager showed the Council a wonderful article that was on the front page of the Flint Journal regarding Sycamore House and the City of Durand.

Administrative Assistant: She stated that she has been busy working with DPW Director in coordinating the Community Build Project at Trumble Park that will take place on Wednesday and Thursday of this week. The Administrative Assistant stated that she attended two half day workshops in Lansing recently, one on Record Management and the other on Planning Commissions and Capital Improvements.

COUNCIL COMMENTS:

Douglass: He stated that he agrees that the City Manager should have the authority to approve purchases up to \$5,000.00 before seeking Council approval. Douglass thanked the employee for getting the City ready for Railroad Days, it looked nice. Douglass asked the Fire Chief if the firemen have had any training on how to handle a car crash involving a Hybrid type of car. Fire Chief said that his men have had training and will continue to train for these types of situations. Douglass also stated his concerns about the Council going over budget with regards to conferences and meetings. After much discussion...

Douglas moved, Boggs supported that anytime city funds are used for travel or conferences for the City Council, those attending will report back to the rest of the Council with information that they learned. Carried.

Schuyler: No comment

Boggs: Railroad days went well. Boggs asked if there was a problem with the sewer near the depot. City Manager stated that they are investigating the possibility of a cracked tile. An update will be provided when additional information becomes available.

Hildebrandt: Thanks to those involved with Railroad Days.

Doyle: Ms. Doyle stated that she hopes that the public is informed on potential ballot issues before bringing them to a vote (re: Charter Amendments).

McDonough: Asked when the Drug and Alcohol Policy would be ready? He would like them to be ready by July 1st, 2009. City Manager stated that she is working with the Department Heads to craft a complete personnel policy, which will include a drug and alcohol policy, however it will not be ready by July 1st, 2009. Mr. McDonough asked when the headers on the south side of town were going to be done. The City Manager replied that they will be done this summer, it is in the budget. Mr. McDonough asked when the performance review of the City Manager will be done. After a brief discussion it was decided that a workshop would be necessary and that Mayor Canute would get back with the Council regarding a date.

Mayor Canute: He asked if there were problems with the roof at the depot. The DPW Director said that there were a few broken tiles that he believes were caused by the freeze-thaw in January. He will check with the insurance to see if it would be covered otherwise, it will need to go out for bid. Mayor Canute read a letter from Karen Lasik from the Durand Care and Rehab Center, stating how pleased she is that the old Durand High School has been placed on the National Registrar.

Mayor Canute adjourned the meeting at 9:30 p.m.

Minutes of the Durand City Council meeting held on May 4, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.

Mayor Pro Tem McDonough called the meeting to order at 7:31 p.m.

**ROLL CALL: Present: Boggs, Douglass, Doyle, Hildebrandt, McDonough
Absent: Mayor Canute, Schuyler**

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

**Boggs moved, Hildebrandt supported to approve the minutes of the regular meeting held on April 20, 2009 and the minutes of the Budget Workshops held on April 27th and 28th, 2009 as presented.
Carried.**

APPROVAL OF BILLS:

McDonough moved, Boggs supported to approve the payment of City bills number 36691-36723.

YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

ABSENT: Mayor Canute, Schuyler

Carried.

CITIZENS PRESENT:

Tom Dorey, Vassar Drive, Mr. Dorey stated that the streets in the city are a mess. He asked if there was going to be money in this year's budget to repair them. The City Manager stated that there is no money for rebuilding of the city streets coming from the State however, the citizens voted a 2 mil millage with which we will be using to rebuild streets. Councilman Douglass stated that the city of Durand did not have a street repair fund until Lynn Markland came to town. Councilman Douglass suggested repairing the intersections of some streets, since that is the areas that need the most attention.

ITEMS OF BUSINESS:

Doyle moved, Hildebrandt supported to approve the solicitation request from the VFW Raymond Reed Post 2272 to hold its annual Poppy Day sales on the city streets during May 14, 15, and 16, 2009.

Carried.

Boggs moved, Hildebrandt supported to approve Change Order #1 of the bid award to Perrin Construction in the amount of \$2,250.00 to apply sealcoat to the basketball courts at Trumble Park.

YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

ABSENT: Mayor Canute, Schuyler

Doyle moved, Boggs supported to approve the invoice from Down Under in the amount of \$1,650.00 to televise the sanitary and storm sewers.

YEAS: Doyle, Hildebrandt, McDonough Boggs, Douglass

NAYS: None

ABSENT: Mayor Canute, Schuyler

Presentation of 2009-2010 City of Durand General Fund and Fund Budgets

City Manager gave a brief overview of the budget and she informed the audience that the public hearing and adoption of the budget will be held on May 18, 2009.

The City Manager stated that the City has a healthy General Fund balance. The City expects to receive \$1,273,000.00 in tax revenue and \$518,000.00 in state revenue sharing, although this amount continues to decline.

The City is planning minor improvements to City Hall which will include painting and replacement of the carpet. We plan to purchase video cameras for the parks due to vandalism. No other big expenditures are planned for the General Funds.

We are planning to completely reconstruct Lovejoy Street and put in curb and gutters. This project is expected to cost approximately \$195,000.00.

We are slated to receive \$52,000.00 from Housing, Economic and Urban Developing (also known as Stimulus money) to be used on East Main Street. The total cost of the project is approximately \$135,000.00 with \$85,000.00 coming from the General Fund. If we don't use the money on this project, we will lose it.

We are also planning a simple grind and resurface for those streets surrounding the construction site (Sycamore House and Sagelink). The cost would be offset by the contractors and developers.

The City Manager said that she is working to get the Saginaw Street project funded. It is a \$1,100,000.00 project and she continues to seek other funding opportunities.

Water rates will need to be raised along with a minimal increase for the sewer rates. Refuse will be going out for bid.

The major purchases from Equipment Revolving Fund will be to purchase two police cars and a new fire truck. The fire truck is 24 years old and last year alone we spent \$16,000.00 in repairs. The cost will be approximately \$250,000.00

Councilman Douglass stated that he would like the city to investigate purchasing a rebuilt fire truck.

\$12,000.00 will be transferred into the Sidewalk Fund. City Manager stated that the City of Durand's insurance rates are adjusted because we have a very aggressive sidewalk program.

CITIZENS SPEAK:

Paula Brooks, Summit Street. She asked the DPW Director how it is determined that a sidewalk needs to be replaced. He responded that the city focuses on one section of the city at a time. He said that if the sidewalk is heaved more than 1/2" inch, then it needs to be replaced. The city pays for the project up front, and then the residents pay their portion, with the city being responsible for the corners.

DEPARTMENT REPORTS:

Police Chief: By late May, there will be extra officers dedicated to patrolling parks, code enforcements and parking violations.

DPW Director: He stated that the Administration is doing everything that we can to save a dime and stretch a dollar. The Tree Committee along with other volunteers will be planting trees on May 29th and 30th. Last Monday (April 27th) there was a bad sewer break on Monroe Road. It caused sanitary sewer

to overflow onto the High School property between the soccer field and the maintenance building. The City worked with the DEQ and did everything possible to correct the situation quickly.

Treasurer: Last week she attended a conference in Mt. Pleasant to maintain her CPFA. It was very informative.

City Attorney: Council Members received a copy of the Arbitration Opinion and Award re: Lex Crooks. The City Attorney stated that at the last Council meeting Councilman McDonough asked that he look into having the Railroad build sidewalks on its property. A recent court case in Blissfield Michigan that came before the 6th Circuit Court of Appeals said that requiring the Railroad to put in sidewalks does not interfere with their day to day operations and therefore the City does have the authority to require the Railroad to put in sidewalks for safety reasons. This information will be turned over to the City Manager for further action.

City Manager: The Community Build of the playscape project at Trumble Park was postponed last weekend due to wet weather. It has been rescheduled for May 20th and 21st. If anyone would like to help, we can use all the volunteers that we can get.

COUNCIL COMMENTS:

Douglass: Mr. Douglass noted the rebate check for workman's comp. Mr. Douglass asked the DPW Director what it would cost to purchase a machine to tar the cracks in the city streets. He also stated that even though the Diamond District Park isn't going to be completed for a while, would it be possible to plant a few trees and/or shrubs and maybe put a picnic table or two in? Mr. Douglass asked the police chief if the residents were fined every time they failed to cut their lawn? Chief Tanner responded that the residents are charged for the cost of cutting the lawn and a \$50.00 administration fee.

Boggs: No comment.

Doyle: The Rotary Club has been scraping and painting the Trumble Park bathrooms, pavilion and tunnels.

Hildebrandt: No comment.

McDonough: He stated that he applauded the Administration on the creation of the new budget. Mayor Pro Tem McDonough initiated a discussion regarding the City Manager serving on the Durand Union Station Board of Directors.

Boggs moved, Hildebrandt supported to allow the City Manager to exclude herself from all Durand Union Station Board of Directors meetings after such time that an agreement is ratified by both Boards.

YEAS: Hildebrandt, McDonough, Boggs, Douglass, Doyle

NAYS: None

ABSENT: Mayor Canute, Schuyler

Carried.

Mayor Pro Tem McDonough adjourned the meeting at 8:55 p.m.

APRIL 20, 2009 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on April 20, 2009 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, Schuyler
Absent: None**

APPROVAL OF AGENDA:

**McDonough moved, Hildebrandt supported to approve the Agenda as presented.
Carried.**

APPROVAL OF MINUTES:

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on April 6, 2009 as presented.
Carried.**

APPROVAL OF BILLS:

**Schuyler moved, McDonough supported to approve the payment of City bills number 36636-36690.
YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough (abstain from numbers 36678 & 36679), Schuyler
NAYS: None
Carried.**

CITIZENS PRESENT:

Tambrah Grab, 704 W. Fitzgerald Street, Stated that her 15 years old daughter is being harassed and threatened by a teenage boy and would like the police to act on this matter. City Manager asked Ms. Grab to come into the office tomorrow to meet with the Police Chief and herself so that they may assist her in this matter.

ITEMS OF BUSINESS:

**Doyle moved, Schuyler supported to approve the request from the Durand Pastoral Association to hold a National Day of Prayer on the front lawn of City Hall on May 7th.
Carried.**

McDonough moved, Hildebrandt supported to award the bid for Right of Way Tree Replacement to Cottage Gardens Inc. for an amount not to exceed \$8,000.00 of which \$4,250.00 will be paid with City funds and \$3,750 will be paid from the tree replacement grant from the Michigan Department of Natural Resources.

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

McDonough moved, Hildebrandt supported to approve the request for emergency repairs to the Front End Loader in the amount of \$2,879.33 to Bridgeport Equipment Company.

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

Boggs moved, Hildebrandt supported to approve the purchase agreement to purchase the property located at 308 N. Saginaw Street, Durand MI from DVA, Inc. in the amount of \$95,000.00.

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

McDonough moved, Doyle supported to set the dates of April 27th and 28th at 7:30 p.m. as budget workshops for the 2009-2010 City of Durand Budget.

Carried.

DEPARTMENT REPORTS:

Police Chief: The 800 megahertz radios have been installed and are working well. The amount of Breaking and Entering's has tapered off in the last couple of weeks.

DPW Director: Stated that May 23rd and 24th are going to be tree planting days with another planting weekend to be held in late August. They expect to plant 80 to 100 trees. He also stated that the City of Durand received a portion of the stimulus monies. \$6000.00 went to SATA, \$52,000.00 went to the City of Durand and \$52,000.00 went to the Village of Vernon. This money may only be used on state eligible roads.

City Attorney: He cautioned the Council Members not to make commitments on behalf of the Council. When Council members speak to residents outside of Council meetings, they are speaking as individuals not for the Council.

City Manager: Stated that she recently met with MEDC and had a positive meeting regarding Community Development Block Grants. She will keep the Council posted on the progress in regards to our application of Saginaw Street. Last week Congressman Rogers's office called needing all the costs associated with the Saginaw Street project for another potential grant opportunity. The Diamond District Park Committee is working on By Laws and structure. The Committee is working very hard for the best interest of the City. The Steam Locomotive has been painted over the weekend. It should be completed by Rail Road days weekend. We need to budget to provide some kind of coverage or shelter of the locomotive because the weather is causing a significant rusting problem. The Trumble Park playscape project is scheduled for May 2nd. Along with the Am Vets, who are helping with construction of the play scape, the Rotary and Parks and Recreation committee will be helping with sprucing up of the park.

COUNCIL COMMENTS:

Hildebrandt: She stated that Tom Dorey was very happy with the tree trimmers this spring.

Doyle – No comment

McDonough: He has concerns regarding the dust bowl around the streets leading to Sycamore House. He believes that the contractors should be responsible for keeping the streets clean around the construction zone. City Manager stated that she is aware of the situation and she will be meeting with the appropriate people to rectify the problem.

Boggs: He asked the City Attorney what was the purpose of applying for non-profit status (in regards to the Diamond District Park Committee). City Attorney responded that the committee needs this to apply for grants and other funding sources.

Douglass: He made the suggestion that when the Council members attend City functions, such as the recent Chamber Dinner, that they sit with other residents and they wear name tags so that they may introduce themselves to the community. He also stated that he received a complaint from a resident, who is handicapped, that residents are parking their cars across City sidewalks and she is therefore unable to drive her amigo throughout the community. Councilmen Douglass asked the Police Chief to look into this matter. After much discussion, it was decided that this topic would make for a good newsletter article.

Mayor Canute: He read a letter from the Historical Preservation Society stating that the Old Durand High School has been listed on the National Registrar.

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

APRIL 6, 2009 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on April 6, 2009 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, Schuyler
Absent: None**

APPROVAL OF AGENDA:

**Boggs moved, Schuyler supported to approve the Agenda as presented.
Carried.**

APPROVAL OF MINUTES:

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on March 23, 2009 and the special meeting held on March 30, 2009 as presented.
Carried.**

APPROVAL OF BILLS:

McDonough moved, Hildebrandt supported to approve the payment of City bills numbering 36582-36635.

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

NAYS: None

Carried.

CITIZENS PRESENT:

No one spoke.

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to approve the following individuals to serve on the Tree Committee – Steve Mince, Liz Oglesby, Mike Warner, Rod Buckel, Lorrie Buckel, Bill Hart, Linda Lover, and Jeremy Lynn with the committee to expire on December 1, 2009.

Carried.

McDonough moved, Schuyler supported to approve the list of unpaid utility bills as delinquent in preparation for summer tax collection.

Carried.

McDonough moved, Hildebrandt supported to extend the existing contract for bio solids land application with Synagro in the amount of \$0.0349 per gallon.

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

NAYS: None

Carried.

The draft presentation of the annual City of Durand budget was presented to meet our City's Charter requirements of presenting a budget by the first meeting in April annually.

DEPARTMENT REPORTS:

Chief of Police: Reported that starting April 20th the Census Bureau will be in town during daylight hours to conduct the census survey. The people conducting the survey will have proper identification and will be in town 5 to 10 days.

DPW Director: The City Manager spoke with Mike Roger's office last week regarding the possibility of moving up the Saginaw Street project. DPW director told the Council members that there will be a Small Urban area meeting on April 15th to discuss how to spend the \$100,000.00 stimulus money.

City Attorney: The title search for DVA came back clean.

COUNCIL COMMENTS:

McDonough: The Natural Rural Water Program is offering loans up to \$100,000.00 at very low interest rates. McDonough asked DPW director to look into this. McDonough also commented that the newsletter that was published in the Independent on Sunday looked really nice.

Doyle: No Comment.

Hildebrandt: Go Green.

Boggs: No Comment

Schuyler: Thank you to who ever picked up the old newspapers and phone books. My neighborhood looks much better.

Mayor Canute: No Comment.

Mayor Canute adjourned meeting at 7:44 p.m.

MARCH 23, 2009 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on March 23, 2009 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, Hildebrandt, Doyle
McDonough, Schuyler
Absent: None

APPROVAL OF AGENDA:

McDonough moved, **Hildebrandt** supported to approve the Agenda with the addition of Item H: Discussion of 109 S. Maple Street.
Carried.

APPROVAL OF MINUTES:

McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on March 2, 2009 as presented.

Carried.

APPROVAL OF BILLS:

Schuyler moved, McDonough supported to approve the payment of City bills numbering 36499-36581.

YEAS: Mayor Canute, Douglass, Doyle (abstain from #36545), Hildebrandt, McDonough, Schuyler, Boggs

NAYS: None

CITIZENS PRESENT:

Wendy Biroth passed out information packets to Council Members regarding her septic situation. Mr. and Mrs. Biroth declined to speak at this time, choosing to wait until after Agenda Item H.

ITEMS OF BUSINESS:

Doyle moved, McDonough supported to approve the Consent Agenda, including the Knights of Columbus Tootsie Roll Drive, the revised Parks and Recreation Fee Schedule and Rescinding the Bid to All-Phase Electric for Sternberg Street Lights.

Carried.

Schuyler moved, Doyle supported to approve the bid for lawn care to Carey Warner, in the amounts outlined in the bid document.

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

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve the bid to purchase a hydraulic hose machine from Carquest of Durand in the amount of \$7603.80.

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

NAYS: None

Carried.

McDonough moved, Boggs supported to approve the bid to purchase new tires for the front end loader from Terry's Tire Service of Owosso in the amount of \$2,960.00.

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

NAYS: None

Carried.

McDonough moved, Boggs supported to set a workshop date of March 30, 2009, to immediately follow the Parks and Recreation Hearing, to discuss the Street Renovation Program 2009-2013.

Carried.

Schuyler moved, Hildebrandt supported to approve the contract with C2AE, with the removal of the last sentence from sub section K, for engineering services, including design, bidding and construction services for Lovejoy Street Rehabilitation.

YEAS: Schuyler, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt

NAYS: McDonough

Carried.

Boggs moved, McDonough supported to approve the proposal from the Independent Newspaper Group to publish a full colored monthly newsletter at a rate of \$595.00 per month for 12 monthly issues.

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

NAYS: None

Carried.

Discussion on 109 S. Maple Street: City Manager gave a brief overview of the current situation at 109 S. Maple Street explaining that she feels sympathetic towards the Biroths, however she has to abide by the City Ordinance which states that if the City pays to extend the sewer to 109 S. Maple, then it is a direct violation of the City Ordinance.

Councilman McDonough stated that he would like clarification regarding a letter that Denny Stokes wrote to the Vernon Township residents while he served as Mayor of the City of Durand in 1997, that mentions subsidizing sewer connections. The City Attorney will review the letter and render a legal opinion.

The City Manager will contact the DEQ to see if there are federal monies available for septic abandonment, or any other program that might help the Biroths.

CITIZENS REPORT:

Mike Fuja: Mayor Canute congratulated Mike for being 2009 Citizen of the Year.

DEPARTMENT REPORTS:

Police Chief: There has been a rash of Breaking and Entering of Vehicles. All of the B&E's have been with unlocked cars. He asked that residents lock their car doors.

DPW Director: Brush pickup starts April 7th and runs through the fall. Leaf pickup will continue until April 7th, we are trying to pick up those leaves remaining from last fall. The Tree Replacement Committee will meet on Wednesday, April 1, 2009. He will bring a list of potential committee members to the next regular meeting.

City Manager: A Reminder that the Public Hearing for the Park Grant Application is Monday, March 30, 2009. Discussion regarding 109 S. Maple Street will follow the hearing.

Administrative Assistant: She thanked the Council for letting her attend the Clerk's Conference that was held March 8-13 in Mt. Pleasant, presented by MML. She felt that it was a worthwhile learning experience.

COUNCIL COMMENTS:

McDonough: Asked how a resident would go about getting the wood that is out at the Waste Water Sewer Plant? They would need to call City Hall to make arrangements to have the gate opened.

Doyle: No Comment

Hildebrandt: No Comment

Boggs: No Comment

Schuyler: Asked the DPW Director if something could be done now to help Lovejoy Street. DPW Director said that yes, just today they are doing what they can to improve the street until it can be completely rebuilt this spring/summer. Councilman Schuyler asked if community service workers could

pick up old unwanted newspapers and phone books that are laying in resident's yards, to help the community look better. City Manager said that she will see what can be done.

Douglass: He asked if Rainbow Trailer Sales had a license to sell used cars. City Manager said that she would check on this. Also he said that a picnic table has been placed in the center of the new basketball courts and he is afraid of the damage it will cause if left there. City Manager said that she would have it removed. Councilman Douglass also asked that the City Attorney continue to research 109 S. Maple Street for any additional help that may be given to the Biroths.

Mayor Canute: He stated that the back section of Sycamore House is going up very quickly and is glad to see Sycamore House and Sagelink Credit Union progressing nicely.

Mayor Canute adjourned meeting at 9:13 p.m.

MARCH 2, 2009 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on March 2, 2009 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, Schuyler
Absent: None**

APPROVAL OF AGENDA:

**McDonough moved, Schuyler supported to approve the Agenda as presented.
Carried.**

APPROVAL OF MINUTES:

**Boggs moved, Doyle supported to approve the minutes of the regular meeting held on February 16, 2009 as presented.
Carried.**

APPROVAL OF BILLS:

McDonough moved, Hildebrandt supported to approve the payment of City bills numbering 36451-36498.

YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough (abstain from #36478), Schuyler, Boggs

NAYS: None

CITIZENS PRESENT:

No one spoke.

ITEMS OF BUSINESS:

Boggs moved, Schuyler supported to approve the Mayoral appointments of Todd Acker and Amy Donnelly to the Downtown Development Board of Directors.

Carried.

Boggs moved, McDonough supported to approve the requests from the Railroad Days Committee for the 2009 Railroad Days activities.

Carried.

Presentation: Michigan Prisoner Re-Entry Initiative. Marlene Collic with MPRI presented the Council with an over-view of what Michigan Prisoner Re-Entry Initiative is and what they can do for prisoners trying to relocated back into their home towns. Ms. Collic stated that the two biggest barriers in Shiawassee County is the lack of housing and transportation. By making these presentations to local municipalities she hopes to make the public more aware of the program and its needs.

Discussion: Sanitary Sewer Options for Maple Street. City Manager presented the Council with three options for extending sanitary sewer to 216 Maple Street and the other homes and church that would benefit. Option I provides a lift station to move the sewerage from the building to the sanitary main. Option II provides individual grinder pumps to lift the sewerage to the main. There are additional costs that the engineers cannot project, but must be considered. In Option I, there will be costs for the DEQ (lift station), to purchase land for the lift station and to obtain easements for the sewer main. For Option II, the unidentified cost would be just an easement for the sewer main. The costs for both Option I and Option II would be \$150,000 to \$200,000. Option III would be that the Biroths purchase a grinder pump and connect it to the city's existing sewer main located north of their home. The estimated costs for this project is under \$10,000 and includes extending a forced main from the home to the existing sewer, a grinder pump and installation, and sewer tap in fees.

The Council agreed that Options I and II are too expensive for the three properties to bear the cost for these upgrades. The city could grant a special assessment district to all the properties, but given the cost of the project and even with a 10 year repayment, annual payments would be very expensive. The Council concluded that Option III should be further investigated. Steve Mince suggested that there may be organizations in Shiawassee County that may be able to help with the cost. He is to give this information to the Biroths.

DEPARTMENT REPORTS:

Police Chief: This past Thursday (2/26/09) our officers were involved in a chase across Shiawassee County, they apprehended the suspect.

City Attorney reported that he has resolved a Tax-Tribunal case for the City of Durand. He also reported that it will be two to three months before we know if the City of Durand has a possible claim against the past Building Inspector. I will report back when we have additional findings.

City Manager: Nothing to add at this time.

COUNCIL COMMENTS:

Douglass: "Where are we on the Bay Station?" City Attorney said that he is working with the Building Inspector and that something will be done. Mr. Douglass also stated that the Council Chambers needs a new sound system. Different options were discussed and it was decided that citizens wishing to address the Council should stand at a podium before the Council. City Manager said she would look into getting a podium.

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

Minutes of the Durand City Council meeting held on February 16, 2009 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: Schuyler**

APPROVAL OF AGENDA:

**Doyle moved, McDonough supported to approve the agenda with the removal of Item E and replacing it with: Approval of Survey/Utility Investigations re: Love Joy Street.
Carried.**

APPROVAL OF MINUTES:

**McDonough moved, Boggs supported to approve the minutes of the regular meeting held on February 2, 2009 and the minutes of the Executive Session held on February 2, 2009 as presented.
Carried.**

APPROVAL OF BILLS:

**McDonough moved, Doyle supported to approve the payment of City bills numbering # 36387-36450.
YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs
NAYS: None**

CITIZENS PRESENT:

Tom Dorey, 500 Vassar Drive. He received a post card from Consumers Energy stating that they would soon be trimming his trees. He does not want his trees looking like those on Monroe Street. What can we do about this? City Attorney said that the City of Durand has a franchise agreement with Consumers Energy. The City of Durand has the authority to decide how the trees are treated by Consumers Energy subject to City Street Superintendent approval. The City Manager and the DPW Supervisor will be meeting with Consumers Energy first thing tomorrow morning.

Robert Tilson, 503 Wickshire Lane. He is having a problem with his water line freezing somewhere between the curb and the water main. "As a home owner I do not think it is my responsibility to tear up the street." The DPW Supervisor will check into this situation.

Alan Kregger, 111 Detroit Street. In December 2006 he was appointed to the Board of Review. Mr. Kregger wanted to know why he had not been notified that he was replaced when his term had expired. City Manager said that it has not been our policy to notify people when their terms expire, but we can send a letter or call from now on.

ITEMS OF BUSINESS:

**Boggs moved, Hildebrandt supported to approve the invoices from BS&A Software totaling \$5630.00 for annual service and support.
YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute
NAYS: None**

**McDonough moved, Hildebrandt supported to approve the Sidewalk/Driveway Approach Permit fees, as presented.
YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass
NAYS: None**

Doyle moved, McDonough supported to reschedule the regular City Council meeting of March 16, 2009 to March 23, 2009.

Carried.

Attorney Report on Railroad Crossing Enforcement: City Attorney Chuck McKone, explained that due to a 2002 case involving “CSX vs. Plymouth” says that we can not enforce the State law (which says that trains can not block crossings for an extended period of time) because it can not be pre-empted by Federal law. We are going to try to do something through negotiations, or perhaps research the possibility of writing a city ordinance that would improve this situation. The City Manager and the DPW Supervisor will be meeting with the railroad soon to discuss this situation and other issues.

Doyle moved, McDonough supported to approve the survey/utility investigations and generate the base plan for reconstruction of Lovejoy Street for a lump sum fee of \$2,800.00.

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

NAYS: None

CITIZEN COMMENTS

Pat Post, Durand Area Chamber of Commerce invited all Council members to attend the next Rotary meeting to be held on February 24th, at 11:30 a.m. here in the basement of City Hall. Laurie Sorenson with Sagelink Credit Union will be present to give an update on how the new Credit Union Building is progressing. Craig Patterson with Sycamore House will be presenting at one of Rotary meetings in March or April to give an update on that project. Everyone is invited to attend. She requested that anyone interested in attending to please let her know. She also noted that Mr. Patterson would like the community to get involved with Sycamore House and he has asked the Chamber to help collect old pictures of the old High/Jr. High School. If you have any pictures that you would like to donate, please call the Chamber. City Manager Roddy suggested using photos from old year books. Just a reminder that the Chamber of Commerce Annual Dinner is March 19th. All Councilpersons will be receiving an invitation. Also the first monthly Chamber Breakfast will be March 25th at 7:30 a.m. at Nick’s Home Town Grill.

DEPARTMENT REPORTS:

Police Chief: Recently held a neighborhood meeting that three people attended along with Council members Hildebrandt and McDonough. Good discussion took place. He is researching a Vehicle Release Fee policy for the City of Durand if the Council would be interested in knowing more about it. The Council expressed interest and asked that he conduct further research and brings back a recommendation.

City Manager reported that the Shiawassee Economic Development held its annual meeting in which Councilman Douglass, City Treasurer Lisa David and she attended. The SEDP has reorganized as its own organization with its own Board and By-laws. This organization works to assist local governments and businesses to promote economic development. Just a reminder that on February 22nd, the Durand Union Station is holding a fundraiser “Norma’s Folly” and March 4th is the Annual Legislative Day held in Lansing.

Admin. Assistant noted that she is three quarters of the way through inputting building permits into the new computer program starting with January 1, 2007.

COUNCIL COMMENTS:

McDonough: The people from Maple Street are in the audience tonight, do you have an update on their situation? City Manager said that she has not received an update from C2AE, however it has been a month so she will call them. Mr. McDonough also said that he would like to see the city newsletter up and

running soon. He would like to see the railroad information that was discussed tonight in that newsletter so that the residents can see that we hear their concerns and are doing something about them.

Douglass: Why is the Diamond District being called a Park? CM responded that currently the Diamond District Park planning is not a park. The Parks Board is not working to develop this park. The City Council approved an ad-hoc committee to work on fundraising for this development. The Parks and Recreation Board meets this week and she will update the board on the progress that is being made by the committee. Before anything happens with the development of this park, it will be brought to the City Council for approval. Councilman Douglass would like to see the site of the Industrial park used for Wind Turbines. People are going down Railroad Street trying to get to the Depot. They are being directed there by their GPS systems and are going around the barrier at the end of the street and are getting stuck on the railroad tracks. This could be a very dangerous situation. Steve Mince stated that the DPW will put a DEAD END sign on that street. Mindy Howard will try to notify the GPS companies regarding the inaccuracies with the maps. Douglass would like to see the Art/Woodworking classes at the High school design welcome signs to be used around the City of Durand, with possibly a design contest for the students.

Mayor Canute inquired about the flooding situation at the Depot. Was it the City's fault that the line froze and burst? DPW Supervisor said that it was not the fault of the City. Mayor Canute asked if the Depot should be responsible for the deductible (\$1000.00) or if perhaps the cost could be split with DUSI.

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

FEBRUARY 2, 2009 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on February 2, 2009 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, Schuyler
Absent: None

APPROVAL OF AGENDA:

Boggs moved, McDonough supported to approve the agenda with the addition of A1: Executive Session.
Carried.

APPROVAL OF MINUTES:

McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on January 19, 2009 as presented.
Carried.

APPROVAL OF BILLS:

McDonough moved, Schuyler supported to approve the payment of City bills.
YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler, Boggs
NAYS: None
Carried.

CITIZENS PRESENT:

Richard Hall, 805 Kingswood Street. Mr. Hall wants the City Council to know that he feels that there is a problem with the trains blocking the tracks for long periods of time. He feels that the South side of Durand has potential safety issues if there were to be an emergency on that side of town, and a train was blocking the tracks. He stated that he has written letters to all government officials and will continue to do so until this problem is resolved. He suggested that the City Council build an overpass across the tracks.

ITEMS OF BUSINESS:

McDonough moved, Hildebrandt supported to adopt the resolution supporting stimulus funding for local governments and that the resolution be sent to U.S. Senators Levin and Stabenow and Congressman Rogers, and to State Representative Ball and State Senator Garcia, along with the Michigan Municipal League.

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

NAYS: None

Carried.

Boggs moved, McDonough supported to adjourn into Executive Session to discuss pending litigation: to discuss this in public would jeopardize the city's position.

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

NAYS: None

Carried.

Meeting was reconvened at 8:05 p.m.

McDonough moved, Hildebrandt supported to accept the recommendation from the City Attorney in regards to the DVA case.

YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler

NAYS: None

OBSTAIN: Boggs

Carried.

CITY COUNCIL GOALS

Discussion was had between the Administration and City Council as to the goals that they would like the Administration to achieve.

1. Create an Informed and Involved Citizen and Community

- a. Newsletter – Explore this further with all costs involved.**
- b. Utility Bills – Continue using the message line on monthly utility bills.**
- c. Website – Explore this further with all costs involved.**
- d. Meeting of the Minds – Research grant opportunities to help with costs of preparing a “Charette”.**

2. Promote Housing Stock Growth

- a. Rental Rehab Program – Council would like to see this program instituted.**

3. Industrial, Commercial and Retail Development

- a. Streetscape – This project has been submitted as part of the Economic Stimulus Package.**
- b. Industrial Park Option – This project has been submitted as part of the Economic Stimulus Package.**
- c. Sagelink – Project is underway, and the administrative team is providing**

on going assistance and support to the Sagelink employees and developers as they complete their new headquarters in Durand.

4. Strengthen and Enhanced Community Image

a. Branding – Research grant monies available for this project through MICHDA.

b. Community Clean-up Campaign – Council would like to see this event re-instituted.

c. Update Street Program – The milege that was passed in the fall will help with getting this project underway.

5. Municipal Facilites Improvement

a. City Hall – Council would like Administration to get three bids on a new HVAC system.

b. DPW Facility – Develop a plan that would allow for moving operations to the Lansing/Durand Road properties to complete municipal utilities complex.

c. Renovate City Hall – This project was submitted as part of the Economic Stimulus package.

d. Library – We may want to give the library to the Shiawassee District Library organization with the stipulation that if they move or the library ceases to exist, then the building would revert back to the city for Trumble Park parking.

DEPARTMENT REPORTS:

Chief Rinker: MMR is sponsoring 13 firemen for a First Responder's class that will be coming up soon.

Chief Tanner: I am holding a meeting with the people of the Neighborhood Watch program on Wednesday. The meeting will be held here at City Hall.

DPW Director: At the last meeting Councilman McDonough asked me to look into doing projects without benefit of professional engineering. Last week I attended a conference about this subject and I was told that the State of Michigan is monitoring projects, such as these very closely.

Building Inspector: BS&A software is installed and we are in-putting old permits from just before the hail storm of July 2007. This will be an on-going project.

City Attorney: Mayor asked CA if the city had any recourse to going back on the former Building Inspector for not performing his duties. CA, I will talk with the CM and determine what the damages are and report back to the Council. You may remember the property located at 211 Mercer St. when the DPW had to go into that building and remove medical records. The property owner has refused to pay this fee and we can not place them on the tax rolls. Therefore, I would like the Council's approval to file action in district court.

Boggs moved, McDonough supported to allow the City Attorney to pursue the recovery of fees in the amount of \$1678.88 for removal of medical records from 211 Mercer St.

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

NAYS: None

Carrie.

City Manager: I will put the South Side Headers discussion on the agenda for our next meeting to be held on 2/16/09. Just to update you on the recent flooding at the Durand Depot, some documents were damaged during the flood, however, they are all salvageable. The city has submitted 7 proposals for the

economic stimulus. We have made a diligent effort to get this ready for submittal. The new water truck is here and it looks wonderful with the Durand's logo on it.

COUNCIL COMMENTS:

Douglass: Amy, great job on getting the projects submitted for the economic stimulus. Steve your boys are doing a great job. Makes me proud to be a citizen when these things come up.

Boggs: Despite the dismal economic situation, the City is heading in a positive direction.

Hildebrandt: I am hearing a lot of complaints about people illegally making U-turns in downtown Durand. Chief Tanner stated that the Officers were busy conducting on-going investigations, but he would take care of the situation.

Doyle: Thank you to Steve for taking care of my computer (e-mail) problem.

Mayor Canute: Read a letter from Don Westcott thanking the Fire Department for quick response to the flooding incident at the Depot. Because of their quick action, damage was kept to a minimum. Mayor Canute also read a letter from the City Manager to the DPW workers thanking them for the good job that they are doing of removing snow from our streets.

Mayor Canute adjourned the meeting at 9:16 p.m.

JANUARY 19, 2009 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on January 19, 2009 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, Hildebrand, McDonough, Schuyler
Absent: Doyle

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on December 15, 2008 as presented.
Carried.

APPROVAL OF BILLS:

Boggs moved, Hildebrandt supported to approve the payment of City bills.

YEAS: Mayor Canute, Douglass, Hildebrandt, Schuyler, Boggs

NAYS: McDonough

Carried.

CITIZENS PRESENT:

Ken Themm, 512 Marquette Street, Chairman of the Diamond District Park Adhoc Committee. Mr. Themm gave an update on this project. The committee would like the Diamond District Park to be designated as a National Railroad Memorial Monument. They believe that having this designation would open up Federal, State, Local and private funding sources. He comes before the Council tonight seeking authorization to tap into the Diamond District Funds.

Boggs moved, Hildebrandt supported to authorize the Committee to proceed with the seeking of the Diamond District Park as a "National Railroad Memorial" using up to \$2,000.00 from the Diamond District Funds.

YEAS: Douglass, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute

NAYS: None

Carried.

ITEMS OF BUSINESS:

Boggs moved, Schuyler supported to accept the proposal from C2AE for the Maple Street Sanitary Sewer Evaluation in the amount of \$4,500.00

YEAS: Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute

NAYS: None

Carried.

McDonough moved, Boggs supported to accept the proposal from C2AE for the Holmes Street Rehabilitation and Utility Improvements-Evaluation Phase in the amount of \$16,000.00.

YEAS: McDonough, Schuyler, Boggs, Mayor Canute, Douglass, Hildebrandt

NAYS: None

Carried.

Boggs moved, Hildebrandt supported to accept the proposal from C2AE for N. Saginaw Street Rehabilitation from Main to Tuscola Street in the amount of \$20,000.00

YEAS: Schuyler, Boggs, Mayor Canute, Douglass, Hildebrandt, McDonough

NAYS: None

Carried.

Boggs moved, Hildebrandt supported to accept the proposal from C2AE for Design Phase of Sanitary Sewer Rehabilitation via CIPP for N. Oak and W. Monroe Streets at a lump sum cost of \$4,400.00.

YEAS: Boggs, Mayor Canute, Douglass, Hildebrandt, Schuyler

NAYS: McDonough

Carried.

McDonough moved, Hildebrandt supported to accept the proposal from C2AE for the Russell Street Rehabilitation and Utility Improvements-Design Phase in the amount of \$64,500.00

YEAS: Mayor Canute, Douglass, Hildebrandt, McDonough, Schuyler, Boggs

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to table the discussion on Goal Setting Priorities until the next regular meeting, so that all Council Members can participate.

Carried.

DEPARTMENT REPORTS:

DPW Director: I want the Council to know that we are going to do projects in the future that will not require outside engineering. However, the projects that came before you tonight do require the services of a professional engineering company. Anyone interested in being on the Tree Committee please contact

me. I would like to have a few meetings before spring. Update on the snow: this is the worst winter in many years. Currently we have spent 75% of the street maintenance budget. If the weather continues, it will be rough season and we will be over budget.

City Manager: I checked with MMR and they do offer a “transport” program. This is when people have a regular need for ambulance transportation. It costs \$49.00 per year, anyone interested can contact MMR and they will mail you a form. At the next regular meeting (Feb 2, 2009) A&R Photography will be here to take your picture which will then be used when we update our Web site. Just a reminder that the MML conference is March 4th in Lansing.

COUNCIL COMMENTS:

Douglass: No comment

Schuyler: No comment

Boggs: No comment

Hildebrandt: No comment

McDonough: Amy, keep up the good work. Could we get a letter posted at the DPW to let them know that the council is pleased with the job they are doing as far as the snow removal? Amy said that she would take care of it.

Mayor Canute: I received a letter from Central National Railroad regarding their employee, Mr. James Dagen. CN is honoring him for his community volunteerism. Mr. Dagen spent many hours at the Durand Depot decorating for the Christmas festivities. A \$500.00 donation to the Depot was made in his name. Happy New Year!

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

JANUARY 5, 2009 CITY COUNCIL MINUTES

NO MEETING DUE TO HOLIDAY

DECEMBER 15, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on December 15, 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, Schuyler
Absent: None**

APPROVAL OF AGENDA:

Schuyler moved, Boggs supported to approve the agenda as presented.

APPROVAL OF MINUTES:

McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on December 1, 2008 and the minutes from the Executive Session held on December 1, 2008 as presented.

APPROVAL OF BILLS:

McDonough moved, Hildebrandt supported to approve the payment of City bills.

CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to approve the request from Durand Union Station Promotions Committee to serve wine at the depot on Tuesday, December 16th, with the stipulation that they obtain an insurance liability rider.

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

NAYS: None

Carried.

Boggs moved, McDonough supported to accept the 2007-2008 City of Durand audit, as presented and placed on file with the Treasurer.

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

NAYS: None.

Carried.

Doyle moved, Schuyler supported to amend the City of Durand Investment Policy and eliminate Section 10.0 – Collateralization.

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

NAYS: None.

Carried.

CITY OF DURAND

RESOLUTION FOR AUTHORIZATION OF PAYMENT OF INVOICES PRIOR TO CITY COUNCIL APPROVAL

At a regular meeting of the Durand City Council called to order by Mayor Canute on Monday, December 15, 2008 at 7:30 p.m. the following resolution was offered:

Moved by Doyle and supported by Hildebrandt

WHEREAS, upon the recommendation from the City's Auditors the City of Durand may adopt a policy to authorize certain specific payments to be made by the Clerk and Treasurer between Council meetings.

NOW, THEREFORE, BE IT RESOLVED that all claims shall be approved by the Council prior to payment, except for the following:

1. Payroll

2. Utility bills (phone, electric, etc.)

3. Invoices with penalties or discounts that would be incurred if payment is not received prior to the Council meeting where claims will be approved.

4. Invoices with attached blanket P.O.'s that relate to regular and routine payments.

BE IT FURTHER RESOLVED that these claims shall be post-audited at the next Council meeting following their issuance.

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

RESOLUTION DECLARED ADOPTED.

Amy J. Roddy, City Clerk

I hereby certify that the foregoing 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 December 15, 2008, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and the minutes of said meeting were kept and will be or have been made available as required by said Act.

Amy J. Roddy, City Clerk

RESOLUTION FOR ACH AND ELECTRONIC TRANSACTIONS

At the regular meeting of the City Council of the City of Durand held at City Hall in the Council Chambers on December 15, 2008 at 7:30 p.m.

The following resolution was offered by McDonough and seconded by Hildebrandt:
WHEREAS, on December 30, 2002, the Governor of the State of Michigan approved Act No. 738 of the Public Acts of 2002 authorizing the use of electronic transactions by designated officers of the local government; and

WHEREAS, the City Council deems that it is in the best interest of the City to make certain financial transactions by using electronic transactions as described in the Act;

NOW, THEREFORE, BE IT RESOLVED, that the following policy shall govern the use of electronic transactions:

- (a) The Treasurer shall be responsible for establishing all ACH arrangements for the local unit;
- (b) The Treasurer shall draft a written policy to be followed in accordance with the act and presented to the governing body.
- (c) The Treasurer shall be responsible for payment approval, accounting, reporting and generally overseeing compliance or shall appoint an employee to perform such duties;
- (d) The Treasurer shall submit documentation to the governing body, or person responsible for approving payments by resolution or charter requirements, detailing goods and services purchased, the cost of goods or services, the date of payment, and the department levels serviced;
- (e) All ACH transactions shall be approved by the Treasurer or **BEFORE** payment is made.

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

RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN CITY OF DURAND

I, the undersigned, the duly qualified and elected Clerk of the City of Durand, Shiawassee County, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution enacted by the City Council at a regular meeting held on the 15th of December, 2008, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed by official signature this 15th day of December 2008.

Amy J. Roddy, City Clerk

McDonough moved, Hildebrandt supported to approve the water and sewer ready to serve rates as follows: Water RTS: \$10.60 and Sewer RTS: \$18.55, rates to be effective January 1, 2009.

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

NAYS: None

Carried.

DEPARTMENT REPORTS:

Pat Post, Chamber of Commerce: Our Toy drive ended today. 189 Children from Durand will receive toys this holiday season.

Fire Chief: The Durand ISO rating is between 5 and 6. For being a paid on-call department, that rating is very good. It is something to be proud of.

DPW Director: I am still exploring getting cameras installed at Optimist Park. The estimates that I have gotten so far are \$5,000.00 – 15,000.00. I will bring back recommendations to the Council when all the findings are in.

City Treasurer: Happy Holidays

City Attorney: We had two cases that went before the Arbitrator recently. The first case is resolved. We got half way through the second case, we hope to finish up on December 23. It usually takes 35 to 45 days for an answer. Merry Christmas.

City Manager: I want to bring to your attention a letter to the editor that was recently printed in the newspaper from Mr. Libby, owner of IMN Antiques. In it he stated his satisfaction with the good services provided by the City of Durand. Our January 5, 2009 Council Meeting will be a goal setting session. No regular business will be conducted.

Just a reminder that March 4th is the MML Conference. Have a wonderful Christmas and a Happy New Year.

COUNCIL COMMENTS:

Doyle: Merry Christmas.

Hildebrandt: We need a drug/alcohol policy for our employees. City Manager stated that starting tomorrow we will be reviewing several samples of this policy. We will have something ready to bring to the Council by March. The City Attorney stated that we do currently have some policies in place regarding this issue.

Douglass: When is the next drawing with the State of Michigan where we might get sidewalk grant monies? City Manager stated that she didn't know if there would be grants available for sidewalks, but that she is doing everything on her end to insure that if funds become available Durand will be eligible for them. Douglass thanked the staff for the good audit report.

Schuyler: Thank you to the staff in regards to the audit report. "It's good to hear good news in this bad economy". I would be remiss if I didn't bring up the bad condition of Lovejoy Street. DPW Director stated that he is aware of the condition of Lovejoy Street and he has a meeting with the City Manager to discuss Street conditions.

McDonough: Thank you Amy, for the letters and keeping us up to date. Thanks to the staff for the good audit.

Boggs: Someone will get in contact about the insurance rider for the Depot tomorrow night? The City Manager said that she would take care of it.

Mayor Canute: SATA will be raising their rates soon. Non participating people will really take a hit. 100,000 rides were given in the last year, it's a good accomplishment. Are we planning on getting all the leaves taken care of? DPW Director said that they were making progress this morning, but by this afternoon they were frozen. Mayor Canute said "Good job on the Audit". Merry Christmas!

Mayor Canute adjourned meeting at 8:22 p.m.

DECEMBER 1, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on December 1, 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, Schuyler
Absent: None

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

Schuyler moved, McDonough supported to approve the minutes of the regular meeting held on November 17, 2008 and the minutes from the Executive Session held on November 17, 2008 as presented.
Carried.

APPROVAL OF BILLS:

McDonough moved, Hildebrandt supported to approve the payment of the City bills number 36117-36151 as presented.

YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough (abstain from #36123), Schuyler

NAYS: None

CITIZENS PRESENT:

Wendy Biroth, 216 S. Maple Street. Ms. Biroth lives in the City limits and has lived in her home for the past 14 years. Her drain field is no longer working and she needs to tap into the city sewer system. Steve Mince came out to talk to Ms. Biroth and told her it would cost \$8,000.00 to \$12,000.00 to do this because the closest tap-in is far away. Ms. Biroth does not believe that it is fair that she should have to pay such a tremendous amount of money when other residents had to pay a much lower fee, because the lines came directly to their property. The City Attorney stated that State Statute mandates that anyone with an available sewer within 200 feet of the property must tap into the sewer system. He said that he would talk with the City Manager and get back with Ms. Biroth. Council members asked to be kept undated on this situation.

Gene Roussin, 506 Marquette. He handed out a copy of the City's Ordinance on littering. He said that people go to Florida and their Independent/Advisor sits in their driveway or in their lawn in various forms of decomposition. He believes that this is littering and he wants the Council in enforce this ordinance.

Tom Dorey, no address given. He stated that "if the Independent/Advisor can be put on the front porch, then so can the Detroit Free Press. If you go after one, you will have to go after the others".

ITEMS OF BUSINESS:

McDonough moved, Boggs supported to approve the following rates for mileage reimbursement through June 30, 2009: \$.40/mile when gas costs up to \$2.99/gallon and \$.58 1/2 when gas is \$3.00/gallon and higher.

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

NAYS: None

Boggs moved, Doyle supported to approve the purchase of Building Department System software from BS&A Software in the amount of \$2,995.00 and for training costs of one staff member not to exceed \$1,000.00.

YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute

NAYS: Douglass

McDonough moved, Hildebrandt supported to authorize the sponsorship of Les Deisler so that he may apply to the State of Michigan as an Electrical Inspector.

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

NAYS: None

CITIZENS' SPEAK – AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

City Treasurer: She stated that both the City Manager and the DPW Director are out sick. She hopes they get better soon.

City Attorney: Two Labor Arbitration meetings will take place here at City Hall on Friday, December 5th. Hopefully we can get these taken care of in one day. He will have further information for the Council at the next meeting.

COUNCIL COMMENTS:

Mike Douglass: He asked the City Attorney two questions regarding Ms. Biroth's sewer situation. After some discussion, Mr. Douglass said that the City Attorney needs to study this situation more.

Brian Boggs: The guys did a great job cleaning the city streets today from the snowfall overnight.

Ken McDonough: The guys did a great job cleaning the city streets today.

Tina Hildebrandt: Pat Post asked me to remind you that they are collecting Toys for Local Children. Ms. Hildebrandt also asked why the city is using snow blowers rather than the Skid Steer. We have the Skid Steer and we need to use it. Please get back to the Council with an answer to this by the next meeting.

Boggs moved, McDonough supported to recess the meeting to enter into Executive Session to discuss pending litigation between the City of Durand and D.V.A, as discussing the matter in public may be detrimental to the city's legal position.

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

NAYS: None

Council reconvened the meeting at 8:18 p.m.

McDonough moved, Hildebrandt supported to accept the mediation award between the City of Durand vs. D.V.A.

YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler

NAYS: None

ABSTAIN: Boggs

Mayor Canute adjourned the meeting at 8:21 p.m.

NOVEMBER 17, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on November 17, 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, Hildebrandt, McDonough, Schuyler

Absent: Doyle

APPROVAL OF AGENDA:

McDonough moved, Schuyler supported to approve the agenda with the addition of item C: Approval of Invoices for Special Assessment.

Carried.

APPROVAL OF MINUTES:

Schuyler moved, McDonough supported to approve the minutes of regular meeting held on November 3, 2008 as presented.

Carried.

APPROVAL OF BILLS:

McDonough moved, Boggs supported to approve the payment of the City bills number 36047-36116 as presented.

YEAS: Boggs, Mayor Canute, Douglass, Hildebrandt, McDonough (abstain from

#35979), Schuyler

NAYS: None

CITIZENS PRESENT:

No one spoke.

ITEMS OF BUSINESS:

McDonough moved, Hildebrandt supported to approve the Theft Prevention Program as presented and recommended by the City Attorney.

YEAS: Douglass, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute

NAYS: None

McDonough moved, Schuyler supported to approve the contract for Building Inspection services, as presented.

YEAS: Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass

NAYS: None

McDonough moved, Hildebrandt supported to approve to have the unpaid invoices for lawn care services in the amount of \$8595.00, to be placed on the December 1st tax roll.

YEAS: McDonough, Schuyler, Boggs, Mayor Canute, Douglass, Hildebrandt

NAYS: None

CITIZENS' SPEAK-AGENDA ITEMS ONLY:

No one spoke.

DEPARTMENT REPORTS:

Police Chief: Most of the cases of vandalism have disappeared. We have been patrolling a lot at both Optimist and Trumble Parks. Since last meeting, officers have spent 25 hours patrolling the downtown area. We have issued many warnings to people making illegal U-turns.

City Manager: I recently met with the Parks and Recreation Board and we have made the decision to keep the rink at Optimist Park closed unless we have a request to open it. People who want to use the rink will call a number that will be posted at the rink, and the Officer on duty will come and open it, with the understanding that when the people leave, they will lock up.

Administrative Assistant: I have been directed to assist the new Building Inspector in getting current with the outstanding permits. I am looking forward to working with him and learning more about the process.

COUNCIL COMMENTS:

Mike Douglass: Good job on the vandalism and the traffic issues.

Tina Hildebrandt: Good job with the traffic issues.

Ken McDonough: Good job with the traffic issues.

Brian Boggs: Welcome to Marty Johnson.

Mayor Canute: Welcome to Marty Johnson and thanks for addressing the traffic and vandalism issues.

Boggs moved, Hildebrandt supported to recess the meeting to enter into Executive Session to discuss pending litigation between the City of Durand and DVA, as discussing the matter in public may be detrimental to the city's legal position.

YEAS: Schuyler, Boggs, Mayor Canute, Douglass, Hildebrandt, McDonough

NAYS: None

Council reconvened the meeting at 8:15 p.m.

Mayor Canute adjourned the meeting at 8:16 p.m.

NOVEMBER 3, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on November 3, 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, Schuyler

Absent: None

APPROVAL OF AGENDA:

Schuyler moved, McDonough supported to approve the agenda with the following changes: Remove item #4 from the Consent agenda and vote on Consent Agenda Item #4 as a separate item. Add item #7 to Consent Agenda, to Appoint Brian Boggs to the SATA Board of Directors.
Carried.

APPROVAL OF MINUTES:

Boggs moved, Schuyler supported to approve the minutes of the regular meeting held on October 6, 2008 as presented.
Carried.

APPROVAL OF BILLS:

McDonough moved, Hildebrandt supported to approve the payment of the City bills number 35927-36046 as presented.

YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough (except #35979), Schuyler, Boggs

NAYS: None

CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Doyle moved, Hildebrandt supported to approve the Consent Agenda to include:

- q Appointment of Election Inspectors for November 4th Presidential Election,
- q Election of Michigan Municipal League Liability and Property Pool Directors,
- q Appointment of William Hart (replacing Allen Kregger - resignation) and John Dungerow (replacing Robert Dolehanty - resignation) to the Parks and Recreation Board,
- q Approval of the At-Large 2008 Shiawassee County Drain Assessment for work on the Holly Drain in the amount of \$1,346.93.

**q Endorsement of the Amended Shiawassee County Brownfield Redevelopment Plan which includes the blighted property on Shiawassee and Washtenaw Streets for the Sagelink Credit Union development,
q Re-appointment of Brian Boggs to the SATA Board of Directors.
Carried.**

Doyle moved, Boggs supported to approve the appointment of Donna Tobias (replacing Allen Kregger – term expiration) to the Board of Review.

YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute

NAYS: Douglass

Doyle moved, Boggs supported to approve the bid for Sternberg Lighting from All-Phase Electric in the amount of \$172,955.00 which includes lighting for Sagelink Credit Union, Riverside Market, and Sycamore House to be reimbursed by the developers to the City, replacement street lights within the downtown district and new lighting at City Hall.

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

NAYS: None

McDonough moved, Hildebrandt supported to approve the bid for a new Water Department van, including the body by Knapheide Truck Equipment in the amount of \$11,702.00 and the chassis through State of Michigan purchasing from Signature Ford in the amount of \$18,505.00.

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

NAYS: None

McDonough moved, Schuyler supported to approve the emergency repairs to Fire Truck #604 in the amount of \$10,774.32 to R & R Truck Repair, Inc.

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

NAYS: None

McDonough moved, Hildebrandt supported to approve the one-time Benefit E increase through the MERS retirement system for the current retirees.

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

NAYS: None

Schuyler moved, McDonough supported to accept the grant for tree replacement from the Michigan Department of Natural Resources and approve matching funds in the amount of \$3,750.00, for a total of \$7,500.00.

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

NAYS: None

Hildebrandt moved, McDonough supported to approve the lease agreement between Gary Stiles and the City of Durand to farm city-owned land on Goodall Road in the amount of \$80.00 per acre.

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

NAYS: None

CITIZENS' SPEAK-AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

Pat Post of Durand Chamber of Commerce reminded Council of the Chamber Breakfast that will be held on Thursday, November 6, 2008 at 7:00 a.m. at the Iron Horse. Toys For Local Children is looking to help local families again this holiday season. If you know of a family that is in need, please have them contact the Durand Chamber of Commerce.

Mike Fuja, County Commissioner reminded people to vote tomorrow.

Fire Chief: Fire prevention week is this week. We are planning to be at Bertha Neal Elementary School on Thursday, we hope to have the county smokehouse there. The new 800 Megahertz radios, which are part of a Shiawassee County Grant, are coming in sometime in February. Two of our people will be going for training on them.

Police Chief: There were 187 lawn violations this summer. There was some vandalism this past weekend. Officer Jason Hartz took two adults and 2 juveniles into custody. On street parking permits are being issued. They are \$15.00 each and go into effect December 1st.

DPW Director: The last of the houses on Washtenaw Street should be demolished by Wednesday of next week. There were two water main breaks in the last week. Leaf pickup is going well. The last brush pick up for this year will start tomorrow. I am working with an internet company, that has equipment on our towers, to get cameras for our parks at a good price. I will get more information to you when available.

City Manager: Trumble Park project for the fall is almost complete. The basketball courts are about 70% complete. Basketball goals will not be installed until spring. AMVETS will install playground equipment through a community installation project in the spring also. Sagelink has installed their water tap. A mock election was held today at the Durand High School. The Independent Newspaper donated the ballots. Shannon Knapp's Government class students were the election workers. It was a valuable experience for the students. The Veteran's Day Parade is being held in Perry this year at 6:00 p.m. on November 12, 2008. Chief Rinker will have a fire truck in the parade. The Durand Union Station raffle is November 13, 2008. Thank you to Canadian Railroad for getting the South Oak Street tracks repaired on time as agreed upon. The City of Durand appreciated the cooperation shown by the railroad. Our audit was conducted last month, the auditors were here for four days. Preliminary audit results are in and about \$195,000.00 will be captured in additional revenues. The Administration has temporarily closed Optimist Park until we can get some type of surveillance there, unless the Council directs us otherwise. This consists of keeping the restrooms closed and locking the hockey rink.

COUNCIL COMMENTS:

McDonough: Check into the Leisure Lake issue please.

Hildebrandt: What is going on with the neighborhood watch program? Chief Tanner said that he is sending out weekly e-mails, however no meetings have taken place.

Douglass: What is happening with the barn across the road? Chuck McKone is checking into this. The old Coal Shack, some people would like the City to buy it and possibly move it to the depot. My compliments to Amy and Lisa on the audit. My compliments to Amy regarding Sagelink, "Good Job".

Schuyler: Thank you Amy, for keeping Council informed through the Friday Update. This is very helpful when talking to the public.

Boggs: What was the result of the bike sale? Chief Tanner said that he took in \$135.00. They sold the good bikes, the rest will be disposed of. Boggs stated that he will be unable to attend the Chamber breakfast on Thursday.

Mayor Canute: Thank you for the Friday Update. Remember to vote tomorrow.

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

OCTOBER 6, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on October 6, 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, Schuyler

Absent: None

APPROVAL OF AGENDA:

Boggs moved, Schuyler supported to approve the agenda with the following changes:

Change Letter F to: Authorize payment of services to Kelly's Asphalt ,

Add Letter K: Resolution to hold a Public Hearing

Add Letter L: Notice of Intent for DDA

Add Letter M: Request for Sewer Services

Carried.

APPROVAL OF MINUTES:

McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on September 15, 2008 as presented.

Carried.

APPROVAL OF BILLS:

McDonough moved, Schuyler supported to approve the payment of the City bills number 35830-35926 as presented.

YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt (abstained from bill #35840), McDonough, Schuyler

NAYS: None

Carried.

CITIZENS PRESENT:

Karen Carsten, 608 Mackinaw, representing the Durand Depot. She presented each Council Member with a packet of information that the Durand Depot developed to promote Durand as Railroad City U.S.A. This packet was developed with grant monies.

ITEMS OF BUSINESS:

Boggs moved, Schuyler supported to cancel the City Council Meeting that was scheduled for October 20, 2008.

Carried. (5-2)

McDonough moved, Hildebrandt supported to approve the solicitation request from the AMVETS Post #2273 for the annual White Clover fundraiser on October 11, 2008.

Carried.

McDonough moved, Schuyler supported to award the bid to replace the liquid sampler at the WWTP to Hach Company in the amount of \$4,895.00.

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

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to award the bid for playground equipment for the Trumble Park Grant Project to All About Play, Inc. in the amount of \$67,713.00, of which \$66,413.00 is part of the grant project. The additional \$1,300.00 will be paid from the Park Development money.

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

NAYS: None

Carried.

Schuyler moved, Doyle supported to award the bid for basketball court renovations at Trumble Park to Perrin Construction in the amount of \$86,849.00, as part of the DNR Grant Project.

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

NAYS: None

Carried.

Boggs moved, Hildebrandt supported to authorize payment to Kelly's Asphalt in the amount of \$5,665.00 for patch work and paving of Trumble Park parking area along Monroe Street.

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

NAYS: None

Carried.

McDonough moved, Doyle supported to accept the contract from Trust Thermal in the amount of \$6,200.00 for asbestos abatement in the city-owned houses located on Shiawassee and Washtenaw Streets.

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

NAYS: None

Carried.

Boggs moved, Doyle supported to amend the contract with Wade Trim for Planning and Zoning services in the amount of \$900.00 per month; \$500.00 per month for the retainer fee and \$400.00 for each Planning Commission meeting attended.

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

NAYS: None

Carried.

Doyle moved, Hildebrandt supported to approve the changes to the franchise with Charter Communications reflected in the attached agreement and directs the administration to execute the agreement, as presented.

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

NAYS: None

Carried.

Boggs moved, Schuyler supported to approve the City Manager Salary & Benefit Package with the removal of the retirement portion, with the authorization that an actuary be preformed and the results presented to City Council.

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

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve the resolution to hold a Public Hearing at the City Council meeting on Monday, November 3, 2008 to amend the DDA Development Plan and Tax Increment Financing.

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

NAYS: None

Carried.

McDonough moved, Schuyler supported to approve the Notice of Intent resolution to amend the DDA Development Plan and Tax Increment Financing.

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

NAYS: None

Carried.

Doyle moved, Hildebrandt supported to approve the request by Kerry Chamberlain to connect to City of Durand's sewer system.

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

NAYS: None

Carried.

CITIZENS' SPEAK-AGENDA ITEMS ONLY:

No one spoke.

DEPARTMENT REPORTS:

Police Chief: Bicycle sale will be held on October 24, 2008 at 4:00 p.m. at the Water Plant, on Lincoln Street. Bikes will be priced between \$5.00 to \$20.00 each.

DPW Director: Brush pickup starts with week. I had a meeting the MDOT and the future does not look good. Projects after 2009 are uncertain at this time. Our Radio Read program is about 50% complete, 730 meters were read in just 1 hour.

City Treasurer: Auditors will be here this week. They will be auditing books ending June 30th, 2008.

City Attorney: Thank you for allowing me to attend the MML Conference held on Mackinaw Island this past week. It was a very valuable conference, many sessions were applicable to towns very much like ours.

City Manager/Clerk: Letters were sent to designated flood areas to identify the damage that was done during this last major flood event. This information has been forwarded to FEMA. We will wait to hear from them. Annual Chamber breakfast is November 6th at 7:00 a.m. I also attended the MML conference with past week. The one common statement was that the revitalization of this state is in our Downtown Areas. We have a downtown that is begging to be used and invited into. We need to have a workshop on the Administration Goals that were identified, maybe after the election. Thank you for approving my compensation package.

COUNCIL COMMENTS:

McDonough: I attended the MML Conference on Mackinaw Island this past week.

Doyle: I presided over the MML Conference. There was a lot of good information from not only this conference but also the one I attend in Alpena prior to the MML conference. I will be putting together a packet of information for those council members that could not attend.

Boggs: The sessions on Foreclosures and Land Banks were especially interesting at the MML conference. Congrats to Amy.

Douglass: At one time MMR talked about a \$49.00 membership fee. Have you heard anything about this? Amy hasn't heard anything yet. Have you checked into the Fire Chief's car? Amy said that she is meeting with the auditors this week and will have more information later.

Mayor Canute: At the MML conference they had a session on Land Banks. I would like to get with other Mayors in the area to try to prosper through this project. It was a really good learning experience.

Hildebrandt: I went to the conference, it was very helpful.

Mayor Canute adjourned meeting at 8: 26 p.m.

SEPTEMBER 15, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on September 15, 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, Schuyler
Absent: None

APPROVAL OF AGENDA:

McDonough moved, Schuyler supported to approve the agenda with the removal of:
Item J. – Approval of City Manager Salary & Benefit Package
Carried.

APPROVAL OF MINUTES:

Schuyler moved, McDonough supported to approve the minutes of the regular meeting held on August 18, 2008 as corrected.
Carried.

APPROVAL OF BILLS:

McDonough moved, Hildebrandt supported to approve the payment of the City bills number 35707-35829 as presented.

YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough (abstained from bill #35768), Schuyler, Boggs
NAYS: None
Carried.

CITIZENS PRESENT:

Deanna Finnegan, is a candidate for County Sheriff (Republican) in the November election. She is a graduate of Durand High School and is a long time Shiawassee County resident. She would appreciate your vote in November.

Tony Newman, is a candidate for Shiawassee County Drain Commissioner (Democrat). He would appreciate your vote in November.

Mike Fuja, is currently a County Commissioner that is running for re-election in November. He would like your support.

ITEMS OF BUSINESS:

A letter of commendation written by Police Chief Tanner acknowledging the heroic efforts of Officer Brandon Leighton on May 21, 2008 when two homes in Durand were destroyed by fire was presented by Mayor Canute, on behalf of the City of Durand.

Boggs moved, McDonough supported to approve the request of the Durand Lion's Club to serve alcohol at Durand Union Station, on Saturday, October 11, 2008 and that the club submit the required insurance binder naming the City of Durand and Durand Union Station as additional insured parties for the event.

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

NAYS: None

Carried.

Doyle moved, Hildebrandt supported to award the bid for crack sealing to Scodeller Construction in an amount not to exceed \$10,000.00.

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

NAYS: None

Carried.

Boggs moved, Doyle supported to award the bid for asphalt patching to Kelly's Asphalt in an amount not to exceed \$10,000.00.

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

NAYS: None

Carried.

Doyle moved, Boggs supported to award the bid for office furniture to Facilities Matrix Group in the amount of \$3,709.10.

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

NAYS: None

Carried.

McDonough moved, Doyle supported to approve the repairs to the dump truck by Central Ford Truck in the amount of \$4,028.72.

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

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to approve the contract with SME for soil borings in the amount of \$5,800.00.

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

NAYS: None

Carried.

Doyle moved, McDonough supported to approve the contract between the City of Durand and Teamsters Local #214 Part-time Patrol Officers, with the language changes as presented.

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

NAYS: None

Carried.

Doyle moved, Boggs supported to approve the contract amendment between the City of Durand and Teamsters Local #214 Full-time Patrol Officers changing Article XXII, Section 1., paragraph 1 from (5) five full-time officers to (4) four full-time officers, located on page 22 of the current contract.

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

**NAYS: Hildebrandt, McDonough
Carried.**

**CITIZENS' SPEAK-AGENDA ITEMS ONLY:
No one spoke.**

DEPARTMENT REPORTS:

Police Chief: I am having extra Officers patrolling Optimist Park. Residents are helping by calling us if they see suspicious activity.

DPW Director: I commend Officer Leighton for his heroic efforts on the evening of May 21st. The City of Durand received just over 5 ½ inches of rain this past weekend, on top of the 4 inches that we received during the previous four days. Rainfall so far this month is just less than 9 inches. Several 100 thousand gallons were discharged into the Holly drain this past weekend. There was no release at any of the lift stations. We have requested help through FIMA. Hail damage from last year is wrapping up. Sagelink is moving along. House demolition has slowed. The asbestos surveys are complete, three houses did not show asbestos. The abatement will be approximately \$6,000.00. The sidewalk project is just getting started. Holmes street drainage is a problem. We are taking action that will temporarily alleviate a lot of the flooding until major repairs can be done.

City Attorney: I will be working with DPW Director regarding the discharge event that happened over the weekend at the wastewater plant. A Declaration of Emergency will be sent along with other necessary paperwork.

City Manager/Clerk: The City did file a State of Emergency Declaration with DEQ today. A recount was done this past week for the Democratic candidate for the County Commissioner. Our poll book was correct. We have now completed Phase II of the City Council's Goal Setting Project. I attended the DDA conference last week in Midland, and came away with good information and ideas.

COUNCIL COMMENTS:

McDonough: Thank you Steve and all the guys that worked on the flooding event this past weekend. Amy you are doing a good job of keeping us informed.

Doyle: Next week I'll be attending an Art and Culture Conference in Alpena. I'm really looking forward to it.

Tina: Guys did a great job this weekend with the flooding.

Boggs: The Administration handled everything very well this past weekend.

Schuyler: To the Administration, the residents appreciated your help and support during the flooding, even if it was just being there to talk to. Perry and John Streets need to be paved/repaired. Keep those in mind when doing the street paving project.

Douglass: Where do we stand on the Depot floor patching project? City Manager said that the Depot was supposed to get back with her and they have not done so yet. Mr. Douglass thanked the city for painting the Hagle Street building. Ed Hatherill has talked to me about kids on their bikes and skateboards that are doing destruction behind his building. This past summer they actually bent the gas line that connects to the furnace of his building. This could have been a serious incident. Something needs to be done about this. Could we look into giving them a small fine to pay and sending a letter to their parents? Let's think about this for the spring.

Mayor Canute: I was impressed with the report by MMR that was included in our packets. Their response time is great. Everyone did an outstanding job with the flooding this weekend.

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

SEPTEMBER 1, 2008 CITY COUNCIL MINUTES
NO MEETING

AUGUST 18, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on August 18, 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.

Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough

Absent: None

Boggs moved, Hildebrandt supported to approve the agenda with the additions of:

Item H-Appointment of voting Delegate/Alternate for MML.

Item I – Fire Works request

Carried.

McDonough moved, Doyle supported to approve the minutes of the regular meeting held on August 4, 2008 and to approve the minutes of the executive meeting held on August 4, 2008 as presented.

Carried. McDonough moved, Boggs supported to approve the payment of the City bills number 35652-35706 as presented.

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

Carried.

George Braidwood, is running for Sheriff in the November election. He has been a resident of Shiawassee County for 27 years and a police officer for 22 years. He would appreciate your vote in November.

Paula Brooks, 104 W. Summit Street. Some years ago Durand passed an ordinance that banned pets at public events. Recently there have been a few incidences at both the Farmer's Market and Wednesday Nite Live involving dogs and a snake. What can be done about this? City Clerk noted that she had just reviewed this ordinance and the City Council needs to name events other than Railroad Days and End of Summer Cruisin' for the ordinance to be effective.

Boggs moved, McDonough supported to amend the ordinance that bans bringing pets to public events to include the Durand Farmer's Market and Wednesday Nite Live.

Carried.

Jim Schuyler was elected at the August Primary Election to fill the vacant City Council seat in Precinct I. The Interim City Manager administered the Oath of Office so that Mr. Schuyler could participate in the remainder of the business meeting.

Doyle moved, McDonough supported to cancel the regular meeting scheduled for September 1, 2008 in observation of Labor Day.

Carried.

McDonough moved, Hildebrandt supported to approve the resolution setting an alternate date for the July and December Boards of Review.

Carried.

McDonough moved, Hildebrandt supported to approve the bids for window and door replacement and corrugated siding to Dependable Remolding in the amounts of \$9860.00 for the corrugated siding and \$4100.00 for the doors and windows.

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

Carried.

Hildebrandt moved, McDonough supported to extend our contract for bio-solids hauling with Synagro Central for the 2008-2009 fiscal year in the amount of \$0.0349 per gallon.

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

McDonough moved, Hildebrandt supported to approve the proposal from Trust Thermal in the amount of \$4,275.00 to perform an asbestos inspection on the vacated homes located on Shiawassee and Washtenaw Streets.

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

Boggs moved, Hildebrandt supported to appoint Mayor Canute and Mayor Pro-tem McDonough as voting delegates for the Annual Convention of the Michigan Municipal League Conference to be held October 1-4, 2008.

Carried.

Boggs moved, Doyle supported to approve the request from Durand Area Schools to hold fire works in Durand on September 27th, 2008 with the stipulation that the City of Durand be included in the insurance coverage.

Carried.No one spoke.Mike Fuja: Congratulations to Jim Schuyler. Thank you for your support at the election.

City Fire Chief: The Pre plan/Fire Safety visits are 75% done and are going well. Our fire fighters completed advanced pump training, led by Lieutenant Mince. I'm real proud of these guys.

Police Chief: More damage was done to Optimist Park. We received three confessions that lead to an investigation of a Breaking and Entering at the old Schmelzers building on Vinewood. We will begin random surveillance of the parks soon.

Interim City Manager: Thanks to the police officers that followed up on the tips regarding vandalism at Optimist Park. The new radio meters are being installed. All 200 that we have are installed and have already cut down on the time it takes to read the meters by about a third. I project this project should be completed by winter. Thank you to the residents for passing both the street and ambulance proposals.

Douglass: * Bay Station. What can be done? Interim City Manager responded that Chuck McKone has a few ideas one this. Once he gets back from vacation, we will get together and give you an update.* What is the update on Trumble Park? Bids on the basketball courts came back significantly higher than what was projected. Amy will be working on this. Denny Weir will be doing the sign for the Park. No one bid on the landscaping portion of proposal. Amy met recently with Parks and Recs committee in regards to the playground. She will keep the Council updated as this project goes forward.

*** Steam Engine looks real bad.**

*** The Roof on the Water Plant looks real good.**

•I would like to the Council to appoint Amy Roddy as City Manager/City Clerk.

•Douglass moved, Boggs supported to appoint Amy Roddy as City Manager/City Clerk for Durand.

YEAS: Schuyler, Boggs, Mayor Canute, Douglass

NAYS: Hildebrandt, Doyle, McDonough

Carried.

Doyle: I voted no because I do not want to see the City Manager's position combined with the City Clerk's position.

It was stated that the Mayor and City Manager will sit down to negotiate a benefit/salary package which the Mayor will bring back to City Council.

Schuyler: Glad to be back on the City Council.

Boggs: Congratulations to Jim Schuyler.

Doyle and Hildebrandt concurred with Councilman Boggs.

Mayor Canute: Thanks to the police department for taking action on the recent rash of vandalisms.

Mayor Canute read a letter from the Michigan Historical Library stating that the Arthur Lucas building is being considered for the National Register for Historical Places. Amy thinks that WODA requested

this, but she will check to be sure.

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

AUGUST 4, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on August 4, 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, Doyle, Hildebrandt, McDonough

Absent: Douglass

APPROVAL OF AGENDA:

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

Carried.

APPROVAL OF MINUTES:

McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on July 21, 2008 and to approve the minutes of the executive session held on July 7, 2008 as presented.

Carried.

APPROVAL OF BILLS:

McDonough moved, Hildebrandt supported to approve the payment of the City bills number 35586-35651. (McDonough abstained from bill # 35599)

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

NAYS: None

Carried.

CITIZENS PRESENT:

No one spoke.

ITEMS OF BUSINESS:

Presentation on Energy Lines Tree Trimming: John Hall for Consumers Energy. He explained that vegetation is involved in thirty percent of power outages. There were 13 outages within the last year that affected Durand residents all due to vegetation on or around power lines. Consumers Energy's policy dictates that there is at least a 10 foot clearance around power lines. Mr. Hall explained the necessity for trimming the trees and how they determine how much to cut from each tree. He states that they do their best to work with the local residents and government, but that they don't always have the same goals.

Doyle moved, Boggs supported to award the bid for Shingled Roof Repairs to D. N. West Enterprises in the amount of \$24,409.00 plus \$5.00 per square foot for spot decking repairs as/if required.

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

NAYS: None

Carried.

Boggs moved, Doyle supported to award the bid for Wall Cap Flashing to J. R. Davis in the amount of \$6,925.00

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

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to award the bid for the 2008 Sidewalk Program to Mehay Construction as presented.

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

NAYS: None

Carried.

McDonough moved, Doyle supported to approve the purchase of new chairs through State Purchasing in the amount of \$4,765.60.

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

NAYS: None

Carried.

Doyle moved, McDonough supported to approve the repairs to Fire Truck #602 through R&R Fire Truck Repair Inc. in the amount of \$4,889.60.

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

NAYS: None

Carried.

Doyle moved, Hildebrandt supported to approve the amendment to Terex Simplicity's original IFT exemption request with an additional \$1,172,600.00 in exempted taxes for the next 12 years.

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

NAYS: None

Carried.

Boggs moved, Doyle supported to give the Interim City Manager an additional \$500.00 per week for doing the City Manager's duties.

Boggs moved, Doyle supported to amend the original motion to give the Interim City Manager an additional \$400.00 per week for performing the City Manager's duties. This will be retroactive to July 8, 2008.

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

NAYS: None

Carried.

***Roll Call vote was not taken on the original motion.**

CITIZENS SPEAK-AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

Mike Fuja: Please remember to vote tomorrow.

City Fire Chief: The Fire Preplan/Inspections for all Durand businesses will be starting soon. This will include information that will be collected to help during a fire emergency.

Police Chief: A suspect was apprehended for the destruction of the hockey nets at Optimist Park. Also Trumble Park was vandalized by four teens. They were not local youths. One is 17 years old and went to Court, the other three went to Juvenile Court.

The Chief also gave an update on their "Idling Policy". Police cars need to idle due to the computers that are on board. In the summer it gets too hot inside the cars for the computers to work properly and in the winter, it gets too cold for the computers to work properly. However, they are working on this and if you compare figures from last year the consumption of gasoline is down.

DPW Supervisor: Thank you to the Independent and to Officer Folaron for their help in apprehending the suspects in the Optimist Park incident. He also said that the City is changing the color of the parking lines. They are using a bright yellow that is easier to see and will be especially better in the snow. Handicapped spaces will be painted blue.

Treasurer: Everything is running smoothly, tax dollars are coming in. Mindy is a nice addition to our office.

City Attorney: The Officers need to stay on top of the youths in Juvenile Court. We need an estimate of damages. It's our job to get our money back.

Interim City Manager: Thank you to the Independent and Police Department for swift action on the park vandalisms. She also directed the audience's attention to three historical pictures that we had restored, matted and framed. Sagelink had their ground breaking ceremony this week that went well. She reminded everyone to vote tomorrow in the Primary Election.

COUNCIL COMMENTS:

McDonough: Amy I appreciate being informed. Remember to vote.

Doyle: Amy you're doing a good job keeping us informed. I appreciate it. Remember to vote.

Hildebrandt, Boggs and Canute concurred with the other Councilpersons.

Boggs moved, Hildebrandt supported that the Council adjourn into Executive Session to discuss pending litigation; to discuss this in public would jeopardize the city's position.

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

NAYS: None

Carried.

Meeting was reconvened at 8:40 p.m.

Mayor Canute adjourned the meeting at 8:41 p.m.

JULY 15, 2008 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on July 21, 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

APPROVAL OF AGENDA:

Boggs moved, McDonough supported to approve agenda as presented.

Carried.

APPROVAL OF MINUTES:

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

Carried.

APPROVAL OF BILLS:

McDonough moved, Hildebrandt supported to approve the payment of the City bills number 35521-35585.

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

NAYS: None

Carried.

CITIZENS PRESENT:

Constance Cobby, Durand Union Station, requesting permission to take plywood from the Freight Room walls and use it on the floor in the storage area in the attic. She said that currently they would only have enough wood to do about 1/3 of the floor, but that they would be applying for grant monies and seeking other forms of funding. Rob Kehoe, Building Inspector did an inspection and approved the wood being used. After much discussion, it was decided that Ms. Cobby and Amy would get together and bring a plan back to the City Council at a future meeting. Attorney McKone noted that all volunteers would need to sign a waiver releasing the City from liability.

Kevin O'Brien, 5647 Bancroft Road, he received a bill from the City for lawn mowing at his home on 409 North Oak. He purchased the property in March and had the water turned on in late April. He did not know that the City was mowing the lawn, he thought that the neighbors were doing it. He does not feel that he should have to pay the bill. It was decided that the Interim City Manager and the O'Brien's would get together to further discuss this problem. This was the first time that the Interim City Manager was aware of this problem.

ITEMS OF BUSINESS:

Doyle moved, McDonough supported to approve the consent agenda, which includes approval of the Board of Directors for the Michigan Municipal League Worker Compensation Fund and the Election Inspectors for the August 5th Election.

Carried.

Public Hearing : Vacating Alley Between N. Saginaw and Shiawassee Streets Authorization to Approve the Vacation of Alley Ordinance

Public Hearing opened at 7:55 p.m.

No one spoke at this time.

Public Hearing closed at 7:56 p.m.

Doyle moved, McDonough supported to approve the ordinance described below.

AYES: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute

NAYS: None

Carried.

AN ORDINANCE TO VACATE A PORTION OF THE ALLEY LOCATED BETWEEN THE 300 BLOCKS OF NORTH SAGINAW AND SHIAWASSEE STREETS. THE PROPERTY IS LEGALLY DESCRIBED AS:

A portion of the alley located in Block 8 of Durand Land Company's Second Addition to the Village (now City) of Durand, legally described as:

Part of the 15 foot wide alley running North and South in Block 8 of “Durand Land Company’s Second Addition to the Village (now City) of Durand,” Shiawassee County, Michigan, according to the plat thereof, as recorded in Liber 1 of Plats, on Page 111, Shiawassee County Records, described as beginning at the Southwest corner Lot 10 of said Block 8; thence S 89 degrees 53 minutes 47 seconds West 15.00 feet to the West line of said alley; thence North 00 degrees 05 minutes 33 seconds East on West line a distance of 276.04 feet to the Northeasterly line of said Block 8; thence South 45 degrees 01 minutes 59 seconds East on said Northeasterly line a distance of 21.16 feet; thence, South 00 degrees 05 minutes 30 seconds East on the East line of said alley a distance of 261.06 feet to the point of beginning.

Boggs moved, Hildebrandt supported to award the bid for right of way tree trimming to Robinson Tree Service in the amount of \$21,602.00 and \$150.00 per hour for additional trimming and removals and \$2.50 per inch for additional stumps.

AYES: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass

NAYS: None

Carried.

Boggs moved, Hildebrandt supported to award the bid for pavement marking to Michigan Pavement Marking in the amount of \$8,410.00

AYES: Hildebrandt, Boggs, Mayor Canute, Douglass, Doyle

NAYS: McDonough

Carried.

Doyle moved, Hildebrandt supported to award the bid for the repair to the Fire Hall Parex Eif to Profiles Designs and Shapes in the amount of \$9,768.00.

AYES: McDonough, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt

NAYS: None

Carried.

Doyle moved, Hildebrandt supported to award the bid for the repair to the tile roof at the Durand Union Station to Butcher & Baecker in the amount of \$11,760.00.

AYES: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to award the bid for demolition of the 7 city owned homes on Shiawassee and Washtenaw Streets to Ken Parker and Sons in the amount of \$54,800.00.

AYES: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs

NAYS: None

Carried.

Boggs moved, Doyle supported to purchase 4 basketball goals from Miracle Recreation of Michigan in the amount of \$7,691.00 for the Trumble Park Grant Project.

AYES: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to increase the mileage reimbursement from 40 cents per mile to 58 ½ cents per mile driven for city business.

AYES: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass

**NAYS: None
Carried.**

Mayor Canute opened discussion regarding compensation for the Interim City Manager for performing the City Manager's duties as well as the City Clerk's. This discussion was postponed pending additional information.

CITIZENS SPEAK- AGENDA ITEMS ONLY:

Paula Brooks, 201 Summit Street, inquired about the replacement of tiles on the Depot roof. Will the replacement tiles match the existing tiles? Steve Mince said that they would, they are from the same manufacturer. It was further stated that the company would replace any tiles used from the Depot's stock of tiles.

DEPARTMENT REPORTS:

DPW Supervisor: One third of the Silver Maple trees that were planted in the city 100 years ago, have reached their life expectancy. This along with the loss of the Ash trees I would like to see some kind of Community Tree Program to replenish our tree loss, possibly with help from a grant. We have hired, Andrew Jaskiewicz as a full time employee with the DPW. The Hockey nets that were recently purchased and installed at Optimist Park were vandalized last night. I would like to have a newspaper article done on this along with pictures and an offer of a \$250.00 reward.

City Attorney: If Consumer's Power is damaging trees in the City of Durand, we can stop them. Call City Hall to report incident. Also, the law states 90 days in County jail and/or \$500.00 fine for vandalism. If we can find the individuals responsible for the vandalism at Optimist Park we will prosecute.

Interim City Manager: We will be looking into how we can secure the parks. It will be expensive. Bids will be going out soon for improvements to Trumble Park. Meet the Candidate is Thursday @ 7:00 p.m. at the Depot.

Mike Fuja: A representative needs to be appointed to replace Lynn Markland on the Shiawassee Economic Development Partnership Board.

Boggs moved, Hildebrandt supported to appoint Amy Roddy to replace Lynn Markland on the SEDP Board.

Carried.

COUNCIL COMMENTS:

Doyle: Asked if someone could write Miracle Recreation of Michigan a thank you note for their donation to our basketball goals at Trumble Park.

Hildebrandt: Can we do something about the garbage cans being left in the street after the garbage is picked up? Yes, I will call Waste Management regarding this situation.

Douglass: I would like to see the budget for next year to include the purchase of trees for the city. I would also like Mike and Amy to go to Consumer's and tell them not to touch our trees. I would like to use peer pressure to find out who did this damage at the park. I also feel that the nets should not be replaced for at least six weeks or so.

McDonough: Why weren't we told at budget time that a full time DPW employee would be added? Interim City Manager explained that this position was to replace Bob Kitchen's position and that it was budgeted for, so therefore you will not see a shortfall.

Canute: I hope the Council Members saw the letter from SATA regarding the reduction in cost to the City of Durand. A reminder that the softball game between Owosso and the City of Durand is scheduled for August 8th. See Jeff Brands or Officer Pletcher for more information.

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

JULY 7, 2008 CITY COUNCIL MINUTES

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

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

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

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

**Boggs moved, McDonough supported to approve the minutes of the regular meeting held on June 16, 2008 as presented and the special meeting held on June 24, 2008 as corrected.
Carried.**

APPROVAL OF BILLS;

McDonough moved, Hildebrandt supported to approve the payment of the City bills number 35446-35520.

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

NAYS: None

Carried.

CITIZENS PRESENT:

Dominic Adams, Reporter with The Argus Press, 507 Corunna Avenue, Owosso, requested an appeal of FOIA with regards to an employee personnel file. City Attorney, Chuck McKone stated that releasing those records would not have served the public since there is an ongoing investigation against the officer whose records were requested. Appeal denied.

Gary Stiles, Interested in leasing farmland on Goodall Road for organic farming. Steve Mince, Director of Public Works said that he has talked with DEQ and they are requesting a specific list of what you would be using (as fertilizers) on the crops. City Clerk will be getting with you for follow-up.

Angelo Panos, former police officer with the City of Corunna spoke in support of Officer Crooks.

Ryan Hall, former member of Durand Police Department spoke in support of Officer Crooks.

Justin Tompkins, life long resident of Durand spoke in support of Officer Crooks.

Ken Canfield, Owner of Uncle Buck's Bar, spoke in support of Officer Crooks.

Kim McDonough, spoke in support of Officer Crooks.

Debbie Henzie, spoke in support of Officer Crooks.

Tom Tompkins, owner of 206 Bar, spoke in support of Officer Crooks.

Rich Crooks, brother of Officer Crooks, spoke in support of Officer Crooks.

ITEMS OF BUSINESS:

McDonough moved, Hildebrandt supported to approve the request from the Chamber of Commerce to close streets for the End of Summer Cruisin' event on August 30, 2008.

Carried.

McDonough moved, Doyle supported to approve the plan for a Planning and Zoning Department and the fee schedule for Planning and Zoning Fees.

AYES: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute

NAYS: None

Carried.

Boggs moved, McDonough supported to approve the proposal to upgrade the telephone system at City Hall at a cost of \$4,474.85.

AYES: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass

NAYS: None

Carried.

McDonough moved, Hildebrandt supported to lease the meter system improvements from Ervin Leasing for Etna Supply products for \$234,000. 50% of cost to be paid from Water Fund and 50% of cost to be paid from the Sewer Fund and to be purchased for \$1.00 at the completion of the lease agreement.

AYES: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, Doyle

NAYS: None

Carried.

CITIZENS SPEAK-AGENDA ITEMS ONLY:

Pat Post from the Durand Chamber of Council thanked the City Council for approving the street closure for the End of Summer Cruisin' event.

Tom Tompkins asked if he would see an increase in his water bill due to the new meter purchase.

Markland stated that no increase would be forth coming due to this expenditure. He also stated that the extra labor hours saved would be spent doing preventative maintenance on the system.

DEPARTMENT REPORTS:

Mince: Thanks to Chuck Olund for the meter reading research and for presenting information for the City Council's approval for this project. Mince also told the Council that there is a very serious sewer problem on North Oak Street. There is a big hump in the road during serious rain events. A 24 inch sewer pipe is dislodged and needs to be repaired or replaced. This is still in the investigation stage.

City Treasurer David: Wished Lynn well with new position as Fenton's City Manager.

City Attorney McKone: Wished Lynn well in his new endeavors. His vision will be missed here in Durand.

Markland: We closed on the Sagelink property and our part of the project is done. The Planning Commission has approved the Site Plan for Sagelink Credit Union. Markland also thanked the City Council, the Rotary and the Chamber of Commerce for the roast last week.

COUNCIL COMMENTS:

Douglass: Thanked Lynn for the last 15 years, “You will do a fine job and keep in touch”.

Boggs: Wished Lynn well in his new position.

Doyle: Wished Lynn well in his new position. Doyle also asked if the “bubble” pools that she is seeing around town need a fence around them.

McDonough: Wished Lynn well. McDonough also asked if the Fire Chief had locked the gate that is around a pool in his neighborhood. McDonough said that the gate is often open and that there are many children that play in that area. He is concerned someone will get hurt. The Fire Chief said that the main gate is locked and that he can not lock up someone else’s property. McDonough also asked about the status of the “slow children” sign. Mince said that he would check on it and get back to him.

Mayor Canute: Extended his appreciation to Lynn for the past 15 years. “You’re going to be missed”.

Boggs moved, McDonough supported that Council adjourns to Executive Session for an Employee hearing at the employee’s request.

AYES: McDonough, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt

NAYS: None

Carried.

Council reconvened at 9:45 p.m.

City Attorney stated, for those present, “With no motion taken at this time, the Council has not interfered with the Administration’s decision so the decision stands.”

Mayor Canute adjourned the meeting at 9:46 p.m.