
JUNE 28, 2012 CITY COUNCIL MINUTES

Minutes of the special meeting of the Durand City Council held on Thursday, June 28, 2012 at 3:00 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 3:04 p.m.

ROLL CALL:

Present: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

Absent: Boggs

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

Schuyler moved, McDonough supported to approve the agenda with the addition of J. Rural Development Obligations.

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Connie Cobby, 405 Main St. She stated that she has concerns regarding the condition of housing in the community. People are not keeping their houses up to standards, people are parking cars in their front yards, etc., she believes that these activities are bringing down the value of her home and they can lead to environmental and health issues as well.

Carl Hatley, 216 W. Main St, owner of Railway Pizzeria. He stated that he believes that the cost to go before the Zoning Board of Appeals is too high and would like the Council to lower them. City Manager explained that the cost includes: posting of the meeting, mailings to residents surrounding proposed variance, time and labor to do necessary research, and cost of ZBA members and staff to attend meeting.

ITEMS OF BUSINESS:

McDonough moved, VanRiper supported to award the bid for right of way tree work to Miles Tree Service of Byron, Michigan for \$90.00 per hour and \$1.25 per diameter inch for stump grinding.

YEAS: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

NAYS: None

Unanimously carried

VanRiper moved, McDonough supported to approve the following revised fee schedule for water sales to contractors:

Water Sales to Outside Contractors

During normal business hours: 8:30 a.m. – 5:00 p.m.

Up to 1000 Gallons: \$50.00
1000 to 2000 Gallons: \$55.00

2000 to 3000 Gallons: \$65.00
3000 to 4000 Gallons: \$75.00
4000 to 5000 Gallons: \$85.00
Over 5000 Gallons: \$85.00 plus man-hours beyond first hour

Unanimously carried

McDonough moved, Brands supported to approve payment to C2AE for sewer mapping updates in the amount of \$2,448.71.

Unanimously carried

McDonough moved, Fuja supported to approve the request to purchase parts for the Case Front End Loader from Bridgeport Equipment in the amount of \$1,626.45.

Unanimously carried

VanRiper moved, Fuja supported to approve the contracts with Kone Elevator, after removing paragraphs three and four from the Terms and Condition of contract, in the amount of \$1,535.00 to provide maintenance on the elevator in the City Hall building.

YEAS: Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Brands

NAYS: None

Unanimously carried

McDonough moved, Schuyler supported to approve the contract amendment with the Michigan Department of Transportation to extend the end date for Contract #2009-0486/A3 until September 30, 2012.

YEAS: Fuja, McDonough, Schuyler, VanRiper, Brands, Mayor Doyle

NAYS: None

Unanimously carried

Schuyler moved, VanRiper supported to approve the contract amendment with E.T. MacKenzie in the amount of \$15,896.45 to replace the storm drainage system in the depot parking lot.

YEAS: McDonough, Schuyler, VanRiper, Brands, Mayor Doyle, Fuja

NAYS: None

Unanimously carried

McDonough moved, Fuja supported to approve the amendments to the 2011-2012 City of Durand budget, as recommended by the City Treasurer.

YEAS: Schuyler, VanRiper, Brands, Mayor Doyle, Fuja, McDonough

NAYS: None

Unanimously carried

McDonough moved, Schuyler supported to approve the payment of the invoice for membership renewal in the Michigan Municipal League at a cost of \$3,212.00.

YEAS: VanRiper, Brands, Mayor Doyle, Fuja, McDonough, Schuyler

NAYS: None

Unanimously carried

Schuyler moved, McDonough supported to approve the Rural Development sewer obligations at an interest rate of 2.1250%.

City Manager explained to the Council that the City of Durand does not qualify for a grant for this project. The dollars are no longer available as they were in 2009. She explained that to fund this project without a grant, it will cost each home approximately \$24.00 per year for 40 years. If the council does not obligate the city today, then we will have to start over in the pool with all other municipalities and our chance of getting funded changes drastically.

YEAS: Schuyler, VanRiper, Brands, Mayor Doyle, Fuja, McDonough

NAYS: None

Unanimously carried

McDonough moved, Brands supported to approve the Rural Development water obligations at an interest rate of 2.7500%.

YEAS: VanRiper, Brands, Mayor Doyle, Fuja, McDonough, Schuyler

NAYS: None

Unanimously carried

CITY MANAGER AND DEPARTMENT REPORTS:

City Engineer: Final grading of the Depot is set for tomorrow, with paving to be started on Monday.

City Attorney: He stated that “after the 4th of July we should start talking about what you want to do with the fireworks. We will reconsider this issue after the holiday”.

City Manager: Air conditioner is now working in the building. New carpeting was installed and everything is almost back together. In regards to the statements made by Connie Cobley about the deterioration of community housing, the city is regulating it but we need to move forward in this endeavor.

COUNCIL COMMENTS:

Brands: He wanted to thank Jeff Stutts at Ace Hardware along with Cheryl Cole, and Jo Borkowski for planting the baskets in the downtown area. The city is looking very nice and people are out walking and riding their bikes.

McDonough: He asked if the sprinkler system on the light posts is working in the downtown area. The City Manager said that the baskets on the lights are being watered automatically but the baskets located on the fence are not and “we are tracking every penny” so that the contractor can be billed. He asked for an update on the concrete. City Manager stated that MDOT has not responded, they want to put together a punch list before they do anything more regarding the concrete.

Schuyler: He asked how the code enforcement is going? City Manager said that “it is a huge job, we are making some headway. Our part time police officers are working days next week on code enforcements”.

Fuja: She stated that none of the employees work for the Council, only the City Manager and City Attorney work for the Council. She said that she loves the carpet. She asked the City Engineer where the benches are that were supposed to be located downtown. City Engineer stated that they are working to order more benches outside the contract.

Mayor Doyle adjourned meeting at 4:35 p.m.

JUNE 4, 2012 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, June 4, 2012 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

Schuyler moved, McDonough supported to approve the agenda with the addition of I: Request to close streets for Back to the Bricks on June 15, 2012.

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, VanRiper supported to approve the minutes of the regular meeting held on May 7, 2012, the Executive Session held on May 7, 2012 and the Special meeting on May 21, 2012, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Boggs supported to approve the payment of bills # 40886-40972.

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

McDonough moved, Schuyler supported to approve the City Council Meeting Schedule for 2012-2013, as presented.

Unanimously carried

McDonough moved, Boggs supported to cancel the July City Council meeting.

Unanimously carried

Schuyler moved, VanRiper supported to declare the outstanding utility accounts as uncollectible and direct the Treasurer to place the debts on the 2012 summer tax roll.

YEAS: Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to declare the outstanding invoices due to the city as uncollectible and authorize the Treasurer to place the debts on the 2012 summer tax roll.

YEAS: Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to table the Resolution Correcting Annexation Boundaries.

Unanimously carried

McDonough moved, Boggs supported to approve the contract for Assessor of Record Services with HSC Services, Inc. in the amount of \$1,900.00 per month from July 1, 2012 through June 30, 2012.

Unanimously carried

VanRiper moved, Brands supported to renew the bio solids removal bid with Synagro Central, LLC for \$0.0349 per gallon hauled, as presented, for the 2012-13, 2013-14, and 2014-15 fiscal years.

City Attorney stated to the Council that the contract includes a fuel surcharge fee schedule which could potentially increase significantly the costs. City Manager said that the fuel surcharge fee schedule is also included in the existing contract and noted that most companies of this sort also have fuel surcharge fee schedules due to the inconsistencies of fuel prices.

YEAS: Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, Fuja, McDonough

NAYS: None

Unanimously carried

McDonough moved, Brands supported that we approve the proposal from Partner's Manufacturing Group in the amount of \$5,870.00 to repair and retrofit the leaf loader.

YEAS: VanRiper, Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler

NAYS: None

Unanimously carried

Boggs moved, Brands supported to approve the request to close a portion of Saginaw Street,

Clinton Street, and possibly Main Street for the “Back to the Bricks” event to be held on June 15, 2012.

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

Paula Brooks, Summit Street. Asked what time does the special meetings of the City Council start. Mayor Doyle said that they usually start at 7:00 p.m.

CITY MANAGER AND DEPARTMENT REPORTS:

DPW Director: June 8th the City Administration Offices will be closed due to having new flooring installed. Notices will be posted on the door. Brush pickup begins tomorrow (June 5, 2012).

Chief of Police: The new police cruiser is being outfitted and the old cruiser is located behind the fire hall.

Treasurer: The last week of June we will hold a special Council meeting for budget amendments.

City Attorney: He briefly discussed the new state statute regarding municipality’s right to regulate fireworks. He stated that municipalities can regulate when fireworks can be discharged except for the day before, the day of, and the day after a major holiday. “The city has the right to do some regulations, but does the Council want to?” He also told the council about a type of manufactured marijuana that is being sold that is very dangerous, causing death and serious injury. He will be working with the Chief of Police and the City Manager regarding this issue. Mayor Doyle asked if residents can raise chickens. City Attorney said that they can’t have chickens as pets, but if they are raising them for their eggs or to slaughter, and they are following all regulations, they may be able to have them in the city.

City Manager:

- Told the Council that the carpet is being replaced in the Administration offices on Friday, so City Hall will be closed.
- New legislation is coming from Lansing regarding zoning regulations. We are going to continue to enforce our zoning laws.
- Senator is very concerned with MDOT regulations. A meeting was set for last Friday, Mayor Doyle and DPW Director, Steve Mince went to represent the City of Durand’s concerns, unfortunately the meeting was cancelled and rescheduled for June 8th.

COUNCIL COMMENTS:

Brands: He stated that our Building Inspector is doing a “fine job and I wouldn’t want anyone else”. The City of Durand is moving in the right direction and we need to keep enforcing our ordinances.

Boggs: He asked about a Rural Development update. City Engineer stated that she and the City Manager will be meeting on Thursday and will have an update for the council then.

McDonough: He stated that “We need to enforce our ordinances. I don’t like to see abandoned

buildings and tall weeds; we need to get it done”.

Fuja: Aasked the Chief of Police about the cage fighting that was held during the Railroad Days event. Chief Sampey said that” it was a great weekend, there was absolutely no issues. It was good for the City”.

Schuyler: He said that he is in agreement with the other Councilmen; we need to enforce our ordinances.

VanRiper: He said that “we need to support our Code Enforcer with enforcing the ordinances”. He thanked Chief Sampey for coverage during Railroad Days.

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

MAY 21, 2012 CITY COUNCIL MINUTES

Minutes of the special meeting of the Durand City Council held on Monday, May 21, 2012 at 7:00 p.m. in the Council Chambers of Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper

Absent: Fuja

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

Schuyler moved, McDonough supported to approve that agenda as presented.

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Public Hearing and Adoption: Sidewalk Café/Outdoor Seating Ordinance

Mayor Doyle opened the public hearing at 7:02 p.m.

No one spoke.

Mayor Doyle closed the public hearing at 7:03 p.m.

City Manager recommended that “Required Curb extension” be added to the Ordinance as an extra safety provision.

Mayor Doyle stated that after seeing the outdoor café at Railway Pizzeria over the weekend, she

feels that it would be safer to have the deck extension also.

Councilman Brands said that Railway Pizzeria set up the outdoor café as an experiment to see how it would be received by his customers over the Railroad Days weekend. He suggested that the ordinance would be written in such a way that business owners could utilize the outdoor café (without the deck extension) for one year to see if this will work, before investing \$2,000-\$3,000 for the required decking.

Carl Hatley, Owner of the Railway Pizzeria stated that he can't afford the money to build decking when he doesn't know if he can make any money. He stated that he would put a concrete barrier on the east side to protect the customers from traffic.

Mayor Doyle stated that the Council's responsibility is "to make an ordinance that we are comfortable with and that is safe for our residence". She went on to say it is not the Council's responsibility to make it affordable for the businesses, but to provide him an opportunity to have outdoor seating.

Councilman Brands asked if they could approve the ordinance as it is presented, and then give businesses a variance for the decking requirement for the first year.

City Attorney said that there can be no variances to this particular ordinance because it is a City Code, not a Zoning Ordinance. He continued "we elected to have this a City Code so that Council could approve the ordinance to expedite the permit process. You, as a Council have an option to make certain items to begin at specific times".

McDonough moved, Boggs supported to amend the Code of Ordinances for the City of Durand to include Chapter 15: Sidewalk Café and Outdoor Seating, with Section B to read: A detailed plan showing the design (and commencing January 2013, required curbed deck extension construction)...

YEAS: Brands, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs

NAYS: None

Unanimously carried

McDonough moved, Brands supported to authorize the extension of the contract between the City of Durand and the Brotherhood of Teamsters State, County and Municipal Workers Local 214-Durand Laborers for the 2011-2012 fiscal year.

YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried

**DURAND CITY COUNCIL
RESOLUTION
ADOPTION OF ANNUAL BUDGET**

**MOTION BY: MC DONOUGH, SUPPORTED BY: SCHUYLER TO ADOPT THE
FOLLOWING RESOLUTION:**

WHEREAS, The City Charter of the City of Durand, Michigan states that “not later than the second meeting in May, the City Council shall, by Resolution, adopt the Budget, for the next Fiscal Year, and, shall provide for a levy, of the amount necessary, to be raised by taxes, upon real and personal property for Municipal Purposes”...

NOW THEREFORE, BE IT RESOLVED, that the budget for the City Fiscal year beginning July 1, 2012 as recommended by Administration and adopted by the City Council, and as described in the Summary as follows:

		Revenues	Expenditures
General Fund	\$2,074,950	\$2,074,950	

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

BE IT FURTHER RESOLVED, that in order to carry-out the provisions of the above described Budget, the following tax rate be applied to the completed Assessment Roll Valuation of \$66,181,534 as approved by the City of Durand Board of Review and required by the State Constitution, and be applied to all properties, subject to the Commercial Facilities Taxes, which shall have one-half of the tax rate applied, and be applied to all properties subject to the same;

WHEREAS, the Total City Tax Levy for General Fund Purposes, as of July 1, 2012, shall be 16.5304 per \$1,000 of taxable valuation, subject to all related provisions of the Truth in Taxation and Headlee Amendment and, \$3.70 per \$1,000.00 of Taxable Valuation Tax Levy for Debt Service.

BE IT FURTHER RESOLVED, to adopt the following City of Durand Budgets:

Major Streets	\$ 155,875	
Local Streets	124,720	
Street Fund	130,500	
Ambulance Fund	63,000	
Building Inspector	17,500	
Debt Service – WWTP-01	57,000	
Debt Service – WATER-12	177,000	
Debt Service –WWTP-11	108,770	
WWTP Fund	851,700	
Water Fund	635,700	
Refuse Service	197,500	
Equipment Revolving	382,805	
Fringe Benefits	385,500	
Downtown Development Authority		97,015
Sidewalk Fund	8,500	

And all other Capital Improvement Projects for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013;

BE IT FURTHER RESOLVED, that the City Manager as Chief Administrative Officer be

allowed to exceed any line item or department or fund including both revenues and expenditures providing that the total end of the year expenditures titles "TOTAL" or "GRAND TOTAL" to a value less than the amount extra revenues appropriation should exceed either of the above prior to such exceeding, the City Council must make a supplemental adjustment to the appropriation.

YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle

NAYS: None

MOTION CARRIED

CERTIFICATION

I, Amy J. Roddy, Clerk for the City of Durand, Michigan, hereby certify that the above resolution was passed at a Special City Council Meeting held on May 21, 2012.

Amy J. Roddy, City Clerk

McDonough moved, Boggs supported to accept the lease agreement between the City of Durand and Durand Union Station, Inc. as presented by the City Manager and City Attorney.

YEAS: Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, McDonough

NAYS: None

Unanimously carried

COUNCIL COMMENTS:

Schuyler: None

VanRiper: None

Brands: None

Boggs: Would like to receive minutes from the Planning Commission and the Parks and Recreation Board.

McDonough: He stated that he witnessed many people tripping over the broken/cracked sidewalk in the area that the Railroad Days carnival was held. He also stated that the Railway Pizzeria sidewalk Café "looked nice".

Mayor Doyle adjourned the meeting at 7:53 p.m.

MAY 7, 2012 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, May 7, 2012 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

McDonough moved, Fuja supported to approve the agenda with the addition of G. Approval of Legal Services Agreement for Water and Wastewater with regards to the Rural Development Project.

Unanimously carried

APPROVAL OF MINUTES:

Boggs moved, VanRiper supported to approve the minutes of the regular meeting held on April 9, 2012, the Executive Session held on April 9, 2012 and the Budge Workshop held on May 2, 2012, as presented.

Unanimously carried

APPROVAL OF BILLS:

VanRiper moved, Schuyler supported to approve the payment of bills #40786-40885.

YEAS: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Harold Fremd, Russell Street. He wanted to thank the DPW Director for all his help in solving the water issue on Russell Street. Mr. Fremd believes that the problem has been solved.

Paula Brooks, 104 W. Summit St. She wanted verification that the City ordinance regarding pets at the Farmers' Market is in effect. City Manager stated that an amendment was approved that included the Farmer's Market as an event that residents could not bring their animals to.

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to approve the request from the Greater Durand Area Chamber of Commerce to use the grounds at Diamond District Park for a circus on June 16, 2012.

Unanimously carried

McDonough moved, VanRiper supported to award the bid from Collard Concrete, Owosso, Michigan for sidewalk/concrete replacement at the rates outlined within the bid specifications.

YEAS: Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried

VanRiper moved, Schuyler supported to award the bid from Owosso Carpet Center for carpet, tile and installation for \$10,693.38 and we approve the accompanying bid from Bruckman Moving and Storage for \$4,000.00 to disassemble and reconstruct the office cubicles in order to install the new flooring.

YEAS: Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle

NAYS: None

Unanimously carried

Boggs moved, Fuja supported to award the bid for 2 radar units for the Police Department from Stalker Radar in the amount of \$2,532.50 per unit.

YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, Fuja

NAYS: None

Unanimously carried

McDonough moved, VanRiper supported to approve the outstanding invoice in the amount of \$2,056.00 for calibration of the Motorola SCADA system at the Water Plant.

YEAS: Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, Fuja, McDonough

NAYS: None

Unanimously carried

City Manager stated that there are no major changes in the 2012-2013 budget from last year. The City has a loss of revenue of approximately \$58,000.00 but overall we should be in pretty good shape. The City Manager did recommend that the Council consider including the following four projects into the budget:

- 1. Tree Planting – Cost: \$5,000.00 approximately 33 trees**
- 2. Air Conditioning unit/furnace for City Hall – Cost: \$25,000.00**
- 3. Replace façade on City Hall Building – Cost: \$25,000.00**
- 4. Parking lot Lighting – Cost: \$30,000.00**

Schuyler moved, McDonough supported to approve the first reading of the 2012-2013 City of Durand Budget and set the Public Hearing for Monday, May 21st at 7:00 p.m.

YEAS: VanRiper, Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the Legal Services Agreement for Water and Wastewater upgrade for the Rural Development project and authorize the Mayor and Clerk to execute the documents.

YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

No one spoke

CITY MANAGER AND DEPARTMENT REPORTS:

DPW Director: We are getting ready for Railroad Days.

Police Chief: The VFW has submitted a parade request for May 28th, 2012 to be held at 11:00 a.m. (Memorial Day)

City Manager:

- Would like to publicly thank the Treasurer, Lisa David and the Deputy Treasurer, Sandy Peters for their efforts in preparing the budget for 2012-2013.
- The DPW is getting everything ready for Railroad Days.
- We do have vacant houses in the City of Durand and we are starting condemnation procedures on some of them.
- June 15th, Back to the Bricks will be arriving from Flint on their way to Mt. Pleasant on their first leg of a five day journey to promote the event. They will be in Durand on Saginaw Street from 10:00 a.m. until 12:00 noon.

COUNCIL COMMENTS:

Brands: If anyone would like to help with spreading mulch in the downtown area, we will be meeting on Saturday, May 12th at 9:00 a.m.

Boggs: He stated that the Administration did a “great” job on the budget.

McDonough: “Ditto”

Fuja : “Great job on the budget”.

Schuyler: He stated that the administration did a great job with the budget, “it was very easy to follow”. He also stated that both railroad tracks on Oak Street are a potential safety hazard for pedestrians. Large chunks of the walkway are missing and someone could get seriously hurt if these are not repaired.

VanRiper: He reported that after the Budget workshop, he walked around City Hall and now believes that the repair of the façade needs to be moved to the top of the priority list due to safety reasons. He also asked if people that need to complete community service hours could help Jeff on Saturday.

Mayor Doyle: “Good job on the budget”.

Boggs moved, Brands supported to adjourn into Executive Session to discuss purchase of property.

YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

NAYS: None

Unanimously carried

Adjourned into Executive Session at 8:10 p.m.

Reconvened from Executive Session at 8:28 p.m.

Boggs moved, Fuja supported to approve the purchase of property located at 115 E. Main Street for \$50,000.00 with the stipulation that the City Attorney review the terms of the contract.

YEAS: Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried

Mayor Doyle adjourned meeting at 8:29 p.m.

MAY 2, 2012 CITY COUNCIL MINUTES

Minutes of the Durand City Council Budget Workshop held May 2, 2012 at 6:30 p.m. in the Council Chambers of Durand City Hall.

Mayor Doyle called the meeting to order at 6:40 p.m.

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper

Absent: Fuja

**McDonough moved, Schuyler supported to approve the agenda as presented
Unanimously carried.**

ITEMS OF BUSINESS:

Boggs moved, Schuyler supported to approve the 1st reading of the Sidewalk Café and Outdoor Seating Ordinance.

Unanimously carried

Presentation of the Budget:

City Manager noted several different items that would be purchased out of the Equipment Revolving Fund. She explained that the new fire truck will be an item that will be financed since using funds from the Revolving Fund Account would deplete it. The City will be purchasing a backhoe from this fund; however we will be using our current backhoe as a trade in. Councilman McDonough asked if they could have a listing of equipment and its age. City Manager said that a list would be prepared for them. Councilman McDonough asked if training for the Mechanic was included in the budget. City Manager said that if the Mechanic needed training it would come from the DPW budget. City Manager noted that a new police car was not included in this budget.

Councilman Boggs asked what the status of the Street Millage Fund was. City Manager said that she doesn't feel comfortable making any recommendations for streets because there is so much money outstanding on other street projects. She said that she doesn't have enough invoices clearing to make a projected recommendation. Councilman Boggs asked if the surplus funds from snow removal would be staying in each fund. City Manager said yes.

General Fund: Councilman VanRiper asked where the increase to the General Fund came from. The Treasurer said that we under budgeted for revenue sharing last year because of the instability in the State Legislature. VanRiper stated that our streets are in terrible condition and he would like to see more streets repaired/paved. City Manager stated that in the last four years the City has paved ten streets. That is more than any other community in the area. We have made every effort to have our dollars stretch as far as possible. She went on to explain that if the City goes ahead with the Rural Development Project many streets in the city will be repaired.

City Manager presented the Council with 2012-2013 General Fund Projects for City Council Consideration. She recommended that the City Council consider utilizing the existing fund equity within the General Fund to fund the following projects during the upcoming fiscal year.

1. Tree Planting - \$5,000.00
2. Furnace/Air conditioning Replacement – City Hall \$25,000.00
3. City Hall Facade Replacement - \$30,000.00
4. Parking Lot Lighting - \$30,000.00

Each item was discussed and prioritized.

Schuyler moved, Boggs supported to approve the following 2012 Capital Outlay projects to be included in the budget (in priority order):

1. Furnace/Air Conditioning Replacement – City Hall \$25,000.00
2. Parking Lot Lighting 30,000.00
3. City Hall Facade Replacement 30,000.00
4. Tree Planting 5,000.00

Funding to come from General Fund, fund equity.

YEAS: Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper

NAYS: None

Unanimously carried

COUNCIL COMMENTS:

Brands: He asked if the Depot parking lot could be cleaned up for Railroad Days.

City Manager stated that it could be swept before Railroad Days, but all planting would be completed after Railroad Days.

Boggs: Introduced Rob Widigan who is a member of the Lennon Village Council.

McDonough: He asked if the Depot Lease Agreement would be on the agenda for the next

Council meeting. City Manager said that the City Attorney will bring something back to the Council at the next meeting. McDonough stated that he would like to see the City Manager's Friday Update to include Departments. City Manager suggested that she prepare a quarterly report that would include such information.

Schuyler: "Good job on the budget".

VanRiper: He asked if the planning/goal sessions would be paid out of 2012-2013 budget. City Manager stated that it would be paid out of the 2011-2012 budget and would be in Contract Services.

Mayor Doyle: "Good job".

Mayor Doyle adjourned the meeting at 7:40 p.m.

APRIL 9, 2012 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, April 9, 2012 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

**Schuyler moved, McDonough supported to approve the agenda with the following additions: F. Approve list of Delinquent Utility Bills in preparation for Summer Tax Collection, G. Presentation of 2012-2012 Annual Budget, H. Railroad Days request.
Unanimously carried.**

APPROVAL OF MINUTES:

**Boggs moved, McDonough supported to approve the minutes of the regular meeting held on March 5, 2012, Executive Session held on March 5, 2012 and the Workshop held on March 26, 2012, as presented.
Unanimously carried**

APPROVAL OF BILLS:

**McDonough moved, Schuyler supported to approve the payment of bills # 40674-40785.
YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough (abstain from # 40728), Schuyler,
VanRiper
NAYS: None
Unanimously carried**

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:
No one spoke.**

**ITEMS OF BUSINESS:
Boggs moved, Schuyler supported to approve the request from Durand Area Ministers
Association to use the front lawn at Durand City Hall on May 3, 2012 for National Day of Prayer
services.
Unanimously carried.**

**Boggs moved, VanRiper supported to adopt the Administrative Policy Regarding Use of
Surveillance Cameras.
YEAS: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs
NAYS: None
Unanimously carried**

**VanRiper moved, McDonough supported to approve the request from Durand Union Station, Inc.
to make modifications to the depot by installing sprinkler head cages for the fire suppression
system and to install an electronic surveillance system, provided that the Director of Public Works
oversees and approves the installation process.
YEAS: Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands
NAYS: None
Unanimously carried**

**Schuyler moved, Fuja supported to approve the proposal to provide professional services for
strategic planning from Wade Trim at a cost of \$21,500.00.
YEAS: Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle
NAYS: None
Unanimously carried**

**Boggs moved, Fuja supported to approve the Employment Agreement between Tim Sampey and
the City of Durand, as presented.
YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, Fuja
NAYS: None
Unanimously carried**

**McDonough moved, VanRiper supported to approve the list of unpaid utility bills as delinquent in
preparation for the summer tax collection.
YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, Fuja
NAYS: None
Unanimously carried**

A draft copy of the City of Durand 2012-2013 Budget was presented to the Council. City Manager stated that she is planning Budget workshops to be held on May 1st and 2nd. More information will follow.

**Schuyler moved, McDonough supported to approve the use of the sidewalks in the downtown area during Railroad Days for the use of sidewalk sales.
Unanimously carried**

CITIZENS SPEAK – AGENDA ITEMS ONLY:

Dan Brooks, President of DUSI. He thanked the Council for approving the updates to the depot. He assured the Council that all equipment will be properly installed. He said that he spoke with the Regional Manager for Amtrak and he indicated that Amtrak is interested in helping offset the cost of the surveillance cameras.

CITY MANAGER AND DEPARTMENT REPORTS:

DPW Supervisor: Brush pickup started last Tuesday, and will take place during the first week of every other month. Residents are reminded to put brush out by the first Tuesday to insure pickup. DPW Supervisor told the Council of a free, web based program called Nexel, that would alert residents of emergencies via text messages. A link for this service has been added to the City of Durand's web site.

Fire Chief: He stated that two firemen have recently passed Fire Fighter classes I and II. In the last month he has hired four additional men bring the total number of firemen for the City of Durand to 20.

C2AE Engineer: She reported that the Rural Development Application is still in the reviewing process. The City of Durand has received preliminary approval on the Environmental report associated with Rural Development Application. Depot Update on the sanitary sewer system: A grinder pump and a small force main will be placed under the tracks and the project is estimated to be completed within eight weeks. She reported that she had a meeting with MDOT regarding Saginaw Street, to specifically define which sections of concrete will be repaired and/or replaced, along with other clean up issues.

Treasurer: She is currently working on the 2012-2013 budget. Workshops are being planned for early May.

City Attorney: He recognized Officer Applegate as 1 out of 29 people in the State of Michigan that has received the DRE certification.

City Manager:

- She stated that the meeting with MDOT and C & D Hughes was difficult. . There is currently no standard for streetscape/sidewalk concrete. MDOT need to develop street scape quality standards for sidewalk concrete. We will try to change legislation on this issue**
- Airtropolis continues to meet to adopt by-laws and to create policy and procedures which will eventually begin to bring new business into the I-69 corridor.**
- Jeff Brands has volunteered to organize volunteers to help with the landscaping needs in the**

City.

COUNCIL COMMENTS:

Boggs: Congratulations for Office Applegate. He asked the City Manager if DUSI has to follow the newly adopted surveillance camera policy. She said that the policy may need to be “tweaked” slightly for the Depot.

VanRiper: He asked for an update on Mr. Fremb’s water problem. He asked City Engineer if she had received the street elevation information on Russell Street that Mr. VanRiper had requested at the last meeting. She responded that for 104, 106 and 108 Russell Street, the storm sewer elevation is the same, further down the street the storm sewer elevation is higher.

Boggs moved, Brands supported to enter into Executive Session to discuss the purchase of property.

YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

NAYS: None

Unanimously carried

Adjourned into Executive Session at 8:17 p.m.

Reconvened at 8:29 p.m.

Mayor Doyle adjourned meeting at 8:29 p.m.

MARCH 26, 2012 CITY COUNCIL MINUTES

Minutes of the special meeting of the Durand City Council held on Monday, March 26, 2012 at 6:00 p.m. in the Council Chambers of Durand City Hall.

Mayor Doyle called the meeting to order at 6:00 p.m.

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

Absent: None

Also Present:

Dallas Brownson, President of NRMI

Jan Brownson, Secretary of NRMI

Pat Post, Executive Director of NRMI

Ed Hatherill, Board Member of NRMI

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously Carried.

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Presentation from National Railroad Memorial, Inc. Dallas Brownson, President of NRMI and Jan Bronson, Secretary. Jan Brownson began by giving a brief history about NRMI. Three years ago The National Railroad Memorial incorporated and became a non-profit organization. NIRM's goal is to develop a railroad memorial in the newly created Diamond District Park. Jan Brownson told the Council that she and her husband have had an opportunity to promote the National Railroad Memorial, Inc by making presentations in Rock Island, Illinois and in Phoenix, Arizona. People at both presentations were excited about the idea wanted to know how they could support it. Jan explained that Congressmen Mike Rogers and Dave Camp are attempting to officially have the NRMI designated as the National Railroad Memorial which could make the park a National Park which could ultimately provide additional funding opportunities for the project.

Ms. Brownson stated that they have a national and local strategy for funding this project. Local funding would come from sources such as: private donations, grants, donations from railroad companies, unions, families, and other associations. She has identified 40 different potential sources of funding that could help with the project.

Clark Harder is working to develop a National funding strategy "Get the Dirt on NRMI" where by people could buy stock in the organization. These monies would be used for matching funds for grants.

Mr. Brownson presented a power point rendition of what the memorial might look like including a visitor's center, which could be used as "gateway to Shiawassee County", gazebo, pavilion and rolling stock.

NRMI is interested in working with the City to obtain a "Small Town Design Initiative" grant that would help with funding but also provide community feedback that would help determine what people want included in the Memorial. The "Small Town Design Initiative" grant opportunity is through Michigan State University which would provide grad students developing architectural and landscaping ideas which would be promoted through public meetings, T.V., newspaper and website. Mr. Brownson stated, "We want to be sure to represent small town interests. We want to bring people in to discuss what they want to see, what they don't want to see".

Amy Roddy, City Manager believes that working towards a "Small Town Design Initiative" grant is a really good thing. The Chamber, DDA and other organizations along with our residents are going to have an opportunity to voice their desires, thus fostering good relationships.

Dan Brownson stated that when applying for the "Small Town Design initiative" grant, the City would be the lead government organization and the National Railroad Memorial, Inc. would be the lead civic organization. He is estimating that the cost for the Memorial to be approximately 5 million dollars, with the majority being used for the "walk over bridge" leading from Diamond District Park to Durand Union Station.

VanRiper asked Mr. Branson if the goal is to get a more concrete design of the park to go forward in getting funding. Mr. Branson said that is the goal. It is difficult to sell something that is only an idea; people want to visualize the product that you are selling, in this case the Memorial.

Fuja thanked MRMI for coming this evening. She said that she enjoyed the power point presentation, and is excited about the project.

Mayor Doyle adjourned the meeting at 7:16 p.m.

MARCH 5, 2012 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, March 5, 2012 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

Boggs moved, McDonough supported to approve the agenda with the addition of items: A1- Appointment of Police Chief and XII. Executive Session.

Unanimously carried

APPROVAL OF MINUTES:

Schuyler moved, McDonough supported to approve the minutes of the regular meeting held on January 16, 2012, as presented.

Unanimously carried.

APPROVAL OF BILLS:

McDonough moved, Brands supported to approve the payment of bills #40471-40673.

YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough (abstain from # 40526), Schuyler, VanRiper

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Harold Fremb, 104 Russell St. Told the Council that as a result of C2AE running a camera in the tiles around his home, it was determined that a section of tile has been blocked completely off, causing some of the water issues that he has been having. He stated that he has spent \$3,800.00 trying to correct this issue and feels that whoever is responsible for blocking this tile should have to reimburse him.

ITEMS OF BUSINESS:

Kent Edwards, President of Railroad Day, Inc gave the Council a brief update on the festival stating that it will be located at the city owned property on E. Main Street from North Saginaw to Railroad Street for the second year.

**Schuyler moved, Fuja supported to approve the proposed activities for Railroad Days 2012 and authorize the use of the identified city streets for the festival on May 18th, 19th & 20th.
Unanimously carried**

**Boggs moved, McDonough supported to approve the appointment of Tim Sampey as Part Time Durand Police Chief.
Unanimously carried**

City Clerk swore in Chief Sampey as Police Chief of the City of Durand.

**VanRiper moved, McDonough supported to approve the Change in Standard Lighting Contract with Consumers Energy to change the type of luminaire at 200 Railroad Street.
YEAS: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs
NAYS: None
Unanimously carried**

**Boggs moved, Brands supported to authorize the lien charges in the amount of \$7,921.06 be removed from parcel #020-62-075-000-00 on the summer 2011 tax roll.
YEAS: Mayor Doyle, Fuja, Schuyler, VanRiper, Boggs, Brands
NAYS: McDonough
Carried**

**McDonough moved, Fuja supported to approve the Annual Service Support Fee for internet services provided by BS & A in the amount of \$3,290.00.
YEAS: Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle
NAYS: None
Unanimously carried**

**Boggs moved, McDonough supported to approve the resolution authorizing the issuance of 2012 General Obligation Unlimited Tax Water Refunding Bonds.
YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, Fuja
NAYS: None
Unanimously carried**

**Boggs moved, McDonough supported to approve the ballot language drafted by the City Attorney for the purpose of subsidizing Public Transportation, and place it on the ballot in the August Primary Election.
YEAS: Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, Fuja, McDonough
NAYS: None**

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

Paula Brooks asked what the last year of the bond refinancing is. **City Manager** stated that the last year of the bond would be 2019.

CITY MANAGER AND DEPARTMENT REPORTS:

Sheriff Braidwood: He stated that the City of Durand “picked a good man in Chief Sampey”.

City Engineer: She stated that the Rural Development application has gone through the state office and they have requested draft engineering agreements for both the water and the sewer. She stated that the City is under no obligation to continue the process if adequate funding cannot be secured. **City Engineer** extended an invitation to the Council to join C2AE for dinner following the MML Conference on March 21, 2012.

City Attorney: “Congratulations to Chief Sampey on his appointment”.

City Manager: She stated that the City of Durand along with 10 other entities is participating in an endeavor called Airtropolis. There are only four that are permitted in the state. A Board of Directors will be appointed and she is on the nominating committee that will help nominate the Shiawassee County Representative. She reminded the Council that the Chamber dinner is March 15th. She also told the Council that the Back to the Bricks organization is planning a “Heart of Michigan” tour to promote their event and they will be bringing the tour to Durand on June 15th. More information will be giving to the Council regarding this event at a later date.

COUNCIL COMMENTS:

Brands: He asked the **City Manager** if the sidewalks on Saginaw Street are going to be taken care of by June 15th. **City Manager** said that she couldn’t give him any information on that now. **Councilman Brands** asked if there will be a parking lot by the Railroad Days event. **City Engineer** said yes.

Boggs: “Congratulations to Tim Sampey”.

McDonough: “Congratulations to Tim”. He asked the **City Attorney** the status of the lease agreement with Durand Union Station. **City Attorney** said that they will bring something back to Council at the next meeting.

Fuja: She announced that June Roddy has been selected Citizen of the Year, Brad Thorsby owner of Riverside Market as Business Person of the year, and Loaves and Fishes as the Community Program of the year. She also offered her congratulations to Tim Sampey.

Schuyler: “Congratulations to Tim”. He said that he has had personal contact with Chief Sampey and knows him as an “officer and a gentleman”.

VanRiper: “Congratulations to Tim”. **Councilman VanRiper** asked the **City Engineer** how much of a grade was done to the Russell Street project. **City Engineer** said “minimumally”. He asked

her to find out how much is “minimum”.

Mayor Doyle: She offered her congratulations to the new Police Chief.

Boggs moved, McDonough supported to go into Executive Session to discuss the purchase of property.

YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

NAYS: None

Unanimously carried

Adjourned into Executive Session at 8:23 p.m.

Reconvened at 8: 38 p.m.

Mayor Doyle adjourned at 8:38 p.m.

FEBRUARY 6, 2012 CITY COUNCIL MINUTES

NO MEETING

JANUARY 16, 2012 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, January 16, 2012 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

Boggs moved, McDonough supported to approve the minutes of the regular meeting held on December 5, 2011 and the special meeting held on December 19, 2011, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Schuyler supported to approve the payment of bills #40300-40470.

YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough (abstain from #40368), Schuyler, VanRiper

NAYS: None
Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Harold Fremd, 104 Russell St. Presented the Council with a proposed plan that might end the continued water problem at his home on Russell St. He stated that he has had this water problem for about a year (since the Russell Street project was complete) and something has to be done about it. He asked the council for help in solving the problem.

Paula Brooks, 104 Summit Street. She asked if there will be signs posted on the Boulevard alerting drivers of the curbs. Ms. Brooks said that last week there was blowing snow across Saginaw Street that covered the curb and bump outs. This could be dangerous. She also wanted to know what the plan is for the water main break that continues at the corner of Saginaw and Monroe Streets. City Manager stated that the City is planning to replace that water main in the new budget year.

ITEMS OF BUSINESS:

Presentation of Service Awards: The following people were unable to attend the employee recognition luncheon held in December therefore; Council would like to recognize those individuals tonight:

Lisa David, Treasurer 10 years of service
Sandy Peters, Deputy Treasurer 10 years of service
David Foutch, Police Officer 10 years of service
Tony Pletscher, Police Officer 15 years of service
Gail Adams, Crossing Guard
Brenda McComb, Crossing Guard
Luke Rogers, Police Officer

Boggs moved, McDonough supported to approve the request to transfer ownership of the 2011 Class C licensed business with Dance-Entertainment Permit, located at 111-113 N. Saginaw Street, Durand, MI 48429, Shiawassee County, from Bittner Enterprises, Inc., to PFW2, Inc.

YEAS: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to approve the invoice from Lamphere Plumbing and Heating for two heating and cooling wall units in the City Hall building at a cost of \$2,998.00.

YEAS: Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

CITY MANAGER AND DEPARTMENT REPORTS:

DPW Supervisor: He stated that the city is looking to replace the water main at the corner of Saginaw Street and Monroe.

Interim Police Chief: City Manager introduced Tim Sampey as Interim Police Chief

Commission Fuja: No comment

City Engineer: No comment

Treasurer: She happily announced that Sandy Peters is back from medical leave and she's now "getting caught up fast".

City Attorney: No comment

City Manager: She stated that Sandy is back and "we appreciate everything she does". She also stated that all Council members should have received the magazine "Review" in their packets and it is full of all types of reminders and it's a great reference guide.

COUNCIL COMMENTS:

Brands: He welcomed the new business owners to town.

Boggs: He welcomed the new interim Police Chief and congratulated the new business owners. He also introduced school board member Al Perry.

McDonough: He offered congratulations to interim Police Chief and to the new owners. He also stated that he would like to get Harold Fremb's situation taken care of.

Fuja: She offered her congratulations to interim Police Chief and the new business owners. She also stated that many people have told her that they would like to see the white lights on the trees downtown remain there after the holidays.

Schuyler: No comment

VanRiper: He stated that he also would like to get Harold Fremb's situation taken care of. "It's been a year, and we need to do to get this resolved".

Mayor Doyle: She welcomed the interim Police Chief and offered "good luck" to the new business owners.

Mayor Doyle adjourned the meeting at 8:05 p.m.

Minutes of the special Durand City Council meeting held on Monday, December 19, 2011 at 7:00 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 7:00 a.m.

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

McDonough moved, Boggs supported to approve the agenda with the exception of moving items A and B behind Item D.

Unanimously carried

ITEMS OF BUSINESS:

McDonough moved, Fuja supported to approve the contract between City of Durand and Teamsters State, County and Municipal Workers Local 214 from July 1, 2011 through June 30, 2012.

YEAS: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs

NAYS: None

Unanimously carried

VanRiper moved, McDonough supported to adopt the resolution exempting its participation of P.A. 152 for 2012 calendar year.

YEAS: Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried

Schuyler moved, McDonough supported to accept the monetary donation of \$6,000.00 from the fireman of the Durand Fire Department to be used to purchase a new thermal imaging camera for the department.

YEAS: Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle

NAYS: None

Unanimously carried

VanRiper moved, Brands supported to authorize the purchase of the Elite XR Thermal Imager for the fire department from ISG/Infrasys at a cost of \$7,800.00, with \$6,000.00 donated by the firemen of the Durand Fire Department.

YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, Fuja

NAYS: None

Unanimously carried

CITY MANAGER AND DEPARTMENT REPORTS:

DPW Director: The electrical service that operates the lights on the trees in the downtown area has be repaired. “Merry Christmas and Happy New Year”.

Fire Chief: Thank you for the purchase of the thermal imaging camera for the fire department. The new fire truck is coming along well, all that is left is to pick out the color. “Merry Christmas”.

City Attorney: “Happy Holidays”.

City Manager: “Have a Merry Christmas and a Happy New Year”.

Administrative Assistant: Called attention to the color copy in their packet, it was done on the new color copier. “Merry Christmas and Happy New Year”

COUNCIL COMMENTS:

Brands: “Merry Christmas and see you next year”

Boggs: “Merry Christmas”.

McDonough: “Merry Christmas and Happy New Year”.

Fuja: “Merry Christmas”

VanRiper: He thanked Jeff Brands for decorating the downtown. Councilman VanRiper has been out of town for several weeks and just saw the downtown for the first time. “Merry Christmas”.

Mayor Doyle: “Merry Christmas”.

Mayor Doyle adjourned the meeting at 7:20 p.m.

DECEMBER 5, 2011 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, December 5, 2011 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler

Absent: VanRiper

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

Boggs moved, McDonough supported to approve the agenda with the exception of moving item E to A1.

Unanimously carried

APPROVAL OF MINUTES:

Schuyler moved, Boggs supported to approve the minutes of the regular meeting held on November 7, 2011 and the special meeting held on November 28, 2011, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Boggs supported to approve the payment of bills #40204-40299.

YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to approve the resolution authorizing the execution of an interlocal agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation.

YEAS: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, Boggs

NAYS: None

Unanimously carried

Boggs moved, Brands supported to purchase a new police cruiser for the police department through Macomb County Purchasing from Signature Ford, Owosso, MI in the amount of \$23,795.00 with additional equipment installation of \$4,716.94 through Alert Emergency Equipment Group for a total purchase of \$28,936.94.

YEAS: Mayor Doyle, Fuja, McDonough, Schuyler, Boggs, Brands

NAYS: None

Unanimously carried

Schuyler moved, McDonough supported to purchase In-Car Digital Video equipment from Kustom Signals, Inc. as recommended in the amount of \$23,819.90.

YEAS: Fuja, McDonough, Schuyler, Boggs, Brands, Mayor Doyle

NAYS: None

Unanimously carried

McDonough moved, Schuyler supported to adopt the resolution authorizing the change in the standard lighting contract with Consumers Energy to replace mercury vapor light with high pressure sodium lights at three locations within Durand, as outlined in the requested amendment.

YEAS: McDonough, Schuyler, Boggs, Brands, Mayor Doyle, Fuja

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to approve the purchase of two Gear Joint pumps from Kerr Pump and Supply in the amount of \$1,900.00.

YEAS: Schuyler, Boggs, Brands, Mayor Doyle, Fuja, McDonough

NAYS: None

Unanimously carried

CITIZENS SPEAK –AGENDA ITEMS ONLY:

No one spoke

CITY MANAGER AND DEPARTMENT REPORTS:

DPW Supervisor: We are continuing to pick up leaves throughout the city. DPW Supervisor spoke with Consumers Energy Representative to ask if we could make all the necessary changes to the contract at once and he was told that all changes to the contract would be done as lighting was replaced.

Commissioner Fuja – No comment

City Engineer: No comment

Treasurer: No comment

City Attorney: Congratulations to Councilman Fuja, Brands, Boggs, McDonough and Doyle. Also, congratulations to Mayor Doyle and Mayor Pro-Tem Schuyler.

City Manager: The heating system in City Hall is having on-going problems and is going to need some work. City Manager wanted to publically thank Jeff Brands, Joan Brands and their son, Jon Matejewski and the DPW for going above and beyond to make the downtown beautiful. She thanked the other organizations who helped welcome Santa to the community. The Rotary Club always rises to the occasion and delivers for the City of Durand. City Manager believes that “we are at the beginning of creating a new momentum for the City of Durand” and it’s wonderful to see.

COUNCIL COMMENTS:

Brands: He thanked his wife and son for helping him decorate the downtown area. He also thanked Jon Matejewski, Vicki, Bunny, Amy and Jason Hartz for their help with putting up lights and decorating the downtown.

Boggs: “Downtown looks marvelous”. He wished everyone a Merry Christmas.

McDonough: He stated that he has heard many positive comments about how nice the downtown looks. He stated that the tree wells still needed to be filled. City Engineer said that the landscape company was supposed to fill in the tree wells today, but they had mechanical problems so they will start tomorrow.

Fuja: She stated that she is pleased to be sitting here as Precinct II representative. She is excited to be serving with all of the Council Members. Councilwoman Fuja asked the City Engineer about the handicapped parking spaces on Saginaw Street. She said that there is not a curb so therefore, people are pulling right up onto the sidewalks.

Schuyler: No comment

Mayor Doyle: She stated that there will be a special meeting on the second Monday of December. She thanked everyone who made the downtown so beautiful. Thanks to the DPW for decorating the 300 block of Saginaw Street and for helping her out during the lighted Christmas parade.

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

NOVEMBER 7, 2011 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, November 7, 2011 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Canute, Mayor Doyle, Schuyler, VanRiper

Absent: McDonough

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

Boggs moved, Brands supported to approve the minutes of the regular meeting held on October 3, 2011 as presented.

Unanimously carried

APPROVAL OF BILLS:

VanRiper moved, Schuyler supported to approve the payment of bills # 40075-40203.

YEAS: Boggs, Brands, Canute, Mayor Doyle, Schuyler, VanRiper

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Bunny Switzer, 100 W. Sycamore Street. What can be done about the foreclosed homes that put trash out to the street and then leave it there for long periods of time? City Attorney stated that

the Sheriff is required by law to put the belongings out at the street. We may want to pass an ordinance to address this problem since it is happening more and more.

Harold Fremd, 104 Russell Street. Inquired about an update on the water problem on Russell Street. DPW Director said that he and the Engineer are still working on it.

ITEMS OF BUSINESS:

Presentation of the 2010-2011 Audit by Paul Bailey, Principal Auditor of Stewart, Beauvais and Whipple. Mr. Bailey briefly reviewed the audit with the Council. He stated that Durand is in excellent financial condition and the City of Durand was given an Unqualified Opinion, which is the best that one can receive. The general fund ended 2011 with a fund balance of \$778,947 which is an increase of \$202,479 from the prior year.

Boggs moved, Canute supported to accept the 2010-2011 City of Durand audit, as presented, and place on file with the Treasurer.

Unanimously carried

VanRiper moved, Brands supported to award the bid for a new copier for the administrative offices to IKON Office Solutions in the amount of \$9667.00.

YEAS: Boggs, Brands, Canute, Mayor Doyle, Schuyler, VanRiper

NAYS: None

Unanimously carried

VanRiper moved, Schuyler supported to award the bid for a new copier for the Police Department to IKON Office Solutions in the amount of \$4,450.00.

YEAS: Canute, Mayor Doyle, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried

Schuyler moved, Canute supported to place the delinquent accounts and invoices as prepared by the City Treasurer owed to the City to be placed on the 2011 winter tax roll for collection.

YEAS: Mayor Doyle, Schuyler, VanRiper, Boggs, Brands, Canute

NAYS: None

Unanimously carried

Boggs moved, Brands supported to approve the 2011 City at Large Drain Assessment to the Shiawassee County Drain Commission in the amount of \$3,875.00.

YEAS: Schuyler, VanRiper, Boggs, Brands, Canute, Mayor Doyle

NAYS: None

Unanimously carried

Presentation and Recognition of Service to Cameron Canute, City Councilman. Mayor Doyle presented Councilman Canute with a plaque in appreciation for his dedication to the City of Durand.

CITIZENS SPEAK:

No one spoke

CITY MANAGER AND DEPARTMENT REPORTS:

DPW Director: The DPW has completed the first pass of leaf pickup. We will be starting in the North end of the City, making our second pass now that more leaves have fallen. The water damage restoration work is continuing at the Depot. The upstairs is ready for holiday festivities, and the contractor is beginning work in the gift shop.

Mike Fuja: Commissioner Fuja reported that the MSU Extension funds have been restored, thus saving the County 4-H programs.

City Engineer: Congratulations to Cam Canute. Saginaw Street will have removal and replacement of concrete in the spring. The raised planters have been planted and look real nice. Fencing will be complete yet this year. She recently submitted the Tiger Grant Application which in an Intermodal Transportation Grant which will provide upgrades to the Depot parking lot and transportation projects in the downtown.

Treasurer: Thank you to Cameron Canute for all your years of service.

City Attorney: He and the City Manager met with MDOT, engaged services of an expert, took pictures and have documentation of the concrete situation downtown. The City will delay acceptance of concrete on the recommendation of Mr. Butterson, MDOT representative. We will be looking at the situation very carefully in the spring. Mr. McKone said that he has worked with Commissioner Canute for 20 years and “it has been a true pleasure working with you”.

City Manager: She stated that this last month has been extremely busy with the problems in the Downtown. We are doing everything we can to protect the City’s interest and the businesses interest. The West side of the Depot parking lot will not be paved until spring because of a problems with the sewer line that runs under the railroad tracks. The DDA/Chamber held and Autumn Fest on October 22nd and it was a wonderful event to welcome people back to the downtown. A reminder that the City will welcome Santa back on the Friday following Thanksgiving. Remember to Vote tomorrow. Congratulations to Cameron for 20 years of service to the City, “I will miss you”.

Administrative Assistant: Congratulations Cameron on 20 years of service.

COUNCIL COMMENTS:

Brands: This Saturday from 9:00 to 3:00 he will be putting Christmas lights up in the Downtown area if anyone would like to help, we have 30,000 lights for the new trees. Congratulations to Cameron and thank you for your service.

Boggs: “Congratulations on another splendid audit”. “Thank you Cam for your years of service”.

Canute: Can we do something about the car wash on Main Street? It does not appear to be in service and it is a big eye sore. City Manager responded that we have talked to the owners and we are working on the problem. Regarding his retirement from the Council, Cameron said “that is

doesn't seem like it's been twenty years, he never meant to be a career politician" he went on to say that he is glad that he was able to serve the City.

Schuyler: Congratulations to Cameron.

VanRiper; "Congratulations on the audit". Thank you to Cam, "the City and the residents are going to miss you".

Mayor Doyle: She stated that not only has Cameron been on the City Council for the last twenty years but he also served on the SATA Board, Parks and Recreation Board and the Planning Commission. She said that it has been great working with Cam. Mayor Doyle reminded the audience that the Veteran's Day Parade is scheduled to begin at 7:00 p.m. Friday at the High School Access road and continue to the Clock Tower where local dignitaries will address the audience. Mayor Doyle also announced that Durand will be introducing a new light parade which will escort Santa to the Depot on the Friday following Thanksgiving.

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

OCTOBER 3, 2011 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, October 3, 2011 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper
Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

Schuyler moved, McDonough supported to approve the agenda with the addition of item H: Appointment to SATA Board
Unanimously carried.

APPROVAL OF MINUTES:

McDonough moved, VanRiper supported to approve the minutes of the regular meeting held on September 19, 2011 as presented.
Unanimously carried.

APPROVAL OF BILLS:

Boggs moved, VanRiper supported to approve the payment of bills #40028-40074.
YEAS: Boggs, Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper
NAYS: None

Unanimously carried.

HEARING OR REPRESENTATIVES AND CITIZENS PRESENT:

Bert Gross, 217 N. Saginaw Street. Mr. Gross asked for an update on the Streetscape project including sidewalk, handicapped parking and landscaping.

Paula Brooks, 104 W. Summit Street. She stated that approximately 600 people who attended the quilt show last weekend, many of them from out of town, complained about the lack of detour signs off of M-13 telling them how to get to Durand. Ms. Brooks would like MDOT to be aware of the situation. She also would like the phone numbers for the City Council, since some of them no longer have land lines, only cell phones, therefore they are no longer listed in the telephone directory. She also inquired about the Council minutes being posted on the internet.

ITEMS OF BUSINESS:

McDonough moved, Canute supported to approve the list of Election Inspectors for the City General Election on November 8, 2011.

Unanimously carried.

Canute moved, Schuyler supported to table the purchase of a new fire truck pumper until the next meeting, after review of the audit.

Failed

Boggs moved, McDonough supported to approve the contract from R & R Fire Truck Repair in the amount of \$297,904 to purchase a new fire truck pumper.

YEAS: Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs

NAYS: None

Unanimously carried.

Schuyler Moved, VanRiper supported to approve the emergency repairs made to the telemetry controls at the water treatment plant by UIS Programmable Services in the amount of \$6,186.76.

YEAS: Canute, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried.

Boggs moved, McDonough supported to approve the invoice for the relining of the sanitary sewer main on E. Monroe Road from Oak to Vassar by Utility Services Authority in the amount of \$76,976.80.

YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands, Canute

NAYS: None

Unanimously carried.

VanRiper moved, Canute supported to approve the request to hold a fall festival on Saturday, October 22, 2011 in the 100 and 200 blocks of N. Saginaw Street.

Unanimously carried.

**McDonough moved, VanRiper supported to approve the City of Durand Emergency Management Plan written in 2011 for employee use in case of an emergency.
Unanimously carried.**

**Canute moved, McDonough supported to appoint Vicki Fuja to the SATA Board as a representative for the City of Durand.
Unanimously carried.**

CITIZENS SPEAK – AGENDA ITEMS ONLY:

Paula Brooks, 104 W. Summit Street. She stated that Vernon Township was able to get a reduced price on a fire truck because another municipality cancelled their order and Vernon Township was able to pick it up.

CITY MANAGER AND DEPARTMENT REPORTS:

DPW Director: Contractors are working to finish Saginaw Street. The contractors started working today on the Depot parking lot, estimated to be finished by the first snow. Leak pickup starts October 17th.

Police Chief: She has contacted vendors to get pricing for video equipment to be installed in police cars.

City Engineer, Maureen Wegener. The contractor is doing clean-up work on Saginaw Street. Some curb and gutters will need to be removed and replaced as will some sidewalks. This work will be completed before the final pavement is laid.

City Attorney: He stated that he gave the Council a memo regarding the Depot Lease, this is moving along nicely.

City Manager: The Annual State of the City Address has been changed to October 20th. She received an MDOT update on the progress of the I-69 repairs, and it indicated that it should be completed by October 28th or 29th. Ms. Roddy said that the audit is complete and Paul Bailey will be at our November meeting to give us the results. She stated that the Dashboard and Citizens guides are now complete.

COUNCIL COMMENTS:

Brands: He asked when the contractors are starting work on the crosswalks and what plans have been made to keep kids off of the planters? Ms. Wegener stated that they are researching small metal clips that can be affixed to the planters that will deter skateboarders. She said that curb and gutters need to be completed before crosswalks can be started.

Boggs: He asked for an update on Rural Development project. Ms. Wegener said that a meeting is planned for next week to meet with Amy to review and sign the application. We should have a preliminary response back within three weeks.

McDonough: He asked if we were losing the turn lane on Saginaw Street. City Manager said that we are not losing the turn lane on Saginaw Street. He asked how the sewer separation project was

doing. DPW Director said that they are continuing to do the “point of sale” inspections and they are 2/3 of the way complete on headers on Johns Street. Councilman McDonough asked about the services of Miles Tree Service. He also asked for an update on the water situation on Russell Street.

Canute: He told Vicki Fuja, newly appointed member to the SATA Board, that her first meeting is scheduled for next week.

Schuyler: He asked the City Manager if she could put an article in the newsletter regarding the sidewalks on Saginaw Street. City Manager responded by saying that the newsletter only comes out once a month, so the next newsletter would be early November. She did say that she would try to write an article for the Independent prior to the newsletter. Councilman Schuyler also said that the DPW did a great job cleaning up around the tree that was removed from in front of his house, “you can hardly tell there was a tree there at one time”.

VanRiper: Sagelink driveway has three construction barrels at the end of their driveway for the last 10 days. Ms. Wegener said that she would look into this.

Mayor Doyle adjourned the meeting at 8:53 p.m.

SEPTEMBER 19, 2011 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, September 19, 2011 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously carried.

APPROVAL OF MINUTES:

Boggs moved, Canute supported to approve the minutes of the regular meeting held on August 8, 2011, the workshop held on August 3, 2011 and the special meeting held on August 22, 2011.

Unanimously carried.

APPROVAL OF BILLS:

McDonough moved, Schuyler supported to approve the payment of bills #39840-40027.

YEAS: Boggs, Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper

NAYS: None

Unanimously carried.

HEARING OF REPRESENTATIVE AND CITIZENS PRESENT:

Harold Fremb, 104 Russell Street, He is present tonight to express his concerns on the water problem on Russell Street. He stated that he has consistently attended these meeting since January, how long does he need to attend before this problem is solved? He understands that the DPW Director and the engineer from C2AE have tried to determine the problem, but the water problem continues.

Burt Gross, 217 Saginaw Street. He is the owner of Itchi-Bon Bakery for over 20 years. He expressed his concerns over the sidewalks and the elimination of the handicapped parking space located in front of his business.

Paula Brooks, 104 W. Summit Street. She asked if the Ordinance regarding bringing pets to events in the City of Durand is being enforced. Recently there has been a large increase of people bringing their dogs to the Farmer's Market.

ITEMS OF BUSINESS:

VanRiper moved, Schuyler supported to approve the Consent Agenda, which includes the appointments of Nathan Watkins and Lindsay Eister to the Planning Commission to fill vacancies, the appointment of Mayor Doyle as Delegate and Councilman Brands as Alternate to the MML Annual Meeting, the election of the candidates to serve on the MML Liability and Property Pool Board of Directors, the approval of the Change in Standard Lighting Contract with Consumers Energy to eliminate 3 abandoned light poles on N. Saginaw Street and the reappointment of Boggs to the SATA Board.

YEAS: Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs

NAYS: None

Unanimously carried.

Boggs moved, VanRiper supported to move that the bid by E.T. MacKenzie be accepted with a reduction in the planned work to a price not to exceed \$285,000 for the Depot Site Improvements.

YEAS: Canute, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried.

Canute moved, Brands supported to approve the invoice from Lamphere Plumbing and Heating in the amount of \$2,132.87 to replace a wall unit air conditioner at City Hall.

YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands, Canute

NAYS: None

Unanimously carried.

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

THE CITY OF DURAND ORDAINS:

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

Land in the City of Durand, County of Shiawassee, State of Michigan to-wit: That part of the Northeast ¼ of Section 16, Town 6 North, Range 4 East described as: Commencing at the Northeast corner of said Section 16; thence along the East Section line South 00 degrees 16 minutes 15 seconds East 1827.14 feet; thence along the centerline of Monroe Road North 55 degrees 26 minutes 13 seconds West 323.58 feet for the point of beginning; thence South 34 degrees 33 minutes 47 seconds West 53.18 feet thence South 30 degrees 22 minutes 30 seconds East 67.37 feet; thence South 34 degrees 14 minutes 00 seconds West 83.45 feet; thence North 63 degrees 17 minutes 42 seconds West 130.91 feet; thence South 83 degrees 52 minutes 23 seconds West 34.46 feet; thence North 64 degrees 57 minutes 39 seconds West 86.11; thence North 78 degrees 31 minutes 00 seconds West 237.80 feet; thence North 34 degrees 33 minutes 47 seconds East 313.00 feet to the centerline of Monroe Road, thence South 55 degrees 26 minutes 13 seconds East 398.00 feet to the point of beginning, subject to easements and restrictions apparent and of record.

Parcel No. 020-82-015-001-000

From RM – Multiple Family District to C-2 – Commercial.

Section 2. This Ordinance is adopted pursuant to MCLA 125.3405 and constitutes a conditional zoning of the subject property. In the event that the project which is set forth in the Application for Conditional Rezoning, is not completed the City of Durand retains the right to return the zoning of the above described property to the classification which existed prior to this Ordinance.

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

Date Enacted:

Date Published:

THE CITY OF DURAND

Deborah L. Doyle, Mayor

Amy J. Roddy, City Clerk

Schuyler moved, McDonough supported to approve the amendment to the City of Durand's Zoning Map, as prepared by the City Attorney.

YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Canute, Mayor Doyle

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the commitment for the 2012-2013 year, subject to millage approval and to instruct the City Attorney to look into a millage proposal.

YEAS: Schuyler, VanRiper, Boggs, Brands, Canute, Mayor Doyle, McDonough

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

Paula Brooks, asked if there was a start/end date for the Depot project? City Manager said that there isn't any at this time.

Harold Fremb, He asked the Council "How can SATA justify such high increases?" Councilman Boggs explained the complicated formula used in determining funding. He also pointed out that State and Federal subsidies have decreased consistently over the past few years, therefore requiring municipalities to pay more.

CITY MANAGER AND DEPARTMENT REPORTS:

DPW Director: The Monroe Street sanitary lining project went real well. There were places where the top of the pipe was literally eroded completely away. The tree work is now about 50% completed.

Police Chief: She stated that she spent the last six weeks getting acclimated, "so far so good".

Commissioner Fuja: He stated that the Commissioners are currently working on their budget for next year.

Fire Chief: He stated that 99% of the Emergency Action Plan is completed and should be ready to bring to Council soon.

Treasurer: Auditors are currently conducting our audit; they should be here until about Wednesday.

City Manager: She stated that 90% of the requirements of the annual audit falls on Lisa's shoulders. She starts about six weeks prior to the audit getting everything in order so that it runs smoothly. City Manager stated that she has been working to complete the Dashboard Program that will replace the Statutory Revenue Sharing. This is the first phase in a three phase process that must be submitted to the State by October 1, 2011. She has also been working to complete the Design Standards and hopes to have project done by end of year. Chamber of Commerce would like to hold a celebration October 22, 2011 to bring people to the downtown businesses. The plans include several activities and giveaways.

COUNCIL COMMENTS:

Brands: He expressed his disappointment and concerns with the sidewalk in the downtown.

Boggs: He stated that "It is important that we continue our discussion on SATA because there is a group of people that depends on SATA for their independence".

McDonough: He stated that he has concerns with the concrete, "I've never seen this bad of workmanship". Councilman McDonough asked about the status of lease agreement with the Depot. City Attorney said that the problem is that we have had no communication from the Depot. He said that he would write a letter and present it to the Council at the next meeting.

Canute: He asked Commissioner Fuja questions regarding the County jail.

Schuyler: He expressed his disappointment and concerns regarding the concrete on Saginaw Street as well.

VanRiper: He stated that the concrete work done on Saginaw Street is "terrible and we shouldn't have to pay for it".

Mayor Doyle adjourned the meeting at 9:05 p.m.

AUGUST 22, 2011 CITY COUNCIL MINUTES

Minutes of the special meeting of the Durand City Council held on Monday, August 22, 2011 in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper

Absent: None

APPROVAL OF AGENDA:

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

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Tom Dorey, 500 Vassar He asked questions regarding the recent notice in the Argus Press regarding the proposed Rural Development Project.

Jacob Drenovsky, 503 N. Vassar. He asked questions regarding the proposed Rural Development Project.

Jerry Dorance, 210 McBride He stated that the City Manager has answered all of his questions.

Dennis Rainwater, 505 Vassar Dr. He asked questions regarding the proposed Rural Development Project.

Jack Wooton, 507 Mackinaw. He asked questions regarding the proposed Rural Development Project.

Stephen Perrin, Perrin Construction Company. He explained that he and his family own Perrin Apartments and are interested in having a parcel adjacent to the apartments rezoned from R-M to C-2 Conditional (Discount General Merchandise, Dollar General or Similar), so that a Dollar General can be built there. In 1984 his father was successful in having this property rezoned R-M to C-2 but in 2004 when the City had the master plan completed, this property reverted back to R-M. Mr. Perrin explained that this request has gone before the Planning Commission where the request failed by a vote of 3-3. He reviewed the letter that Doug Pigget with Rowe Engineering prepared, as a response to the letter written by Wade Trim, in recommendation to the Planning Commission to deny the request. Mr. Perrin closed by stating it is good for our community when we have someone interested in spending upwards of a million dollars to build a new building which will increase the tax base, create new jobs and they ask for no concessions or incentives from the City.

ITEMS OF BUSINESS

Schuyler moved, Van Riper supported to approve the Conditional Zoning for parcel # 020-82-015-001-00, known as vacant property on E. Monroe Road owned by LEM, LLC.

YEAS: Boggs, Brands, Canute, McDonough, Schuyler, VanRiper

NAYS: Mayor Doyle

Carried 6-1

Boggs moved, Schuyler supported to move the proposed first reading of the change in zoning on Monroe Rd from R-M to C2 and to hold the second reading on September 19, 2011.

YEAS: Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs

NAYS: None

Unanimously carried.

McDonough moved, VanRiper supported to adopt the ordinance to provide for the refunding of the outstanding sewer disposal system revenue bonds for the City of Durand

YEAS: Canute, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried

Schuyler moved, McDonough supported to approve the specialized services of Utility Services Authority to replace the sewer main on E. Monroe Rd.

YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands Canute.

NAYS: None

Unanimously carried

Boggs moved, VanRiper supported to approve the recommendations and modifications presented for N. Saginaw Street, including the alleyway between the Chamber of Commerce and Bill's Shoe Repair.

YEAS: Schuyler, VanRiper, Boggs, Mayor Doyle

NAYS: Brands, Canute, McDonough

Carried 4-3

COUNCIL COMMENTS:

Boggs: Asked City Engineer to present the proposed Rural Development project again so that residents can have a chance to be better informed. Councilman Boggs told the audience that he did not know where Vernon Township got the figures that were recently quoted in the Independent regarding the cost of sewer hook-ups. He said that Vernon Township has not discussed this issue with the City.

McDonough: He told the audience "that we (the Council) are not trying to hide anything; my name and number are in the phone book if you want to call me".

VanRiper: He asked Councilman Boggs how many Durand residents ride the SATA transportation each month. Boggs responded that there is an average of 178 riders Durand riders per month or 2300 yearly.

Councilman VanRiper asked the DPW Director for an update on Russell Street. DPW Director said that the DPW recently dug several holes in the area and is looking to see if they fill with water. He stated at they continue to work on the problem.

Mayor Doyle adjourned the meeting at 8:45 p.m.

AUGUST 3, 2011 CITY COUNCIL MINUTES

Minutes of the special meeting of the Durand City Council held on Wednesday, August 3, 2011 at 7:00 p.m. in the Council Chambers of Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Canute, Mayor Doyle, McDonough, VanRiper

Absent: Schuyler

APPROVAL OF AGENDA:

McDonough moved, Brands supported to approve the agenda with the addition of F: Authorization for End of Summer Crusin'

Unanimously carried.

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to approve the hiring of Bethany Whaley as Durand Police Chief effective pending approval of contract.

YEAS: Boggs, Brands, Canute, Mayor Doyle, McDonough, VanRiper

NAYS: None

Unanimously carried.

City Clerk administered the Oath of Office to Beth Whaley, Chief of Police.

Discussion: Rural Development – Utility System Upgrades Project

Maureen Wegener, C2AE Engineer. Ms. Wegener presented a power point presentation to review the Wastewater System, Proposed Project to include: Wastewater system, Storm sewer system and Water system, and Financing. The Rural Development Process includes; completing the funding application, preparation of designs, securing the permits, bidding of the project, receiving project funding and construction of the project. She stated that the City of Durand has approximately 1500 Service Laterals, 15 miles of sewers, 4 lift stations, wastewater treatment plant and discharge fallout. She addressed the current situation with the sewer line from Oak Street to Main Street. She said that they have been watching this pipe for some time now and are aware that it has a crack along the top. The plan is to line the pipe, which is as good as a brand new pipe and should last 50 + years. They would be using a “trenchless” process that would require no digging up of the roadway, thus reducing traffic tie-ups, and construction mess.

Preliminary Project Costs are:

Wastewater System \$5,927,000

Water System \$1,473,000

Total Project \$7,400,000

Tom Traciak, Principal with H.J. Umbaug and Associates talked to the Council about the process by which funding for Rural Development – Utility System Upgrades Project can be obtained. He believes that the USDA program is the best “fit” for Durand. Mr. Traciak said that there are possibilities for Durand to receive grants but “we’ll have to wait and see once we hear back from Rural Development?”. He briefly explained each step of the bond process, starting with the Notice of Intent.

McDonough moved, VanRiper supported to authorize to engage professional services to Miller, Canfield for Bond Council, not to exceed \$40,000.00

YEAS: Brands, Canute, Mayor Doyle, McDonough, VanRiper, Boggs

NAYS: None
Unanimously carried.

McDonough moved, Brands supported to authorize notice of intent to issue Water Bonds for and declare intent to reimburse from bond proceeds, not to exceed \$1,700,000.

YEAS: Canute, Mayor Doyle, McDonough, VanRiper, Boggs, Brands

NAYS: None
Unanimously carried.

Boggs moved, McDonough supported to authorize notice of intent to issue Sewer Bonds and declare intent to reimburse from bond proceeds, not to exceed \$6,300,000.00.

YEAS: Mayor Doyle, McDonough, VanRiper, Boggs, Brands, Canute

NAYS: None
Unanimously carried.

Mr. Traciak discussed the process by which the City of Durand can lower interest rates on the 1999 Bonds. He explained that the City would need to adopt a re-funding Bond Ordinance and sign closing documents. The savings from interest rate itself would be just over \$50,000.00.

Boggs moved, McDonough supported to refund 1999 sewer bonds, as proposed.

YEAS: McDonough, VanRiper, Boggs, Brands, Canute, Mayor Doyle

NAYS: None
Unanimously carried.

Discussion: Consideration to Modify N. Saginaw Street Streetscape

City Manager said that the project was started in 2005, it was designed at that time but was shelved because funding was not secured. The City was waiting for grants to continue the project. In 2008 we secured the grant but by then “walkability” was established. Dan Burden came to Durand in August 2010 to try to blind walkability into the plans. MDOT controls the street portion of the project, but we have modified everything that we can “behind the curb” to make this a good plan for the downtown and the community.

Councilman Brands presented a proposed plan to would include more “green” in the downtown area. He said that the 100 block of N. Saginaw Street would remain the same except continue the sidewalks straight out to street with adding “green” to the curb cuts. The 200 block of N. Saginaw Street would include fencing and landscaping near Charter One. The bump outs in front of Ed’s and Shaw’s would have landscaping in places where there is currently concrete. He would propose to remove the guardrail in front of Ed’s, replacing it with a decorative fence. (City Manager said we can’t put fencing on private property). Brands stated that most of the landscaping in the 300 block of Saginaw is concrete, he would like to propose more greenery along both sides of street.

Mayor Doyle asked Councilman Brands if he was proposing to install “green” space to Main Street so that they would match. Councilman Brands said that we don’t have the funding to do that.

Councilman Canute said that concrete is easier and less expensive to maintain than landscaping. “We do not need more greenery vs. cement”.

Councilman Boggs suggested to relocate the fence from in front of Ed’s to in front of the School Administration building.

Tim Shaw owner of Shaw’s Pharmacy stated that he didn’t think this plan was feasible because of the salt issue and other things along the 100 and 200 blocks. He would like to see more “green” space in the 300 block.

Councilman Boggs asked what would be the additional costs involved with changing the plans.

Maureen Wegener said that she didn’t know what the costs would be but they could be significant. She said that the lighting that will be installed along the 300 block would allow for flower baskets to be displayed. There would also be opportunities for portable planters and art work to be placed in the proposed concrete areas.

Councilman McDonough asked to know how much the increase in costs would be and he would like to see the plans. He asked if this could be brought to Council at the September meeting.

City Attorney stated that this is not usual to have a councilman make this kind of presentation. “Normally the recommendation comes from the Administration not from one of you”. He said that it gives the Administration a difficult task if council now wants to make changes. He reminded the Council that they speak in a “single voice”.

No action was taken.

Discussion: Durand Union Station, Inc. Lease Agreement

City Attorney stated that the City owns the building without a written agreement in place. He stated that the City and the Depot Board negotiated for 2 ½ years to come up with an agreement, but the Depot Board has failed to sign and return the agreement. When asked to return the signed agreement they responded that “we have been working together for 30 years with a handshake...”. City Attorney believes that we continue to push for a signed agreement and he may come back to council for further direction.

Boggs moved, McDonough supported to approve the request to hold the 22nd Annual “End of Summer Crusin”, as presented.

Unanimously carried.

Mayor Doyle adjourned meeting at 9:35 p.m.

Minutes of the regular Durand City Council meeting held on Monday, August 1, 2011 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper

Absent: Canute

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

Brands moved, Schuyler supported to approve the agenda with the addition of G. Approval of Traffic Control Order #181.

APPROVAL OF MINUTES:

Schuyler moved, McDonough supported to approve the minutes of the regular meeting held on June 6, 2011, the workshop held on June 6, 2011 and the special meeting held on June 27, 2011. Unanimously carried.

APPROVAL OF BILLS:

McDonough moved, Brands supported to approve the payment of bills # 39619-39839.

YEAS: Boggs, Brands, Mayor Doyle, McDonough (abstain from #39836 & 39809), Schuyler, VanRiper

NAYS: None

Unanimously carried.

HEARING OF REPRESENTATIVE AND CITIZENS PRESENT:

Harold Fremd, 104 Russell Street, expressed his concerns about the continued water issue on Russell Street. He also requests help in getting Consumers Energy to replace the asphalt that they dug up last summer during the Russell Street reconstruction. DPW Director said that he would get with his Consumer Energy Representative and have him start working on this issue.

Nickolas Kelly, 108 Mercer Street. He would like the construction area on Saginaw Street to be better cordoned off for safety purposes.

Paula Brooks, 104 Summit Street. Asked if the construction area and the Farmer's Market driveway could be sprayed to keep the dust down.

ITEMS OF BUSINESS:

Andrea Berry, Watershed Technician for the Shiawassee Conservation District.

Over the past two years, the Shiawassee Conservation District has worked to develop an updated Watershed Management Plan for the Mid-Shiawassee River Watershed. The information in this document will be utilized to secure funding that will address concerns in the Watershed through the implementation of long-term, physical changes to problem areas. A draft version of this

document has recently been submitted to the Michigan Department of Environmental Quality to be approved. Any comments from the City Council should be sent to the Shiawassee Conservation District no later than September 1, 2011.

McDonough moved, VanRiper supported to award the bid for right of way tree work to Miles Tree Service of Byron, MI for \$90.00 per hour and \$1.25 per diameter inch for stump grinding.
YEAS: Brands, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs
NAYS: None
Unanimously carried.

McDonough moved, Schuyler supported to approve the invoice from Lamphere Plumbing and Heating in the amount of \$1,746.28 to replace a wall unit air conditioner at City Hall.
YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands
NAYS: None
Unanimously carried.

VanRiper moved, McDonough supported to continue the city's participation with SATA and approve an amount not to exceed \$7,681.50 as the city's current annual subsidy for SATA's operation for its fiscal year ending September 30, 2011.
YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle
NAYS: None
Unanimously carried.

Boggs moved, Brands supported to approve the contract with C2AE for professional services including additional design work, onsite construction and materials testing for the N. Saginaw Street Streetscape Project not to exceed \$120,100.00.
YEAS: Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, McDonough,
NAYS: None
Unanimously carried.

PUBLIC HEARING: RENTAL INSPECTION ORDINANCE
Mayor Doyle opened the Public Hearing at 8:21 p.m.

Mike Douglass requested and received a copy of the Ordinance.

Mayor Doyle closed the Public Hearing at 8:29 p.m.

Boggs moved, McDonough supported to adopt the Rental Inspection Ordinance, which becomes effective upon publication.
YEAS: Boggs, Brands, Mayor Doyle
NAYS: VanRiper, McDonough, Schuyler
Failed (3-3)

Boggs moved, McDonough supported to approve Traffic Control Order #181 to change the yield

**sign to a stop sign on West bound Brand Street at Brookfield St.
Unanimously carried.**

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

DPW Director: He told the Council that Consumers Energy has a new tree planting program that could provide trees to Durand through a matching grant. He stated that we did not include any trees in this year's budget. He asked the Council if they would be interested in applying for a grant in the amount of \$3,000.00 (\$1,500.00 would be our portion).

McDonough moved, VanRiper supported to spend up to \$1,500.00 in matching funds through a grant with Consumers Energy for purchase of trees.

YEAS: Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper

NAYS: None

Unanimously carried.

DPW Director also reported to the Council that there was another sewer break on Monroe Road. All three departments worked on the problem, non-stop for 17 hours. He also said that the underground electrical work on Saginaw Street cost two weeks in time due to the need for re-design work.

Chief of Police: The department has resolved the vandalism issue that took place in the downtown area. We also have resolved the vandalism of six or seven cars on the East side of town.

Commissioner Fuja: He thanked the Council for "everything that is happening in the downtown. You can't complain when someone is spending a million dollars at your doorstep".

Fire Chief: The Department is working to raise funds by holding a car wash on Labor Day. They will also be holding their Annual Fireman's ball on September 19th to help raise funds for fire prevention.

City Engineer: The street light work along Saginaw Street will be done, one side at a time so that there will always be light. The communication system that we have in place now is working well to keep everyone up to date.

City Attorney: Told the Council that there is a Rental Ordinance "already on the books", we will need to get with Administration to review.

City Manager: She reminded the Council of the upcoming golf outing that is sponsored each year by C2AE. If you are planning on attending, she will need to know.

Administrative Assistant: She told the Council that in the course of processing the current month's utility billing, some bills inadvertently left off itemized billing items, however, the amounts due are correct. We are working to correct this problem by the next billing cycle.

COUNCIL COMMENTS:

Brands: He asked if the Chief of Police could look into the problem of semi-trucks parking illegally in parking lots. He told Council that Sycamore House has three signs directing people to the leasing agent. Can something be done about this?

Boggs: He thanked the DPW, Water Department and WasteWater Department for doing the Monroe Rd. repairs for 18 continuous hours. He would like the police to talk with bar owners to have their patrons use the back doors during construction. Councilman asked how the council can get feedback on agenda items that fail.

McDonough: He stated that the manhole located in the Post Office parking lot is “cemented” over. DPW said that he would look in to this. Councilman McDonough thanked the DPW, Water and WW Departments for work done on Monroe Rd. McDonough would like to see the lease agree between the Depot and the City.

VanRiper: He stated that “despite my no vote on the rental ordinance, I am still open to working on it to come to a compromise”. City Manager responded “We took our direction from Council and thought we were doing what you wanted. It is disheartening for Administration to work for six months, to have it turned down.”

Mayor Doyle adjourned the meeting at 9:43 p.m.

JULY 18, 2011 CITY COUNCIL MINUTES
NO MEETING

JULY 4, 2011 CITY COUNCIL MINUTES
NO MEETING