
JUNE 30, 2014 SPECIAL CITY COUNCIL MINUTES

Minutes of the special meeting held on Monday, June 30, 2014 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, Cobley, Mayor Doyle, Fuja, McDonough, VanRiper

Absent: None

APPROVAL OF AGENDA:

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

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Presentation: Update on Storm, Sanitary and Water System Rehabilitation Project:

John Harvey with C2AE Mr. Harvey stated that the government consolidated regional offices so the turnaround time to have documents reviewed and approved is greatly increased. He provided the Council with a revised schedule for the project as follows:

Project Letting	September 2014
Award Project	November 2014
Construction Commences	January 2015
Substantial Completion	November 2015
Final Paying & Restoration	May/June 2016

VanRiper moved, Brands supported to approve the appointments of Dane Deisler, electrician, Kent Edwards, civil engineer and Edward Galbraith, plumber to serve on the Building Boards of Appeals for the City of Durand.

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

NAYS: None

Unanimously carried

Boggs moved, Fuja supported to award the bid for Limestone and Sand to Constine, Inc. in the amount of \$17.47 per delivered ton for Limestone and \$6.00 per delivered ton for sand.

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

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to award the bid for ferric chloride to PVS Technologies in the amount of \$396.00 per dry ton.

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

NAYS: None

Unanimously carried

McDonough moved, VanRiper supported to award the bid for right of way tree work to Robinson Tree Service in the amount of \$89.00 per hour and \$2.00 per inch for stump grinding.

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

NAYS: None

Unanimously carried

VanRiper moved, McDonough supported to award the bid for a new 2014 Dodge Charger Police vehicle including equipment installation from Tucker Chrysler Jeep, Dodge at a cost of \$27,989.02.

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

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to authorize Jack Doheny, Inc. to make required repairs to the vactor in the amount of \$3,500.00.

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

NAYS: None

Unanimously carried

McDonough moved, VanRiper supported to authorize Layne Christensen Company to make required repairs to the north well at the Lincoln Street facility in an amount not to exceed \$9,455.00.

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

NAYS: None

Unanimously carried

McDonough moved, Fuja supported to approve the invoice from American Electric Motor to rebuild the motor in Influent Pump #3 in the amount of \$2,273.00.

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

NAYS: None

Unanimously carried

Boggs moved, Fuja supported to authorize DOW Asphalt Paving, LLC to make street repairs as requested in an amount not to exceed \$14,740.00.

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

NAYS: VanRiper

Carried 6-1

McDonough moved, Boggs supported to approve the budget amendments as presented by the administration for the 2013-2014 fiscal year.

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

NAYS: None

Unanimously carried

CITIZEN'S SPEAK – AGENDA ITEMS ONLY:

Paula Brooks, 404 W. Summit Street – She stated that the City might want to increase the street fund because when she was on her way to this meeting she noticed the asphalt is heaved on Saginaw Street in front on Little Caesars and water is gushing out.

Steve Mince immediately left the meeting to investigate this issue.

Mayor Doyle Adjourned the meeting at 8:40 p.m.

JUNE 2, 2014 CITY COUNCIL MINUTES

Minutes of the regular meeting held on Monday June 2, 2014 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, Coble, Mayor Doyle, McDonough, VanRiper

Absent: Fuja

APPROVAL OF AGENDA:

Boggs moved, McDonough supported to approve the agenda with the following changes: Remove number three under Consent Agenda, and add F: Approve Legal Services change to McKone Law Firm for Rural Development Project.

Unanimously carried

APPROVAL OF MINUTES:

VanRiper moved, McDonough supported to approve the minutes of the regular meeting held on May 5, 2014 and the special meeting held on May 19, 2014, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Boggs supported to approve the payment of bills 43641-43761.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Sam Moggs, 509 Brand Street., He expressed his opposition to paying ready to serve fees while his

property was in the banks name and was going through the foreclosure process.

George Stevenson, Candidate for the 35th Judicial Circuit Court Judge, He introduced himself and asked for support at the August 5th election.

Michelle Thomason, 225 W. Main St. She wanted to update and thank the Council and the Police Department for their help with the dog situation. She reports that the dog and the owners have moved.

Guy Hubbard, Representing SESA Ambulance Service, gave the Council an ambulance report for 2013 showing the number of times that MMR went into Genesee County and left Durand without a rig. He said that MMR regularly transports patients from Venice Township into Genesee County for dialysis as a way to generate revenue. He asked the Council to carefully review the information provided tonight.

Anthony Karhoff- Supervisor for Shiawassee Township, He asked the Council if they had received his message that he left with the Administrative staff.

Paula Brooks, 104 W. Summit St., She asked if a sign or the Wayfinding signs that were taken down in the last big storm, can be replaced so that people can find their way to the Depot. People are using Hagle Street to try to get there.

Deanna Finnegan, Candidate for the 35th Judicial Circuit Court Judge. She introduced herself and asked for support at the August 5th election.

Lindsay Eister, Candidate for the Shiawassee County Commissioner. She introduced herself and asked for their support at the August 5th election.

COUNCIL RESPONSE:

Connie Cobby Stated that five weeks ago one of her family members had an emergency that MMR responded to and she felt that they did an outstanding job. She said that it "is up to us and the voters to approve the millage for the Ambulance Service" at the August election.

ITEMS OF BUSINESS:

VanRiper moved, Boggs supported to approve the Consent Agenda which includes the City Council meeting schedule for 2014-2015 and to hold a Special Meeting on Monday, June 30th, 2014.

Unanimously carried

McDonough moved, Brands supported to declare the outstanding utility accounts as uncollectible and direct the Treasurer to place the debts on the 2014 summer tax roll.

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

NAYS: None

Unanimously carried

McDonough moved, VanRiper supported to declare the outstanding invoices due to the city as

uncollectible and authorize the Treasurer to place the debts on the 2014 summer tax roll.

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

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to approve the contract with Marsh Monument Company for the purchase and engraving of small brick pavers at a cost of \$30.00 and large brick pavers at a cost of \$52.00 and authorize the down payment of \$2,500.00 towards the purchase of 250 small brick pavers.

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

NAYS: None

Unanimously carried

VanRiper moved, Brands supported to approve contract amendment #2 with C2AE for modeling the city storm water system in the amount of \$23,700, of which 90% will be reimbursed from the SAW grant.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve legal services for the water and sewer agreements, naming McKone Law Firm as our legal counsel on the Rural Development project.

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

NAYS: None

Unanimously carried

CITIZEN'S SPEAK – AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

DPW Supervisor: The next brush pickup starts tomorrow, June 3th and then the following one will be first week in August. He stated that the City Manager has asked him to prepare a report on the condition of the railroad tracks. He stated that the railroads tear up the tracks/street and then fail to repair them, “we are going to try to get them to do this”.

Chief of Police: He stated that each Councilperson has a copy of the report that they requested he prepare regarding dog attacks in the City of Durand since 2013. He reported that he is working on ordinance violations; tall grass and weeds, junk vehicles and blighted properties. Councilman Copley said that more renters are putting up signs between their yards and the easements; she has a list that she will give to you after the meeting.

City Engineer: She stated that she is finishing up Rural Development regulations.

City Attorney: He stated that the City of Durand has a very good dog ordinance, as long as it is enforced. He stated that “we need to stay on top of it”. City Attorney said that our ordinance address “all dangerous” animals, not just Pit Bulls, etc. He told that Council that if they want to see something special in the ordinance, please bring it up so that it can be discussed. He said that he and the City Manager will meet with the County Administrator to discuss why Animal Control won’t come into the City of Durand to address animal issues.

City Manager: She stated that on Memorial Day the Parks and Recreation Board held a ground breaking ceremony at the future site of the Veteran’ Memorial Park. She said that 50-60 people attending the ceremony, “it was very successful”.

COUNCIL COMMENTS:

VanRiper: He said that he would like to schedule a workshop to discuss dog ordinances and other issues.

Cobley: She stated that the landlords are not keeping their properties safe and clean. She feels that we need to push code enforcement. She has a list of properties that she will give to the Police Chief.

Brands: He told the DPW Supervisor, “nice job on the duck rescue”. He said that he was happy for Michelle Thomason that the dog problems have been resolved. He said that he was disappointed that Guy Hubbard didn’t stay around to allow the Councilmembers a chance to respond to his earlier comments.

Boggs: He said that he would like the Council to review the dog ordinance. He also said that he would like to explore the possibility to change all local elections to even years, thereby saving time and money for the City.

McDonough: He stated that he hopes that the lawns are cut by this weekend, he has received numerous complaints about long grass. He thinks that the city should look into spraying for mosquitos and put the cost onto taxes.

Cobley: She stated that the mosquitos are going to get worse; tires, boats, swimming pools, bird baths are all breeding grounds for mosquitos. We need to eliminate the habitat of where they are breeding.

Mayor Doyle: She was glad to see we broke ground for the Veterans Memorial Park.

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

MAY 19, 2014 SPECIAL CITY COUNCIL MINUTES

Minutes of the special meeting of the Durand City Council held on Monday, May 19, 2014 at 7:30 p.m. in the Council Chambers of Durand City Hall.

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

ROLL CALL:

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

Absent: Fuja

APPROVAL OF AGENDA:

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

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Michelle Thomason, 225 W. Main St. She gave the Council a brief update on the current situation with the neighbor's dog. Mayor Doyle said that the matter is out of our hands and now in the Court system. Mayor Doyle also stated that the City Attorney is researching the Ypsilanti's Ordinance regarding Pit Bulls.

PUBLIC HEARING: 2014-2015 City of Durand Budget

Mayor Doyle opened the Public Hearing at 7:34 p.m.

No one spoke

Public Hearing was closed at 7:35p.m.

ITEMS OF BUSINESS:

Boggs moved, Brands supported to approve the license agreement with Canadian National Railroad and include the fee of \$12,200 for the installation of a storm sewer pipe that will run under the railroad track, as part of the Rural Development project.

YEAS: Boggs, Brands, Cobley, Mayor Doyle, VanRiper

NAYS: McDonough

Carried 5-1

City Manager gave a brief overview of the budget.

DURAND CITY COUNCIL

RESOLUTION

ADOPTION OF ANNUAL BUDGET

MOTION BY: Boggs, SUPPORTED BY: McDonough 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, 2014 as recommended by Administration and adopted by the City Council, and as described in the Summary as follows:

	Revenues	Expenditures
General Fund	\$2,044,200	\$2,044,200

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

BE IT FURTHER RESOLVED, that in order to carry-out the provisions of the above described Budget, the following tax rate be applied to the completed Assessment Roll Valuation of \$63,525,000 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 2014, shall be 16.5304 per \$1,000 of taxable valuation, subject to all related provisions of the Truth in Taxation and Headlee Amendment and, 3.775 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	\$ 159,500	
Local Streets	82,500	
Street Fund	123,500	
Building Inspector	19,000	
Debt Service-WWTP-01	52,850	
Debt Service-WATER-12	193,702.60	
Debt Service-WWTP-11	97,222	
WWTP Fund	1,028,897	
Water Fund	725,250	
Refuse Service	197,550	
Equipment Revolving	415,321	
Fringe Benefits	436,000	
Downtown Development Authority	89,000	
Sidewalk	6,000	

And all other Capitol Improvement Projects for the Fiscal Year beginning July 1, 2014 and ending June 30, 2015;

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

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

NAYS: None

MOTION CARRIED:

CERTIFICATION

I, Amy J. Roddy, Clerk for the City of Durand, Michigan, hereby certify that the above resolution was passed at a Special City Council Meeting held on May 19, 2014.

Amy J. Roddy, City Clerk

Mayor Doyle adjourned the meeting at 7:45p.m.

MAY 5, 2014 CITY COUNCIL MINUTES

Minutes of the regular meeting held on Monday, May 5, 2014 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, Cobley, Mayor Doyle, McDonough, VanRiper

Absent: Fuja

APPROVAL OF AGENDA:

Boggs moved, McDonough supported to approve the agenda with the following additions: G. Approval to Pay Invoice; Evans Equipment – Skid Steer and equipment F. Disposal of Fire Truck Unanimously carried

APPROVAL OF MINUTES:

VanRiper moved, McDonough supported to approve the minutes of the regular meeting held on April 7, 2014 and the special meeting held on April 30, 2014, as presented. Unanimously carried

APPROVAL OF BILLS:

McDonough moved, VanRiper supported to approve the payment of bills #43556-43640.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Michelle Thomason, 225 W. Main Street. She asked for an update on the court case regarding the neighbors pit bull that attacked her dog. City Attorney asked to speak with her following the

meeting.

Harold Fremd, 6965 New Lothrop Rd., He expressed his concern for the local ambulance service.

Jon Matejewski, 708 Kingswood, He asked if the City of Durand had an ordinance against Pit Bulls.

Paula Brooks, She stated that nonresidents should be heard by the Council. She asked if the ordinances that were recently published in the newspaper were new or if they were being recodified.

COUNCIL RESPONSE:

Councilman Boggs asked the Chief of Police to give a report at the next council meeting on the number of attacks from dogs during the past few years and the breed of the dogs.

Councilman McDonough asked why we pay for dog licenses if Animal Control will not respond to the City of Durand.

The City Attorney said that other municipalities are experiencing the same problems; he said that he will check with the Sheriff's department to see what can be done about this.

Councilman Boggs said that he would like to look at Ypsilanti's dog ordinance.

ITEMS OF BUSINESS:

McDonough moved, Boggs supported to approve the Mayoral appointments, as presented. Unanimously carried

McDonough moved, VanRiper supported to award the bid for Spot Asphalt Repair to D.O.W. Asphalt at a cost of \$134.00 per ton, not to exceed \$30,000.00.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the amendments, as presented, to the City of Durand Police Department's General Orders and Operating Procedures.

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

NAYS: None

Unanimously carried

VanRiper moved, Brands supported to approve the invoice from Robinson Tree Service for brush chipping in the amount of \$8,010.00.

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

NAYS: None

Unanimously carried

**Boggs moved, McDonough supported to approve the proposed 2014-2015 budget for first reading and hold the public hearing at a special City Council meeting on Monday, May 19th at 7:30 p.m.
Unanimously carried**

**McDonough moved, Brands supported to adopt the new Sign Ordinance – Section 1329 which amends the City of Durand Zoning Ordinance which will become effective upon publication.
YEAS: VanRiper, Boggs, Brands, Cobley, Mayor Doyle, McDonough
NAYS: None
Unanimously carried**

**VanRiper moved, McDonough supported to approve the invoice from Evans Equipment Company in the amount of \$3787.00 for the rental of a Skid Steer and other equipment.
YEAS: Boggs, Brands, Cobley, Mayor Doyle, McDonough, VanRiper
NAYS: None
Unanimously carried**

**Boggs moved, McDonough supported to allow the City Manager to dispose of the old fire truck, either by scraping it or selling it, whichever is best for the City.
YEAS: Brands, Cobley, Mayor Doyle, McDonough, VanRiper, Boggs
NAYS: None
Unanimously carried**

CITIZENS SPEAK – AGENDA ITEMS ONLY

Paula Brooks, She asked to clarify the need for two separate companies hired to take care of brush. City Manager said that they were hired for two separate issues. One company helped with brush, the other company was hired to take care of the brush pile behind the wastewater treatment plant.

Harold Fremd, He asked if the special budget meeting would be posted in the paper. City Manager said that it would be posted in the Independent.

DEPARTMENT REPORTS:

DPW Supervisor: He reported that all brush has been picked up and things are getting back to normal.

Mayor Doyle stated that this past Saturday there was a friendly game of soccer between the Police Department and the Fire Department.

Police Chief: He reported that the Police Department won; it was a very successful event for the community, next year he would like to host a slow pitch softball game between the two departments.

Fire Chief: He said that the soccer game was a good event for community.

City Engineer: She reported that she continues to work with Rural Development processing necessary documentation.

City Attorney: He said that he will look into Animal Control-dog issues- maybe something can be done civilly. He will report findings back to the Council.

City Manager: She stated that she doesn't have much to report, because we have been so busy working on the budget. The Police and Fire event was very well received from the community, the children really liked sitting in the police cars and the fire truck.

COUNCIL COMMENTS:

Cobley: She said that she is ready for the Blight Ordinance to be enforced. She said that the swimming pool that she reported on at the last meeting still needs attention. Ms. Cobley also said that there is a rooster issue near her home. City Manager said that we have had several reports of the rooster and this is being investigated. City Manager told the Council that if they see something that needs attention to either call or text her, seven more sets of eyes out in the community is a good thing.

Doyle: She reported that Consumer's Energy is replacing gas mains throughout the community and some people are receiving letters and some are not. She asked if they were going to do lawn restoration. City Engineer said that Consumer's Energy is not doing restoration yet, they are waiting to do it all at the one time but she will provide us with a contract if our residents have questions. Mayor Doyle stated that the Community BBQ is set for July 26th and \$1000.00 of the proceeds will go to the Patriots and the rest will be donated to the Veteran's Memorial Park.

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

BUDGET WORKSHOP APRIL 30, 2014

Minutes of the Durand City Council Budget Workshop held on Wednesday, April 30, 2014 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, Cobley, Mayor Doyle, Fuja, VanRiper

Absent: McDonough

APPROVAL OF AGENDA:

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

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Boggs moved, Fuja supported to approve the request from Light of Faith Church, to hold a prayer service on the front lawn of City Hall on May 1st, for National Day of Prayer.

Unanimously carried

Presentation of the 2014-2015 Budget: The total estimated revenue to be generated by the General Fund for the 2014-2015 fiscal year is \$2,039,200 (\$30,000 is carry forward, reserved for specific projects). The revenue for this fund is highly dependent on two revenue sources, property taxes and state shared revenue, both of which are just providing signs of stability and recovery. City Manager is projecting an increase of \$21,000 from tax revenue, due to property values slowly rebounding, and an increase of 2.8% is projected from the state revenue sharing/EVIP fund.

Expenditures within the General Fund include building and maintenance for City Hall, including utilities; contract services which contain funding for SATA, the City Attorney's contract and general engineering services provided by the city's engineers, C2AE; the city's commitment to contribute to SEDP, as well as payments for the land option for property on Lansing Road and the loan payment for property on Reed Road.

The City Manager highlighted each fund.

The Water and Sewer Funds have a proposed 5% increase to both ready to serve fees and usage fees for loan payments and required reserve for the US Rural Development Project. This project is slated to begin early this summer and will address all previously existing ACO conditions, including the Holmes Street storm sewer upgrades, rebuilding the Genesee and Dover lift stations, and completing the existing infrastructure inferiorities.

There was a lot of discussion regarding the Local Street Fund and the condition of the streets in the city. It was decided that a special meeting for community input would be scheduled in the near future to discuss options for street improvement.

The City Manager presented the following 2014-2015 General Fund Projects for City Council Consideration:

1. Recodification of Municipal City Codes (brought forward from the 2013-2014 budget) \$10,000-\$15,000
2. Website Design \$8,000-\$12,000
3. Cost of Living Wage Adjustment for Employees (1.5% increase Cost:\$15,000-\$16,000, (2% increase, Cost: \$21,00-\$23,000)

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

Minutes of the regular Durand City Council meeting held on Monday, April 7, 2014 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, Cobley, Mayor Doyle, Fuja, McDonough

Absent: VanRiper

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, Brands supported to approve the minutes of the regular meeting held on March 3, 2014, with corrections.

Unanimously carried

APPROVAL OF BILLS:

Boggs moved, Brands supported to approve the payment of bills #43401-43555.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Bruce Blackburn, 5214 N. Oak Street, is present to answer any questions the Council may have regarding his annexation request.

Michelle Thomason, 225 W. Main. She is asking that something be done regarding her neighbor's Pit Bull that came through her screen door and attacked her miniature Schnauzer on March 12, 2014. She contacted the Durand Police who said that this was an Animal Control issue, Animal Control said that there wasn't anything they could do for her, and they suggested she move.

Paula Brooks, 104 W. Summit St. She stated that the attempt to discredit her at the last City Council meeting by the City Manager meeting was not appreciated. She asked for the reason that the City Manager and Mayor took the recent trip to Washington D.C. What was the benefit of this trip? Ms. Brooks asked what the commitment is from the City to NERMI's budget. She also asked if the Parks Board's agendas and minutes were on file.

CITY RESPONSE TO CITIZEN'S COMMENTS:

The City Attorney said that he and the Police Chief will get together to try to resolve the dog issue at 225 W. Main Street, they will get back with Ms. Thomason.

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to approve the request from property owners Bruce and Laura Blackburn to annex township property commonly known as 5214 N. Oak Street and to

notify Vernon Township of the City Council's approval.

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

NAYS: None

Unanimously carried

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

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

NAYS: None

Unanimously carried

McDonough moved, Brands supported to approve the invoice for utility software support from Sensus in amount of \$1,524.60.

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

NAYS: None

Unanimously carried

Boggs moved, Fuja supported to renew the contract with Mobile Medical Response extending the contract for a period of three years at a cost of \$60,000 annually and authorize the Mayor and Clerk to execute the agreement.

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

NAYS: None

Unanimously carried

McDonough moved, Fuja supported to approve the contract amendment with C2AE for the Genesee and Clinton Street Project in the amount of \$12,797.51.

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

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to approve the contract amendments with Consumers Energy which covers the replacement and conversion of streetlights.

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

NAYS: None

Unanimously carried

McDonough moved, Fuja supported to approve the contract with C2AE to assist the City in writing a TIGER 6 Grant for infrastructure planning.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the contract, as approved by the City Attorney, with Woodworth Commercial for exclusive real estate services for city owned properties.

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

NAYS: None

Unanimously carried

Boggs moved, Brands supported to accept the first reading of the new Sign Ordinance – Section 1329 which amends the City of Durand Zoning Ordinance, and to move it to the second reading and adoption at the next City Council meeting.

Unanimously carried

McDonough moved, Boggs supported to approve the ballot language for Ambulance Millage and submit the language to the County Clerk so that it can be placed on the August Primary Election ballot for voter consideration.

YEAS: Mayor Doyle, Fujia, McDonough, Boggs, Brands, Cobley

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

Paula Brooks, 104 W. Summit St. She asked which properties on Lansing Road will be represented by Woodworth Commercial. She also stated that MMR is spending more time in Genesee County which means SESSA has to respond with mutual aid. City Manager said that under the mutual aid system the state requires that MMR respond to calls outside of Durand, but only in the case of a life-threatening emergency. Jason MacDonald said that MMR responds in Genesee County “occasionally” but his firm tries to keep those calls to a minimum. Mr. MacDonald went on to say that MMR honors the commitment it made with the City of Durand to service the city. Councilman Boggs stated that other smaller communities such as Lennon and Venice Township have no ambulance service and rely on the good graces of the neighboring ambulance services. He also said that retaining ambulance service in the City depends on the millage, so residents need to vote for the renewal.

DEPARTMENT REPORTS:

Zoning Official: He said that he was glad to bring the Sign Ordinance to the Council for approval.

City Engineer: She said that she is completing the letters of conditions for the Rural Development Project and will be moving out for bid soon. DIG Grant - The parking lot behind the 100 block of Saginaw Street is being surveyed and the project should be ready to go at the end of April.

City Attorney: He stated that MMR’s average response time of 4.20 minutes is phenomenal and “it’s hard to beat those numbers”. Mr. McKone also said that he will be reviewing operating procedures for both the Police Department and the Fire Department, those will be coming to the council soon.

City Manager: Announced that Brian Boggs received his Doctorates from Michigan State University in Education Policy and Education Administration. City Manager presented council with rough draft of budget and said that the Budget Workshop will be held on April 30th, first reading will be at the regular Council meeting May 5th and public hearing and adoption will be May 19th.

Police Chief: He stated that he will be looking into the dog situation at 225 W. Main Street. He offered his Congratulations to Brian on receiving his Doctorate Degrees. Chief Hartz also told the Council that the speed sign that was recently approved was delivered and will put into service soon.

DPW Supervisor: He stated that the bad weather that we received this winter is still causing problems in the way of bad roads and water main breaks, the damage the harsh winter caused will take months to repair. Mr. Mince said that the city did receive ACT 51 monies in the amount of \$13,949 because of the harsh weather. He said that the city used two times the normal amount of salt this winter. Brush pickup begins tomorrow, April 8th and he also stated that the car wash was torn down last week.

COUNCIL COMMENTS:

Brands: He stated that he is bothered by people who do not live in the city who make accusations of improprieties by the city that are not true.

Boggs: Thanked everyone for the accolades.

McDonough: He stated that there is a vacant home next to his that has an unsecured pool; something needs to be done about it. He said that the old Simplicity building's roof is caving in on itself and asked the status of the demolition.

Marty Johnson, Zoning Official said that the building is being foreclosed upon and because it has a new owner the whole process has to begin anew.

City Manager asked who is going to pay to have it torn down. The citizens of Durand cannot afford to tear it down.

Connie Cobby: She said that there is a pool on Fitzgerald Street where the fence is wide open and needs attention. She went to the Library to see the roof, and feels that there may still be issues that need to be addressed. She stated that the rain garden at the Depot needs to be pumped out. Ms. Cobby also stated that all the council minutes are not posted on the website and need to be updated.

Councilman Boggs stated that when Ms. Cobby sees something such as the missing minutes, she should call City Hall and let them know and they will take care of the issue.

Fuja: She stated that she listens to constituents and tries to resolve problems weather they live in her area or not. She said that as a resident of Durand you have a right to criticize her but if you are not a resident of Durand, she finds it extremely insulting.

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

Minutes of the regular Durand City Council meeting held on Monday, March 3, 2014 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 (arrived at 7:35 p.m.), Cobley, Mayor Doyle, Fuja, McDonough, VanRiper

Absent: Brands

APPROVAL OF AGENDA:

VanRiper moved, McDonough supported to approve the agenda with the addition of A1:

Resolution for Demolay.

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, VanRiper supported to approve the minutes of the regular meeting held on February 3, 2014, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Fuja supported to approve the payment of bills # 43304-43401.

YEAS: Cobley, Mayor Doyle, Fuja, McDonough, VanRiper

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Paula Brooks, 104 W. Summit Street. She presented the Council with copies of a letter that she had written to Jan Brownson, Secretary with the National Railroad Memorial, Inc. and Amy Roddy, City Manager regarding Durand Union Station using the City owned property for the upcoming Farmer's Market season. Ms. Brooks stated that DUSI has been using this lot since 1998 with 51 vendors displaying their wares weekly. She asked if grants were applied for the National Railroad Memorial and if construction would be starting this year?

CITY RESPONSE TO CITIZEN'S COMMENTS:

City Manager replied that no grant dollars have been applied for the 2014 calendar year. She said that she is not in a position to commit to anything beyond 2014 due to possible construction. Ms. Roddy asked if Ms. Brooks is representing Durand Union Station? Last year, at a public meeting Ms. Brooks stated that she did not represent Durand Union Station. Councilman Boggs asked the City Manager to respond to this request only after confirming that Ms. Brooks does indeed represent Durand Union Station.

ITEMS OF BUSINESS:

Boggs moved, Fuja supported to support the Resolution of Recognition to the DeMolay as presented.

Unanimously carried

Public Hearing – Consumer’s Energy Franchise Agreement
Mayor Doyle opened the public hearing at 7:46 p.m.

Kent Edward, 607 Wickshire asked Chris Thalen with Consumer’s Energy why does the power goes out in his subdivision so often and is there anything that can be done about it? Mr. Thalen said that he would investigate it.

Richard Stinger, 305 Wickshire asked if Consumer’s Energy has considered upgrading their grid. He stated that when he is without power he calls the service center and is told that according to their grid his power is on, when clearly it isn’t. Mr. Thalen stated that they are rolling out “Smart Service” that sends a text message to alert Consumer’s Energy when there is a problem at a particular address. This service is two years out for the Durand area.

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

VanRiper moved, Fuja supported to approve the ordinance granting Consumer’s Energy Company an electric franchise with the City of Durand for 30 years, beginning upon adoption of said ordinance.

Councilman VanRiper stated that Consumer’s Energy came to the city in the early spring of 2013 with a plan to trim trees, and to date no work has been done. He believes that part of the reason that the recent power outages were so bad is directly related to the fact that the tree trimming did not take place. He stated that the city has a project that has to be completed by December of 2014 and doesn’t want the project held up because of a delay by Consumer’s Energy. Councilman VanRiper said that Consumer’s Energy would benefit from having the electrical wires buried too. Chris Thalen said that that isn’t necessarily true, it is easier to access wires that are overhead, locate outages and to repair equipment without having to tear up landscaping, parking lots, etc.

Councilman McDonough said that we have had four outages last year and that Consumer’s Energy “dropped the ball”. He said that Consumer’s Energy should have been trimming trees a year ago to prevent this situation from happening.

Councilman Boggs asked if the City Manager and the City Attorney were satisfied with the meeting with Consumer’s Energy? The City Attorney said “yes, but we were hoping that working together we could share the cost to put services underground. We were disappointed that they were not able to help us accomplish this”. He went on to say that “this is a long agreement and cooperation is necessary and we have been promised this.”

**YEAS: Mayor Doyle, Fuja, VanRiper, Boggs, Cobleby
NAYS: McDonough
Carried 5-1**

McDonough moved, VanRiper supported to approve the invoice from Neal Truck Parts to replace the transmission in the 1995 International dump truck in the amount of \$2,270.00 and the invoice

from Drury Brothers, Inc. in the amount of \$460.63 to install the transmission.

YEAS: Fuja, McDonough, VanRiper, Boggs, Cobley, Mayor Doyle

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to approve Contract Amendment 1 in the amount of \$39,600.00 to the original contract with C2AE for professional engineering services for the Rural Development Sewer and Water Project.

YEAS: McDonough, VanRiper, Boggs, Cobley, Mayor Doyle, Fuja

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the contract with Message Makers in the amount of \$9,975.00 to develop a comprehensive outreach marketing plan and website design for Diamond District Park and the National Railroad Memorial with the deletion of paragraph 10.2.

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

NAYS: Cobley

Carried 5-1

CITIZENS SPEAK – AGENDA ITEMS ONLY

No one spoke

DEPARTMENT REPORTS:

DPW Supervisor: Nothing

Chief of Police: Nothing

City Engineer: She stated that all permits have been submitted to Rural Development. She said that she and the City Manager were meeting the Consumer's Energy about the next project.

City Attorney: He thanked Chris Thalen for working with the City, "this was a difficult year".

City Manager: She also thanked Chris Thalen for his work with the city. She stated that the City of Durand is one of 14 cities that received the DIG grant that will allow us to renovate the parking lot behind the west side of 100 block of Saginaw Street into something beautiful for our community to enjoy.

COUNCIL COMMENTS:

VanRiper: He asked if the Council can review the purchase option on the Lansing Rd. property, at the next meeting.

Cobley: She stated that she would like all organizations associated with the City of Durand to provide their 990's. She also said that there are twelve dead trees in the downtown area that have had their branches poorly trimmed and their roots so severely pruned that they died. She

stated that “we need to be taking care of our trees so that they last for 100 years”.

Fuja: She thanked the representative’s from Consumer’s Energy for coming tonight. She said that the power outages made her family appreciate the service that you provide.

Boggs:

- He agreed with Councilman Cobley regarding the City receiving 990’s from organizations associated with the city and would also like them to provide their financials. He also said that we should receive an official letter from the organizations stating who represents them.
- He stated that the city would not be receiving the grants that it does without the tireless efforts of our City Manager.
- Boggs also said the city has an agreement with NRMI and would like to have the same with Durand Union Station, Inc.

McDonough: He stated that we may have been “a little hard” on Consumer’s but it’s because of all of the recent outages.

Mayor Doyle: She asked Consumer’s Energy to “please don’t take our words personally” this was a very difficult year.

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

FEBRUARY 3, 2014 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, February 3, 2014 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, Cobley, Mayor Doyle, McDonough, VanRiper

Absent: Fuja

APPROVAL OF AGENDA:

Boggs moved, Brands supported to approve the agenda with the addition of G: Authorization to purchase Police Vehicle.

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, Brands supported to approve the minutes of the regular meeting held on December 2, 2013, the special meeting held on December 11, 2013 and the special meeting held on January 15, 2014, as presented.

Unanimously carried

APPROVAL OF BILLS:

VanRiper moved, McDonough supported to approve the payment of bills #43080-43303.

YEAS: Boggs, Brands, Cobley, Mayor Doyle, McDonough, VanRiper
NAYS: None
Unanimously carried

HEARING OF REPRESENTAIVES AND CITIZENS PRESENT:
No one spoke.

ITEMS OF BUSINESS:

Kent Edwards, representative with the Railroad Days, Inc. addressed the Council with the calendar of events that will take place at the 2014 Railroad Days Festival. Mr. Edwards said that they received many positive comments about the new location of the festival. Many of the issues that they had the first year at the current location were resolved last year. Mr. Edwards commented about the great job that the police do with patrolling the area and keeping dogs out of the festival area.

Boggs moved, McDonough supported to approve the Calendar of Events and requests from the Railroad Days Committee for the 2014 festival to be held on May 15th, 16th, 17th and 18th.
Unanimously carried

McDonough moved, Boggs supported to approve the repairs to an influent pump at the WWTP at an estimated cost of \$4,852.00 from American Electric Motor Corp.
YEAS: Brands, Cobley, Mayor Doyle, McDonough, VanRiper, Boggs
NAYS: None
Unanimously carried

Boggs moved, McDonough supported to approve the purchase of the Stalker Sam Speed Awareness Monitor from Applied Concepts, Inc. at the cost of \$7,765.00, as delivered.
YEAS: Cobley, Mayor Doyle, McDonough, VanRiper, Boggs, Brands
NAYS: None
Unanimously carried

VanRiper moved, McDonough supported to approve the invoice for snow removal services provided by Perrin Construction during the state of emergency snow storm event in the amount of \$7,495.00.
YEAS: Mayor Doyle, McDonough, VanRiper, Boggs, Brands, Cobley
NAYS: None
Unanimously carried

McDonough moved, Brands supported to approve the annual cost for ongoing software service and maintenance from BS&A Software in the amount of \$8,854.00.
YEAS: McDonough, VanRiper, Boggs, Brands, Cobley, Mayor Doyle
NAYS: None
Unanimously carried

McDonough moved, Boggs supported to approve the proposal from Great Lakes Tree Experts, Inc. for brush grinding at a cost of \$3,500.00.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the purchase of a Dodge Charger for the Police Department from State Purchasing at a cost of \$27,032.48.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK ON AGENDA ITEMS ONLY:

Paula Brooks, 104 W. Summit Street. She stated that because of the recent state of emergency, Governor Snyder is allowing the dumping of trees/brush into the land fill. DPW Supervisor responded: that is correct but it is not cost effective and it is detrimental to the environment.

DEPARTMENT REPORTS:

DPW Supervisor: He stated that the DPW are trying to pick up trees and limbs that were taken down from the recent storms, but many are frozen into the ground. He said that they will be working on this project for months to come. He praised his crews and said that they are doing a “fantastic” job working together.

Chief of Police: He stated that there is great cooperation between the Police and the DPW department, working together to make the city “look really great”.

City Engineer: She stated that they are getting very close to having the Rural Development Project go out for bids. She gave the Council a proposed construction schedule for their review.

Treasurer: No comment

City Attorney: Consumers Energy Franchise Agreement will be brought to the Council at the next meeting. Chris Thalen with Consumers Energy will be here to answer any questions you may have. He said that the City will be implementing civil infractions for several ordinances. This will be brought to you in the next several months.

City Manager: The boy scouts invites the Council to their Blue and Gold Banquet to be held this week. The SEDP luncheon is on February 20, 2014, it’s their annual meeting for stakeholders. More information regarding the ribbon cutting ceremony, sponsored by MEDC for the DIG grant will be coming soon.

COUNCIL COMMENTS:

VanRiper: He asked what is the City’s police or snowmobiles in the city. The Chief of Police stated that they can only be driven on city streets during a state of emergency.

Cobley: She thanked the police for going above and beyond during the recent state of emergency

snow event with not only going door to door checking on the elderly residents but helping people who were stranded in the snow. Ms. Cobby also stated that she wants to see progress with the depot lease agreement within the next 30 days. The City Manager stated that the committee is working well together but due to unforeseen circumstances they have not met in December and January. The committee made the decision that when information is to be released it will be through a joint press release. The City Attorney said that we have a good working document that needs some language changes and then we can get it approved by both sides. He said there is a misunderstanding regarding the City wanting to take assets, he said that this is not true. There is no ulterior motive in wanting a document that both parties can rely upon.

Brands: “Our guys did a great job” with snow event, Durand looks better than other cities. He asked if MDOT got to pick the contractors for the Rural Development and Parking lot projects. City Manager stated that the City of Durand will be hiring the contractor’s for both of those projects.

Boggs: He stated that the DPW and the Police Department did an outstanding job during the snow emergencies. He thanked Kent Edwards for the hard work he puts into making Railroad Days festival a success.

McDonough: Our guys did a great job with the snow emergency.

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

JANUARY 15, 2014 CITY COUNCIL MINUTES

Minutes of the Special Meeting of the Durand City Council held on Wednesday, January 15, 2014 at 6:00 p.m. in the Council Chambers of Durand City Hall.

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

ROLL CALL:

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

Absent: VanRiper

APPROVAL OF AGENDA:

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

Unanimously carried

PUBLIC HEARING – CDBG for Parking Lot and Pathway Improvements

Mayor Doyle opened the hearing at 6:03 p.m.

No public present, no one spoke.

Mayor Doyle closed the hearing at 6:03 p.m.

CITY OF DURAND

Shiawassee County, Michigan

**CDBG AUTHORIZATION RESOLUTION
WEST PARKING LOT AND PATHWAY IMPROVEMENTS**

Minutes of a Special Meeting of the City Council of the City of Durand, Shiawassee County, Michigan, held in the Council Chambers of Durand City Hall, 215 West Clinton Street, Michigan 48429 on January 15, 2014 at 6:00 p.m.

PRESENT: Boggs, Brands, Cobley, Mayor Doyle, Fuja, McDonough

ABSENT: VanRiper

The following resolution was offered by Member Boggs and supported by Member Fuja:

WHEREAS, the City of Durand has made application to the Michigan Economic Development Corporation requesting a Downtown Infrastructure Grant in the amount of \$750,000 for construction of parking lot and pathway improvements, herein referred to as “the Project”, and

WHEREAS, the City of Durand will provide a matching contribution of \$85,000 for the Project,

NOW, THEREFORE, BE IT HEREBY RESOLVED, AS FOLLOWS:

- 1. The Project is consistent with the City’s Community Development Plan, described in the CDBG Application.**
- 2. The Project will benefit at least fifty-one percent of the City residents who are categorized as low and moderate income.**
- 3. No Project costs (CDBG and non-CDBG) will be incurred prior to the formal grant award, completion of the environmental review procedures and receipt of formal written authorization from the MEDC to incur costs.**
- 4. The City of Durand is authorized to submit the Michigan CDBG application and further appoints Amy J. Roddy, City Manager/Clerk as the authorized person to execute the Applications and related grant forms on behalf of the City of Durand.**

IN WITNESS WHEREOF, the City of Durand, Shiawassee County, Michigan, by its City Council, has caused this Resolution to be enacted this date.

AYES: Brands, Cobley, Mayor Doyle, Fuja, McDonough, Boggs

NAYS: None

ABSENT: VanRiper

RESOLUTION DECLARED ADOPTED.

Deborah L. Doyle, Mayor

Amy J. Roddy, City Clerk

I, the undersigned, duly qualified and acting Clerk of the City of Durand, Shiawassee County, Michigan, do hereby certify that the forgoing is a true and complete copy of the resolution adopted at a meeting held on January 15, 2014, the original of which is on file in my office. Public Notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereby affixed my official signature this 15th day of January, 2014.

Amy J. Roddy, City Clerk

Mayor Doyle adjourned the meeting at 6:15 p.m.

DECEMBER 11, 2013 CITY COUNCIL MINUTES

Minutes of the special meeting held on Wednesday, December 11, 2013 at 7:00 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 7:04 p.m.

ROLL CALL:

**Present: Boggs, Brands, Cobley, Mayor Doyle, Fuja, McDonough, VanRiper
Absent: None**

APPROVAL OF AGENDA:

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

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Paula Brooks, 104 W. Summit St. She asked if the Planning Commission meeting was still scheduled to be held on Monday, December 16th. City Manager responded “yes”.

Tony Pletscher, Sergeant with the Durand Police Department. He stated that he researched options on purchasing a speed trailer for the City of Durand based on concerns that the Council has expressed regarding speeding in various areas of the City. He stated that some of the benefits of having a speed trailer would be:

- They quiet “problem areas” by having a calming effect.**
- Reminds people that that they are going too fast**
- Trailer can be moved from location to location, easily and efficiently**
- Data Unit provides valuable information for Police Department**
- Solar options provide energy needed to operate radar for 4 to 5 days**

Sergeant Pletscher provided two different models from two different manufacturers. Council asked that this item be added to the agenda for the next regular meeting for consideration.

ITEMS OF BUSINESS:

McDonough moved, Boggs supported to expend up to \$3,500 to repair the solarium room roof at the Durand Memorial Library building.

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

NAYS: None

Unanimously carried.

**CITY OF DURAND
COUNTY OF SHIAWASSEE
STATE OF MICHIGAN**

RESOLUTION NO. 2013-12-11-01

A RESOLUTION ELECTING TO COMPLY WITH THE PROVISIONS OF PUBLIC ACT 152 OF

2011 BY EXERCISING THE CITY’S RIGHT TO EXEMPT ITSELF FROM THE REQUIREMENTS OF THE ACT FOR THE NEXT SUCCEEDING YEAR

At a special meeting of the City Council for the City of Durand, Michigan held on the 11th day of December 2013, at 7:00 p.m.

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

Absent: None

The following Resolution was offered by Councilperson Fuja and supported by Councilperson Boggs.

RESOLUTION

WHEREAS, on September 27, 2011 the Publicly Funded Health Insurance Contribution Act, Act No. 152 of the Public Acts of Michigan of 2011 (“Act 152”), became effective in the State of Michigan; and

WHEREAS, Act 152 establishes standards and a process with respect to medical benefit plans offered by public employers; and

WHEREAS, the City of Durand has historically recognized, in its role as steward for the public funds entrusted to it, that it must efficiently manage those limited resources; and

WHEREAS, the City of Durand constantly engages in a review of expenditures in order to maximize the value it receives for goods and services; and

WHEREAS, the City Council of the City of Durand believes that, as the elected representatives for the City and answerable directly to the City's voters, it is best positioned to rely on its administration to determine what benefits (including medical benefits) ought to be offered in order to attract and retain the best qualified City employees at the lowest overall costs; and

WHEREAS, the City Council of the City of Durand further believes that compensation determinations for City employees are most properly the responsibility of the City's elected representatives; and

WHEREAS, to express its continued belief in home rule government and to recognize that it is the City Council's duty to manage City affairs in order to be most responsive to City voters, taxpayers and residents.

NOW, THEREFORE, IT IS RESOLVED that:

- 1. Pursuant to Section 8 of Act 152, the City of Durand hereby exempts itself from the requirements of Act 152 for the next succeeding year.**

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

NAYS: Cobley

ADOPTED this 11th day of December, 2013.

BY: _____

Deborah Doyle, Mayor

BY: _____

Amy J. Roddy, City Clerk

CERTIFICATION

I, Amy J. Roddy, the duly appointed Clerk of the City of Durand, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City of Durand at a special

meeting held December 11, 2013, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meetings were kept and will be or have been made available as required by said Act.

CITY OF DURAND

BY: _____

Amy J. Roddy, City Clerk

Fuja moved, Boggs supported to adopt the resolution exempting its participation of P.A. 152 for 2014 calendar year.

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

NAYS: Cobley

Carried 6-1

McDonough moved, Boggs supported to approve an employee wage adjustment from the 2012-2013 audited budget for 3%.

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

NAYS: None

Unanimously carried

There were no comments.

Mayor Doyle adjourned the meeting at 7:45 p.m.

DECEMBER 2, 2013 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, December 2, 2013 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

City Clerk administered the Oath of Office to newly elected Council Members:

Connie Cobley, Precinct I

Tom VanRiper, Precinct II

Jeff Brands, At Large

City Manager opened the floor for nominations for the position of Mayor. Boggs moved, McDonough supported to elect Deb Doyle as Mayor. There were no other nominations.

YEAS: Boggs, Brands, Cobley, Doyle, Fuja, McDonough, VanRiper

NAYS: None
Carried

Doyle nominated Fuja for Mayor Pro-tem. VanRiper nominated McDonough for Mayor Pro-tem. There were no other nominations.

ROLL CALL VOTE:

Boggs: McDonough

Brands: McDonough

Cobley: McDonough

Doyle: Fuja

Fuja: Fuja

McDonough: McDonough

VanRiper: McDonough

5-2: McDonough elected as Mayor Pro-tem

City Clerk administered the Oath of Office to the newly elected Mayor and Mayor Pro-tem.

ROLL CALL:

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

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

Boggs moved, Brands supported to approve the agenda with the addition: F: Approval of Contract for Professional Services by C2AE for DIG.

Unanimously carried

APPROVAL OF MINUTES:

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

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Brands supported to approve the payment of bills #42950-43079.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

McDonough moved, Fuja supported to approve the request from the Durand Eagles to allow them to carol on the city streets on December 21, 2013 from 6-8 p.m. as long as they provide proper liability insurance coverage for the event.

Unanimously carried

VanRiper moved, McDonough supported to approve the invoices from U.I.S. totaling \$8,026.61 for installation/replacement of a communication transmitter system and a 10 foot extension mast for the existing communication tower.

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

NAYS: None

Unanimously carried

7.0 Authorized Financial Dealers and Institutions: Financial institution means a state or nationally chartered bank or a state or federally chartered savings and loan association, savings bank, or credit union whose deposits are insured by an agency of the United States government and which maintains a principal office or branch office in the State of Michigan under the laws of Michigan or the United States. The Treasurer shall maintain a listing of financial institutions, which are approved for investment purposes.

The security dealers and financial institutions may include primary or regional dealers that qualify under Securities and Exchange Council Rule 15C3-1 (uniform net capital rule) and investment departments of banks, and which have been subject to the following evaluation:

- 1. Financial condition, loan exposure, capital adequacy, asset quality, earnings, and liquidity.**
- 2. Regulatory status of the dealer.**
- 3. Background and expertise of the individual representative.**

Annually the Treasurer will review each financial institution the City utilizes, including the bank ratings on Bauer Financial or other independent rating company for banks and credit unions, and provide a report to City Council. It will be the City policy to only have deposits with financial institutions with a minimum of three stars, unless specific approval by the City Council is obtained.

VanRiper moved, McDonough supported to approve the recommended language to replace Section 7 of the City of Durand Investment Policy.

Unanimously carried

Fuja moved, Boggs supported to accept the Downtown infrastructure Grant in the amount of \$750,000 and authorize the Mayor to sign the commitment letter.

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

NAYS: None

Unanimously carried

Boggs moved, Fuja supported to authorize the contract for Phase I Environmental Site

Assessment, deleting the last paragraph on page two of the contract, for the 105 E. Main Street property with ASTI Environmental for \$2,000.00.

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

NAYS: None

Unanimously carried

Boggs moved, Brands supported to approve the contract for professional services with C2AE for the Downtown Infrastructure Grant.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

Paula Brooks, 104 W. Summit Street. She inquired as to what project the professional services were for. City Manager responded that they are for the DIG project.

Mr. Harold Fremb, He asked if there is any way that the City can get money to fix local streets. City Manager stated that there isn't any grant monies allocated for local streets. The City of Durand has 17 miles of local streets and 6 miles of major streets. She stated that next year when the Rural Development Project begins, many local streets will be repaired. DPW Director stated that Russell Street was classified as a local street but the City was able to have it reclassified to a major street so that grant monies could be used for its repair.

Dan Cobley, 405 W. Main St., He said that he applauds the city for getting the DIG grant but that most of the money is being concentrated on the downtown areas, while the rest of the city is being ignored. City Manager stated that the Council priorities have been on the downtown to fix the infrastructure in core areas so that people will want to come into the city. She said that we have been working on a Rental Rehab ordinance and the Council may want to do a housing ordinance at some time in the future, it's one step at a time.

DEPARTMENT REPORTS:

DPW Director: He said that the Huron-Eastern Railroad plans on completing emergency repairs at the West Main Street crossing, probably Thursday. There will be no train traffic while they are making the repairs. He said that the Genesee Street project is complete except for the restoration that will be done in the spring. There was one sanitary sewer that was missed being repaired during the Genesee Street project. This was dug and repaired today, we hope to be reimbursed for this. Leaf pick up is almost complete, hope to have it done before the rain comes. We will then focus on picking up the brush from the recent storm.

Police Chief: He thanked the Emergency Management Team for their help during the recent power outage event. He stated that a suspect was recently apprehended for several automobile larcenies. The police will be monitoring the illegal "U" turns and the speeding in the city.

City Engineer: We will get the paperwork completed and turned in for the Downtown Infrastructure Grant. She stated that she is getting close to having the Rural Development Project turned in for review.

City Treasurer: She wished everyone a Merry Christmas and offered her congratulations to Amy and Maureen for getting the DIG grant. She stated that she will keep the Council updated annually on the Investment Policy.

City Attorney: Wished everyone a Merry Christmas.

City Manager: She stated that the recent power outage was the first time that the City's emergency plan was implemented and overall it went really well. It was good practice for a larger emergency in the future. She thanked the DDA for the successful lighted Christmas Parade held in co-operation with Rotary and the Chamber. It was a wonderful event.

COUNCIL COMMENTS:

VanRiper: He stated that DIG is great and is one of the things that he wanted to see completed to make that area look better when he ran for Council four years ago. He stated that when we do the Rural Development project we will get more "bang for our buck" regarding paving of streets. He thanked Jeff Brands for putting up the lights in the downtown.

Cobly: She stated that the West Main train tracks are in very bad condition, she has seen many children trip on them. She stated that the streets need to be repaved/repared. She stated that it is a privilege to get to work with the Council. She wished everyone a Happy Holiday.

Fuja: She wished everyone a Merry Christmas and welcomed Connie Cobby to the Council. She offered her congratulations on the DIG grant.

Brands: He told the City Manager and the City Engineer "good job" on getting the grant. He stated that the parade held on Friday night was very nice. He welcomed Connie Cobby to the Council and that being on the Council was a good learning experience. He wished everyone a Merry Christmas.

Boggs: He told the City Manager and the City Engineer "good job" on getting the grant. He thanked Jeff Brands for putting up the Christmas lights in the downtown.

McDonough: He stated that the City has a good response to the power outage. He offered his congratulations to Connie, and to Deb for being elected Mayor. He wished everyone a Merry Christmas.

Mayor Doyle: She stated that she is very proud of the lighted Christmas Parade. She said that the DDA supports the parade with trophies and the parade was three times bigger than last year. Pictures of the parade are on the Durand Now web site. She told Jeff Brands that the lights downtown looked great. She also informed the Council that Sycamore House is in the latest edition of the "Review" magazine.

Mayor Doyle adjourned the meeting at 8: 23 p.m.

NOVEMBER 4, 2013 CITY COUNCIL MINUTES

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

Jim Schuyler was recognized for his years of service as a City Councilperson for the City of Durand. A brief reception was held in honor of his retirement.

APPROVAL OF AGENDA:

Schuyler moved, Fuja supported to approve the agenda with following changes: Move Item B to after Approval of Agenda and replace item C with Approval of Contract Services for MSHDA Blight Grant.

Unanimously carried

Reed Raymond Veterans of Foreign Wars presented the Mayor with a check in the amount of \$2647.33 from their annual Poppy Sales to be used for the Veterans Memorial Park.

APPROVAL OF MINUTES:

McDonough moved, Boggs supported to approve the minutes of the regular meeting held on October 7, 2013 and the Executive Session held on October 7, 2013 and the special meeting held on October 29, 2013 and the Executive Session held on October 29, 2013, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Schuyler supported to approve the payment of bills # 42830-42949.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Justin Horvath, Director of the Shiawassee Economic Development Program. He gave a brief update on the current activity of the Shiawassee Economic Development Program Business plan.

Bruce Devoe, 105 Atwater St. He asked questions regarding the International Property Maintenance code. He asked "how long has this been going on and would any of our leaders obey this code at the expense of the articles/amendments to the U.S. Constitution".

Jim Roddy, 709 Olivet. He asked who writes the ballot proposals for the general election. He stated that he finds them very confusing to understand.

CITY COUNCIL RESPONSE TO CITIZENS PRESENT:

The City Attorney explained what the International Property Maintenance Code was and stated that it did not violate the constitution. He said that it protects city property and becomes law when any City, Country or Nation adopts it.

Brian Boggs introduced six of his students in attendance from his College Rhetoric class. They were present to observe a governmental meeting.

ITEMS OF BUSINESS:

Presentation of 2012-2013 City of Durand Audit – Mr. Bailey with Stewart, Beauvais & Whipple, 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.

Boggs moved, VanRiper supported to accept the 2012-2013 City of Durand Audit, as prepared by Stewart, Beauvais & Whipple, auditors for the City of Durand, and place it on file with the Treasurer's office.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to contract with Bethany Tomaszewski to provide administrative services for the MSHDA Blight Grant that was awarded to the City of Durand at \$40.00 per hour in an amount not to exceed the outlined grant reimbursement of \$18,000.00.

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

NAYS: None

Unanimously carried

VanRiper moved, Schuyler supported to award the bid for the sale of the 2004 Crown Victoria Fire Vehicle to Trumbull Auto Sales, Livonia, MI in the amount of \$1,739.00.

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

NAYS: None

Unanimously carried

McDonough moved, brands supported to place the delinquent accounts and invoices as prepared by the City Treasurer and owed to the City be placed on the 2013 winter tax roll for collections.

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

NAYS: None

Unanimously carried

VanRiper moved, Fuja supported to approve the 2013 City at Large Drain Assessment to the Shiawassee County Drain Commission in the amount of \$3,167.89.

Unanimously carried

Boggs moved, McDonough supported to approve the Shiawassee County Public Safety Radio System Cost Participation Agreement and authorize the City Manager to execute the contract.

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

NAYS: None

Unanimously carried

City of Durand

County of Shiawassee

Resolution Authorizing the SAW Grant Agreement

Minutes of the regular meeting of the City Council of the City of Durand, County of Shiawassee, State of Michigan, (the "Municipality") held on Monday, November 4, 2013.

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

ABSENT: None

Member McDonough offered and moved the adoption of the following resolution, seconded by Member Schuyler.

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to

[XI establish an asset management plan, establish a stormwater management plan, establish a plan for wastewater/stormwater, establish a design of wastewater/stormwater, pursue innovative technology, or initiate construction activities (up to \$500,000 for disadvantaged community).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$750,000 ("Grant") be requested from the MFA and the DEQ to

pay for the above-mentioned undertaking(s); and

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager, a position currently held by Amy J. Roddy, is designated as the Authorized Representative for purposes of the SAW Grant Agreement.
2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.
3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.
4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.
5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.
6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.
7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.
8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

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

NAYS: None

RESOLUTION DECLARED ADOPTED

McDonough moved, Schuyler supported to approve the application to submit the 2013 S.A.W. grant application and to authorize the City Manager to execute the contract.

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

NAYS: None

Unanimously carried

Schuyler moved, Fuja supported to move first reading of the Consumers Energy Company Electric Franchise Ordinance and schedule the public hearing for the regular meeting in January.

Unanimously carried

McDonough moved, Fuja supported to contract with C2AE to perform construction engineering services for the Rural Development project at the cost not to exceed \$494,000.

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

NAYS: None

Unanimously carried

McDonough moved, Schuyler supported to approve the three year contract with Stewart, Beauvais and Whipple for auditing services for 2014-2016, as outlined in the contract language.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the City Manager's Employment Agreement, as presented.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS AND CITY COUNCIL COMMENTS:

DPW Supervisor:

- **He stated that Genesee and Clinton Streets will be open on Tuesday, November 5th for the General Election.**
- **Paving on Genesee and Clinton Street is scheduled to begin on November 11, 2013. He stated that the contractors are working hard to get this project completed.**
- **He stated that the tree work that the City is doing is about half way complete. Consumers Energy notified the city that the work that they are scheduled to do has been delayed again until the end of the year.**

Chief of Police: He stated that he is attending Chief's school this week in Okemos. He will provide the Council with a complete update at the next Council meeting.

City Engineer: Consumer's Energy is performing gas main replacement in the South end of the City.

City Treasurer: The audit is complete and now she is working on the Winter Tax Bill that will be mailed on December 1st.

City Attorney: He stated that he has worked in municipal government since 1974 and has seldom worked with someone as good as Jim Schuyler. "Hopefully he will be replaced with someone who cares as much as Jim does."

City Manager:

- She reminded the Council that the Chamber breakfast is Thursday, November 7th at 7:00 a.m. at the Iron Horse.
- She also stated that the General Election is tomorrow, Tuesday, November 5th, polls will be open 7:00 a.m. until 8:00 p.m..
- She congratulated Jim Schuyler on his retirement, “this is a serious loss to myself and the rest of the city as James Schuyler slips away”.

COUNCIL COMMENTS:

Fuja: She thanked Jim for serving on the Council and told him to enjoy retirement and family.

Schuyler: He encouraged people to come to Council meeting and ask questions, or contact the City Manager for answers.

VanRiper: He asked that after the first of the year that the Council revisit the Strategic Plan and look at the upcoming budget. He offered his congratulations to Jim, saying that “he is a good man”.

Brands:

- He offered his congratulations to Jim.
- He also stated that there are some “misconceptions” regarding the millage proposal. He said that voting yes will give the City the flexibility to raise the millage, “that doesn’t mean that it will happen tomorrow”. He encourages the residents to vote yes on this proposal.
- He also told the Treasurer “good job on the audit”.

Boggs: He congratulated Jim on his retirement.

McDonough: He congratulated Jim on his retirements and told the Treasurer that she did a good job on the audit.

Mayor Doyle:

- She thanked her neighbor for donating over \$7,500.00 worth of industrial equipment to the City of Durand.
- She extending an invitation to anyone who would like to participate in Santa’s Light Parade to be held on Friday, November 29th. Applications are available at City Hall, Shaw’s Pharmacy and the Durand Chamber of Commerce.
- She offered her congratulations to Jim.

Mayor Doyle adjourned the meeting at 9:10 p.m.

OCTOBER 7, 2013 CITY COUNCIL MINUTES

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

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

ROLL CALL:

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

Absent: VanRiper

APPROVAL OF AGENDA:

Boggs moved, McDonough supported to approve the agenda with the following additions: 4b. Executive Session, F. Bid Award for Sidewalk Replacement, G. Bid Award for Lift Station Pump and H. Change Order #3 for Genesee/Clinton Street Project.

Unanimously carried

Boggs moved, Schuyler supported to enter into Executive Session to discuss pending litigation because to remain in open session could be detrimental to the city's position.

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

NAYS: None

Unanimously carried

Reconvene from Executive Session at 7:47 p.m.

Schuyler moved, McDonough supported to authorize our attorney to proceed as discussed.

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

NAYS: None

Unanimously carried.

APPROVAL OF MINUTES:

McDonough moved, Schuyler supported to approve the minutes from the regular meeting held on September 16, 2013, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Brands supported to approve the payment of bills #42784-42829.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Connie Cobby, 405 W. Main Street. She stated that she commends the Council for implementing a Rental Inspection Ordinance. She feels that this will only help the community. She would like to see students from surrounding colleges who participates in building trades; become the inspectors for this program.

ITEMS OF BUSINESS:

Presentation: Mayor Doyle presented Brian Boggs and Ken McDonough with plaques from the Michigan Municipal League's Elected Officials Academy. Each educational level requires

attendance at a required amount of educational training courses. Congratulations to each councilmember for committing to educational excellence.

Schuyler moved, Fuja supported to cast the city ballot for the MML Liability and Property Pool Board of Directors for the incumbent directors listed on the official ballot.

Unanimously carried

McDonough moved, Boggs supported to approve the request from the Durand Eagles Aerie #3851 to use city streets on December 13, 2013 to raise funds for Old Newsboys holiday gift distribution.

Unanimously carried

McDonough moved, Fuja supported to approve the purchase of new Glock pistols, trading in retired 9mm handgun and additional weapons for a net cost of \$976.22.

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

NAYS: None

Unanimously carried

PUBLIC HEARING: Amendment to Rental Unit Inspection Ordinance

Mayor Doyle opened the Public Hearing at 7:59 p.m.

The City Manager briefly went over the proposed ordinance stating that the current rental ordinance is very difficult to manage. The previous inspector let it go by the wayside and now the city has many rentals that have fallen into disrepair and we need an ordinance to bring those properties up to code. Our attorney wrote all penalties so that they would be misdemeanors and these will end up delayed in court. The city wants to create a process to keep the penalties in-house, which would speed up the process. If landlords do not believe that they have been treated fairly, there will be a board that they can appeal to. We are trying to protect the quality of our homes and the integrity of our community.

Greg Bancroft, 324 W. Main St. He asked how the appeals board/process would be set up? He feels that the inspector should be someone from the outside. He also asked about the Right to Privacy law, stating that no one can go into someone else's home unless there has been a complaint filed.

Danette Bancroft, 324 W. Main St. asked who will inspect all the empty properties. What about those with land contracts?

Marty Johnson, Building Inspector for the City of Durand said that there is language in the ordinance that specifies what a rental unit is.

George Rasch, 53 Chateaux, Fenton He said that this is another tax on property owners in Durand. People can't afford to own their property in Durand. He said that he already has inspections on his units from State Inspectors and Insurance Companies. "These ordinances don't work".

Terry Warner, 7450 S. New Lothrop Rd. He said that the city is singling out rental units. He asked why the city doesn't have an inspection program for all dwellings. He asked if this ordinance excludes the Downtown area. Marty Johnson said that it does not exclude the downtown. Mr. Warner asked if this ordinance had a "grandfather clause".

Marty Johnson said that the International Building Code addresses safety issues, requirements that landlords provide heating, water, etc. He said that a lot of things are "grandfathered" in, for example, if there is not an existing window in a bedroom, then a window would not have to be added.

Harold Fremd, New Lothrop Rd. He said that taxes are high in Durand, the schools recently asked that taxes be raised on landlords. By raising taxes you are running people out of Durand. Paula Brooks, 104 W. Summit St. She asked if there might be a book or listing that identifies those landlords that keep up their properties vs. those who don't. She asked what rights do the landlords have if the tenants are the one causing problems.

Marty Johnson, Building Inspector. The current ordinance lays blame/responsibility on the landlords. The new ordinance which has the International Property Maintenance clearly defines who is responsible, either the landlord or the tenant.

Terry Warner, said that landlord is responsible if the tenant moves out.

August Barrow, 226 Walnut St., Vernon. Who determines what is rubble? What happens if the tenants won't let the inspectors inside the home.

Matt McKone, City Attorney said that by signing the rental agreement they would agree to let the inspectors into their home for inspections.

Terry Warner said "so now everyone has to have a lease?"

Vicki Fuja, said that tonight was designed to get input. Like Amy said earlier "the best of the best are here tonight". Perhaps the City Manager and the City Attorney can tweak this ordinance.

Dolly O'Brien, 5647 S. Bancroft Rd. Landlord and Real Estate Agent. She is concerned with a point of sale inspection for homes that are being sold. She tells her new buyers to get a good home inspection before you buy.

Ken McDonough, He said that the landlord who owns the house next door to his home lives out of state. This rental home has a green pool and very tall weeds that I have to look at every day. We need an ordinance to make it better for everyone. The house down the street sold for \$9,000.00 what does that do for my houses value.

Mark Perrin, 4350 S. Durand Rd., He said the good landlords are being penalized so that the city can reach the bad landlords. The school just got more money and now the city is asking for more money.

Paula Brooks asked if the ordinance affects commercial businesses. City Manager said that this ordinance is for residential units only.

Rick Middleton, no address given, said that if your units have no violations for three years would the city extend the next inspection to five years.

Mayor closed the Public Hearing at 8:58 p.m.

No action on the Rental Unit Inspection Ordinance was taken.

**McDonough moved, Schuyler supported to award the bid for sidewalk replacement to J.T. Concrete at a cost of \$4.25 per square foot for 4' depth and \$4.75 per square foot for 6' depth.
YEAS: Schuyler, Boggs, Brands, Mayor Doyle, Fuja, McDonough
NAYS: None
Unanimously carried**

**McDonough moved, Brands supported to award the bid for a new pump at the Lansing Road Lift Station to Hydro Dynamics in the amount of \$3,425.00.
YEAS: Boggs, Brands, Mayor Doyle, Fuja, McDonough, Schuyler
NAYS: None
Unanimously carried**

**Boggs moved, Fuja supported to approve change order #3 for the Genesee/Clinton Street project to replace manhole covers, not to exceed \$68,084.00.
YEAS: Brands, Mayor Doyle, Fuja, McDonough, Schuyler, Boggs
NAYS: None
Unanimously carried**

DEPARTMENT REPORTS:

DPW Supervisor: Genesee Street is moving along, it needs to be paved before the snow flies. The water main will be connected tomorrow, which will involve closing the northbound lane of Oak Street near the Post Office. The last brush pickup ends tomorrow and leaf pickup begins on October 21, 2013. The city hall project is completed.

Chief of Police: The homecoming held last Friday was a huge success.

City Engineer: A meeting was held last week on the Rural Development project. Steve was given a large set of plans to review. She is working to fine tune the cost estimate; she will share these when they are completed.

Treasurer: The audit is complete and Paul Bailey will be at the November Council Meeting to present the results.

City Attorney: No comment

City Manager: The City of Durand received a Blight Grant from the Michigan State Housing Development Authority in the amount not to exceed \$108,000 to demolish four houses. She stated that Linda Pierce wrote a letter thanking the City of Durand Fire Department for submitting her father's name Alan Pierce, to be honored with placement of his name on the Fireman's Memorial Wall at Roscommon.

COUNCIL COMMENTS:

Fuja: She stated that the tall grasses on Saginaw Street are impeding vision for drivers. She also said that it is a personal sadness of the passing of Richard Anderson, the community will sustain a severe hit with the loss of the landmark anchor on Saginaw Street.

Schuyler: No Comment

Brands: No Comment

Boggs: Thanks to the City Manager and staff for procuring grants for Durand. He stated that he volunteered for the Fall Festival held on September 28th, they had a great turnout.

McDonough: He thanked all the people that came to the meeting tonight and gave their input on the proposed Rental Ordinance.

Mayor Doyle adjourned the meeting at 9:20 p.m.

SEPTEMBER 16, 2013 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, September 16, 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:

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 August 5, 2013, as presented.

Unanimously carried

APPROVAL OF BILLS:

Schuyler moved, Brands supported to approve the payment of bills #42600-42783.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Les Schneider, Shiawassee County Commissioner. He informed the Council that Margaret McAvoy, County Administrator has resigned her position effective September 30th. The Commissioners are forming a committee to find a replacement for the position.

Paula Brooks, 104 W. Summit St. She asked the Council if they were planning to provide their e-mail addresses and phone numbers to be placed on the City web site as the Owosso City Council has their information available on their web site.

Connie Cobby, 405 W. Main St. She provided Council with pictures of homes that had piles of garbage around their homes. She wants landlords to take responsibility for their rental properties.

Mary Warner-Stone, Executive Director of Durand Union Station. She told the Council that the rain gardens at the depot need attention because they have soil erosion, standing water, mold and dead trees in them. She also stated that a September 30th meeting is planned to discuss the lease agreement. She asked the Council if they had in fact read the agreement and asked if they would sign it if it was their business. She said that she "has always wanted a reasonable lease agreement with the City".

Jack Davis, Former Mayor of the City of Durand, 105 Railroad Street. He complained that he doesn't have water on Railroad street but continues to have to pay the "ready to serve" fees. He also complained about being invoiced for lawn care on the property.

CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:

Brian Boggs questioned whether DUSI really wanted an agreement with the City since an unsigned letter went to the members that were designed to be inflammatory and derogatory towards the City. He said that it is important that we come to an agreement because it is important to the community.

Tom VanRiper stated that he has read the lease agreement and "it doesn't look that bad". He said the situation with DUSI and the City reminds him of the disagreement many years ago between Vernon Township and the City of Durand.

ITEMS OF BUSINESS:

Presentation to Parks and Recreation and City Council. Dick Rinker and Jason Hartz presented Ted Schaefer and Dennis Martin with the Durand Park and Recreation Board, with a check in the amount of \$3,400.00 from the First Annual Golf Outing to benefit the Veteran's Memorial Park.

McDonough moved, VanRiper supported to approve the Mayoral re-appointment of Robert Smith as the City of Durand representative on the Shiawassee District Library Board.

Unanimously carried

VanRiper moved, Schuyler supported to approve the request from the Chamber of Commerce FallFest Committee to close N. Saginaw Street from E. Main to Genesee Streets on September 28th for FallFest.

Unanimously carried

Boggs moved, Brands supported to approve the proposal for professional services to update the city zoning ordinances, Section 1329: Regulation of Signs.

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

NAYS: None

Unanimously carried

VanRiper moved, Schuyler supported to approve the upgrades and repairs to the handheld radios within the Police Department in the amount of \$4050.55 by Blumerich Communications Services.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the replacement of alarm dialer at the Water Department from Sensaphone in the amount of \$1,995.00.

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

NAYS: None

Unanimously carried

VanRiper moved, Boggs supported to approve the Change Order #1 in the amount of \$13,000.00 and Change Order #2 in the amount of \$2,915.00 as additional costs to the Clinton and Genesee Street Improvement Project to be paid to Fick Excavating.

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

NAYS: McDonough

Carried 5-1

Boggs moved, Schuyler supported to move the amendment to the Rental Unit Inspection ordinance to first reading and set the Public Hearing for the ordinance for October 7, 2013.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

Connie Cobley, 405 W. Main Street. She stated that she believes that landlords should be

required to provide a two yard dumpster when renters are evicted from a rental home. The garbage that is left blowing around can destroy a neighborhood.

Jack Davis, 105 Railroad Street. He said that there is no reason for garbage to be left in and around homes, when the City has refuse picked up weekly.

DEPARTMENT REPORTS:

Fire Chief: He said that we were not able to sell the old fire truck or the Chief's car on e-bay and would like permission to take sealed bid on these vehicles.

Boggs moved, McDonough supported to authorize the Fire Chief to take sealed bids on the old Fire Truck and Chief's car, with the minimum bids to be \$4,000.00 and \$1,500.00 respectively.

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

NAYS: None

Unanimously carried

DPW Supervisor:

- The alley between the Chamber and the shoe store is starting to take shape
- Have been busy with the Genesee and Clinton Street project, every day we find something that we didn't expect.
- Will be re-advertising for the sidewalk program since no one submitted bids the last time it was advertised. He stated that the reason no one has bid for the project is because the contractors can't warranty the cement for five years that we require. The mature trees that are throughout the City cause havoc with cement and contractors won't bid on the project.
- DPW Barn roof is completed.
- City Hall project is almost complete. One of the lights need a ballast and the dental trim will be complete in a couple of weeks.

City Engineer: She gave an update on the Rural Development Project; will be meeting with City Staff soon to do a thorough progress review.

City Treasurer: Our audit will begin next week.

City Attorney: He stated that he played in the golf outing and had a great time. He said that the Police Chief and the Fire Chief did a great job with organizing the Golf Outing. He also stated that contractors are having difficulty warranting the cement work so we may have to change the warranty requirement to five years on surface chipping and two years on cracking.

City Manager: She stated that Congressman Dave Camp recently introduced legislation for the National Railroad Memorial, Inc (NRMI) so we may now begin to see some movement on this. Congressman Dave Camp is highly respected and serves on the Ways and Means Committee.

COUNCIL COMMENTS:

Schuyler: No comment

VanRiper: He asked if the street sweeper could be tearing up the streets. He said if this is the

case, we need to find a solution to this issue.

Brands: He stated that the downtown looked nice for End of Summer Crusin and City Hall looks good with the new front and the lights. He told the audience that he will be in the dunk tank at 11:30 on September 28th during Fall Festival.

Boggs: He stated that the golf outing benefitting the Veteran's Memorial Park was an "awesome" experience. He said that it is time that we start implementing a rental enforcement ordinance.

McDonough: No comment

Mayor Doyle: Stated that the downtown looked very nice for End of Summer Cruisin' and that Bart Harris and Amy Roddy used their own shop vacs from home to sweep up the cigarette butts that were downtown.

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

AUGUST 5, 2013 CITY COUNCIL MINUTES

Minutes of the regular Durand City Council meeting held on Monday, August 5, 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, Boggs supported to approve the agenda with the addition of G. Board Appointments and H. Approve a Voting Delegate and Alternate for MML Annual Meeting.
Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, Boggs supported to approve the minutes of the regular meeting held on June 3, 2013, the special meeting held on June 26, 2013 and the executive session held on June 26, 2013, as presented.

Unanimously carried

APPROVAL OF BILLS:

Boggs moved, Schuyler supported to approve the payment of bills #42358-42599.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Paula Brooks, 104 W. Summit Street. She stated that the water main located at Saginaw and Main Streets has had many breaks in the past several years, she asked if this is included in the plans to be replaced in the Rural Development Project. Ms. Brooks asked if the grant that the City received to acquire land for the Diamond District Park will have to be returned if it is not used.

Ted Shaffer, member of the City of Durand Parks and Recreation Board along with Jon Dungerow, member of the Parks and Recreation Board and also a Veteran presented the Council with a check in the amount of \$1,000.00 to be used for the future Veterans' Memorial Park. The money was raised from holding a softball tournament in July.

Dennis Martin, member of the VFW presented a check to the Council in the amount of \$4,000.00 to be used for the future Veterans' Memorial Park. This money was raised from the Chicken Barbeque that was held recently in conjunction with the Durand Eagles Club.

Dick Rinker, Fire Chief, stated that he and the Police Chief wanted to do something to help raise money for the Veterans' Memorial Park so they are organizing a Golf Outing to be held at Dutch Hollow Golf Course on September 7th. All proceeds, after expenses will go towards the Veterans' Memorial Park.

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to cast the city's ballot for the candidates as listed for the Michigan Municipal League Worker Compensation Fund Board of Trustees.

Unanimously carried

Schuyler moved, McDonough supported to award the bid for ferric chloride to PVS Technologies in the amount of \$492.00 per dry ton.

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

NAYS: None

Unanimously carried

VanRiper moved, Brands supported to award the bid for right of way tree work to Robinson Tree Service in the amount of \$89.00 per hour and \$2.00 per inch for stump grinding.

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

NAYS: None

Unanimously carried

VanRiper moved, McDonough supported to approve the purchase of 8 Goodyear Tires and mounting for the Vector/Sweeper from Conrad's Towing through the State of Michigan purchasing program at a cost of \$354.63 per tire, totaling \$2,933.04.

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

NAYS: None

Unanimously carried

McDonough moved, Schuyler supported to extend the contract for lawncare maintenance with Warner's Lawncare Services for two additional years, expiring in March 2017.

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

NAYS: None

Unanimously carried

Public Hearing to amend the Ordinance for Streets, Sidewalks and Other Public Places:

Mayor Doyle opened the Hearing at 7:56 p.m.

No one spoke

Mayor Doyle closed the Hearing at 7:57 p.m.

Boggs moved, McDonough supported to adopt the amendment to Section 1167, Chapter 66 – Streets, Sidewalks and Other Public Places of the City of Durand Codes and Ordinances.

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

NAYS: None

Unanimously carried

Boggs moved, Schuyler supported to appoint Mike Malachowski to the Planning Commission and Eric Kirchinger to the Parks and Recreation Board.

Unanimously carried

Schuyler moved, McDonough supported to appoint Jeff Brands as Voting Delegate and Mayor Deb Doyle as Alternate for the upcoming MML Annual Meeting.

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

Harold Fremd, 104 Russell Street. He asked if the new contractors were doing lawn care because all of a sudden he noticed a huge improvement next to his rental property on Russell Street. He said that the new guys have mowed right up to the railroad tracks and all around that area, where the other contractors let that area grow tall.

DEPARTMENT REPORTS:

City Engineer: She stated that work on Genesee/Clinton Street project will be starting next week. She said that City Hall is done and looks great. The date to install the lights got pushed back, but should be installed by the next Council meeting. She said that about 60% of the paper work needed for the Rural Development project has been completed, "we are making good progress".

Treasurer: She stated that the City is now accepting credit cards at the front counter.

City Attorney: He stated that McDonalds has filed a Tax Tribunal case, he will keep the council updated as information becomes available. He said that the Tax Tribunal from the Hotel has been dismissed and withdrawn. He said that two other tax tribunal cases have recently been filed and he will keep the council informed as things develop. He also stated that the lawn care company

did file a lawsuit against the City, he will keep the council updated on any new information.

City Manager: She addressed the issues raised by Paula Brooks earlier in meeting.

- **She said that the North Saginaw Street water main may or may not be added to the Rural Development Project. She said that the City doesn't have a final opinion that it needs to be added, however, if monies allow and if the Rural Development allows, we may consider including it in the project.**
- **The City received grant money to acquire the dance studio for Diamond District Park. The owner does not want to sell at this time. We are waiting to see if she changes her mind, but the grant monies cannot be used for anything else.**

COUNCIL COMMENTS:

Schuyler: He asked for an update from the Zoning Administrator regarding ordinance violations, specifically the old Simplicity Building.

VanRiper: He asked if we can track the money put into the Vactor? The Treasurer said that we track hours so we can provide that for you. He then asked if the water bills had a problem this month because residents were telling him that last month bills were higher than normal and this month bills were lower. City Manager said that there was an equipment failure in June where the reads were delayed in being read for two weeks. The problem has been correctly and fortunately this sort of things does not happen very often.

Boggs: He thanked the community for interest in helping develop the Veterans' Memorial Park.

McDonough: Stated that the Rural Development project will be huge to the community for a very small fee. He said that the article that was recently in the newspaper was very nice. He said streets will finally be done! "Kudos to the three new businesses that moved into the City".

Mayor Doyle: Stated that the September Council Meeting will be held on the third Monday of September due to the Labor Day Holiday.

Mayor Doyle adjourned the meeting at 8:14 p.m.