

**JUNE 26, 2013 CITY COUNCIL MINUTES**  
**(Special Meeting)**

**Minutes of the special meeting of the Durand City Council held on Wednesday, June 26, 2013 at 7:00 p.m. 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, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper**

**Absent: None**

**PLEDGE OF ALLEGIANCE:**

**All those present recited the Pledge of Allegiance.**

**APPROVAL OF AGENDA:**

**Boggs moved, Schuyler supported to approve the agenda with the addition of H. Approval of Shiawassee County 911 Public Radio Agreement.**

**Unanimously carried**

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

**Brian Miller, 405 Mackinaw St. He asked the Council for help in paying for the curb box repairs needed for his rental home. He also wanted to know why the curb box was relocated from the easement to his side of the sidewalk.**

**CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:**

**Councilman VanRiper asked why would it be relocated on his side of the sidewalk?**

**Councilman McDonough stated that sometimes they would be moved in order to get a "good" section of pipe to be used for the curb box.**

**Engineer for the City stated that the new construction design has the curb boxes being relocated behind the side walk.**

**City Manager stated that the ordinance, which is consistent throughout the state, clearly states that the homeowner is responsible for the maintenance of the curb box.**

**City Attorney stated that even if the Council did want to help him with the bill, they could not because it is not permissible per the ordinance.**

**ITEMS OF BUSINESS:**

**McDonough moved, Boggs supported to approve the purchase of a Motorola ACE3600 RTU to be installed at the Goodall Road well site from Utilities Instrumentation Service in the amount of \$5,876.00.**

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

**NAYS: None**

**Unanimously carried**

**Fuja moved, McDonough supported to approve the emergency repairs to a generator at the WWTP by Michigan CAT in the amount of \$1,687.00.**

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

**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 \$3,290.00.**

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

**NAYS: None**

**Unanimously carried**

**Schuyler moved, McDonough supported to declare the outstanding invoices due to the city as uncollectible and authorize the Treasurer to place the debts on the 2013 summer tax roll.**

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

**NAYS: None**

**Unanimously carried**

**Schuyler moved, Fuja supported to approve the amendments to the 2012-2013 City of Durand budget, as recommended by the City Treasurer.**

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

**NAYS: None**

**Unanimously carried**

**VanRiper moved, Brands supported to approve the first reading of the amendment to Chapter 66 – Streets, Sidewalks and Other Public Places and schedule a public hearing for the August 5th meeting.**

**Unanimously carried**

**VanRiper moved, Brands supported to approve the purchase and installation of a new heating/air conditioning unit for City Hall from Lamphere's Plumbing, Heating and Cooling in the amount of \$10,922.00.**

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

**NAYS: McDonough**

**Carried 6-1**

**McDonough moved, VanRiper supported to approve the Shiawassee County 911 Public Radio System Participation Agreement, pending review by City Attorney.**

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

**NAYS: VanRiper**

**Carried 6-1**

**DEPARTMENT REPORTS:**

**City Engineer:**

- Work on the Genesee/Clinton Street project will begin tentatively on July 15th. Subcontractor for the Electrical work was supposed to be Diesler Electric, but due to an error in the bid process they will now be using an electrical contractor out of St. Johns. Jack Fick from Swartz Creek will be the asphalt contractor for the project. The asphalt phase is expected to begin during the first or second week of August.
- City Engineer: She stated that the Rural Development project is continuing with water, storm and sanitary systems. There is a lot of work involved with getting prepared for this project. She also stated that the Dover and Genesee Street lift stations are scheduled to be replaced, however some of the Genesee Street lift station will be re-used.

**Treasurer:** She stated that the summer tax bills will be mailed on Friday and will be due on September 3, 2013. The annual audit is tentatively scheduled for September.

**City Attorney:** No Comment

**City Manager:** She asked Maureen Wegener when we will be selling the bonds for the Rural Development project. Maureen said sometime in the fall of this year.

**COUNCIL COMMENTS:**

**Fuja:** She asked if there has been any progress on the DUSI lease agreement. VanRiper stated that this is going on four years and it's time that something is done. Councilman Boggs suggested that we hold a joint public meeting to force the issue. He said to give them a deadline and if we do not hear from them, then we will hold a public meeting.

**Schuyler:** He asked the City Manager her opinion of the current lawn mowing contractor. City Manager stated that Steve Mince met with them and told them that the city is very unhappy. Since that meeting the contractor did get things "caught up" however, in the last seven days they are not staying on top of things. After much discussion:

VanRiper moved, Schuyler supported to terminate the contract with the lawn mowing contractor if second bidder is willing to step in and assume the contract. Attorney to draft letter.

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

**NAYS:** None

Unanimously carried

**VanRiper:** He thanked Lisa and Amy on the budget presentation. He asked City Manager if there had been any interest on the Lansing Road property. City Manager said no, not at this time.

**Brands:** No Comment

**Boggs:** No Comment

**McDonough:**

- He asked for an update on the DPW roof. City Manager told Council that the low bidder did not have the funds to purchase the necessary materials to do the job so we went with the second

**bidder.**

- He asked for an update on the sidewalks in downtown. City Manager said that C2AE will be meeting the C & D Hughes and with the subcontractor on Thursday. She will provide an update in a Friday update.
- He asked for an update of the sewer separation on Perry Street. He said that 10 years is long enough to make repairs. City Manager said that she cannot provide an update and DPW Director is on vacation.

**Boggs moved, Fuja supported to adjourn to Executive Session to discuss pending Union Negotiations with Teamsters Local #214 as allowed under the Open Meetings Act, for remaining in public forum may jeopardize the city's position in ongoing matters.**

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

**NAYS: None**

**Unanimously carried**

**Adjourned into Executive Session at 8:40 p.m.**

**Reconvened at 9:20 p.m.**

**Schuyler moved, McDonough supported to approve the contract amendments of the Teamsters Local #214, as presented.**

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

**NAYS: None**

**Unanimously carried**

**VanRiper moved, Schuyler supported to approve the labor agreement between the City and Sergeant Pletscher, to include the changes in Insurance.**

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

**NAYS: None**

**Unanimously carried**

**Mayor Doyle adjourned the meeting at 9:23 p.m.**

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## **MAY 20, 2013 CITY COUNCIL MINUTES**

**Minutes of the special meeting of the Durand City Council held on Monday, May 20, 2013 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, Fuja, McDonough, Schuyler**

**Absent: VanRiper**

### **PLEDGE OF ALLEGIANCE:**

**All those present recited the Pledge of Allegiance.**

**APPROVAL OF AGENDA:**

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

Unanimously carried

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

Paula Brooks, 104 S. Summit St. She asked if the bucket truck was purchased from the auction and how much did it cost, if a date had been set for the Small Town Initiative meeting and if the parks plan has to come before the Council for approval.

**CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:**

Mayor Doyle said that the lift truck had been purchased, but the City Treasurer couldn't recall the exact amount paid for it. City Manager stated that the plan for the park would need to come before the council for approval.

**ITEMS OF BUSINESS:**

**Presentation and Adoption of Budget:**

Mayor Doyle opened the Public Hearing at 7:14 p.m.

Paula Brooks, 104 S. Summit St. asked when the last time the city codes were re-codified. City Manager stated that it was 1988.

Mayor Doyle closed the Public Hearing at 7:15 p.m.

The City Manager stated that the total proposed budget for 2013-2014 is \$1,972,575.00. The City Manager stated that tax revenues are \$60,000 lower than last year, mainly due to a decline in property taxes. She stated that there are only minor changes in the proposed budget, including the following: updating the website, since there has been no improvements since it was developed in 1998, and paving Genesee and Clinton Streets. There will be no increase in refuse or waste water, however, there will be a \$1.50 increase for water ready to serve, effective with the August 1st billing. There will be a reduction of a full time to a part time administrative position. The City also plans to purchase a dump truck, police car and to upgrade the telephone system.

**DURAND CITY COUNCIL**

**RESOLUTION**

**ADOPTION OF ANNUAL BUDGET**

**MOTION BY BOGGS, 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, 2013 as recommended by Administration and adopted by the City Council, and as described in the Summary as follows:**

	Revenues	Expenditures
General Fund	\$1,972,575.00	\$1,972,575.00

**Be the same 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 \$62,475,000 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, 2013, shall be 16.5304 per \$1,000 of table valuation, subject to all related provisions of the Truth in Taxation and Headlee Amendment and, \$4.00 per \$1,000 of Taxable Valuation Tax Levy for Debt Service.**

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

Major Streets	\$ 156,500.00	
Local Streets	81,000.00	
Street Fund	123,000.00	
Ambulance Fund	67,000.00	
Building Inspector	19,000.00	
Debt Service WWTP-01	53,000.00	
Debt Service WATER-12	185,000.00	
Debt Service WWTP-11	102,027.00	
WWTP Fund	845,800.00	
Water Fund	650,475.00	
Refuse Service	196,000.00	
Equipment Revolving	421,031.00	
Fringe Benefits	422,500.00	
Downtown Development Authority	95,000.00	
Sidewalk Fund	6,000.00	

**And all other Capital Improvement Projects for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014.**

**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 or the above prior to such exceeding, the City Council must make a supplemental adjustment to the appropriation.

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

**NAYS: None**

**MOTION CARRIED**

#### **CERTIFICATION**

**I, Amy 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 20, 2013.**

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**Amy Roddy,**

**Schuyler moved, McDonough supported to amend the Renaissance Zone boundaries to include the properties located on the East side of Durand Road according to MEDC requirements.**

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

**NAYS: None**

**Unanimously carried**

#### **STAFF REPORTS AND COUNCIL COMMENTS:**

**City Manager:** She thanked City Treasurer for all her hard work in getting the budget ready.

**Boggs:** He stated that he appreciates all the work that is done on getting the budget prepared and the independent audit reports “always come back great” in a very difficult economical time.

**McDonough:** He asked if a “Slow Children Playing” sign could be erected on Vinewood Street.

**Fuja:** “Good job on the budget”.

**Schuyler:** He stated that “it’s great to hear we have a healthy budget”. He also stated that he was not pleased with the grass mowing contractor. He said that there are places on Fauble Street that have 2 ½ to 3 feet of grass growing, some is located in back yards. City Manager said that this is a new contractor, however she is aware of the situation and is addressing it.

**Mayor Doyle:** She thanked the council and staff for the moral support given to her recently. She also stated that she received \$550.00 for the Veteran’s Memorial Park in memory of her mother.

**Mayor Doyle adjourned the meeting at 7:30 p.m.**

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## **MAY 13, 2013 CITY COUNCIL MINUTES**

**Minutes of the regular Durand City Council meeting held on Monday, May 13, 2013 at 7:30 p.m. in the Council Chambers of the Durand City Hall.**

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

### **ROLL CALL:**

**Present: Boggs, Brands, Fuja, McDonough, VanRiper**

**Absent: Mayor Doyle, Schuyler**

### **PLEDGE OF ALLEGIANCE:**

**All those present recited the Pledge of Allegiance.**

### **APPROVAL OF AGENDA:**

**VanRiper moved, Fuja supported to approve the agenda as presented.**

**Unanimously approved**

### **APPROVAL OF MINUTES:**

**McDonough moved, VanRiper supported to approve the minutes of the regular meeting held on April 1, 2013, as presented.**

**Unanimously carried**

### **APPROVAL OF BILLS:**

**McDonough moved, VanRiper supported to approve the payment of bills # 42137-42284.**

**YEAS: Brands, Fuja, McDonough, VanRiper, Boggs**

**NAYS: None**

**Unanimously carried**

### **HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

**Paula Brooks, 104 Summit St. asked when the next meeting of the Small Town Design Initiative meeting will be held.**

### **CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:**

**No one spoke**

### **ITEMS OF BUSINESS:**

**Presentation: John Hall, Communications Manager with Consumers Energy, Forestry Division. Mr. Hall gave the Council a briefing on Forestry Operations, including the process of how they determine which trees are targeted to be trimmed or removed, and why this is necessary for the safety of the community.**

### **Public Hearing and Adoption: Railroad Ordinance**

**Acting Mayor Pro-tem Boggs opened the Public Hearing at 7:55 p.m.**

**No one spoke.**

**Acting Mayor Pro-tem Boggs closed the Public Hearing at 7:56 p.m.**



No action was taken on this agenda item following the Public Hearing.

McDonough moved, Fuja supported to approve the proposed amendment to the Solicitation Ordinance, Section 18.512 for first reading and hold a public hearing and second reading at the next regular city council meeting to be held on June 3, 2013.

Unanimously carried

**First reading of 2013-2014 City of Durand Budget:**

The total proposed budget for 2013-2014 is \$1,972,575.00. The City Manager stated that tax revenues are \$60,000 lower than last year, mainly due to a decline in property taxes. She stated that there are only minor changes in the proposed budget, including the following: The City will be updating their website since there has been no improvement since it was developed in 1998. The City will repave Genesee and Clinton Streets. There will be no increase in refuse or waste water, there will be a \$1.50 increase for water ready to serve, effective with the August 1st billing. The City also plans to purchase a dump truck, police car and to upgrade the telephone system.

Fuja moved, McDonough supported to approve the proposed 2013-2014 budget for first reading and hold a second public hearing at a Special City Council meeting on Monday, May 20th at 7:00 p.m.

Unanimously carried

McDonough moved, Fuja supported to approve the request from DUSI to use the city owned parking lot at Durand Union Station on June 9th to host an Antique Car Show.

Unanimously carried

VanRiper moved, McDonough supported to approve the request from Phil Dewey, owner of Papa Joe's restaurant to use city owned property to host Cruise In events on the 4th Friday of May, June, July, August and September 2013, providing he submit required liability insurance covering the events, naming the city as an additionally insured party.

Unanimously carried

McDonough moved, VanRiper supported to award the bid to replace the metal roof at the public works facility to Tony Sutter in the amount of \$9,631.00 and \$1.00 per foot for purlin replacement.

YEAS: Fuja, McDonough, VanRiper, Boggs, Brands

NAYS: None

Unanimously carried

VanRiper moved, Brands supported to approve the contract with Point and Pay for E-Payment Services, understanding that there are no costs to the City of Durand, and that Point and Pay provides credit card scanners at their cost as part of the contractual agreement.

YEAS: McDonough, VanRiper, Boggs, Brands, Fuja

NAYS: None

Unanimously carried

VanRiper moved, McDonough supported to approve the additional expenses incurred by Plummers Environmental Services for the work on N. Oak Street. The total invoice amount is now \$17,750.01.

**YEAS: VanRiper, Boggs, Brands, Fuja, McDonough**  
**NAYS: None**  
**Unanimously carried**

**VanRiper moved, Brands supported to approve contract amendment #1 for \$4,250 for additional design work and \$78,500 for construction management services to C2AE for Clinton/Genesee Street project at a total cost of \$82,750.00.**

**YEAS: Boggs, Brands, Fuja, McDonough, VanRiper**  
**NAYS: None**  
**Unanimously carried**

**VanRiper moved, Brands supported to approve the proposed ballot language to restore the City of Durand's authorized millage of 20 mills to be placed on the August primary election.**

**YEAS: Brands, McDonough, Boggs**  
**NAYS: Fuja, VanRiper**  
**3-2 Carried**

**Fuja moved, VanRiper supported to approve the proposed ballot language for Charter Amendments to Chapter 1- City Boundaries, Chapter 5 – Provisions Regarding Elective Office, Chapter 7 – Publishing Requirements and Chapter 12-Comparative Pricing Limits and forward those onto the State of Michigan Attorney General for review and approval.**

**YEAS: Fuja, McDonough, Boggs, Brands**  
**NAYS: VanRiper**  
**4-1 Carried**

**McDonough moved, Brands supported to approve the Disposal of Bricks policy, as presented.**  
**Unanimously carried**

**McDonough moved, Brands supported to approve the External Written Communications Policy, as presented.**  
**Unanimously carried**

**McDonough moved, Brands supported to waive the permit fees for yard, garage and porch sales during Railroad Days, May 17, 18, and 19, 2013.**

**YEAS: Brands, Fuja, McDonough, VanRiper, Boggs**  
**NAYS: None**  
**Unanimously carried**

**CITIZENS SPEAK (AGENDA ITEMS ONLY):**

**Paula Brooks 104 S. Summit St. She asked where the DPW facility is located.**

**Jennifer Lessard, 109 Fitch St. She made the comment that “some jobs require licensing costs and that’s just the cost of doing business”.**

**DEPARTMENT REPORTS AND CITY COUNCIL COMMENTS:**

**DPW Supervisor:** Hydrant flushing is scheduled for May 20th – 24th, 2013.

**Chief of Police:** He stated that last Friday he worked with Bertha Neal Elementary School to present a Safety Day where they taught children “Stranger Danger” and “Good Touch/Bad Touch”. They also had a fire truck, police car and ambulance for the children to tour.

**City Engineer:** She stated that the bids for the Clinton/Genesee Street project would be in June.

**City Manager:** She stated that the city is gearing up for Railroad Days this weekend. The Police and Fire Departments will be assisting in the 5-K run taking place on Saturday morning. She also stated that the Parks and Recreation Board is working with VFW Reed Raymond for the Veterans Memorial Park. A new sign will be going up soon to kick off the campaign to develop the park.

**COUNCIL COMMENTS:**

**VanRiper:** He stated that his No vote was in response to timing, he is not in support of funding an August election.

**Brands:** He stated that he hopes the car show at the Depot is successful and he congratulated Chief Hartz on the arrests made recently regarding breaking and entering incidents.

**McDonough:** He wished the Depot “good luck on the car show”.

**Boggs:** He asked the City Engineer for a Rural Development update. City Engineer stated that she doesn’t have a lot of details to share yet, but they are working on the design and will bring information to the Council in June.

Acting Mayor Pro-tem Boggs adjourned the meeting at 9:03 p.m.

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**APRIL 1, 2013 CITY COUNCIL MINUTES**

Minutes of the regular Durand City Council meeting held on Monday, April 1, 2013 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:** Fuja

**PLEDGE OF ALLEGIANCE:**

All those present recited the Pledge of Allegiance.

**APPROVAL OF AGENDA:**

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

- Addition of A1: Request from Papa Joes to hold Cruise-In

- **Addition of F: Authorization to Purchase Aerial Truck**
- **Removal of XII. Executive Session**
- **Approval of Executive Session minutes held on March 4, 2013**

**Unanimously carried**

**APPROVAL OF MINUTES:**

**McDonough moved, Boggs supported to approve the minutes of the regular meeting held on March 4, 2013 and to approve the minutes of the Executive Session held on March 4, 2013, as presented.**

**Unanimously carried**

**APPROVAL OF BILLS:**

**McDonough moved, Schuyler supported to approve payment of bills #42031-42136.**

**YEAS: Boggs, Brands, Mayor Doyle, McDonough (abstain from check # 42043), Schuyler, VanRiper**

**NAYS: None**

**Unanimously carried**

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

**Jan Brownson, 3797 Chilton Dr., Saginaw, MI she informed the Council that NRMI would be holding an Open House on Saturday, April 6th from 2:00 to 4:00p.m. at the Durand Chamber of Commerce office. Public is invited to attend.**

**CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:**

**No one spoke.**

**ITEMS OF BUSINESS:**

**Request from Papa Joes to hold Car Cruise periodically throughout the summer: Mr. Dewey provided the Council with a map of the proposed cruise-in area. The Council asked Mr. Dewey to come back to the May Council meeting with dates that they could approve.**

**McDonough moved and VanRiper supported to award the bid for a submersible mixer to Kennedy Industries, Inc. in the amount of \$14,750.00**

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

**NAY: None**

**Unanimously carried**

**Public Hearing – Solicitation Ordinance**

**Mayor Doyle opened the public hearing at 7:44 p.m.**

**Jon Matejewski, 708 Kingswood, He asked what are the changes from the original ordinance? He also stated that he feels that there should be a strong solicitation ordinance for the residence in the city.**

**Deb White, 512 N. Saginaw St. She asked how this would affect churches. Matt McKone, City Attorney stated that churches are exempt.**

**Mayor Doyle closed the public hearing at 7:45 p.m.**

**City Attorney Matt McKone stated that if “residents have a No Solicitation sign on their door, no one can solicit. We feel that this Ordinance honors both the Federal and Michigan Constitution.”**

**City Manager stated permits will no longer be needed. “This ordinance puts the responsibility on the homeowner. If this is passed, the city will provide the signs which will then prohibit solicitors from coming to your home.”**

**Boggs moved, Schuyler supported to amend Chapter 18 of the Code of ordinances, city of Durand Michigan by adding Sections 18-510 through 18-518 and by repealing Section 18-506, 18-507, 17-532 and 18-533; Short Title, Purposes, Definitions; Prohibited Acts, Regulations for Ice Cream Vendors, Duty to Enforce, Penalty, Separability, as proposed and shall take effect 15 days upon adoption and publication of the ordinance with the change in Section 513 (B), paragraph (1) to read “Canvass, peddle or solicit if the person so doing has been convicted of a felony, misdemeanor or ordinance violation involving force, violence, moral turpitude, deceit, fraud, or the violation of any law regulating the act of soliciting as defined in this Ordinance within the past ten (10) years in this City, State or subdivision thereof or any other state or subdivision thereof of the United States.”**

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

**NAY: None**

**Unanimously carried**

**McDonough moved, Brands 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**

**NAYS: None**

**Unanimously carried**

**VanRiper moved, Schuyler supported to approve the proposal for professional engineering services for City Hall Façade and Parking Lot Lighting Improvements with C2AE in an amount not to exceed \$7,500.00.**

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

**NAYS: None**

**Unanimously carried**

**Schuyler moved, McDonough supported to approve the proposed ordinance to Prohibit Railroad Trains from Blocking or Obstructing Vehicular Traffic from first reading and set the public hearing and second reading for the May 6th City Council meeting.**

**Unanimously carried**

**McDonough moved, Brands supported to authorize the DPW Foreman or his designee to bid on a 2005 GMC aerial truck, owned by the City of Pontiac, at their auction on April 9, 2013 in an amount not to exceed \$35,000.00.**

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

**NAYS: None**

**Unanimously carried**

**CITIZENS SPEAK – AGENDA ITEMS ONLY**

**Carl Hatley, 310 Wickshire** He discussed the definition of “charitable” and stated that you can’t discriminate against who comes to your door. He said that he can put a flyer in the Independent and the Independent can toss that paper on your porch, but I can’t put flyers in your door.

**Brands** responded by saying “your first Amendment rights don’t trump other people’s right to privacy.”

**Mary Stone, 3810 Reed Rd.** She stated that in response to the proposed train ordinance, she has the central dispatch phone number for CN Railway if the City needs it in case of an emergency.

**DEPARTMENT REPORTS:**

**DPW Director:** The Genesee/Clinton Street project is moving along with sewer video inspections. The first brush collection of the season begins tomorrow and is the first Tuesday of every other month (April, June, August, October).

**Police Chief:** He stated that the investigation of the recent break-ins is continuing with polygraph tests scheduled for individuals and he is confident that they will have solid results in the very near future.

**Fire Chief:** He stated that the old fire truck and car will soon be going up for auction. The starting bid for the fire truck will be \$7,000 and the starting bid for the car will be \$1,500.

**City Engineer:** No comment

**City Attorney:** No comment

**City Manager:** No comment

**COUNCIL COMMENTS:**

**Schuyler:** He stated that there are barricades at the corner of John Street and Lovejoy Street; he asked the DPW Director when they will be coming down. DPW Director said that he would check it out.

**VanRiper:** He asked if the city brush collection was monthly or every other month. DPW Director stated that it was the first Tuesday of every other month starting in April.

**Brands:** He apologized for his outburst but he is “tired of constantly being called a liar and being harassed, I’ve had enough.”

**Boggs:** He wanted to clarify that the definitions in Chapter 18, Section 500 apply to all of Section 500 not just the section regarding solicitation ordinance.

**McDonough:** He told the Police Chief good job on the investigation regarding the Breaking and

Entering that occurred recently. He also stated that Waste Management littered his yard and the street with garbage this morning and they need to pick it up.

Mayor Doyle: Wished Brian Boggs a Happy Birthday.

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

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## **MARCH 4, 2013 CITY COUNCIL MINUTES**

Minutes of the regular Durand City Council meeting held on Monday, March 4, 2013 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 F: First Reading of the Solicitation Ordinance.

Unanimously carried

### **APPROVAL OF MINUTES:**

McDonough moved, Boggs supported to approve the minutes of the regular meeting held on February 4, 2013, as presented.

Unanimously carried

### **APPROVAL OF BILLS:**

McDonough moved, VanRiper supported to approve the payment of bills # 41904-42030.

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

NAYS: None

Unanimously carried

### **HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

Connie Cobby, 405 W. Main. She distributed a handout regarding possible grants that are available for blighted properties. She suggested that once these properties are improved, medical students from MSU could occupy them. She stated that landlords should be held to the same standards as small businesses in regards to trash and up-keep of property.

Dallas Bronson, Saginaw. He thanked the council for allowing the second phase of the Small Town Initiative Project to hold their meeting at City Hall last week.

**Carl Hatley, 216 W. Main St., He told council that he submitted a FOIA request and it was denied.**

**CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:**

**None**

**ITEMS OF BUSINESS:**

**VanRiper moved, Schuyler supported to award the bid for lawncare to Four Star Landscaping for a two year contract in the amount of \$565.00 per mow, and for any necessary services at \$15.00 per hour, as outlined in the bid document.**

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

**NAYS: None**

**Unanimously carried**

**McDonough moved, Fuja supported to award the bid for video inspection on Clinton and Genesee Streets to Plummer's in the amount of \$12,090.00 and \$125/hr for by-pass pumping and \$200/hr for obstruction removal.**

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

**NAYS: None**

**Unanimously carried**

**Schuyler moved, Fuja supported to approve the invoice from Sensus for annual support services for auto-reading equipment and programs used for meter reading and utility billing in the amount of \$1524.60.**

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

**NAYS: None**

**Unanimously carried**

**VanRiper moved, Boggs supported to approve the purchase of a hydrant for the water system from EJ in the amount of \$1560.09.**

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

**NAYS: None**

**ABSTAIN: McDonough**

**Carried**

**Fuja moved, Schuyler supported to approve the 2013 Professional Community Planning Services Agreement with Wade Trim in the amount of \$6,600.00.**

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

**NAYS: None**

**Unanimously carried**

**Boggs moved, McDonough supported to approve the First Reading of the Solicitation Ordinance**



and send it to Public Hearing and Second Reading at the next regular meeting.  
Unanimously carried

**CITIZENS SPEAK – AGENDA ITEMS ONLY:**  
None

**DEPARTMENT REPORTS:**

**Chief Rinker:** Pancake breakfast will be held on March 17, 2013 at the Fire Hall from 8:30 a.m. until 11:00 a.m. This is sponsored by the firefighters.

**City Engineer:** Surveyors for the Rural Development project have been in town.

**City Attorney:** He responded to the comment made during Hearing of Representatives and Citizens Present regarding the FOIA request that was denied. He said that the request was for additional information on a W-2 form which had been blackened out. Right to Privacy laws, states that this information does not have to be released.

**DPW Director:** He stated that the City recently received a \$3000.00 reimbursement check for the tree planting grant from Consumer's Energy.

**Chief of Police:** He stated that as a result of the arrests that were made last month involving Breaking and Entering, the number of those incidences has declined. Chief Hartz told the Council that he has been asked by our School District to sit on a committee aimed at getting children involved in the community. He also stated that he plans to get a jump on ordinance violations as soon as weather allows.

**City Manager:** She stated that the grant that Connie Cobley referenced is the same grant that the City of Durand went for and was unsuccessful in getting. We will now begin further condemnation processes on these properties.

**COUNCIL COMMENTS:**

**Fuja:** Thursday, March 21 is the Annual Chamber of Commerce Dinner where the Organization, Business and Citizen of the Year awards will be given out.

**Schuyler:** No comment

**VanRiper:** He asked the City Engineer if they have trouble with kids/people moving the stakes that are positioned around the City. She responded that they don't have very much trouble and if they do, it doesn't set the schedule back at all.

**Brands:** No comment

**Boggs:** He commented that it is good to have Chief Hartz representing the City on committee's and he also thanked Dallas Bronson for the work on the Small Town Initiative Project.

**McDonough:** No comment

**Boggs moved, McDonough supported to move into Executive Session to discuss Union Negotiations, to consider the purchase of real property and to discuss the contents of a confidential letter from the City Attorney.**

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

**NAYS: None**

**Unanimously carried**

**Adjourned into Executive Session at 8:00 p.m.**

**Reconvened from Executive Session at 9:43 p.m.**

**Boggs moved, Schuyler supported to approve a five year extension of contract for Public Works, Water and Waste Water departments with outlined changes.**

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

**NAYS: None**

**Unanimously carried**

**Boggs moved, Schuyler supported to approve changes to Teamsters Local #214 Full Time Police Contract to B4 to B3, effective April 1, 2013.**

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

**NAYS: None**

**Unanimously carried**

**Boggs moved, Schuyler supported to approve the option as presented in regards to the VanAgen property.**

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

**NAYS: None**

**Unanimously carried**

**Mayor Doyle adjourned the meeting at 9:45 p.m.**

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## **FEBRUARY 4, 2013 CITY COUNCIL MINUTES**

**Minutes of the regular Durand City Council meeting held on Monday, February 4, 2013 at 7:30 p.m. in the Council Chambers of the Durand City Hall.**

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

**Boggs moved, McDonough supported to approve the agenda with the deletion of item XII:  
Executive Session.  
Unanimously carried**

**APPROVAL OF MINUTES:**

**McDonough moved, Schuyler supported to approve the minutes of the regular meeting held on  
January 7, 2013 and the executive session held on January 7, 2013, as presented.  
Unanimously carried**

**APPROVAL OF BILLS:**

**McDonough moved, Boggs supported to approve the payment of bills #41783-41903.  
YEAS: Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper  
NAYS: None  
Unanimously carried**

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

**Leonard Krawczyk, 1106 S. Washington St., Owosso He stated that he would like to see the  
Railroad Days carnival moved back to Saginaw Street because his business sees more walk by  
traffic.**

**Al Libbey, 205 N. Saginaw Street. He suggested a city-wide garage sale (fees and permits waived)  
be held during Railroad Days to bring people into the community. He would also like to see the  
carnival stay on Main Street rather than Saginaw Street.**

**Paula Brooks, 104 W. Summit Street. She requested an update on the TIGER grant which is an  
intermodal transportation grant for the depot parking lot, that was discussed in November 2011.**

**Tim Shaw, 221 Saginaw Street. He stated that he would like to see the carnival stay on Main  
Street because due to the parking issues during the festival, elderly people have a difficult time  
coming into the pharmacy.**

**Carl Hatley, 310 Wickshire. He passed out a handout comparing the wages of the City Manager  
and Treasure to other local municipalities. He stated that population and home values are  
decreasing in the City of Durand.**

**CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:**

**VanRiper: He stated that the idea of a city wide garage sale may be a "good thing" for the  
festival. He said that he doesn't want to ruin the big investment that was recently made to  
Saginaw Street by pounding stakes into the pavement.**

**Mayor Doyle: She stated that because of the reconfiguration of Saginaw Street, there can no**

longer be fire lanes while the carnival is there. She said that once the carnival was moved to Main Street, it was never an option to bring it back to Saginaw Street. She thinks that holding sidewalk sales during the festival may be a good idea also.

**City Engineer:** She stated that the TIGER grant that was discussed in November of 2011 was not successful.

**McDonough:** Stated that he had concerns regarding the city-wide garage sale, that if there were no regulation/permits issued, that people would extend the sale beyond the 3 day limit.

#### **ITEMS OF BUSINESS:**

Schuyler moved, VanRiper supported to approve the appointment of Tom Smith to the Shiawassee District Library board to fill a vacancy.

Unanimously carried

**Presentation from Railroad Days:** Kent Edwards spoke on behalf of the Railroad Days committee. He stated that he asked the City Manager and the Mayor several times about bringing the carnival back to Saginaw Street and was not given an answer. However, after analyzing the results of the survey, the Railroad Days committee made a determination to request that the carnival remain on Main Street for the following reasons:

- Safety – The fire truck could no longer get down Saginaw Street due to the new configuration of the street.
- The Main Street location allows for more carnival rides than Saginaw Street.

However, Mr. Edwards emphasized that “the rides will not, do not damage the city street, the rides are placed on platforms are not drilled into the pavement.”

Brands stated that he would like to see additional events held on Saginaw Street during the festival.

Schuyler moved, McDonough supported to approve the Calendar of Events and requests from the Railroad Days Committee for the 2013 festival on May 17th, 18th and 19th to be held on Main Street.

Unanimously carried

VanRiper moved, Schuyler supported to approve repairs to an influent pump at the WWTP at an estimated cost of \$2,375.00 from American Electric Motor Corp.

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

**NAYS:** McDonough

Carried 5-1

Boggs moved VanRiper supported to approve the Annual Service Support Fee for internet

services and support in the amount of \$3,355.00.

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

**NAYS:** None

**Unanimously carried**

**McDonough moved, Brands supported to amend the farm lease contract with Gary Stiles, accepting his proposal to pay the 2012 Goodall Road lease payment in 2013, and increase the land rent on that parcel to \$95.00 per acre.**

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

**NAYS:** None

**Unanimously carried**

**Boggs moved, McDonough supported to approve the contract for engineering, design and bidding services for sewer system and water system improvements in the amount of \$360,000.00 to C2AE, pending legal approval of contract.**

**Brands stated his concerns with the costs of the engineering services for this project and would like to see the engineering firm “whittled” the cost down. He also has concerns that if the City does go with a different engineering firm it would delay the project too much.**

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

**NAYS:** None

**Unanimously carried**

**McDonough moved, Boggs supported to approve the contract for engineering, design and bidding services for 2013 Street Improvement Project in the amount of \$117,000.00 with C2AE, pending legal approval of contract.**

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

**NAYS:** None

**Unanimously carried**

**Boggs moved, Schuyler supported to approve the resolution designating Industrial Renaissance Zones within the City of Durand.**

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

**NAYS:** None

**Unanimously carried**

#### **CITIZENS SPEAK – AGENDA ITEMS ONLY:**

**Paula Brooks:** She asked questions regarding the farm lease and the 2013 Streets Improvements project.

**Tim Shaw:** Asked the status of the Rural Development Project.

**Carl Hatley:** Asked the amount of the grant for the street project and who is paying the rest?

## **DEPARTMENT REPORTS:**

**DPW Director – No comment**

**Police Chief:** He said that the department made an arrest for a Breaking and Entering recently. He stated that we will be losing Officer Applegate as he was hired full-time by the Owosso Police Department.

**Fire Chief:** He stated that the new fire truck should be in use within the next two weeks, as it required the firemen to have additional training.

**City Engineer:** She stated that a lot is going on, getting ready to start the Rural Development project.

**City Attorney:** He stated that the Council was given a new Solicitation Ordinance to look over. He said that the Railroad ordinance needs to come back before the Council for approval. He also stated that he is working with the City Manager to bring back a rental ordinance for approval.

## **COUNCIL COMMENTS:**

**Schuyler:** Our Administration searches for grant money to make improvements rather than use City money. We praise them for keeping our heads above water.

**VanRiper:** He thanked the audience for their input.

**Brands:** He stated that he has the map of the Rural Development project if anyone would like to see it after the meeting.

**Boggs:** He would like an update on the Strategic Plan, possibly adding it as an agenda item for the next meeting. He stated that he is excited about the Rural Development project as we will be doing construction on areas that have never been improved upon.

**McDonough:** He stated that we are investing money into our community, but they are grant monies, instead of city money.

**City Attorney** said many towns and cities have streets that are in bad shape and are eligible for grants to help with their street problems. But the difference between those municipalities and ours is that our Administration has managed our funds in such a way that we have money available for matching grants, where many of the other municipalities are not financially sound enough to have matching funds needed to get these grants.

**Mayor Doyle:** She stated that the City of Durand was recently awarded a Certificate of Merit from Boy Scout Troop # 84 in recognition and appreciation of continuous support.

**Mayor Doyle** adjourned the meeting at 8:35 p.m.

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## **JANUARY 7, 2013 CITY COUNCIL MINUTES**

**Minutes of the regular Durand City Council meeting held on Monday, January 7, 2013 at 7:30 p.m. 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, 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:**

**McDonough moved, Boggs supported to approve the minutes of the regular meeting held on December 3, 2012, special meeting held on December 12, 2012 and the executive session held on December 12, 2012, as presented.**

**Unanimously carried**

### **APPROVAL OF BILLS:**

**McDonough moved, VanRiper supported to approve the payment of bills #41678-41782.**

**YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough (abstained from #41712), Schuyler, VanRiper**

**NAYS: None**

**Unanimously carried**

### **HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

**Mayor Doyle read the “Rules for Public Comment” which are printed at the bottom of the agenda.**

**Paula Brooks, 104 W. Summit Street. She commented on lighting in the DUSI parking lot and suggested that temporary lighting be provided until permanent lighting can be installed.**

**Connie Cobby, 405 W. Main Street. She is concerned with the home at 703 W. Main Street, and would like to see landlords held to the same standards as business owners in regards to good business practices such as proving dumpsters for trash and up keep on the properties.**

**Carl Hatley, 310 Wickshire. He passed out a handout comparing the City of Durand’s expenditures with that of other local municipalities.**

**CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:**

There were none.

**ITEMS OF BUSINESS:**

**VanRiper moved, Fuja supported to approve the emergency repairs made at the Water Plant by Kennedy Industries in the amount of \$3,456.00 and Utilities Instrumentation Service in the amount of \$1,860.00.**

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

**NAYS: None**

**Unanimously carried**

**McDonough moved, Schuyler supported to approve the request from the City Treasurer to remove the special assessments for delinquent water, sewer, and refuse for parcel # 020-56-006-005-00 from the 2012 Summer Tax Roll, as prescribed by MCL 211.78m(13).**

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

**NAYS: None**

**Unanimously carried**

**McDonough moved, Boggs supported to approve the language to add a Sergeant's position to the existing labor contract between the City of Durand and Teamsters Local #214 Police.**

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

**NAYS: None**

**Unanimously carried**

**Boggs moved, Fuja supported to confirm the appointment of Jason Hartz as Chief of Police for the City of Durand.**

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

**NAYS: None**

**Unanimously carried**

**City Clerk administered the Oath of Office to Chief Hartz.**

**CITIZENS SPEAK – AGENDA ITEMS ONLY**

**Carl Hatley asked if the Sergeant's position was a "new" position.**

**DEPARTMENT REPORTS:**

**DPW Director: No comment**

**Police Chief: He asked Officer Clayton Pletscher if he would be interested in taking the position of Sergeant for the City of Durand. Officer Clayton Pletscher accepted the position.**

**City Engineer: No comment**



**Treasurer:** Offered congratulations to Jason.

**City Attorney:** Offered congratulations to Chief Hartz and Sergeant Pletscher.

**City Manager:** Offered congratulations to both Chief Hartz and Sergeant Pletscher.

**COUNCIL COMMENTS:**

**Brands:** Congratulations to Jason and Tony.

**Boggs:** Offered his congratulations to Chief Hartz and Sergeant Pletscher.

**McDonough:** Offered his congratulations to Jason and asked for an update on the DUSI lease agreement. City Attorney said that it is almost done and will bring it to Council for approval soon.

**Fuja:** Offered her congratulations to Chief Hartz and Sergeant Pletscher.

**Schuyler:** No comment.

**VanRiper:** Offered congratulations to both Jason and Tony and he said that he was glad to see someone within the City promoted.

**Mayor Doyle:** Offered her congratulations to both Chief Hartz and Sergeant Pletscher.

**Boggs moved, McDonough supported to enter into Executive Session to discuss the purchase of property, as allowed in the Michigan Open Meetings Act, since doing so in public may jeopardize the city's position.**

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

**NAYS:** None

**Unanimously carried**

**The meeting reconvened from Executive Session at 8:23 p.m.**

**Mayor Doyle adjourned the meeting at 8:24 p.m.**

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**DECEMBER 12, 2012 CITY COUNCIL MINUTES**

**Minutes of the special meeting held on Wednesday, December 12, 2012 at 7:00 p.m. Council Chambers of the Durand City Hall.**

**Mayor Doyle called the meeting to order at 7:00 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 E: Mayoral Appointments to Park and Recreation Board and District Library Board.

Unanimously carried

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

Harold Fremd, Russell Street. He stated that he is highly disappointed with the settlement offer that he received from C2AE as a result from the water problems that he sustained to his home on Russell Street.

Paula Brooks, 104 W. Summit Street. She stated that she would like to see Council Members phone numbers posted on our website. Ms. Brooks also stated that there is a safety issue at the Depot due to the fact that there is “no lighting in the parking lot.” She said that the issue is so great that people are refusing to come to the depot because they are fearful of walking through a dark parking lot. She said that the City ordinance requires lighting in parking lots and “you are not following your own ordinances.”

**COUNCIL RESPONSE TO CITIZEN’S COMMENTS:**

McDonough: Asked the City Manager if we can meet with C2AE to help Mr. Fremd resolve this issue? City Manager said that she will negotiate with engineer.

Van Riper: He told Mr. Fremd that he is “behind you 100% percent, this problem was not caused by you.”

**ITEMS OF BUSINESS:**

Utility Rate Study Presentation: Tom Traciak, Financial Advisor, Umbaugh, Inc. He presented a comprehensive overview of the Water and Sewer Funds financial stability. He also provided the Council with an analysis of how the proposed Rural Development infrastructure improvement project will impact the system users.

McDonough moved, Schuyler supported to approve the invoice from Kone Elevator for work completed to remove and install a new motor for \$5,100.00 and to approve the maintenance items on the elevator in the amount of \$1,535.00.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to adopt the resolution exempting its participation of P.A. 152 for the 2013 calendar year.

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

NAYS: None

**Unanimously carried**

**Boggs moved, McDonough supported to approve an employee adjustment from the 2011-2012 audited budget for 2%.**

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

**NAYS: None**

**Unanimously carried**

**Boggs Moved, Schuyler supported to accept the Mayor's recommendation to appoint Ann Collard and Dennis Martin to the Parks and Recreation Board and to appoint Deb Kilbreath Reid to the District Library Board.**

**Unanimously carried**

#### **CITIZENS SPEAK – AGEND ITEMS ONLY**

**Paula Brooks, 104 Summit Street. She asked if this presentation was tied to the Rural Development Grant. City Manager stated that Rural Development Project is not a grant and this presentation was for the project.**

#### **DEPARTMENT REPORTS:**

**Treasurer: "Merry Christmas"**

**City Attorney: "Happy Holidays"**

**City Manager: "Merry Christmas"**

#### **COUNCIL COMMENTS:**

**Brands: He responded that he was high offended by the comments made by Paula Brooks regarding the parking lot at the depot. He said that the previous parking lot was a dark, grassy lot often times filled with pot holes and mud. He said that the City has spent \$150,000 to improve the parking and for her to come to the meeting make those remarks are insulting. The City Manager was highly offended by the comments Brooks made accusing the City Council of negligence, and she was sorry that Brooks did not appreciate the efforts that the City of Durand had made to improve and beautify the parking lot. Roddy also stated that the project was designed in three phases, and that the lighting was to be included in phase II of the project. "If there truly is a safety issue, we will have to look into it, possibly closing the parking lot until proper lighting can be installed."**

**Boggs: "Happy Holidays"**

**McDonough: He stated that the City has "bent over backwards for the depot" and he will make the motion to close the depot if it is unsafe.**

**Fuja: She complimented Mr. Fremd on his "tolerance" during this situation. She suggested that he request a meeting with C2AE, Steve Mince and Amy Roddy in an effort to get more satisfaction with the settlement. "Merry Christmas"**

**Schuyler: He agreed that Mr. Fremd has been very professional during this process. He also stated that he would not be in favor of closing the depot, but would vote to close the parking lot until such times as lighting becomes available. "Merry Christmas"**

**VanRiper:** He agreed with the comments made previously regarding Mr. Fremd.

**Boggs moved, McDonough supported to adjourn into Executive Session to discuss union negotiations and possible purchase of land at 8:23 p.m..**

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

**NAYS:** None

**Unanimously carried**

**The meeting reconvened from Executive Session at 9:15 p.m.**

**Council discussed allowing the administration to hold a holiday luncheon for the city employees on Friday, December 12st.**

**Mayor Doyle adjourned meeting at 9:19 p.m.**

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**DECEMBER 3, 2012 CITY COUNCIL MINUTES**

**Minutes of the regular Durand City Council meeting held on Monday, December 3, 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, McDonough, Schuyler, VanRiper

**Absent:** Fuja

**PLEDGE OF ALLEGIANCE:**

**All those present recited the Pledge of Allegiance.**

**APPROVAL OF AGENDA:**

**Boggs moved, McDonough supported to approve the agenda with the removal of E. and substitute it with E. Resolution of Services.**

**Unanimously carried**

**APPROVAL OF MINUTES:**

**Schuyler moved, VanRiper supported to approve the minutes of the regular meeting held on November 19, 2012, as presented.**

**Unanimously carried**

**APPROVAL OF BILLS:**

**McDonough moved, Boggs supported to approve the payment of bills #41645-41677.**

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

**NAYS:** None

**Unanimously carried**

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

**Martha Walker, 417 Kent St. She expressed her concerns regarding the relationship that she has with the DPW worker's, stating that she has lived in that home for twenty five years and she wants to continue the communication with the DPW employees that has been developed over the years. She suggested publishing the phone numbers of the City Council in the newspaper once a year in the event that a resident wants to speak with them.**

**Graham Sturgeon, 803 N. Saginaw St. He asked the Council what happened to the plans for the skate park.**

**Connie Cobby, 405 W. Main St. She quoted an article that she read in the Wall Street Journal titled "Bullying Hurts All." She also stated that she was at an August Council meeting when the City Manager stated that the depot volunteers can plant and weed flowers in the rain gardens. Ms. Cobby was highly offended by this remark and stated that people who plant and weed need to have knowledge of what they are doing. Currently there are inappropriate trees growing in the rain gardens and need to be removed.**

**COUNCIL RESPONSE TO CITIZEN'S COMMENTS:**

**Mayor Doyle responded to Graham Sturgeon, suggesting that he attend a Parks and Recreation meeting to obtain answers to his question.**

**ITEMS OF BUSINESS:**

**Presentation of 2011-2012 City of Durand Audit – 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 2012 with a fund balance of \$849,852.00 which is an increase of \$70,905.00 from the prior year.**

**McDonough moved, Schuyler supported to accept the 2011-2012 City of Durand Audit, as prepared by Stewart, Beauvais and Whipple, auditors for the City of Durand, and place it on file with the City Treasurer's office.**

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

**NAYS: None**

**Unanimously carried**

**McDonough moved, Boggs supported to accept the bid for 17 sets of structural firefighting gear from Douglass Safety in the amount of \$25,330.00.**

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

**NAYS: None**

**Unanimously carried**

**Schuyler moved, McDonough supported to approve the invoice for rental of a boom lift truck from Evans Equipment Company in the amount of \$2,196.96.**

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

**NAYS: None**  
**Unanimously carried**

**VanRiper moved, McDonough supported to approve the purchase of a man basket work platform from Allied Equipment Rental in the amount of \$1,685.00.**

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

**NAYS: None**  
**Unanimously carried**

## **RESOLUTION**

**WHEREAS, The City of Durand has been represented by Charles R. McKone as the City Attorney, and**

**WHEREAS, Charles R. McKone and Matthew S. McKone have formed The McKone Law Firm, PLLC, and**

**WHEREAS, It is the desire of the City of Durand to have The McKone Law Firm, PLLC be designated as the City Attorney**

**NOW THEREFORE BE IT RESOLVED that the City of Durand hereby designate The McKone Law Firm, PLLC as City Attorney effective January 1, 2013.**

**Dated: December 3, 2012**  
**The City of Durand**

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**Deborah L. Doyle, Mayor**

**Boggs moved, McDonough supported to approve the resolution designating McKone Law Firm, PLLC as the City attorney, effective January 1, 2013.**

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

**NAYS: None**  
**Unanimously carried**

## **CITIZENS SPEAK – AGENDA ITEMS ONLY:**

**Connie Cobby, She stated that the “biggest area of injury is caused by ladders, so wear your safety harness.”**

## **DEPARTMENT REPORTS AND COUNCIL COMMENTS:**

### **DPW Supervisor:**

- **Leaf pickup is complete**

- The timers at the water plant malfunctioned yesterday but we were able to keep everything working.
- In the midst of the timer issue, we had a water main break. He feels that they issue at the water plant might have caused the water main break.

**Police Chief:** He stated that the fire truck should be here in about two weeks. He thanked the Council for support to purchase both the fire truck and the bunker gear. Happy Holidays to everyone!

**City Attorney:**

- He stated that “the financial stability of the City is solid” and the credit goes to the Treasurer, City Manager and the Council. He said that the Council had to make difficult decisions to accomplish this.
- He stated that we are very close to having the lease agreement signed with DUSI. He thanked Mary Stone for working with the City to move this forward.
- He congratulated Deb Doyle for receiving a Life Time Achievement Award from MML.

**COUNCIL COMMENTS:**

**Brands:** He congratulated Mayor Doyle on her Lifetime Achievement Award. He also thanked his son Cameron, John and Patty Matejewski, Jason and Austin Hartz for all their help putting up the Christmas lights in the downtown. He said that the Depot and the lighted parade looked great on Friday.

**Boggs:** He said that he was thrilled with the audit results. He congratulated Chuck McKone. And he said that he was glad to know that the Depot lease will be signed shortly.

**McDonough:** He congratulated Chuck McKone and he also that he is glad to have the lease agreement with the Depot completed.

**Schuyler:** He stated that “you will not find a more dedicated and passionate person working for the City than Amy Roddy!”

**VanRiper:** Congratulations to Lisa for the excellent audit. He also stated that it’s time for the City Manager to have an evaluation.

**Doyle:** Congratulations to Lisa.

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

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**NOVEMBER 19, 2012 CITY COUNCIL MINUTES**

Minutes of the regular Durand City Council meeting held on Monday, November 19, 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**

**Absent: VanRiper**

**PLEDGE OF ALLEGIANCE:**

**All those present recited the Pledge of Allegiance.**

**APPROVAL OF AGENDA:**

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

**Unanimously carried**

**APPROVAL OF MINUTES:**

**McDonough moved, Boggs supported to approve the minutes of the regular meeting held on October 1, 2012, as presented.**

**Unanimously carried**

**APPROVAL OF BILLS:**

**Schuyler moved, Brands supported to approve the payment of bills #41453-41644.**

**YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough (abstains from #41475, 41631),  
Schuyler**

**NAYS: None**

**Unanimously carried**

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

**The Mayor asked Citizens who had signed in to speak, to address their concerns to the Mayor or Council only and not to staff or others at the meeting. The Council may respond to questions or concerns during Council Comments, near the end of the meeting.**

**Harold Fremd, 104 Russell St. He expressed his frustration with the delay in getting reimbursed for his expenses associated with the water problem from last year.**

**Paula Brooks, 104 W. Summit St. She asked when the next Planning Commission meeting would be held.**

**Connie Cobby, 405 W. Main St., She expressed her concerns with the rental housing in the community. She also would like to see a work crew from a Career Alliance type agency to help maintain the gardens throughout the city.**

**ITEMS OF BUSINESS:**

**Public Hearing: Final Summary of Community Development Block Grant for N. Saginaw Streetscape and 2010 Street Rehabilitation Project. The City of Durand received \$1,063,276.05 in grant funds for the Street Rehabilitation Project and Phase II of Saginaw Street/Streetscape project and the total cost of the project was \$1,078,979.49, leaving a difference of \$15,703.44.**



**Mayor Doyle opened the Public Hearing at 7:48 p.m.**

**Paula Brooks asked who would be responsible for maintaining the brick pavers and the garden beds. The City Manager stated that the City of Durand or the DDA will be responsible for maintaining the pavers and the garden beds.**

**Connie Cobby said that she has concerns regarding the size and placement of some of the plants in the planter.**

**Mayor Doyle closed the hearing at 7:52 p.m.**

**McDonough moved, Schuyler supported to award the bid for a new backhoe/loader and hydraulic plate compactor from Bridgeport Equipment in the amount of \$79,312.00.**

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

**NAYS: None**

**Unanimously carried**

**McDonough moved, Boggs supported to place the delinquent accounts and invoices as prepared by the City Treasurer and owed to the City be placed on the 2012 winter tax roll for collection.**

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

**NAYS: None**

**Unanimously carried**

**Schuyler moved, Fuja supported to approve the 2012 City at Large Drain Assessment to the Shiawassee County Drain Commission in the amount of \$4,417.89.**

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

**NAYS: None**

**Unanimously carried**

**Boggs moved, McDonough supported to approve the installment purchase agreement with JP Morgan Chase at the interest rate of 2.55% for 10 years to finance the new fire truck in an amount of \$330,358.40.**

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

**NAYS: None**

**Unanimously carried**

**Boggs moved, Brands supported to approve the Letter of Intent to Meet Conditions and the Request for Obligation of Fund as required by USDA-Rural Development for the water and sewer infrastructure project and authorize the Mayor and Clerk to execute said documents.**

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

**NAYS: None**

**Unanimously carried**

**CITIZENS SPEAK – AGENDA ITEMS ONLY:**

**Connie Cobby asked if there was any discussion for Shiawassee County to have a Land Bank.**

## **DEPARTMENT REPORTS AND COUNCIL COMMENTS:**

**Police Chief:** He stated that the Lighted Christmas Parade will be Friday, November 23rd.

**Fire Chief:** He stated that the firemen will be decorating the fire truck for the lighted Christmas parade.

**City Engineer:** She stated that a letter will be sent this week to Mr. Harold Fremd regarding the property on Russell Street.

**City Treasurer:** The Auditors will attend the next regular Council meeting to present the results of the 2011-2012 audit.

**City Attorney:**

- He thanked the Council for participating in the Strategic Planning meetings held at Hoddy House. "They are very important for the future of the city."
- We need to bring the Railroad Ordinance for a second reading/adoption at the next meeting.
- He announced that he will be opening a new law firm with his son called "McKone, LLC."
- "Happy Thanksgiving"

**City Manager:**

- She stated that the Planning Commission meetings are always held on the first Tuesday of every month. The meeting in November was cancelled due to the election being held on the same day.
- She stated that she is currently working on a possible grant opportunity for a Rental Rehab program that would be coordinated through Shiawassee County.
- She stated that Councilmen Brands, Chief Sampey and two firemen participated in the Veteran's Parade held in Perry.
- The strategic planning sessions are completed now, after the holidays we will hold planning meetings to go over the goals.
- The Lighted Christmas Parade is this Friday, November 23rd. She stated that it "could not happen without the dedication of Jeff Brands."
- "Happy Thanksgiving"

## **COUNCIL COMMENTS:**

**Brands:** He stated that Mr. and Mrs. Jon Matejewski, along with his son Cameron, have really helped with putting the lights up in the downtown.

**Boggs:**

- He would like to see a resolution to confirm the McKone, LLC law firm continue to work with the City of Durand.
- He stated that now that the strategic planning is in place "we need to follow through".
- He stated to the audience that several years ago Cameron Canute investigated the possibility of establishing a Land Bank in Shiawassee County, but it didn't go anywhere.
- He would like the ordinance enforced regarding refuse be placed out at the street no earlier than 8:00 p.m. on Sunday before pickup on Monday.

- He would like the train ordinance to appear on the agenda at the next meeting.
- He would like to have the DUSI lease agreement signed as soon as possible.
- He would have liked the change of Roberts Rules of Order to have been explained/directed to the Council before implementing it at the meeting tonight. Mayor Doyle responded that she was doing what the Council discussed at the Strategic Planning session.

**McDonough:**

- He addressed Mr. Fremd regarding the delay in getting reimbursed due to the water problem on Russell Street.
- He asked why the façade on City Hall has not been replaced, when it was stated at an earlier meeting that it was a potential emergency situation.
- He asked why the pothole covered by the barricade at Oak and Main Street has not been repaired; it's been there since July.
- He stated that he would like to have an evaluation completed for the City Clerk/Manager.
- He wants the refuse ordinance enforced.
- "Happy Thanksgiving"

**Fuja:**

- She stated that at the Strategic Planning Session, it was agreed that the Council would follow Roberts Rules of Order in an effort to keep the meetings moving.
- She stated that the Independent was one of the biggest offenders in leaving trash in the City. City Manager stated that she spoke with Michael Flores, owner of the Independent and they are instituting a new delivery process that will not include hand delivering the paper. This will eliminate the problem of the papers laying in yards/driveways to many homes throughout Durand.
- "Happy Thanksgiving and enjoy your family"

City Manager showed the video that was produced for the MML competition that highlighted the improvements made throughout Durand.

Doyle: She reminded the Council that the lighted Christmas Parade is Friday, November 23rd and she wished everyone a "Happy Thanksgiving."

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

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## **OCTOBER 1, 2012 CITY COUNCIL MINUTES**

Minutes of the regular Durand City Council meeting held on Monday, October 1, 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 additions of:

**E. Amendment of Asphalt Invoice**

**F. Lease agreement between the City and Durand Union Station, Inc.**

Unanimously carried

**APPROVAL OF MINUTES:**

McDonough moved, Boggs supported to approve the minutes of the regular meeting held on September 17, 2012, as presented.

Unanimously carried

**APPROVAL OF BILLS:**

McDonough moved, Schuyler supported to approve the payment of bills #41405-41452.

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

**NAYS:** None

Unanimously carried

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

Martha Walker, 417 Kent St., She asked the City Manager when the absentee ballots would be mailed. She also commended the Fire Department for going door to door last Wednesday, checking on the welfare of the neighborhood. Lastly, she voiced her concern for keeping the DPW barn and not tearing it down.

Clinton Sawyer, 705 N. Oak St., He thanked the City Manager, Mayor, Police Chief and the Chamber for a "great job" organizing the Autumn Fest that took place last Saturday in downtown Durand.

Al Libby, Owner IMN Antiques, 205 N. Saginaw St. He spoke in support of the City. He stated that he is "proud to be part of the City" and he thanked the Council and City Manager for making Durand a great place to do business.

Gene Roussin, 506 Marquette St., He asked the City Attorney if he had looked over the "litter" ordinance. He then asked the Council if they support the ordinance.

Jon Matejewski, 708 Kingswood. He commended the City Manager and City Council stating "you have done more for this City than the last two City Managers combined, thank you so much."

**ITEMS OF BUSINESS:**

Schuyler moved, Fuja supported to approve the list of Election Inspectors, as presented, to work

at the General Presidential Election on Tuesday, November 6th.  
Unanimously carried.

Boggs moved, Brands supported to amend the City of Durand Zoning Ordinance to include the addition of #5. Design Standards in the DDA District to Section 1334 (Urban Design Standards), as follows: The site and architectural design of developments within the City of Durand Downtown Development Authority (DDA) District shall be designed in harmony with the guidelines set forth in the City of Durand DDA District Guidelines document as adopted by the DDA Board of Directors, and the addition of Item E. of Sub Section 8 (Approval Standards) of Section 1334 (Urban Design Standards) The site and architectural design of developments within the DDA District is generally consistent with the guidelines set forth in the City of Durand DDA District Guidelines document as adopted by the DDA Board of Directors.  
Unanimously carried

McDonough moved, VanRiper supported to have the City of Durand pledge its support to the continued economic development efforts of the Shiawassee Economic Development Partnership and contribute \$7,866 annually from 2013-2017.  
YEAS: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs  
NAYS: None  
Unanimously carried

**Discussion: Consideration to Establish a Renaissance Zone for Economic Development.** Justin Horvath, SEDP explained that Renaissance Zones are a tool to attract businesses to the area. Businesses in these designated areas would be exempt from paying certain taxes. In return the City of Durand would get: people moving into the area which in turn would provide more people shopping in local community, and the city would retain ownership of land. No action was taken at this time; City Manager will bring Council additional information at next meeting.

VanRiper moved, McDonough supported to amend the invoice from D.O.W. Asphalt in the amount of \$20,665.66.  
YEAS: Mayor Doyle, Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands  
NAYS: None  
Unanimously carried

Boggs moved, McDonough supported to approve the Lease Agreement between the City of Durand and Durand Union Station, Inc, as presented.  
YEAS: Fuja, McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle  
NAYS: None  
Unanimously carried

**CITIZENS SPEAK – AGENDA ITEMS ONLY**  
No one spoke

**DEPARTMENT REPORTS AND COUNCIL COMMENTS:**

**DPW Director:**

- City of Durand did receive the Tree Grant from Consumers Energy. The grant is for \$100 per tree up to 30 trees.
- The last brush pick up for the year starts tomorrow.
- Leaf pickup is scheduled to start October 15th
- The street painting contractor is currently working in the City.

**Police Chief:** He stated that the Police Department is very busy. He said that the Autumn Fest was fantastic and reminded the Council that the Homecoming parade and football game is this Friday.

**Commissioner Fuja:** He said that the Hazardous Waste collection is scheduled for October 20th, from 8:00 a.m. to Noon on Chippewa Trail just North of VG's in Owosso.

**Fire Chief:** He stated that the new fire truck will be delivered around the first of November.

**City Treasurer:** She stated that the audit went really well.

**City Attorney:** He stated that he and the City Manager are working with C2AE for resolution to the sidewalk project and will keep the Council updated.

**City Manager:**

- She stated that she walked the sidewalks with C2AE and DPW Director and did a complete detailed list of project that is not in specification of bid.
- Stated that four more businesses that are interested in the façade grant, which brings the total to 18. If we are successful in getting this grant we will need to hire a consultant to assist with the project.
- She will be attending the MML Conference this week and Durand will be competing for the Michigan Excellence Cup at the conference, we will be presenting a video that showcases the entire community.
- She said that the ballots for the Presidential Election arrived today and she feels that this is the most complicated ballot ever because of so many ballot proposals.
- She reported that the Autumn Festival went fabulously!

**COUNCIL COMMENTS:**

**Brands:** He said that he had fun being in the dunk tank during the Autumn Festival. He said that the City looked great and it was great to see all the businesses get involved.

**Boggs:** No comment

**McDonough:** He asked when he could expect to have an Ambulance Report.

**Fuja:** On behalf of the Chamber, she thanked all those people that made the Autumn Festival a success.

**Schuyler:** He stated “that for a small community, we do a bang up job” with the Autumn Festival, and the Light Parade and all the other community events. He asked the Fire Chief “how close is the nearest ladder truck?”. Fire Chief said that both Owosso and Swartz Creek have ladder trucks.

**VanRiper:** Good luck at the MML Conference.

**Doyle:** She said that the Lighted Parade’s theme this year is Candy Land.

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

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**SEPTEMBER 17, 2012 CITY COUNCIL MINUTES**

Minutes of the regular Durand City Council meeting held on Monday, September 17, 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, Schuyler supported to approve the agenda with the additions of:

**J. Dump Truck Repairs**

**K. Extension of Letter of Agreement with NRMI**

**L. Railroad Blocking Roadway Ordinance**

Unanimously carried

**APPROVAL OF MINUTES:**

Schuyler moved, McDonough supported to approve the minutes of the regular meeting held on August 6, 2012, as presented.

Unanimously carried

**APPROVAL OF BILLS:**

McDonough moved, VanRiper supported to approve the payment of bills # 41237-41404.

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

**NAYS:** None

Unanimously carried

## **HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

**Carl Hatley, 216 W. Main St, Owner of Railway Pizzeria. He presented the Council with a packet of prepared materials and voiced his concerns regarding the City Manager to the Council. No packet was provided for permanent record keeping.**

**Collin Walkling, 210 W. Clinton St., He voiced his concerns with the City Manager to the Council.**

**Martha Walker, 417 Kent St., She asked the Council for an update on the DPW Barn repairs. DPW Director told Council that a quote has been received and we are considering all options.**

**Connie Coble, 405 W. Main St., She asked the Council for an update on the proposed Rural Development Project and also asked them to be “pro-active” with code enforcement.**

**Gene Roussin, 506 Marquette St., Asked to be on the agenda for the next meeting to discuss code enforcement Section 50-72.**

**Robert Witigen, Village of Lennon, Spoke in support of the City Manager.**

**Paula Brooks, 104 W. Summit St., Asked for updates on the water main break at the corner of Saginaw Street and Monroe Road, said that there are no street signs from the school administration building on Saginaw Street to Main street, asked if the Diamond District Park was still intending to use their original plans.**

**Mary Stone, Director for DUSI, She stated her concerns with the water gardens at the Depot. She also told the Council that she had two positive meeting with the City regarding the City of Durand and the DUSI lease agreement and is awaiting the revised agreement.**

**Can Canute, 502 Yale Dr., Stated his concern with a swimming pool that is in violation of City ordinance, the car wash that is sitting vacant, and asked for an update on the sidewalks in the downtown area.**

**Dallas Bronson, NRMI President, He thanked the Council and City Manager for working with NRMI to bring MSU to Durand to discuss NRMI project.**

**Deb White, 512 Saginaw St., She stated her concerns of the condition of the streets to the Council and also asked that they enforce the ordinances regarding curfews, speeding and solicitation.**

**Tony Chamberlain, Lincoln Street, Voiced his support of the City Manager and encouraged the owner of Railway Pizzeria to work with the City.**

## **ITEMS OF BUSINESS**

**Schuyler moved, VanRiper supported to approve the Consent Agenda, including the approval from the Durand Area Chamber of Commerce to hold Autumn Festival on September 29th, to**



cast votes for Paula Zelenko and Robert Clark as Directors for the MMLPP and to appoint the Mayor as the city's official delegate to the MML Annual Meeting and Vicki Fuja as Alternate.  
Unanimously carried

**Presentation: Jason Hartz, MPA Thesis: City of Durand Healthcare Savings**

McDonough moved, Fuja supported to award the street marking bid to Michigan Pavement Markings in an amount not to exceed \$7,000.00.

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

**NAYS: None**

**Unanimously carried**

McDonough moved, Brands supported to award the bid for asphalt pavement repairs to D.O.W. in the bid amount of \$125.33 per ton in an amount not to exceed \$12,500.00.

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

**NAYS: None**

**Unanimously carried**

VanRiper moved, Schuyler supported to award the bid to upgrade 19 mobile and 13 handheld radio units, and the repeater and duplexer, along with their installations, from Blumerich Communications at a cost of \$13,666.00.

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

**NAYS: None**

**Unanimously carried**

VanRiper moved, McDonough supported to approve the request to replace concrete driveway approaches on E. John Street that were removed while installing new sump headers at a cost of \$3,000.00 with work to be performed by Collard Concrete.

**VanRiper withdrew his motion.**

VanRiper moved, McDonough supported to approve the request to replace concrete driveway approaches on E. John Street that were removed while installing new sump headers at a cost of \$3,100.00 with work to be performed by JT Concrete.

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

**NAYS: None**

**Unanimously carried**

Schuyler moved, Fuja supported to approve the request from the City Treasurer to remove the special assessments for delinquent water, sewer and refuse for parcel # 020-10-003-013-00, 020-34-007-007-00, and 020-48-006-013-00 from the 2012 Summer Tax Roll, as prescribed by MCL 211.78m (13).

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

**NAYS: McDonough**

**Carried**

**McDonough moved, Boggs supported to approve Change Order #4 in the amount of \$18,534.03, as additional costs to the 2011 Depot Site Improvement project.**

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

**NAYS: None**

**Unanimously carried**

**Boggs moved, McDonough supported to approve a Quit Claim Deed, transferring property from the City of Durand to the Most Reverend Earl Boyea, Bishop of the Catholic Diocese of Lansing, MI, and legally describes as: City of Durand, Shiawassee County –**

**That part of Section 15, T6N, R4E, part of the east ½ of the southeast ¼; commencing at the southeast corner of Lot 32 of Obert's Addition; thence north 89 degrees 40'12" east 330.11 feet; thence south 25' 07" east 66', thence south 89 degrees, 40'12" west 330.26 feet, thence north 66 feet to the point of beginning. And authorize the Mayor and City Clerk to execute the document.**

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

**NAYS: None**

**Unanimously carried**

**Schuyler moved, Fuja supported to authorize the Dump Truck repairs of \$2,400.00 to rebuild the rear differential, work to be done by Weller Truck and \$3,207.90 for springs to be purchased through C & S motors for a total of \$5,607.90. The springs and rebuilt differential will be installed by our DPW Mechanic.**

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

**NAYS: None**

**Unanimously carried**

**Boggs moved, Brands supported to approve the extension of the Memo of Understanding between the National Railroad Memorial, Inc and the City of Durand from 2012-2015.**

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

**NAYS: None**

**Unanimously carried**

**Boggs moved, McDonough supported to move the first reading of the ordinance to prohibit railroad trains or other railroad activities from blocking or obstructing vehicular traffic on a public street or highway to the October 1, 2012 Durand City Council Meeting.**

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

**NAYS: None**

**Unanimously carried**

**CITIZENS SPEAK – AGENDA ITEMS ONLY**

**Mary Stone, DUSI Director, asked a question regarding Change Order #4, 2011 Depot Site Improvement.**

## **DEPARTMENT REPORTS AND COUNCIL COMMENTS:**

**DPW Director:** October 2nd will be the last pick up of the season. Leaf pick up is scheduled to begin October 15th.

**Police Chief:**

- We have new crossing guards for the school year, they will be attending training
- The turnout for the Car Show held on September 1st, was very good.
- The Zombie run held last weekend also had a good turnout.

**Mike Fuja, County Commissioner:**

- A household hazardous waste collection will be held on October 20th, they will collect old paint, turpentine, old medicines, etc. It will take place on M-52 next to VG's.
- He stated that as a business person in Durand for 33 years "We have the most cooperative City Manager, staff and Council ever."

**Marty Johnson, Zoning Enforcement Official:** He stated that 63 ordinance cases have been addressed in the last few months. He said that they are all treated equally, "the City has procedures that have to be followed." He stated that a letter was sent to the owners and the occupant of the pool that is in violation at 100 Detroit Street. He stated that the pool is still present but all the water has been removed. Councilman McDonough asked for an update on the old Simplicity building. Johnson stated that he has recommended that it be condemned and has started condemnation procedures.

**Treasurer:** Audit starts today, should be completed by the end of the week.

**City Attorney:** He stated that he and the City Manager met with C2AE regarding the concrete downtown and are working with MDOT, "things are moving forward" and will keep Council informed. He told Mary Stone, DUSI Director that "we will get back with you regarding the Lease Agreement."

**City Manager:**

- Small Town Initiative Project is "very exciting"
- Two past fireman from the City of Durand were recently honored in Roscommon, they are George Johnson and Keith Streeter.
- The Downtown Façade grant has generated a lot of interest (14 businesses have shown interest) and I am working with Citizens Bank to finance any remaining amount for each project.

## **COUNCIL COMMENTS:**

**Brands:** He stated that "no one works harder or has more passion than Amy" has for the City of Durand. He told her that she is "doing a fine job and I wouldn't change anything".

**Boggs:** He stated that he is looking forward to approving the Lease Agreement between the City and Durand Union Station, Inc and he is also glad to see the Railroad Ordinance.

**McDonough:** He stated that the City Manager is doing a good job for the City of Durand. He also said that he was glad to see the Railroad Ordinance.

**Fuja:** She stated that the City Manager does a good job for the City of Durand; she mentioned all the events she participates in that are not part of her job description. Fuja stated that “she is home grown” and no one else would have the passion or loyalty that she brings to the position.

**Schuyler:** He stated that “we are all home grown”. He stated to the audience that he would like to hear concerns that the residents have so that we can resolve them. He thanked everyone for attending the meeting tonight.

**VanRiper:** He stated that Marty Johnson is doing a good job on enforcing the ordinances.

**Mayor Doyle:** She stated that the City Manager is doing a good job and she stated that Josh Roddy and Lindsay Eister were appointed to their positions because they were qualified.

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

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## **AUGUST 6, 2012 CITY COUNCIL MINUTES**

Minutes of the regular Durand City Council meeting held on Monday, August 6, 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:**

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

Unanimously carried

### **APPROVAL OF MINUTES:**

McDonough moved, Boggs supported to approve the minutes of the regular meeting held on June 4, 2012 and the special meeting held on June 28, 2012, as presented.

Unanimously carried

### **APPROVAL OF BILLS:**

Boggs moved, VanRiper supported to approve the payment of bills # 40973-41236.

**YEAS:** Boggs, Brands, Mayor Doyle, Fuja, McDonough (abstained from # 41183, 41222),

Schuyler, VanRiper

**NAYS:** None

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

**Connie Cobby, 405 W. Main St. She asked if the Community Room in the basement of City Hall is open as a Relief Station during extremely hot weather. City Manager responded: both the Senior Center and the library are open as relief centers, however if someone came into City Hall and needed relief we wouldn't turn them away. Ms. Cobby also asked what happens to people when they lose their homes, do they continue to receive utility bills? City Manager responded: Our ordinance requires that we keep utilities in the deed holders name until such time as the deed changes and we receive a copy.**

**Martha Walker, 417 E. Kent St. She told the Council that pieces of the DPW barn's roof are blowing off and landing in her yard. She said that there are 5 inch holes in the side of the barn and something needs to be done about the situation. DPW Supervisor stated that the Foreman is currently seeking bids to repair the roof.**

**Sam Mogg, 118 ½ Naldrette, He stated that he received a letter from the City stating that his grass/weeds needed to be cut. He brought pictures of other property that were also in violation of the ordinances. He also stated to the Council the need for additional parking at Optimist Park.**

**Brenda Holmes, 105 W. Monroe St. She asked if it is a violation for a police officer to take a picture above a privacy fence. City Attorney stated that it was not illegal.**

**ITEMS OF BUSINESS:**

**Boggs moved, Brands supported to award the bid for ferric chloride to PVS Technologies in the amount of \$485.00 per dry ton.**

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

**NAYS: None**

**Unanimously carried**

**McDonough moved, Brands supported to award the bid for Limestone and Sand to Constine, Inc. in the amount of \$17.47 per ton for Limestone and for Sand in the amount of \$5.50 per ton.**

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

**NAYS: None**

**Unanimously carried**

**McDonough moved, VanRiper supported to award the bid for Cold Patch Paving to Saginaw Asphalt in the amount of \$95.61 per ton.**

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

**NAYS: None**

**Unanimously carried**

**McDonough moved, Boggs supported to approve the invoices from Lamphere Plumbing and Heating for the installation of 4 air conditioning wall units for \$6,751.30 and installation of a Trane 5 ton rooftop air conditioning unit in the amount of \$13,277.52. (Total amount: \$20,028.82)**

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

**NAYS: None**  
**Unanimously carried**

**VanRiper moved, Fuja supported to approve the invoice from CMP Distributors, Lansing, MI for \$7,840.25, applying the \$3,500 matching grant toward the total cost of the purchase.**

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

**NAYS: None**  
**Unanimously carried**

#### **CITIZENS SPEAK – AGENDA ITEMS ONLY**

**Sam Mogg 118 1/2 Naldrette St. He asked if the ferric chloride was recyclable. DPW Supervisor stated that it wasn't.**

#### **DEPARTMENT REPORTS:**

##### **DPW Director:**

- **The Sidewalk Program is currently at a standstill due to the fact that the contractors cannot obtain the necessary surety bonds that our ordinance requires.**
- **Consumers Energy has announced another tree grant that we can apply for. The Grant is \$100.00 per tree and we can receive up to 30 trees.**
- **DPW is finishing John Street with topsoil and seed.**
- **DPW will start the August brush pickup tomorrow.**
- **The new irrigation system on Saginaw Street is not working properly; the contractor is working on it as we speak.**

**Chief Sampey: The Police Department is getting ready for the car show in September. He stated that “there has been a flurry of activity in the last 30 days with Amy being a big help with ordinances”. He divided the city up into four quadrants and assigned one full time officer to each quadrant to address the ordinances.**

**Commissioner Fuja: “Get out to vote tomorrow”.**

**City Attorney: The lease agreement with the city and DUSI is coming along very well and we should bring something back to the Council shortly. He also stated that Councilman McDonough brought up the issue with the trains being stopped for extended periods of time. He will be working to develop an ordinance that addresses this issue.**

##### **City Manager:**

- **Is working with MEDC to bring a façade grant to the merchants in the DDA. The grant starts at 50% and goes up to 75% and is not tied to income. “This would be a good opportunity for the merchants”.**
- **This is the last week for Wednesday Nite Live for the season.**
- **MDOT would like to close their file on the Saginaw Street project so there is movement to get the City together with the contractor to resolve the Saginaw Street issues. She would like this to be resolved by the end of the month.**

**COUNCIL COMMENTS:**

**Brands: No comment**

**Boggs: He would like a presentation soon on the results of the City health insurance savings. He also would like to recommend a meeting be held in July next year.**

**McDonough: He asked that we “take \$3,000 that we saved on the air conditioner unit and funnel it down to the DPW barn”. Councilman McDonough asked “if we are still pumping water to Leisure Lake? It’s time to take care of this”.**

**Fuja: No comment**

**Schuyler: No comment**

**VanRiper: He thanked Chief Sampey for Code Enforcement and thanked the City Manager and City Attorney for working on the DUSI lease agreement.**

**Mayor Doyle: She stated that Code Red is a reverse 911 system that Shiawassee County 911 Board voted to purchase. This week they have a booth at the fair that allows people to specify how they would like to receive future notices. Sign up can also be completed on the County’s website.**

**Mayor Doyle adjourned the meeting at 8:37 p.m.**

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**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.**

<b>Up to 1000 Gallons:</b>	<b>\$50.00</b>
<b>1000 to 2000 Gallons:</b>	<b>\$55.00</b>
<b>2000 to 3000 Gallons:</b>	<b>\$65.00</b>
<b>3000 to 4000 Gallons:</b>	<b>\$75.00</b>
<b>4000 to 5000 Gallons:</b>	<b>\$85.00</b>
<b>Over 5000 Gallons:</b>	<b>\$85.00 plus man-hours beyond first hour</b>

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.

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**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:** Asked 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.