

JUNE 29, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting of the Durand City Council held on Wednesday, June 29, 2016 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 7:35 p.m.

ROLL CALL:

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

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

McDonough moved, Boggs supported to approve the agenda with the addition of J. Approval of Invoice for Emergency Repairs.

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

David Richley, 108 Mackinaw Street. He told the Council that he would like to see a City wide ban on fireworks.

City Manager said that there are state regulations regarding when and where fireworks can be displayed.

ITEMS OF BUSINESS:

McDonough moved, Cobley supported to approve the Mayor's appointment of Richard Foster to the Board of Review to replace Donna Tobias.

Unanimously carried

Boggs moved, VanRiper supported to approve the payment of the invoice for membership renewal in the Michigan Municipal League and the Legal Defense Fund at a cost of \$3,407.00.

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

NAYS: None

Unanimously carried

Boggs moved, Matejewski supported to approve the addition of new Police Department Operating Procedures numbers 47-49 which deal with computer equipment used to access the Law Enforcement Information Network.

Unanimously carried

VanRiper moved, Cobley supported to approve the contract with HSC Services, Inc. for assessing services in the amount of \$26,400.00 annually.

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

McDonough moved, Boggs supported to approve the purchase of the following equipment for the Police Department totaling \$55,605.15 in cooperation with a grant from US Rural Development, as follows:

2016 Dodge Charger from Randy Wise Chrysler Dodge Jeep	\$23,271.00
3 patrol camera systems from Mobile-Vision, Inc.	\$15,602.30
3 Dell vehicles computers from Dell, Inc.	\$10,493.85
Patrol Vehicle Outfitting from Arrowhead Upfitters, Inc.	\$ 5,250.00
Patrol Decaling from Signed by Law	\$ 988.00

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

Boggs moved, McDonough supported to award the bid for pipeline inspection cameras to Bell Equipment in the amount of \$102,188 with a 5 year purchase option of \$22,581.00.

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

Boggs moved, McDonough supported to purchase the Stanley Hydraulic Equipment from Jack Doheney, as noted on quote in the amount of \$16,753.92.

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

McDonough moved, Matejewski supported to approve the agreement for law enforcement services with the Village of Byron and authorize the Mayor and Clerk to sign the document.

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

Boggs moved, McDonough supported to approve the budget amendments as presented by the administration for the 2015-2016 fiscal year.

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

Boggs moved, Brands supported to approve the invoice from East Jordon Iron Works for emergency repairs in the amount of \$2,153.61.

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

NAYS: None

ABSTAIN: McDonough

Carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

Tony Prestonise, Village of Byron Trustee, He thanked the Council for approving to provide police enforcement for their village.

Boggs moved, McDonough supported to adjourn to Executive Session to discuss pending union negotiations because to discuss in public would be detrimental to the City.

Unanimously carried

Adjourned to Executive Session at 8:56 p.m.

Reconvened at 9:25 p.m.

McDonough moved, Matejewski supported to the Labor Agreements for Sergeant and Lieutenant

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

NAYS: None

Unanimously carried

Mayor Doyle adjourned meeting at 9:26 p.m.

JUNE 20, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Monday, June 20, 2016 in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Brands, Cobley, Mayor Doyle, Matejewski, McDonough, VanRiper, Boggs (arrived @ 6:53 p.m.)

Absent: VanRiper

APPROVAL OF AGENDA:

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

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Danielle Hawkins, 206 S. Oak Street. She stated that a dead tree was removed from the easement in front of her house and needs to be replaced. She reports that there are raccoons and bats in and round the old Simplicity Building and she would like something done about them. She also asked if the RD Project will take care the flooding that has occurred on her property. City Manager said that she made a note regarding the tree replacement, raccoons and bats at old Simplicity building. She explained that the new storm sewers that are being installed in that neighborhood through the RD Project will take care of the flooding.

ITEMS OF BUSINESS:

Rural Development Update:

Contract #1: City Manager reports that a water main with manhole will need to be installed on Scougle Street. We are getting prices to add to the contract.

The water storage tower is at a stage when we have to approve a design/logo. The consensus of the Council is to go with a white post with navy bowl, with old steam engine train and script that says "City of Durand, Home of the Railroaders". The ground tank at the Water Plant will have the same design, except in reversed colors.

McDonough moved, Cobley supported to approve Change Order #3 for the Rural Development Project on Contract #3 – Sewer and Water Improvements which is an addition of \$49,200 to the contract.

YEAS: Brands, Cobley, Mayor Doyle, Matejewski, McDonough,

NAYS: None

Unanimously carried

McDonough moved, Brands supported to approve the invoices for the Rural Development Infrastructure Project totaling \$341,391.21 which includes C2AE Engineering for \$47,016.54 and Rhode Brothers Excavating for \$294,317.93 with \$330,744.86 charged to Sewer and \$10,589.61 charged to Water.

YEAS: Cobley, Mayor Doyle, Matejewski, McDonough Brands

NAYS: None

Unanimously carried

McDonough moved, Matejewski supported to approve the Letter of Agreement for Professional Services with Spicer Engineering for Site Redevelopment Visioning in the amount of \$5,500.

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

NAYS: None

Unanimously carried

Mayor Adjourned the meeting at 6:54 p.m.

JUNE 6, 2016 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held on Monday, June 6, 2016 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, Matejewski, McDonough, VanRiper
Absent: None

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

McDonough moved, Matejewski supported to approve the minutes of the regular meeting held on May 2, 2016 and the special meeting held on May 16, 2016, as presented.
Motion unanimously carried

APPROVAL OF BILLS:

McDonough moved, Boggs supported to pay bills #46594-46742.
YEAS: Brands, Cobley, Mayor Doyle, Matejewski, McDonough, VanRiper, Boggs
NAYS: None
Motion unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Jan Brownson, Saginaw, Michigan. She thanked the Council for letting NRMI use the Iron Horse Park during the recent Railroad Days festival. She also thanked the Council and the City employees for "the tremendous job" they do.

Brandon Marks, He is running for County Commissioner, District 4. He is asking for support on Election Day.

Laurie Braid, Shiawassee County Clerk – She told the Council that the voting equipment is old and needs to be replaced. She told the Council that money should be set aside for this purchase. She estimates that each precinct in the County will have to pay \$1,000.00 towards the new equipment with the State of Michigan paying the balance.

Laurie Braid also asked for the Council's support as she runs for re-election in the fall.

CITY COUNCIL RESPONSE TO CITIZEN'S PRESENT:

Boggs asked Ms. Braid that since the City has two precincts that it would cost us \$2000.00. Ms. Braid said yes. City Manager said that we have the money in our revolving equipment account so this will not be a problem for the City of Durand.

VanRiper asked Ms. Braid if this will go before the citizens for a vote. She said that this would not go before the citizens, because it is mandated from the State.

ITEMS OF BUSINESS:

Dennis Martin, Commander of Durand's Reed Raymond VFW presented the Council with a check for \$750.00 towards the completion of Veterans Memorial Park.

Boggs moved, Brands supported to approve the request from the Greater Durand Area Chamber of Commerce to hold a car show on July 20th from 5-9 p.m. in Diamond District Park providing they submit insurance coverage naming the city as an additional insured for the event.

Motion carried unanimously

VanRiper moved, Matejewski supported to award the annual bid for Sidewalk Replacement to J.T. Concrete in the following amounts: 4 inch: \$4.50 per square foot; 6 inch: \$6.00 per square foot; 10 inch: \$8.50 per square foot; \$25.00 per lineal foot for curb.

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

NAYS: None

Motion carried unanimously

Matejewski Moved, Copley supported to award bid for Tree Trimming to Miles Tree Service in the amount of \$90.00 per hour for trimming and removal and \$1.50 per diameter inch for stump grinding.

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

NAYS: None

Motion carried unanimously

Boggs moved, McDonough supported to declare the outstanding utility accounts and delinquent invoices as uncollectible and direct the Treasurer to place the debts on the 2016 summer tax roll.

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

NAYS: None

Motion carried unanimously

Boggs moved, VanRiper supported to approve the renewal of the Memorandum of Understanding between the City of Durand and the National Railroad Memorial, Inc. which will expire in October 2018.

YEAS: McDonough, VanRiper, Boggs, Brands, Mayor Doyle, Matejewski
NAYS: Cobley
Carried 5-1

Boggs moved, McDonough supported to authorize \$82,300 from the Major Street Fund as the local cost required for MDOT job #129922, as granted through the Rural Task Force to resurface W. Main and S. Oak Streets.

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

NAYS: None

Motion carried unanimously

CITIZENS SPEAK – AGENDA ITEMS ONLY

Paula Brooks, 104 W. Summit Street – She asked what the maximum amount to be spent on tree trimming and sidewalks. She asked if the Rural Task Force project would take money away from the local street fund.

DEPARTMENT REPORTS:

DPW Supervisor: He stated that the Rural Development Project is moving right along on the West side of the City. He told the Council that the water tower will be going off service tomorrow for two to three weeks. He reminded the Council that brush pickup for the month of June starts tomorrow.

Police Chief: He reported to the Council that his department is working on traffic issues and also grass ordinances.

City Engineer: Nothing to add

City Treasurer: Nothing to add

City Attorney: He told the Council that he and Steve Mince met with DEQ recently and the meeting went well. DEQ will propose a new Administrative Consent Order that will say where we are and where we are going. The Administrative Consent Order will come to Council for approval.

City Manager: She said that she will be getting with the Council members if we need an RD meeting this month. She reminded the Council that there is not a July meeting due to the Fourth of July holiday. She also said that the representative with the mosquito control company is here tonight if you have any questions for her.

COUNCIL COMMENTS:

VanRiper: He said to move with caution with NRMI, it's time for cooperation. We need to embrace any organization that wants to help the City. He told the City Manager and the City Engineer to make sure that all the bad areas in the street are repaired correctly. City Manager said that Geotech materials will be used to repair the streets. City Engineer assured the Council that they will be cut up and repaired correctly.

Connie Cobley: She asked if the Huron Eastern railroad will help the city with repairs to Brookfield Street. City Manager said that she hasn't heard from their attorney in over a month. Cobley asked if we were going to close the road to them. City Manager said that the engineer is looking to create a drive off of Brand Street.

Matejewski: He stated that he is happy with how the City looks. Veterans Memorial Park also looks good.

Brands: He stated that following the grass ordinance helps the image of our City. He said that things are happening in our city because it looks nice. People are noticing and people want to be here. He stated that during the Memorial Day Parade he overheard people saying how this city has changed in the last ten years.

Boggs: No comment

McDonough: He announced that he would not be running for re-election in the fall.

Mayor Doyle adjourned the meeting at 8:33 p.m.

MAY 16, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting of the Durand City Council held on Monday, May 16, 2016 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, McDonough, VanRiper

Absent: Matejewski

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:

Public Hearing and Adoption of 2016-2017 City of Durand Budget

Mayor Doyle opened the Public Hearing at 7:04 p.m.

Paula Brooks, 104 Summit Street asked several questions on the proposed budget.

Mayor Doyle closed the Public Hearing at 7:31 p.m.

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

**MOTION BY: Boggs, SUPPORTED BY: Coble, 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, 2016 as recommended by Administration and adopted by the City Council, and as described in the Summary as follows:

	Revenues	Expenditures
General Fund	\$2,104,845	\$2,104,845

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 \$61,085,452 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, 2016, shall be 16.5304 per \$1,000 of taxable valuation, subject to all related provisions of the Truth in Taxation and Headlee Amendment and, 4.5000 per \$1,000.00 of Taxable Valuation Tax Levy for Debt Service.

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

Major Streets	\$ 192,500
Local Streets	98,400
Street Fund	118,000
Building Inspector	111,500
Debt Service-WATER-12	265,100
Debt Service-WWTP-11	86,000

WWTP Fund	1,252,105
Water Fund	827,795
Refuse Service	198,550
Equipment Revolving	415,300
Fringe Benefits	510,500
Downtown Development Authority	110,243
Sidewalk Fund	7,110

and all other Capitol Improvement Projects for the Fiscal Year beginning July 1, 2016 and ending June 30, 2017;

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, Cobley, 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 16, 2016.

Amy J. Roddy, City Clerk

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

Mayor Doyle adjourned the meeting at 7:33 p.m.

MAY 2, 2016 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held on Monday, May 2, 2016 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, Matejewski, McDonough, VanRiper
Absent: None**

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

**McDonough moved, Cobley supported to approve the agenda with the addition of B1.
Appointment of Seats to the DUSI Board.
Motion carried unanimously**

APPROVAL OF MINUTES:

**McDonough moved, Boggs supported to approve the minutes of the regular meeting held on April 4, 2016, special meeting held on April 19, 2016, budget workshop held on April 26, 2016 and special meeting held on April 27, 2016, as presented.
Motion carried unanimously**

APPROVAL OF BILLS:

**VanRiper moved, McDonough supported to pay bills #46501-46593.
YEAS: Brands, Cobley, Mayor Doyle, Matejewski, McDonough, VanRiper, Boggs
NAYS: None
Motion carried unanimously**

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Mike Tanner, 6640 S. Bancroft Rd. He expressed his concern regarding the fact that he has not gotten the medical coverage that he is entitled to as a retired employee of the City of Durand.

Bob Conrad, 6220 Martin Dr. He told the Council that the national campaign for NRMI will begin this year. He also mentioned that the baggage car and the engine need improvements. He presented the Council with a packet of information to review.

CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:

Councilman Boggs asked Mr. Conrad what he is expecting from the Council. Mr. Conrad said that he is asking the Council for direction, not dollars.

Councilman McDonough asked the City Manager if she is going to take care of Mr. Tanner. City Manager said that she has submitted with paperwork three times since November and doesn't understand why it hasn't been taken care of. Last week she spoke with the third party that files the paperwork and they were supposed to hand submit it last Thursday.

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to approve the consent agenda, which includes the request to hold prayer service at City Hall on May 5th and the proclamation honoring retired City Treasurer, Donna Tobias.

Motion carried unanimously

Matejewski moved, Brands supported to appoint City Manager, Amy Roddy and Councilman Boggs to the Durand Union Station Inc. board with the understanding that the Durand City Manager would have a permanent seat on the board and the other seat will be revisited after the November election.

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

NAYS: None

Motion carried unanimously

Public Hearing – Amendments to Chapter 58-Solid Waste

Mayor Doyle opened the hearing at 7:49 p.m.

No one spoke

Mayor Doyle closed the hearing at 7:49 p.m.

Boggs moved, Matejewski supported to adopt the amendments to Chapter 58-Solid Waste of the City of Durand Codes and Ordinances.

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

NAYS: None

Motion carried unanimously

VanRiper moved, Copley supported to approve the first reading of the proposed 2016-2017 budget and schedule the public hearing at a special City Council meeting to be held on Monday, May 16th at 7:00p.m.

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

NAYS: None

Motion carried unanimously

DEPARTMENT REPORTS:

DPW Supervisor: He told the Council that Canadian National closed the tracks on South Oak today without notifying the City. The City Manager said it is a health and safety issue and she will be working on this tomorrow with CN Railroad. This is unacceptable. The City Manager told the Council that the City issued citations to all workers and the supervisor because they violated our ordinance. DPW Supervisor said that he was told that the crossing could be closed for up to two weeks. Councilman Boggs said to call the railroad consultant that the City has been working with and also call the Shiawassee County Road Commission. The City Manager said that the last time these tracks were replaced was in the late 1990's and we had an ambulance parked on that side of the tracks and worked with Vernon Township to provide mutual aid. We were not given the opportunity to do any of that this time.

The City Attorney said that we can sue for restitution. The City has to show irreparable harm which would be the health and safety of the residents.

It was moved by McDonough and supported by Matejewski to authorize the City Attorney and the City Administration to pursue legal action against Canadian National Railroad for causing irreparable harm to the health and welfare of the citizens of the City of Durand by closing the South Oak Street railroad tracks without advance notice and by not providing access to the Southside of the City of Durand.

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

NAYS: None

Motion carried unanimously

Chief of Police: He has been working on the railroad issue also and will continue to work with the City Attorney. He said that his department is working on local ordinances for Railroad Days.

Fire Chief: He expressed his concern over the closure of the South Oak Street railroad tracks. He will look into MMR providing a second rig on the Southside of Durand.

City Engineer: Construction is to begin on Monday, May 9th on the Rural Development Project.

City Attorney: He stated that he has been in contact with the City Manager all day regarding the railroad issue and will coordinate with Police Chief.

City Manager: She reminded the Council that Thursday, May 5th is the National Day of Prayer at City Hall. A Big thank you to Jeff, John and all the volunteers that spruced up Main Street this past Saturday. They will be meeting at 9:00 a.m. this Saturday to continue the clean up on Saginaw Street.

COUNCIL COMMENTS:

VanRiper: He said that the Optimist Park women's bathrooms are in need to repair. He said that only two bathrooms are working and neither of these have doors on them. City Manager said that the bathrooms are not open for public use because as quick as they are repaired, they are vandalized again. Councilman VanRiper would like to have a cost to seal all of the cracks on Genesee Street. He also asked the City Attorney about the issue on not being able to enter homes without a warrant. He asked how will this affect our rental inspection program. The City Attorney said that he would check into this and get back with him. Councilman VanRiper said that if this railroad thing becomes too much, should the City hire additional attorney's to help. City Attorney, Matt McKone said that this is our home and we are not intimidated, if we need additional help we will ask for it.

Cobley: She stated that she is glad to see code enforcement coming. She also said that she is concerned with the website.

Matejewski: He said that he was glad to have people appointed to the DUSI Board. He said that he is not happy with Canadian National Railroad; it takes six extra miles and 10 extra minutes to get into the City now that the tracks are blocked.

Brands: He believes that the railroad intentionally set the “aluminum dog house” dead center of the Depot so that people couldn’t take pictures of the Depot.

Boggs: He thanked Jeff and John for cleaning up the downtown. He said that a young man also helped on Saturday with the cleanup efforts and he would like to see service awards given.

McDonough: He stated that after the Rural Development Project is completed we need to start back on the sewer separation issue. He asked if the City of Durand has an overseer at the railroad tracks. Mayor Doyle said that Canadian National needs to be working 24/7 to re-open the tracks.

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

APRIL 27, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the Durand City Council special meeting held on Wednesday, April 27, 2016 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, Matejewski, VanRiper

Absent: McDonough

APPROVAL OF AGENDA:

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

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Progress Report: Rural Development Project

City Manager reports that no work has taken place in the last 30 days. Work is scheduled to begin on May 9th, following notification to residents living in the Southwest quadrant. Preliminary work will begin to move the Dover Estates lift station across the street to the Catholic Church property. City Manager will be meeting with the Catholic Dioceses of Lansing prior to preparing the easement agreement. Work will

begin in mid-May on the ground storage tanks. We will be asking the community for ideas for art work on the water tower.

Boggs moved, Brands supported to approve the invoices for the Rural Development Infrastructure Project totaling \$30,122.36 which includes C2AE Engineering for \$14,050.66 and Inland Waters Pollution Control, Inc. for \$12,071.70 with \$23,124.25 charged to Sewer and \$2,998.11 charged to Water. Additionally, approve the invoice from Corrrpo in the amount of \$4,000.00 for work completed outside the scope of the RD project relative to Contract #4 to be paid from the Water Fund reserves.

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

NAYS: None

Motion carried unanimously

Boggs moved, Matejewski supported to approve Amendment #4 to the original contract with C2AE for additional services for bidding, construction engineering and construction inspection services associated with Contract #1 of the Rural Development Infrastructure Project in the amount of \$208,000.

After lengthy discussion regarding the engineering inspection services on the N. Saginaw Street Streetscape and Genesee Street projects, several City Council members were concerned with completing the infrastructure project satisfactorily.

Boggs moved, Matejewski supported to amend the original motion to include withholding 15 % of entire contract amount until the water and sewer infrastructure project is completed to the City Council's satisfaction unless the City Attorney recommends a lesser amount of retainage based on the legal standard.

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

NAYS: None

Motion carried unanimously

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

NAYS: None

Motion Carried Unanimously

City Manager began the workshop by correcting the amount of fund equity available for special projects that she previously reported at the first budget workshop. The undesignated fund equity is 20%, not 32% which reflects the entire undesignated and designated funds reserved.

2016-2017 Budget Workshop – Water and Sewer Funds

Water and Sewer rates will be adjusted 2%, as recommended by the financial advisor to provide adequate revenue for the bond payments. There are no significant changes to the funds, other than the reserves required by Rural Development and the new bond payments.

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

APRIL 26, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the Durand City Council Budget Workshop held on Tuesday, April 26, 2016 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, Cogley, Mayor Doyle, Matejewski, McDonough, VanRiper
Absent: None

APPROVAL OF AGENDA:

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

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke.

ITEMS OF BUSINESS:

Presentation of 2016-2017 Budget: The City Manager reviewed all funds except water and sewer.

The following are the highlights:

Major Streets Fund includes the maintenance, improvements, snow and ice control and general operation of the streets in the City of Durand classified as Major Streets. Information received to date show that the revenue for Major Streets from Act 51 monies will begin to increase substantially. The additional transportation dollars will not be realized until January 2017, which are projected to provide an additional \$30,000 for the 2016-2017 budget. \$83,750 is reserved for street projects during 2016-2017. Most of these funds will be used to offset the planned street renovation included in the Rural Development Infrastructure project.

Beginning in May 2016, the Building Inspector will become a full time employee. The City of Swartz Creek will be sharing 50% of the costs to fund the entire benefit package as a shared services agreement, in which his time will be shared equally between the two communities.

There are four major proposed purchases planned from Equipment Revolving fund for the 2016-2017 fiscal year. This would include the purchase of a submersible camera to televise sanitary and storm water mains - \$50,000; replacement pages, 4 sets of bunker gear and a portable generator for the Fire Department - \$18,500; leasing a front loader to replace the existing loader - \$18,000; replace telephone system - \$24,000.

Mayor Doyle adjourned the meeting at 7:55 p.m.

APRIL 19, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special joint meeting with the City of Durand and Durand Union Station Inc. held on Tuesday, April 19, 2016 in the Ballroom of Durand Union Station, 200 Railroad Street, Durand.

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

ROLL CALL:

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

Absent: None

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Norma Ward – She had a question regarding the lease agreement and the Mayor directed her to the DUSI President.

ITEMS OF BUSINESS:

Formal Signing of the Lease Agreement between the City of Durand and DUSI: The Mayor and the President of DUSI ceremonial signed the lease. Pictures were captured to commemorate the event.

Mayor Doyle adjourned the meeting at 7:10 p.m.

APRIL 4, 2016 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held on Monday, April 4, 2016 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, Matejewski, McDonough

Absent: VanRiper

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

Boggs moved, McDonough supported to approve the minutes of the regular meeting held on March 7, 2016 and the special meeting held on March 28, 2016, with corrections.

Unanimously carried

APPROVAL OF BILLS:

Boggs moved, McDonough supported to pay bills #46400-46500.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Paula Brooks, 104 S. Summit Street. She questioned the properties that the City recently took options on.

Caroline Wilson, 405 Ball Street, Owosso. She told the Council that she is running for County Clerk in the August election and asked for their support.

COUNCIL COMMENTS RESPONSE TO CITIZENS PRESENT:

Ken McDonough stated that the City Council does not hide anything. He stated that he is for growth in the City and would like to see more job opportunities here.

ITEMS OF BUSINESS:

Matejewski moved, Boggs supported to approve the Mayor's appointment of Robin Fredrick to the Shiawassee District Library Board.

Unanimously carried

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

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to amend the following sections of the City of Durand Zoning Ordinance:

- 1. Section 1323, Exterior Lighting: Amend Text to require specific lighting in specific non residential areas**
- 2. Section 1305, Parking: Amend text to allow for off-street land banking of parking spaces in certain nonresidential areas**
- 3. Section 1302.2, Façade Materials Nonresidential Uses: Delete section in its entirety and insert new section requiring specific construction materials, as outlined in the written text**
- 4. Section 1318,3, Landscaping: Add new section to address building façade articulation through site landscaping**
- 5. Section 1319,2 a Minimum Size of Evergreen Trees: Amend text to increase the size from six (6) feet to eight (8) feet.**

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

Matejewski moved, Cobley supported to approve the first reading of amending Chapter 58-Solid Waste of the City of Durand Codes and Ordinances and move it to second reading and adoption.
Unanimously carried

Public Hearing: Consideration of Grant to Fund Law Enforcement Operational Equipment

Mayor opened the public hearing at 7:55 p.m.
No one spoke
Mayor closed the public hearing at 7:58 p.m.

Boggs moved, McDonough supported to approve the grant application for \$14,000.00 to USDA-Rural Development for the purchase of police department operational equipment at a cost of \$54,694.00, of which the City of Durand will contribute \$40,694.00.
YEAS: Mayor Doyle, Matejewski, McDonough, Boggs, Brands, Cobley,
NAYS: None
Unanimously carried

DEPARTMENT REPORTS:

DPW Supervisor: He reported that hydrant flushing will take place April 11th –April 14th. The first brush pickup of the year starts tomorrow and will continue to take place on the first Tuesday of each month throughout the summer. He stated that the street sweeper is up and running again.

Police Chief: He told the Council that they will begin working on Ordinances.

City Engineer: She stated that they are waiting for the construction season to start.

Treasurer: She thanked Mindy for getting the Roll to Tax list down to a low amount. She said that the City used to get the money from the County but that isn't the way it is now, sometimes we have to write off the outstanding balances from utilities.

City Attorney: Nothing to add.

City Manager: She told the Council that the budget workshops are scheduled for April 26th and April 27th, the first reading will be held at the regular meeting on May 2, 2016 and the second public hearing and adoption is set for Monday, May 16, 2016. She also stated that she is working on the costs of repairing streets; she said that we would have a workshop in the next couple of weeks to discuss this with Council.

COUNCIL COMMENTS:

Cobley: Nothing to add

Matejewski: He stated that the City doesn't have secret meetings. He said that contrary to what some people are saying the City is not trying to undermine Durand Union Station, Inc.

Brands: He thanked and congratulated the Fire Department for the Easter Egg Hunt. He said that the proposed ordinances reflect on the entire city. Businesses that are interested in relocating are looking for nice clean areas. Keeping the community clean helps the value of everyone's homes. He stated that people are noticing the good things that are happening in Durand.

McDonough: He stated that the signing of the lease agreement between the City of Durand and DUSI will be April 19th at 7:00 p.m. He said that he applauded the police officer who took care of the recent incident which took place at McDonalds. He told the Fire Department good job for the Easter Egg Hunt and good job for water collection.

City Manager told the Council that the annual chamber dinner will be April 21st at Dutch Hallow Golf Course. Dinner will be served at 7:00 p.m.

Mayor Doyle adjourned the meeting at 8:11 p.m.

MARCH 28, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Monday, March 28, 2016 in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

Present: Boggs, Brands, Cobley, Mayor Doyle, Matejewski, 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:

Rural Development Update: With the ground saturation and the weight restrictions no work is taking place. However, the Simplicity easement West of Campbell Street was completed as far as it can be, and the storm sewer on Division Street was also completed.

Boggs moved, Matejewski supported to approve Change Order #4 for the Rural Development Project on Contract #1 – Sewer and Water Improvements which is a net deduction to the contract of \$1,358.88.

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

NAYS: None

Unanimously carried

Boggs moved, VanRiper supported to approve the invoices for the Rural Development Infrastructure Project totaling \$234,354.73 which includes C2AE Engineering for \$27,349.26 and Rhode Brothers Excavating for \$207,005.47 with \$204,421.12 charged to Sewer and \$29,933.61 charged to Water.

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

NAYS: None

Unanimously carried

Mayor Doyle adjourned the meeting at 6:10 p.m.

MARCH 7, 2016 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held on Monday, March 7, 2016 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, Matejewski, 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 as presented.

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, Boggs supported to approve the minutes of the regular meeting held on February 1, 2016 and the special meeting held on February 18, 2016, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Matejewski supported to pay bills #46259-46399.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Paula Brooks, 104 S. Summit St. She asked if there is a plan to repair the pavers in the downtown area.

Kent Edward, Representative for Durand Railroad Days, Inc. He sent an e-mail on Friday to the City Manager asking to be on the agenda tonight. City Manager did not receive the e-mail.

**Boggs moved, McDonough supported to amend the agenda to include item H: Railroad Days Inc. Presentation
Unanimously carried**

ITEMS OF BUSINESS:

**McDonough moved, VanRiper supported to approve the annual cost for ongoing software service and maintenance from BS&A Software in the amount of \$9,021.00.
YEAS: Brands, Cobley, Mayor Doyle, Matejewski, McDonough, VanRiper, Boggs
NAYS: None
Unanimously carried**

**VanRiper moved, Matejewski supported to approve the invoice from Sensus for technical software support for the meter reading system in the amount of \$1,617.45.
YEAS: Cobley, Mayor Doyle, Matejewski, McDonough, VanRiper, Boggs, Brands
NAYS: None
Unanimously carried**

**McDonough moved, Boggs supported to approve the purchase of parts to repair the street sweeper from Bell Equipment Company in an amount not to exceed \$5,000.00.
YEAS: Mayor Doyle, Matejewski, McDonough, VanRiper, Boggs, Brands, Cobley
NAYS: None
Unanimously carried**

**McDonough moved, Boggs supported to purchase a new nozzle for the vactor from Jack Doheny Companies at a cost of \$4880.00.
YEAS: Matejewski, McDonough, VanRiper, Boggs, Brands, Cobley, Mayor Doyle
NAYS: None
Unanimously carried**

**Boggs moved, Brands supported to approve the first reading and move to second reading, the proposed Zoning Ordinance Text Amendments, as presented.
YEAS: McDonough, VanRiper, Boggs, Brands, Cobley, Mayor Doyle, Matejewski
NAYS: None
Unanimously carried**

VanRiper moved, Copley supported to amend the Building Inspector Fund to include the salary and benefits for a full time Building Inspector and to authorize the City Manager to enter into negotiations for Shared Services which will be brought back to Council for approval.

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

NAYS: None

Unanimously carried

Matejewski moved, Boggs supported to approve the costs to complete geotechnical data on city streets in an amount not to exceed \$15,000.00

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

NAYS: None

Unanimously carried

Kent Edwards with Durand Railroad Days Committee highlighted some of the new events that are planned for the 2016 Railroad Days. He said that they have plans to expand Railroad Days into the new parking lot. The beer and wine tasting will be held behind Acker Agency in a spike-less tent. New for this year will be a BBQ cook off sponsored by "Smoking in the D". There will also be a BBQ cook off the children 8 to 12 years of age.

Boggs moved, McDonough supported to approve the Calendar of Events and requests from the Railroad Days Committee for the 2016 festival to be held on May 12th, 13th, 14th and 15th.

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

Chief Hartz: He told the Council that his department is going paperless.

DPW Foreman: He told the Council that the DPW has been testing a sewer camera and he reports that they are seeing a lot of interesting things. The new nozzle will really help in the cleaning of the sewer leads. The City Manager said that she will be bringing the purchase of the camera to the Council in the new budget.

Fire Chief: He said that he hired three new firemen this week and expects to interview with another candidate this week. On Saturday, March 26 there will be an Easter egg hunt at Trumble Park sponsored by the City of Durand Fire Department, Sagelink Credit Union and Shaw's Pharmacy. This is for children 12 years old and younger.

City Attorney: He told the Council about a "drug court" that is being started in Shiawassee County. He said that there will be a team of people making presentations to municipalities in the near future.

City Manager: She said it's been a busy winter.

COUNCIL COMMENTS:

Van Riper: He told the DPW Foreman to document as much as he can for future use. (Talking about the sewer leads)

Cobley: She would like to see the City of Durand spray for mosquitos. City Manager said spraying on private property would require special authorization from the owners. Cobley said she would like to investigate new trees for the street scape that come with a one to five year guarantee. She also said that the electrical boxes in the downtown are being stolen. Can the school liaison officer talk to the students about this?

Matejewski: Asked if the City has ever investigated having Wi Fi in the downtown. Councilman Boggs said that it was investigated at one time, but the water tower's shadow prohibited transmission. Councilman Matejewski thanked the City for sending him to the Elected Officials Academy.

Brands: No comment

Boggs: He said that he echo's John's statement.

McDonough: He suggested that the City look into GIS which is used for mapping. He also stated that he would like to see the entire city sprayed for mosquitos.

Mayor Doyle: She explained that there is the Tim Doyle Scholarship available to elected officials to be used to attend the Elected Officials Academy. She reminded everyone to vote tomorrow.

Mayor Doyle adjourned the meeting at 8:47 p.m.

FEBRUARY 18, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress on Rural Development Project) of the Durand City Council held on Thursday, February 18, 2016 in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

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

Absent: None

APPROVAL OF AGENDA:

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

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

RD Update: Genesee Pump Station is completed. Dover Lift Station has additional work needed, however the seasonal weight restrictions went into effect today, and therefore all work has been suspended. After much discussion was had regarding weight restrictions, and after checking the MDOT website, Lansing Road is unrestricted therefore work can continue on the project. City Manager notified City Engineer regarding this issue.

McDonough Moved, Boggs supported to approve Change Orders #1 and #2 for the Rural Development Project to Contract #3 – Water Tank Improvements which total \$100,050.00.

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

NAYS: None

Unanimously carried

Boggs moved, Brands supported to approve the invoices for the Rural Development Infrastructure Project totaling \$453,964.37 which includes C2AE engineering for \$31,325.27, Rhode Brothers Excavating for \$313,443.60, IWPC for \$14,148.00 and Industrial Painting Contractors in the amount of \$95,047.50 with \$364,759.14 charged to Sewer and \$89,205.23 charged to Water.

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

NAYS: None

Unanimously carried

Justin Horvath with the Shiawassee Economic Development Partnership spoke to the Council regarding the City of Durand being the preferred site in Shiawassee County. He stated that the City of Durand has the most potential (out of the four largest cities; Owosso, Corunna, Durand and Perry) with its close proximity to I-69 and having its own waste water treatment plant. Mr. Horvath said the next step is getting options on land so that when developers are ready the City has options in place.

Boggs moved, McDonough supported to approve the following property options:

- Markley – 3 year option
- Irish Farms – 10 year option for \$5,000.00

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

NAYS: None

Unanimously carried

Mayor Doyle adjourned meeting at 6:50 p.m.

Minutes of the regular meeting of the Durand City Council held on Monday, February 1, 2016 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, Copley, Mayor Doyle, Matejewski, McDonough, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, Brands supported to approve the minutes of the regular meeting held on 1/4/2016 and the special meeting held on 1/25/2016 as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Boggs supported to approve to pay bills #46158-46258.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Presentation: 911 Millage Request – Duane Ballard, He asked for support for the 911 proposal that will be placed on at the March 8th ballot. This proposal requests that each phone, cell phone or landline, be charged a \$2.65 fee each month that will be used to support the Shiawassee 911 system. Mr. Ballard stressed that the Shiawassee 911 system is a separate entity from the Shiawassee Sheriff's Department and the money collected from this proposal can only be used for the 911 system.

Presentation: City of Durand Water Quality

Steve Mince, DPW Supervisor gave a brief overview of our water quality and then turned the program over to Travis Wines, Operator who gave a power point presentation. Travis said that lead does not occur naturally in water, lead comes from plumbing. The City of Durand conducts sample testing every three years according to DEQ standards. Out of 100 samples that the City of Durand has taken in the last 5 years 98 came back with zero lead in them, the other two samples had trace amount of

lead. He stated that the City of Durand has never had any issues with lead and does not anticipate ever having any problems with lead.

Boggs moved, Brands supported to approve the 2016 Professional Community Planning Services Agreement with Wade Trim in the amount of \$6,600 and the annual development review fee schedule, as presented.

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

NAYS: None

Unanimously carried

Boggs moved, VanRiper supported to spend up to \$10,000 on new Christmas decorations at Bronner's to take advantage of their 25% off winter sale.

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

NAYS: None

Unanimously carried

McDonough moved, Cobley supported to approve the invoice from Utilities Instrumentation Services in the amount of \$3,190.47 to replace the level transmitter in the ground water storage tank.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK ON AGENDA ITEMS ONLY

No one spoke

DEPARTMENT REPORTS:

DPW Supervisor: No comment

City Engineer: She reported that work continues at the Genesee Street Lift Station.

Treasurer: No comment

City Attorney: No comment

City Manager: No comment

COUNCIL COMMENTS:

VanRiper: He asked the City how are we going to identify the streets that will be included in street repairs. The City Engineer said that recommendations will be coming back to the city very soon.

Cobley: She said that she would like to talk about mosquito control at the next meeting.

Matejewski: He said that he is happy that things are running smoothly.

Brands: He thanked the Water Department for the great job they do.

Boggs: He echoed what Brands said and added that we have safe, usable water in Durand.

McDonough: He encouraged people to get the facts of a story and to not get all their info off the web. He also would like to check into having the city sprayed for mosquitos.

Mayor Doyle: She thanked the Water Department for the great job on the presentation.

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

JANUARY 25, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Monday, January 25, 2016 in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

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

Absent: None

APPROVAL OF AGENDA:

Boggs moved, **Brands** supported to approve that agenda as presented.

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

Boggs moved, **McDonough** Supported to approve Draw Request #8 in the amount of \$224,946.19 which includes Engineering invoices for \$35,392.28 and Construction invoices for Rhode Brothers Excavating for \$40,677.01, Industrial Painting Contractors, Inc. for \$121,352.05 and Layne Christensen Company for \$27,524.85.

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

NAYS: None

Unanimously carried

Sandra Dearden, CEO of Highroad Consulting was present to discuss on going issues regarding the railroad. City Council presented Ms. Dearden with the following priorities:

- **Adjusting** time and gate closures
- **Clean up** rail yard; landscape property and install sidewalks

- Additional crossing on south end of community
- Negotiate opening Railroad Street

Boggs moved, McDonough supported to approve consulting contract with Highroad Consulting in an amount not to exceed \$6,000.00.

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

NAYS: None

Unanimously carried

Mayor Doyle adjourned the meeting at 7:10 p.m.

JANUARY 4, 2016 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held on Monday, January 4, 2016 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, Matejewski, McDonough, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

Boggs moved, McDonough supported to approve the agenda with the addition of E: Approval of Mayoral Appointment to ZBA.

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, Boggs supported to approve the minutes of the regular meeting held on December 7, 2015 and the special meeting held on December 17, 2015 as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Brands supported to pay bills #46050-46157.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Karen Carsten, 608 Mackinaw Street asked the Council “who owns the property between the parking lot (of the depot) and the (railroad) track”. She said that the area isn’t draining properly and it’s unattractive. She asked if something could be done about this problem. The City Manager said that she doesn’t know who owns the property but she will look into it.

ITEMS OF BUSINESS:

VanRiper moved, McDonough supported to approve the bid for air duct cleaning at City Hall to Modernistic in the amount of \$1,950.00.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to accept the bid from Wiseman Realty to purchase the commercial land located at 8881, 8899, 8981 and 8989 Lansing Road at the bid price of \$300,000 for the development of a new automotive dealership.

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

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to approve amendment #2 to the contract with C2AE for professional services required for the DIG parking lot project for \$9,550.00.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve amendment #5 to the contract with C2AE for professional services required for the Rural Development Water and Sewer Improvements, Contract #1 in the amount of \$61,500.00.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to appoint James Schuyler to fill the vacancy on the Zoning Board of Appeals.

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

DPW Supervisor: Nothing to add

Chief of Police: He told the Council that he hired a part-time officer who was a reserve officer for the City, and just graduated from the academy.

City Engineer: She told the Council that the light poles for the new parking lot should be delivered this week and Deisler's Electric will begin working on them ASAP.

City Treasurer: Nothing to add

City Attorney: Nothing to add

City Manager: She said "It's a brand new year and we've had a great kick off and I hope the momentum continues" through the year. She said she is very excited.

COUNCIL COMMENTS:

VanRiper: He thanked the guys for decorating the downtown.

Cobley: She asked for an update on the new website. City Manager said that meetings are scheduled for later this month.

Matejewski: He said that he is excited for the Randy Wise project. He hopes that other surrounding businesses take notice and spruce up their area. "We want everyone to come to Durand".

Brands: He challenges anyone to look around the State of Michigan and compare their city (of 3500 people) with what is happening in Durand. He said that these are exciting times for Durand.

Boggs: He said that he has been on the Council for 12 years and this is not the same Council that it was a decade ago. Exciting times for Durand.

McDonough: We will take some money from the sale of the Lansing Road property to put towards the repair of the streets.

Doyle: She stated that 30 years ago there was nothing on Lansing Rd. She said "really good things are going on today", it's a small town where people feel welcomed and safe.

Mayor Doyle adjourned the meeting at 8:32 p.m.

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Thursday, December 17, 2015 at 6:00 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

**Present: Boggs, Brands, Cobley, Mayor Doyle. Matejewski, 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:

Boggs moved, McDonough supported to approve Draw Request #7 in the amount of \$582,255.67 which includes Engineering invoices for \$40,002.88 and Construction invoices for \$542,252.79 of which \$10,090.00 is ineligible for RD reimbursement and will be paid out of the City Street Fund.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the land purchase option agreement for the Van Agen property located on Lansing Road.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

Mayor Doyle adjourned the meeting at 6:28 p.m.

DECEMBER 7, 2015 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held on Monday, December 7, 2015 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, Matejewski, McDonough, VanRiper

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, VanRiper supported to approve the minutes of the special meetings on October 28, 2015, November 12, 2015 and November 30, 2015, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, Brands supported to pay bills #45838-46049.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Paula Brooks, 104 W. Summit She stated that even though she is not a resident of Durand, she will continue to come to City Council meetings and ask questions as a concerned member of the community.

ITEMS OF BUSINESS:

McDonough moved, Matejewski supported to approve the request from the Durand Eagles to use the requested city intersections to raise funds for their annual Old Newsboys fundraiser on Friday, December 11th, as outlined by the City Manager's recommendations.

Unanimously carried

McDonough moved, VanRiper supported to approve the 2015 City at Large Drain Assessment to the Shiawassee County Drain Commission in the amount of \$1,637.95.

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

NAYS: None
Unanimously carried

Boggs moved, McDonough supported to approve the lease agreement with DUSI, as presented by the City Attorney.

Councilwoman Copley stated that she is opposed to section 16.3 that says in part “In the event of insolvency, tenant shall assign all railroad documents, memorabilia, antiques and assets of the tenant to the Landlord. To this end, the landlord reserves the right to establish an appropriate 501C3 entity to receive these assets”. She does not agree with this and stated that she is upset with the DUSI Board for accepting this lease agreement. City Attorney, Chuck McKone stated that the following sentence is equally important. It read as “This provision shall not apply if such a transfer is prohibited by State or Federal law or by any contracts or agreements made with the State of Michigan prior to August 31, 2015 by either DUSI or the City of Durand related to the status of the Depot building as an authorized museum.

YEAS: Mayor Doyle, Matejewski, McDonough, VanRiper, Boggs, Brands
NAYS: Copley
Carried 6-1

CITIZENS SPEAK – AGENDA ITEMS ONLY

Paula Brooks, 104 W. Summit St She asked that now that there is an agreement between DUSI and the City of Durand will IFP be dropped.

DEPARTMENT REPORTS:

DPW Director: He stated that last Thursday we had an esthetic problem at the water plant that caused minerals to precipitate out. The water has been tested and is perfectly safe. He stated that most of the major construction work has wrapped up for the season. He said that the masons are working on the parking lot and the electrical company is working on the conduits. He wished everyone a Merry Christmas and Happy New Year.

Fire Chief: He told the Council that they will be conducting a Candy Cane Run on December 20th. This is when the children stand on their front porches and the fireman deliver candy canes to the children. Chief Rinker wished everyone a Happy Holiday and a Safe Holiday.

City Engineer: She stated that work continues on the pump stations at Dover Estates and Genesee Street.

City Treasurer: She wished everyone a Merry Christmas.

City Attorney: He thanked Mary Warner-Stone for working hard on the lease agreement.

COUNCIL COMMENTS:

VanRiper: He thanked all of the volunteers for their work at the Depot. He said that the downtown looks beautiful. He wished everyone a Merry Christmas.

Cobley: She thanked all the volunteers at the Depot. She also stated that the downtown looks beautiful. She also thanked the second graders that serenaded the Red Hat Ladies at the depot recently.

Matejewski: He stated that he was glad that we have an agreement with the Depot. He said that he hopes all the bad feelings can heal quickly, let's work together to get people to come and see our building. He thanked all the employees of the City of Durand, "we have the best employees". He wished everyone a Merry Christmas.

Brands: He thanked Dr. Boggs for reaching out to the Cook Family Foundation. He also cited the numerous good things that are happening in our city. He stated that we are not going away, we are growing and he is very excited about that. He wished everyone a Merry Christmas.

Boggs: He thanked the Fire Department for bringing Santa to town. He thanked Jeff Brands and John Matejewski for making the downtown beautiful. He stated that he is excited about the lease agreement, "but now the work starts".

McDonough: He thanked all the volunteers at the Depot. He also thanked Jeff and John and putting up lights in the downtown. He said "let's work together" and he said "that everything in the depot needs to stay at the Depot".

Mayor Doyle: She stated that the fire fighters did a great job with the Christmas Parade. She is excited about the lease and hopes it helps with the healing process. She wished everyone a Merry Christmas.

Mayor Doyle adjourned the meeting at 7:56 p.m.

NOVEMBER 30, 2015 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting of the Durand City Council held on Monday, November 30, 2015 at 7:00 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

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

Absent: VanRiper

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 of the 2014-2015 City of Durand Audit

Paul Bailey, Auditor for Stewart, Beauvais and Whipple presented the audit report to the Council. Mr. Bailey stated that the audit is "Unmodified" which is the best that a municipality can receive. The financial stability is solid and is financially prepared to meet the immediate future. The water and sewer funds are stable and have a healthy fund balance. He stated that the single audit for the Rural Development loan and the CDBG grant will be completed in the next month or so and then will be submitted to the USDA and the MEDC, respectively.

Boggs moved, McDonough supported to accept the 2014-2015 City of Durand Audit, as prepared by Stewart, Beauvais and Whipple, auditors for the City of Durand, and place it on file with the Treasurer's office.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the amendment to the contract with Stewart, Beauvais and Whipple for the 2014-2015 City of Durand Audit for an additional \$6,000 to complete the required single audits and to meet the GASB 68 requirements.

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

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to approve an employee wage adjustment from the 2014-2015 audited budget of 3%.

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

NAYS: None
Unanimously carried

Mayor Doyle adjourned the meeting at 7:38 p.m.

NOVEMBER 12, 2015 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Thursday, November 12, 2015 in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 6:05 p.m.

ROLL CALL:

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

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, McDonough supported to approve Draw Request #6 in the amount of \$908,515.09 which includes Engineering invoices in the amount of \$85,901.76 and Construction invoices in the amount of \$822,613.33.

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

NAYS: None
Unanimously carried

Mayor Doyle adjourned the meeting at 6:18 p.m.

OCTOBER 28, 2015 CITY COUNCIL MINUTES

Minutes of the special meeting of the Durand City Council held on Wednesday, October 28, 2015 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, Matejewski, McDonough, VanRiper
Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

McDonough moved, Brands supported to approve the minutes of the special meetings held on October 1, 2015 and October 15, 2015 and the regular meeting held on October 5, 2015, as presented.
Unanimously carried

APPROVAL OF BILLS:

VanRiper moved, Brands supported to pay bills #45730-45837.
YEAS: Boggs, Brands, Cobley, Mayor Doyle, Matejewski, McDonough, VanRiper
NAYS: None
Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Paula Brooks, 104 W. Summit Street. Once again voiced her opinion on how unnecessary the downtown parking lot is and made derogatory comments about certain councilmembers and the DDA.

Jim Roddy, 709 Olivet St., Voiced his concerns on the legality of the Rental Registration and Inspection program.

Karen Carsten, 608 Mackinaw, She asked when the lease agreement with DUSI will be ready to be approved. She thought that it would be approved by now.

CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:

Matt McKone, City Attorney said that Chuck McKone and Mr. Newman, attorney for DUSI are putting the finishing touches on the lease agreement and should come to the council at the next meeting. City Manager said that the negotiation committee should have an opportunity to review the lease before going to council.

ITEMS OF BUSINESS:

McDonough moved, Cobley supported to approve the request from the DDA to host Santa's Light Parade on Saginaw and Main Streets on November 27, 2015.
Unanimously carried

Boggs moved, McDonough supported to approve the Mayoral appointments of Anna Tirtha and Kathy Olund to the DDA Board of Directors.

Unanimously carried

McDonough moved, Boggs supported to award the bid for crushed limestone to Constine Gravel Company at \$19.50 per delivered ton, and the bid for washed sand to Fuoss Gravel Company at \$5.95 per delivered ton.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to place the delinquent accounts and invoices as prepared by the City Treasurer and owed to the City be placed on the 2015 winter tax roll for collection.

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

NAYS: None

Unanimously carried

McDonough moved, Matejewski supported to place the special assessments for sidewalk replacement, as prepared by the City Treasurer, be placed on the 2015 winter tax roll for collection until paid in full.

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

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to approve the invoice from Kennedy Industries in the amount of \$1,745.00 for technical services required for the high service pumps at the Water Plant.

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

NAYS: None

Unanimously carried

**CITY OF DURAND
RESOLUTION NO. 2015-1028
RESOLUTION AUTHORIZING
INSTALLMENT PURCHASE CONTRACT FOR THE
CONSTRUCTION OF A PARKING LOT, WALKWAY,
AND RELATED IMPROVEMENTS**

At a special meeting of the City Council of the City of Durand, Shiawassee County, Michigan, (the "Council"), held on the 28th day of October, A.D., 2015, at 7:30 p.m., local time.

PRESENT: Boggs, Brands, Cobley, Mayor Doyle, Matejewski, McDonough, VanRiper

NAYS: None

ABSENT: None

The following resolution was made by Boggs and seconded by VanRiper:

WHEREAS, the CITY OF DURAND (the "City") has entered into two Standard Form of Agreements between Owner and Contractor on the Basis of a Stipulated Price with the ROHDE BROTHERS EXCAVATING, INC., a Michigan Corporation, of 1240 N. Outer Drive, Saginaw, Michigan 48601, (the "Seller") and with DEISLER ELECTRIC, INC., a Michigan Corporation, of 8978 Lansing Road, Durand, Michigan, 48429, (the "Seller") and with MEDLER ELECTRIC COMPANY, a Michigan Corporation, of 2155 Redman Dr., Lansing, Michigan 45202 for the construction of a parking lot, walkway and related improvements, as more fully described in such agreement (the "Property"); and

WHEREAS, it is determined to be necessary and desirable and in the best interest of the City that the acquisition of the Property be financed all or in part by installment purchase authorized under the provisions of Act No. 99, Public Acts of Michigan, 1933, as amended ("Act 99"), and more specifically by the acquisition of the Property pursuant to an installment purchase contract with the Sellers and Huntington Public Capital Corporation attached hereto (the "Bank" or "Assignee") to be dated the date of delivery thereof (the "Contract"); and

WHEREAS, the aggregate outstanding balance, exclusive of interest, of all purchases made by the City pursuant to Act 99, including the Contract, does not exceed 1-¼% of the taxable value of the real and personal property in the City.

NOW, THEREFORE, BE IT RESOLVED that:

1. It is hereby found to be necessary and desirable for the City to finance all or a portion of the cost of the Property in the aggregate principal amount of not to exceed \$450,000.00 (\$340,798.48 with Rhode Brothers Excavating, Inc., and \$53,000,00 with Deisler Electric, Inc. and \$56,201.52 with Medler Electric Company) for the construction of the parking lot, walkway and related improvements on the Property of the City pursuant to the terms and conditions of the Contract; and the City hereby pledges its full faith and credit for the payment of its obligations thereunder.

2. The Council shall include in its budget and pay the sum or sums necessary each year to meet the payments due pursuant to the provisions of the Contract.

3. The Contract shall be dated the date of delivery thereof to the Bank. Principal of the Contract shall be payable in installments on the dates and in the amounts set forth in the payment schedule attached as Exhibit A hereto. Interest on the unpaid principal of the Contract shall be due and payable semi-annually, commencing on May 1, 2016, at the per annum rate of 2.68%. Installments of principal may be prepaid by the City on any date, in whole or in part, at par plus accrued interest to the date fixed for prepayment, upon the giving of notice as provided in the Contract. Minimum annual principal payments shall be \$45,000.00 payable on May 1 of each year.

4. The Mayor and the Clerk of the City are hereby authorized to enter into the Contract in the form approved by them and consistent with the terms of this Resolution. The approval of such form shall be conclusively evidenced by their signatures on the Contract. The Contract may be executed in counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

5. The Council covenants to comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), necessary to maintain the exclusion of interest on the Contract from gross income for federal income tax purposes.

6. The Mayor, the Clerk, the City Manager and other officers of the City as may be necessary are each hereby authorized to execute and deliver such documents, instruments and certificates as are necessary or desirable to consummate the described transactions and to maintain the exclusion of the interest on the Contract from gross income for federal income tax purposes.

7. The Council hereby designates the Contract as a "qualified tax exempt obligation" for the purpose of deduction of interest expense by financial institutions under Section 265(b)(3)(B) of the Code.

8. The City shall at all times retain control of the Property and shall maintain the Property for public use and purposes.

9. The useful life of the Property is determined to be 20 years and upwards.

10. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

RESOLUTION DECLARED ADOPTED

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

NAYS: None

ABSTENSIONS: None

McDonough moved, Boggs supported to approve the software renewal contract with CORE Technology in the amount of \$1,653.00 for Talon Incident Management system technology support.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

**James Roddy, 709 Olivet St. He asked what is CORE Technology
Chief Hartz told him that it is program that the police department uses for putting reports and evidence into a data base.**

DEPARTMENT REPORTS:

Police Chief Hartz: Everything is going well.

Fire Chief: The fire hall will be open during Trick or Treat hours. They will provide cider and donuts and they will also check candy on request.

City Engineer: She stated that good progress is being made on the Rural Development Project. They will start paving next week – weather permitting. She said that the contractors are working on the ground tank at the Water Plant. They are working on the inside now and plan to have the outside painted by the end of this year.

Treasurer: Auditors will be at the Council Meeting on December 7th to present its finds of the audit. Winter taxes will be mailed December 1st.

City Attorney, Mr. Matt McKone: He gave the Council an update on the lawsuit with 4 Star Landscaping trial. The jury came back in favor of the City.

City Manager: She stated that the hours for Trick or Treating will be 6:00 p.m. – 8:00 p.m. on Saturday, October 31st. She reminded the Council that there is an election next Tuesday, November 3rd. There will be two items on the ballot; one for school bond renewal and SATA funding request.

COUNCIL COMMENTS:

VanRiper: Can the Attorney address the Rental Registration and Inspection Ordinance, to make sure we are legal.

Cobley: No comment

Matejewski: He stated that he and Jeff are putting up the Christmas lights in the downtown and they would like to be done for the Veterans Parade on November 11th. They are looking for people to help with this project.

Brands: He stated his comments regarding township people were only directed at one individual. He said that he takes all negative comments personally.

Boggs: He told Paula Brooks that she can speak all you want but every time you speak I will let the audience know that you live in the township. Especially when you comment on taxes that you do not pay and when you comment on councilmen who do not represent you. People should know that you do not live in the City.

McDonough: No comment

Mayor Doyle adjourned the meeting at 8:06 p.m.

OCTOBER 15, 2016 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Thursday, October 15, 2015 at 6:00 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

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

APPROVAL OF AGENDA:

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

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

City Manager updated the Council on the Rural Development Project. She stated that the contractors are installing curb and gutter in both locations, Southwest and Northeast quadrants of the City. As soon as the curb and gutter is complete, they will begin laying the base coat of asphalt.

Update to Contract #3: The contractor preformed the initial inspection on the water storage tank and found further ageing on the ground storage tank than they anticipated. She has no specifics as of now but does expect additional costs due to pits that were found under the water line. This will require the entire inside of the tank to be renovated therefore, a change order to this contract will be coming.

Councilman McDonough stated that a “mud valve” should be installed in the water tank.

Boggs moved, McDonough supported to approve Draw Request #5 in the amount of \$402,688.31 which includes Engineering invoices for \$53,427.49 and Construction invoices for \$349,260.82.

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

NAYS: None
Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No spoke

Mayor Doyle adjourned the meeting at 6:20 P.M.

Minutes of the regular meeting of the Durand City Council held on Monday, October 5, 2015 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

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

Absent: McDonough

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

VanRiper moved, Boggs supported to approve the minutes of the regular meeting held on September 14, 2015 and the special meeting held on September 14, 2015, as presented.

Unanimously carried

APPROVAL OF BILLS:

VanRiper moved, Brands supported to pay bills #45668-45729.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZEN'S PRESENT:

Paula Brooks, 104 W. Summit Street. She complained about the city's procedure of appointing a person to the recent vacant council seat. Ms. Brooks also commended Cobley and McDonough on voting no on the additional funding for the DIG project. She stated that she believes that the additional costs are too great for the City.

Kent Edwards, RR Days Committee, He asked if the new parking lot was going to be ready for the Railroad Days Committee to use during Railroad Days, May 2016.

Bruce DeVoe, Atwater Street. He stated that he does not want the City to apply for any grants. He believes that grants increase the federal deficit and "we should stop seeking all federal grants".

CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:

There were none

ITEMS OF BUSINESS:

Presentation: Reed Raymond #2282 presented the City Council with a check in the amount of \$2,000 from their annual golf outing and a check in the amount of \$500.00 from the Middleton Family. These funds will be used for the Veterans Memorial Park.

Presentation: Friends of the Durand Area Schools: Connie Shepard and Blair Pancheck, both members of the Durand Area Schools Board of Education were present to explain the upcoming bond issue that will appear on the November 3rd ballot. They stated that the school district is proposing to refinance the 2005-2006 bonds for a cost savings of 6.4 million dollars. They are proposing to use the 6.4 million dollars for building upgrades.

Councilman Boggs stated that by refinancing the bonds it frees up money to use for improvements that wouldn't happen any other way.

VanRiper moved, Brands supported to cast the City's ballot for the candidates, as listed, for the Michigan Municipal League Liability and Property Pool Board of Directors.

Unanimously carried

Boggs moved, Cobley supported to award the bid to purchase a 2016 Ford F350 Dump Truck from Signature Ford through the MIDeal bid procurement program in the amount of \$37,698.00.

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

NAYS: None

Boggs moved, VanRiper supported to award the installment loan financing for the downtown infrastructure project to Huntington Public Capital Corporations, a division of Huntington Bank, at the low bid rate of 2.680 percentage to borrow \$450,000 with ten (10) year maturity.

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

NAYS: Cobley

Carried 5-1

Boggs moved, Matejewski supported to authorize the expenditure of street funds to mill and resurface Livingston, Tuscola and Harvard streets in an amount not to exceed \$196,771.24.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

Paula Brooks, 104 W. Summit Street She asked for clarification on funding sources for the DIG add-ons.

DEPARTMENT REPORTS:

DPW Director: He stated that the control panel at the WWTP will be installed by the end of the week. The last brush pickup for the year begins tomorrow. Rural Development project is coming along, they will start to pour curb in the Southeast section of the City tomorrow.

City Engineer: Work is taking place on both sides of town. She stated that the streets will have a coat of asphalt before winter with the finish coat being applied in the spring.

Treasurer: The annual audit took place last week.

City Attorney: He welcomed John Matejewski to the Council. He stated that due to scheduling conflicts he was not able to get with Mr. Newman, attorney for DUSI. He said that he is very optimistic that he will be able to bring a lease agreement to the next meeting for a vote. Mr. McKone also said that he will be contacting Consumer's Energy in regards to the delay tactics with the DIG grant.

City Manager: She stated that the DIG grant is stalled by Consumer's Energy, which Mr. McKone will investigate. She stated that on this past Sunday the softball fields were dedicated to Mr. Fred Summerhays and Mr. Lloyd Fredrick. She said that members of both families were present for the ceremony. She said that the fields are in the best shape ever.

COUNCIL COMMENTS:

VanRiper: He asked the City Engineer if snow plowing would be a challenge this year in light of the Rural Development project. City Engineer said no it would not be a problem.

Cobley: She said that Optimist Park is "finally a good feeling park".

Matejewski: He said yesterday at the Park dedication ceremony/game was great! Veterans Memorial Park is looking great with the fencing going up. He said that Denny Weir, who is doing the brick work, is doing excellent work.

Brands: He thanked the VFW for all their work at the Veterans Memorial Park. Mr. Brands told Ms. Brooks that she must not like parking lots, she complains about the parking lot currently under construction, and she also complained about the parking lot that was put in at the Depot several years ago. He said the new lot will be a "gathering place".

Boggs: He said he echoes Councilman Brands' remarks. He told Ms. Brooks that it is not fair that you present yourself as a stakeholder, which you are not. Optimist Park dedication was great! The Veterans Memorial Park is looking good. City Manager stated that it is the goal to have the Veterans Memorial Park completed by the Veterans Day, for the parade which will be held in Durand at 7:00 p.m.

Mayor Doyle: She stated that all the delays on the parking lot (DIG Project) are due to Consumer Energy. Kent Edwards said that Railroad Days Committee is hoping to move the beer and wine tasting tent to the new parking lot, along with holding a BBQ cook off contest.

VanRiper: He suggested to the residents that they use their voice to help get Consumers Energy to move forward on project.

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

OCTOBER 1, 2015 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Thursday, October 1, 2015 in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

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

Absent: None

APPROVAL OF AGENDA:

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

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

No one spoke

ITEMS OF BUSINESS:

City Manager told the Council that the project is currently under budget and on schedule. The detention pond is complete, Holmes Street is coming along well, and the East side of the City is on schedule to have the base coat of asphalt done before winter.

Boggs moved, **McDonough** supported to approve Change Order #1 in Contract #2 in the amount of \$7,500.00

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

NAYS: None

Unanimously carried

McDonough moved, **Boggs** supported to approve Change Order 2A – Sewer and 2A – Water, as presented.

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

NAYS: None

Unanimously carried

Mayor Doyle adjourned the meeting at 6:20 p.m.

SEPTEMBER 14, 2015 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held on Monday September 14, 2015 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 7:31 p.m.

ROLL CALL:

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

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPOINTMENT OF CITY COUNCIL MEMBER – PRECINCT II/OATH OF OFFICE

Mayor Doyle opened the nominations.

Boggs nominated John Matajewski. Cobley nominated Susan Carsten.

Mayor Doyle closed the nominations.

Roll Call Vote:

Boggs: Matajewski

Brands: Matajewski

Cobley: Carsten

Mayor Doyle: Matajewski

McDonough: Matajewski

VanRiper: Matajewski

City Clerk administered the Oath of Office to John Matajewski.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, Boggs supported to approve the minutes of the special meetings held on July 30, 2015, August 20, 2015, August 24, 2015 and September 10, 2015 and the regular meeting held on August 3, 2015.

Unanimously carried

APPROVAL OF BILLS:

Boggs moved, Brands supported to pay bills #45480-45667.

YEAS: Brands, Cobley, Mayor Doyle, McDonough (abstain from #45563), VanRiper, Matajewski, Boggs

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZEN'S PRESENT:

Jim Springs, 511 Genesee Street. He stated since due to the construction that took place last year, the curb in front of his home was put in incorrectly and now when it rains water runs into his driveway and leaves a puddle of sand. He would like this fixed. He also stated that during the c 2013 cement construction project, the contractors broke up his cement and he wants the driveway approach replaced or repaired.

Frances Raatikka, 404 N. Oak Street. She stated that her basement flooded due to IWCP capping a drain that was used to operate her washing machine. The problem has been corrected but she is asking for help paying the bill from Lamphere's.

Lynnette Cooke, 404 N. Oak Street. She asked the City to help her mother pay the bill as a result of the flooding that took place in her basement.

Paula Brooks, 104 W. Summit Street. She had several concerns regarding: posting of Public Hearing, 2002 Trust fund money, the Depot lease and the RFP.

Michelle Tomlinson, 225 W. Main Apt. A, She wanted to speak on the Rental Registration Ordinance so she will wait until the Public Hearing to speak.

Judy VanSickle, 9801 E. Newburg Rd. She asked the Council why they needed two seats on the Depot Board.

Steve Perrin, Country Village Apartment Complex, He stated that he is totally against the registration fees. He told the Council that they need to go after the "bad guys". He suggested that they appoint someone to take complaints from renters.

CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:

Boggs: He asked the DPW Supervisor to address Mrs. Raatikka's problem. DPW Supervisor explained what happened and the solution to the problem. City Manager asked for a copy of the bill and said she would look into whether our insurance would cover it. Boggs said that in regards to the Depot lease, what he stated in the paper was correct, both negotiation committees did agree on a tentative lease, it was then sent to the Depot Board for approval and they did not approve it, but approved a different lease which will be reviewed by the negotiation committee and the City Attorney.

Cobley: said announcements need to be made by the Mayor.

VanRiper: He asked the City Manager to check into the situation with Mr. Raatikka.

McDonough: He stated that he wants to see the Depot survive, but that the City has to have a signed lease to protect both organizations.

ITEMS OF BUSINESS:

Presentation: Ben Fredrick, Mayor of the City of Owosso gave a presentation on the different programs that Habitat for Humanity offers. These programs are designed to help low income families with such things as roof repairs, painting of the house and senior citizens who may need ADA upgrades. He stated the Habitat for Humanity continues to provide new build housing as well. He asked for the City's help in identifying people who may need these services.

Presentation: Lori Bailey, Councilwoman for the City of Owosso presented a power point presentation on how the City of Owosso is able to control the cat/kitten population. She and a friend established an organization that provides spaying/neutering at a greatly reduced cost through donations and grants. The organization also helps neighborhoods care for cat colonies. She said that if anyone is interested in establishing an organization such as theirs, she would help get it up and running.

The third presentation that was scheduled was cancelled.

PUBLIC HEARING AND ADOPTION: RENTAL REGISTRATION AND MAINTENANCE ORDINANCE:

City Manager gave a brief update on the Rental Inspection Ordinance; it will provide city staff with another tool to better manage the city's residential housing, ensuring health and safety to those who rent within the city.

Mayor Doyle opened the Public Hearing at 8:31 p.m.

Michelle Tomlinson, 225 W. Main Street She said that she is supportive of the ordinance since she lives in an apartment that has no smoke alarms, mold on the walls, a ceiling that has caved in and the landlord didn't respond for five months. She said that nothing is up to code and the landlord doesn't do anything about it.

Harold Fremb, He said that those are the types of landlords you need to go after, not all landlords are like that. City Manager said that we can't selectively enforce an ordinance; therefore all rentals have to be registered and inspected.

Paula Brooks, 104 W. Summit, She cited an incident where a dead tree limb took out the electricity at a home and the tree was city owned. She asked if the city issue could be tied to the landlord issue.

Mark Perrin, 603 S. Oak He asked that if the current policy allowed the city to address issues. The City Manager said obvious issues can be addressed but we can't go into a home to do an inspection. She said there are cases where renters live where they live because they don't have anywhere else to go. People shouldn't have to live where there is water running through a light fixture.

Marty Johnson said that he currently cannot enter a house even with the occupant's permission. He has to have permission from the owner. With this ordinance the owner has to sign the registration form granting permission for the city to enter and inspect each property.

Mark Perrin stated that a lot of landlords can't absorb the fees and will be passed on the renters. The City Manager said that the City is not charging these fees to make money; she hopes that the city can break even, "we are doing it to protect residents".

Jim Roddy, 709 Olivet asked where does the authority come from to allow the City to do this. What happens if the landlord doesn't sign the form?

Bruce Devoe, 105 Atwater asked if the plan was to use police or city employees as inspectors. He asked if the city would be held liable if they conducted an inspection and then soon after there was a fire. Mr. Devoe believes that this ordinance violates his 4th Amendment rights.

Karen Carsten asked who is going to do the inspections. Chief of Police Hartz introduced Ron Henderson as one who will be performing inspections. Marty Johnson will be doing the training and will be overseeing the program.

Leroy Waite asked if the City has researched to see how other municipalities handled their rental properties. Marty Johnson said that he has done the research.

Mayor Doyle closed the Public Hearing at 9:05 p.m.

VanRiper moved, McDonough supported to adopt the Rental Inspection Ordinance and the associated policies, forms and fee schedule which will take effect 15 days after publication.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to award the bid for spot asphalt repairs to DOW Asphalt in the amount of \$140.00 per ton.

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

NAYS: None
Unanimously carried

McDonough moved, Cobley supported to approve the purchase of an autoclave for the WWTP lab in the amount of \$3,765.00 from Jade Scientific.

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

NAYS: None
Unanimously carried

Boggs moved, Cobley supported to approve the proposed agreement with Gary Stiles to refurbish, sandblast and paint four dump truck boxes and snow plows to retire an outstanding debt owed to the city in the amount of \$17,678.00 and authorize the Mayor and City Clerk to execute the document.

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

NAYS: None
Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

DPW Supervisor: He stated that the detention pond is complete. The project in the Northeast section of town is almost done. The parking lot project is moving slowly, he said he is battling five different utility companies.

Police Chief: End of Summer Cruise was a success. He said that there was a great turnout and he heard a lot of positive comments. He stated that the department took a meth house off the street last week and a total of five people have been arrested as a result.

Fire Chief: He stated that everything is running well.

Building Inspector: He stated that everything is running well.

City Engineer: She stated that things are good, still working on the parking lot.

Treasurer: She told the Council that the annual audit starts September 28th and they will be here about a week.

City Manager: Stated that the MML Conference is being held Wednesday through Friday of this week. She and three other Council people will bring back information to share with the others. She stated that the End of Summer Cruise went well and the Chamber is back on track.

COUNCIL COMMENTS:

VanRiper: He asked if the homeowners on Fitch Street were going to be able to hook up their sump leads while they are exposed. DPW Supervisor said that if the contractor sees the lead they will contact the homeowner. VanRiper also asked if there was a problem with the bricks and mortar at the Veterans Memorial Park. City Manager said that the mortar in the pillars will match the downtown. The mortar on the Memorial is different but it doesn't clash. She said that every change that has been made has been approved by the Parks Board.

Cobley: She reported that she is glad to see that one softball field is done and the other one is being worked on.

Matajewski: He thanked the Council for "taking me on, under your wing". He said that he will show that you made the right decision. He said that he has no agenda, just wants to do what is best for the City.

Brands: He told the Police Chief "good job on the meth house bust". He also told Dave Hildebrandt "good job on the burnout" (at the End of Summer Cruise). Brands told Cobley that she should not be investigating concerns on her own, that she should be reporting those concerns to the City Manager who will then handle the situation.

Mayor Doyle: Said that there are always two sides to every story. If you have concerns you should take them to the City Manager.

Boggs: He welcomed John Matejewski to the Council. He thanked the Police Chief for taking care of the drug issue. He also stated that all concerns should be taken to the City Manager to handle.

McDonough: No comment

City Manager stated that on October 4, 2015 the new fields at Optimist Park will be dedicated to Fred Summerhays and Lloyd Fredrick. The ceremony will take place at 2:00 p.m. and there will be a commemorative softball game to follow the dedication ceremony.

Mayor Doyle adjourned the meeting at 9:54 p.m.

SEPTEMBER 14, 2015 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special joint meeting of the Durand City Council and the Downtown Development Authority held on Monday, September 14, 2015 at 6:30 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 6:33 p.m.

ROLL CALL:

Durand City Council

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

Absent: None

DDA:

Present: Acker, Childs, Doyle, Fuller (arrived at 6:38 p.m.), Roddy, Shaw

Absent: Johnson

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:

Discussion: Proposed Rural Development Financing to Complete DIG Project as Designed

City Manager presented both the City Council and the DDA Board with a spread sheet with the funding summary of the west parking lot and pathway improvements which is part of the DIG Grant. The purpose of this meeting was to discuss the proposed funding for those items that were removed from the original designs. City Manager stated that the additional amount needed to complete the project as designed would be approximately \$450,000.

City Manager said funds could be borrowed from either Rural Development or another private lending institution, using a conventional loan and paying it back in installments, rather than using funds out of the City's General fund, the Sewer Fund and the DDA's General fund. Currently the private lending institution has the lowest interest rate available. This decision needs to be made today or at least in the next several days because the contractors are at a point where they need to include these additions or not include them at all.

Mayor Doyle would like to see the project put back to the way that it was originally designed and would like to repay in increments.

Brands stated that he would like to see it back the designed way. He sees this as a new gathering place with lots of potential.

Brands asked where the money is going to come from. City Manager said that the cost would be split three ways; one-third from the General Fund, one-third from the Sewer Fund and one-third from DDA.

Fuller said that if we are going to do it, let's do it right.

Shaw asked if the electrical hook up included for the businesses. City Manager said that it is included in the cost.

McDonough stated that the electrical hook up should have been caught when it was designed. He also feels that neither the dumpster nor the electrical car charging station is necessary. He stated that we have another parking lot behind Nick's that needs to be done.

Cobley stated that the electrical car charger is already obsolete, technology is moving toward solar. She stated that \$10,000 for landscaping is too much; she is not in favor of the stage nor the car charging station. She feels that \$25,000 for the dumpster is too much and could reduce the cost if it was made from vinyl. She is in favor of the lights, but not the bike rack.

Boggs stated that he would be in favor of removing the electrical car charging station.

Shaw said that vinyl dumpster will look like trash after one year, it needs to be made out of brick because of so many people using it. He does not feel that the landscaping cost is excessive.

VanRiper asked if the cost was for one dumpster. City Manager said that the dumpster was redesigned; it will now be 12'x40' and will not include grease disposals.

City Manager said that we the funds are borrowed from Rural Development then they have to follow federal wage requirements but if we borrow the funds from a private institution the wages will be less, so we may be able to borrow less.

VanRiper said the only thing he doesn't want to see is the electric car charging station.

Boggs moved, VanRiper supported to move forward with the project as discussed with maximum cost of \$450,000, minus the electrical car charging station, based on the lowest interest rate with one-third being charged to general fund, one-third being charged to sewer fund and one-third being charged to DDA.

YEAS: Boggs, Brands, Mayor Doyle, VanRiper

NAYS: Cobley, McDonough

Carried 4-2

The DDA Board also voted on the same motion and it was approved unanimously.

Mayor Doyle adjourned meeting at 7:09 p.m.

Minutes of the regular meeting of the Durand City Council held on Monday September 14, 2015 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 7:31 p.m.

ROLL CALL:

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

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPOINTMENT OF CITY COUNCIL MEMBER – PRECINCT II/OATH OF OFFICE

Mayor Doyle opened the nominations.

Boggs nominated John Matajeweski. Cobley nominated Susan Carsten.

Mayor Doyle closed the nominations.

Roll Call Vote:

Boggs: Matajewski

Brands: Matajewski

Cobley: Carsten

Mayor Doyle: Matajewski

McDonough: Matajewski

VanRiper: Matajewski

City Clerk administered the Oath of Office to John Matajewski.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, Boggs supported to approve the minutes of the special meetings held on July 30, 2015, August 20, 2015, August 24, 2015 and September 10, 2015 and the regular meeting held on August 3, 2015.

Unanimously carried

APPROVAL OF BILLS:

Boggs moved, Brands supported to pay bills #45480-45667.

YEAS: Brands, Cobley, Mayor Doyle, McDonough (abstain from #45563), VanRiper, Matajewski, Boggs

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZEN'S PRESENT:

Jim Springs, 511 Genesee Street. He stated since due to the construction that took place last year, the curb in front of his home was put in incorrectly and now when it rains water runs into his driveway and leaves a puddle of sand. He would like this fixed. He also stated that during the c 2013 cement construction project, the contractors broke up his cement and he wants the driveway approach replaced or repaired.

Frances Raatikka, 404 N. Oak Street. She stated that her basement flooded due to IWCP capping a drain that was used to operate her washing machine. The problem has been corrected but she is asking for help paying the bill from Lamphere's.

Lynnette Cooke, 404 N. Oak Street. She asked the City to help her mother pay the bill as a result of the flooding that took place in her basement.

Paula Brooks, 104 W. Summit Street. She had several concerns regarding: posting of Public Hearing, 2002 Trust fund money, the Depot lease and the RFP.

Michelle Tomlinson, 225 W. Main Apt. A, She wanted to speak on the Rental Registration Ordinance so she will wait until the Public Hearing to speak.

Judy VanSickle, 9801 E. Newburg Rd. She asked the Council why they needed two seats on the Depot Board.

Steve Perrin, Country Village Apartment Complex, He stated that he is totally against the registration fees. He told the Council that they need to go after the "bad guys". He suggested that they appoint someone to take complaints from renters.

CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:

Boggs: He asked the DPW Supervisor to address Mrs. Raatikka's problem. DPW Supervisor explained what happened and the solution to the problem. City Manager asked for a copy of the bill and said she would look into whether our insurance would cover it. Boggs said that in regards to the Depot lease, what he stated in the paper was correct, both negotiation committees did agree on a tentative lease, it was then sent to the Depot Board for approval and they did not approve it, but approved a different lease which will be reviewed by the negotiation committee and the City Attorney.

Cobley: said announcements need to be made by the Mayor.

VanRiper: He asked the City Manager to check into the situation with Mr. Raatikka.

McDonough: He stated that he wants to see the Depot survive, but that the City has to have a signed lease to protect both organizations.

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Presentation: Ben Fredrick, Mayor of the City of Owosso gave a presentation on the different programs that Habitat for Humanity offers. These programs are designed to help low income families with such things as roof repairs, painting of the house and senior citizens who may need ADA upgrades. He stated the Habitat for Humanity continues to provide new build housing as well. He asked for the City's help in identifying people who may need these services.

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because they don't have anywhere else to go. People shouldn't have to live where there is water running through a light fixture.

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Mayor Doyle closed the Public Hearing at 9:05 p.m.

VanRiper moved, McDonough supported to adopt the Rental Inspection Ordinance and the associated policies, forms and fee schedule which will take effect 15 days after publication.

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

NAYS: None

Unanimously carried

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NAYS: None

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McDonough moved, Cobley supported to approve the purchase of an autoclave for the WWTP lab in the amount of \$3,765.00 from Jade Scientific.

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NAYS: None

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

DPW Supervisor: He stated that the detention pond is complete. The project in the Northeast section of town is almost done. The parking lot project is moving slowly, he said he is battling five different utility companies.

Police Chief: End of Summer Cruise was a success. He said that there was a great turnout and he heard a lot of positive comments. He stated that the department took a meth house off the street last week and a total of five people have been arrested as a result.

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City Manager: Stated that the MML Conference is being held Wednesday through Friday of this week. She and three other Council people will bring back information to share with the others. She stated that the End of Summer Cruise went well and the Chamber is back on track.

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that the mortar in the pillars will match the downtown. The mortar on the Memorial is different but it doesn't clash. She said that every change that has been made has been approved by the Parks Board.

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Matajewski: He thanked the Council for "taking me on, under your wing". He said that he will show that you made the right decision. He said that he has no agenda, just wants to do what is best for the City.

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Mayor Doyle: Said that there are always two sides to every story. If you have concerns you should take them to the City Manager.

Boggs: He welcomed John Matejewski to the Council. He thanked the Police Chief for taking care of the drug issue. He also stated that all concerns should be taken to the City Manager to handle.

McDonough: No comment

City Manager stated that on October 4, 2015 the new fields at Optimist Park will be dedicated to Fred Summerhays and Lloyd Fredrick. The ceremony will take place at 2:00 p.m. and there will be a commemorative softball game to follow the dedication ceremony.

Mayor Doyle adjourned the meeting at 9:54 p.m.

SEPTEMBER 10, 2015 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Thursday, September 10, 2015 at 6:00 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

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

Absent: VanRiper

APPROVAL OF AGENDA:

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

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Dennis McLain, Gaines He asked if the debris from the Burn Out that was held on Saturday was going to be cleaned up.

Tom Dorey, Vassar Dr. He said asked the following questions:

- 1. Is the Council planning to oust DUSI?**
- 2. Has the Council been negotiating with another group?**
- 3. Why aren't our questions being answered at the Council Meetings?**

Mayor Doyle stated that the lease agreement was never intended to be on this agenda and as far as the Council is concerned the negotiating committees have an agreed upon lease and it's going to DUSI for approval. She continued stating that nothing can be added to the agenda for a special meeting after it has been posted.

Councilman Boggs stated that August 31st was the deadline for the lease, but there was not a reason to meet because the attorneys had an agreed upon lease that was being sent to each perspective Board for approval. We are waiting to hear if DUSI approved the lease.

Councilwoman Cobley stated that the only lease that she has was one from 2009. City Manager said that is the lease with a few minor changes such as dates and reinstating two City of Durand seats to the DUSI Board. There was a discussion on our charter, charter amendments and the open meetings act.

Cobley asked if the new person that is to be appointed to the Council would be able to vote at Monday's meeting. City Manager explained that the person would be sworn in at the beginning of the meeting, allowing him/her to vote on all issues.

ITEMS OF BUSINESS:

Rural Development Update:

McDonough asked if the project was on schedule. City Manager said according to the weekly meetings, the project is on schedule.

Mayor Doyle said that the streets will have a single layer of asphalt on them before winter and the streets will be finished in the spring.

Cobley asked if the retention pond was completed. City Manager said that it is about half finished.

Boggs moved, McDonough supported to approve Draw Request #4 in the amount of 720,407.95 which includes Engineering invoices in the amount of \$27,287.07 and Construction invoices in the amount of \$693,120.88.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

No one spoke

Mayor Doyle adjourned the meeting at 6:26 p.m.

AUGUST 24, 2015 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting of the Durand City Council held on Monday, August 24, 2015 at 7:00 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

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

Absent: None

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Bruce DeVoe, 105 Atwater He asked the Council who will be replacing Vicki Fuja as a Councilmember? Who does he go to with a complaint? City Manager explained the process of replacing a Councilmember and she told him who the other Councilmembers are who represent him in his precinct.

ITEMS OF BUSINESS:

Boggs moved, McDonough supported to approve the rezoning request from Planning Commission for Webcor Packaging Co., located at 8789 E. Lansing Rd., from C2-Service Commercial District to I – Industrial.

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

NAYS: None

Unanimously carried

McDonough moved, Boggs supported to approve the estimate from Farmland Service, Inc. for stump grinding services in the amount of \$4,000.00.

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

NAYS: None
Unanimously carried

Discussion: Rental Inspection Ordinance

Marty Johnson Zoning Official with the City of Durand explained that several years ago he brought a Rental Inspection Ordinance to the council which was not approved. Over the past year he has been working on a new agreement which is being presented tonight. He stated that 70 to 80% of all ordinance problems are with rental units. He said one of the big changes in this agreement is the annual registration fees. The registration fee is \$25.00 per unit, plus \$10.00 for each additional unit within a single premise and is valid until the unit is sold. He explained that the policies and procedures are separate from the Ordinance so that they can be tweaked without having to come back to Council. Part time police officers will be trained to do the inspections and enter information to the date base.

Cobley said that she is against having police assist in doing the inspections. She believes that anyone doing inspections should have contractor knowledge and experience.

Boggs asked Marty Johnson if he had a plan to train the officers. Marty said that he will be training them in a classroom type situation and will only let them begin after they are fully trained. He emphasized that he will be reviewing all inspections and reports and any necessary second inspections will be done by him personally.

City Manager said that part time reserve officers will be doing the inspections in khaki pants, polo shirt with city logo and they will all have proper identification.

VanRiper said that training and oversight is key. He said that Marty needs to follow up if one inspector has more non-compliances than most. VanRiper asked if a checklist will be provided to landlords prior to inspections. City Manager said that we can put the checklists on the website. Marty Johnson said that's a great idea, so landlords will know the expectations.

Boggs stated that he would like to have time frames added to the flow chart wherever possible.

Discussion: Rural Development Loan to Complete DIG Project as Designed

City Manager gave a brief history of the grant and how after the bids came back so much higher than previously thought, that she and the City Engineer had to trim the project back so that we wouldn't lose the grant. There is now an opportunity to sell bonds with the DDA to complete the parking lot as it had been originally designed. This would include reinstating the lighting along the pathway, the electric car charging stations, the landscaping, an additional dumpster enclosure, as well as funding the electrical hookups to the businesses. City Manager met with the DDA this morning and they have agreed to fund one-third of the project, with the additional funds coming from the sewer fund and the general fund.

McDonough said that he can't see using taxpayer's money for an additional dumpster enclosure or electric car charging stations and he believes electrical upgrades should have been caught by the engineer.

VanRiper said that he also has a "sour taste" for all the extra's. He doesn't want to see the water/sewer funds pay for the extra's. He asked if the City of Durand really needs electric car charging stations.

Cobley stated that she attended the DDA meeting this morning and the business people said that "if you are going to do it, do it right". They were very supportive. She said that the electric car charging stations are the new thing but other places that have them say that they aren't being used. She asked for a breakdown on the cost of each individual item on the list of extra's.

Boggs asked for clarification on the \$75,000 matching funds for the grant. City Manager said that half of the \$75,000 came from DDA and the other half from the sewer fund. He said that he would like to see the breakdown on the cost of each individual item along with the City Manager's proposal.

CITIZENS SPEAK (AGENDA ITEMS ONLY):

Bruce DeVoe, 105 Atwater Street He asked why the Rental Inspection Program necessary. Are there complaints being made?

Marty Johnson said that he receives four to seven phone calls per week from renters who are having problems with the homes. He said that he cannot enter these homes without the homeowners consent. This ordinance will give him the authority to go into these premises to address these situations.

Mr. DeVoe said that having police do these inspections would be unreasonable search and seizure which is a violation to the Fourth Amendment.

Steve Perrin, with Perrin Apartments said that he hates to see any fees involved. He said that they take care and pride of their apartments. He asked if it would be possible to do inspections once every five years and to use this as an incentive for keeping apartments up to code.

Cobley suggested that if landlords have multiply apartments and if after inspecting one third of the apartments, they are all up to code if they could suspend the rest (or another 1/3) of the inspections until the following year.

City Manager said that she would get with Marty and they would come up with something that might work in regards to that situation.

Mayor Doyle adjourned the meeting at 8:39 p.m.

AUGUST 20, 2015 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Thursday, August 20, 2015 at 6:00 p.m. in the Council Chambers of the Durand City Hall.

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

ROLL CALL:

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

Update on Rural Development Construction:

Councilman McDonough asked about the sanitary sewer leads in the Northeast Section of the City of Durand. City Manager said that wastewater department are going door to door.

Boggs moved, McDonough supported to approve Draw Request #3 in the amount of \$665,332.09 which includes Engineering invoices in the amount of \$49,068.70 and Construction invoices in the amount of \$616,263.39.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

No one spoke

Mayor Doyle adjourned the meeting at 6:09 p.m.

AUGUST 3, 2015 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held on Monday, August 3, 2015 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

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, VanRiper supported to approve the minutes of the regular meeting held on July 20, 2015, as presented.

Unanimously carried

APPROVAL OF BILLS:

Boggs moved, McDonough supported to pay bills #45435-45479.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Susan Carsten, 509 N. Mackinaw Street- She encouraged the Council to work together with DUSI for a lease agreement.

Lynne Bowden, 11445 Goodall Rd. – She apologized to the members of DUSI for her outburst during the last City Council meeting. She voiced her support for DUSI.

Paula Brooks, 104 W. Summit St. – She asked the Council several question regarding the status of the 2016 Farmer’s Market location, open meetings act, and DUSI.

Tim Colton, 608 E. Main St. – Voiced her support for DUSI.

Mary Warner-Stone, She stated that the history lesson that City Attorney Chuck McKone told at the last meeting of the City Council was one sided. She also stated that after the negotiations are complete, DUSI intends to reinstate the two City of Durand seats (Mayor and City Manager) to the DUSI Board of Directors.

Jeanette Gomas, 8390 Pittsburg Rd.-She stated that DUSI is the best organization to care for the Depot.

Kathy Sutherland, 106 Detroit – She stated that the City needs a long term lease and DUSI needs the comfort that they will be able to use the building so they can move forward. She said we should be working toward the same goals.

Gene Roussin, 506 Marquette – He voiced his support for DUSI.

Mike Rexin, 914 S. M-13, President of DUSI He stated that DUSI and the City of Durand have been in conversations regarding a lease for a number of years. He said the proposed lease agreement is unreasonable and no other non-profit organization would sign this lease. All that DUSI is asking for is a reasonable agreement. He presented the Mayor with DUSI’s proposed lease agreement.

CITY COUNCIL RESPONSE TO CITIZEN’S PRESENT:

Brands: He said that there are rumors that said the Council approved the lease. He said the Council did not approve the lease, but voted to present the proposed lease agreement to DUSI while the Council reviewed it. Brands held up a flyer from DUSI and said that “things like this do not help the situation”. He said that “we need to come back together and make this work the way it was intended to work”.

Boggs: He said the \$3,500 in the lease was a negotiated number and was originally added by the attorney from DUSI. He told DUSI, if you want to negotiate, you need to come to the table.

VanRiper: He asked how much negotiation has really taken place – everyone wants to fight.

Mayor Doyle: She stated that DUSI wanted to meet last Thursday, the Council wasn’t available but they rearranged their meeting and then DUSI said that they couldn’t meet.

VanRiper: The Council has never seen the financial statements that might indicate what DUSI is capable of doing. He stated that he would like to see a list of items that need to be repaired and costs associated with those repairs. Can DUSI support the building? He asked DUSI if someone with a million dollars came into the City and asked to make all repairs and updates to the building, would DUSI give up the building.

Cobley: She said that she would like to see fourth graders tour the depot and spend time there. Communication is needed on many different levels.

ITEMS OF BUSINESS:

McDonough moved, Boggs 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

McDonough moved, Cobley supported to appoint Councilman Brand as the city's delegate and Mayor Doyle as the alternate for the 2015 Michigan Municipal League Annual Meeting.

Unanimously carried

Boggs moved, VanRiper supported to approve the Traffic Control Order #182 permanently limiting commercial truck traffic on Brookfield and Maryette Streets.

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

NAYS: None

Unanimously carried

VanRiper moved, Cobley supported to approve the annual Durand Area Chamber of Commerce End of Summer Cruise event planned for Saturday, September 5, 2015.

Unanimously carried

Boggs moved, Cobley supported to approve the Change in Standard Lighting Contract with Consumers Energy (contract # 100000285054) to update Consumers Energy owned General Service Unmetered Lighting rate streetlights for the City of Durand.

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

NAYS: None

Unanimously carried

VanRiper moved, McDonough supported to approve the first reading of the rental property registration and maintenance ordinance and move it to second reading and public hearing at the September 14th regular meeting.

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

NAYS: None

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY

Paula Brooks- She asked how the landlords will be notified of the Rental Property Registration and Maintenance Ordinance.

Norma Ward – She asked if the Depot parking lot could be included in the Consumer's Energy Lighting Contract. City Manager said that the two items are not related. What the Council voted on earlier tonight has nothing to do with the Depot lighting.

DEPARTMENT REPORTS:

DPW Director: He gave an update on the Parking Lot Project. Consumers Energy was supposed to start today but because of the storms that went through mid-Michigan last night, they have been delayed. Rural Development project is going well.

Police Chief: He said that warrants have been issued for those individuals who were responsible for the recent larcenies in our community. He also told the Council that he hired a new part time officer. He also said that “they are winding down on ordinance violations because summer is coming to an end”. Councilman Cobley said she would like to have the speed control machine located on Main Street to slow traffic.

Fire Chief: He told the Council that the fire department is having a Safety Day on August 29th at the Durand Eagles to show off fire trucks and equipment. He said that this event is open to the community from 10:00 a.m. until 2:00 p.m. The Shiawassee 911 Board and other area departments will also be attending.

City Manager: She stated that the U of M interns will be attending the next two Farmer Markets interviewing people and gathering railroad stories.

COUNCIL COMMENTS:

Brands: He stated that he wants a lease agreement with DUSI and “I hope that we can bring the community back together”.

Boggs: No comment

McDonough: He stated that on September 30, 2013 when the negotiation teams came together to discuss the depot lease agreement that both sides agreed on a Code of Conduct. DUSI negotiation team violated this code.

McDonough moved, Boggs supported to allow DUSI one more time to meet with the negotiation team by August 31, 2015 and to direct the City Manager to meet with the City Planner to conduct a feasibility study of the depot and create a RFP (Request for Proposals) to present to the City Council.

YEAS: Mayor Doyle, McDonough, Boggs, Brands

NAYS: VanRiper, Cobley

Carried 4-2

VanRiper: No comment

Cobley: She believes that there should be better communication between DUSI and the City of Durand regarding the depot building. She said that she is getting complaints from veterans regarding the bricks at the Veterans Memorial. She is trying to figure out where the turbulence between the City and DUSI began. She believes that the community needs to be better informed.

Mayor Doyle read a resignation letter from Vicki Fuja.

Boggs moved, **VanRiper** supported to accept the resignation letter from Vicki Fuja, with regret, effective today, August 3, 2015.
Unanimously carried

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

JULY 30, 2015 CITY COUNCIL SPECIAL MEETING MINUTES

Minutes of the special meeting (Progress Report on Rural Development Project) of the Durand City Council held on Thursday, July 30, 2015 at 6:00 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 6:00 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 as presented.

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

John Matajewski, 708 Kingswood Street He asked the Council what can be done regarding dogs that chase him as he walks around the neighborhood. City Manager said that he needs to report it to the Police Department and they will handle the situation.

ITEMS OF BUSINESS:

Progress Report: Rural Development Project - It was determined that the Council is satisfied with the written progress reports that have been given to them each Friday with their City Manager's Friday update. Council would like to have an internal report given to them at these special RD update meetings that provide a running total of costs vs. expenditures vs. contingencies. Mayor Doyle stated that even a percentage of project costs used would be helpful.

Boggs moved, McDonough supported to approve Draw Request #2 in the amount of \$470,258.77 which includes Engineering invoices for \$69,580.12 and Construction invoices

for \$400,678.65.

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

NAYS: None

Motion carried unanimously

McDonough moved, Boggs supported to replace the water main on Princeton from Cambridge to Vassar at an addition to Contract #1 Water for \$37,500.00.

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

NAYS: None

Motion carried unanimously

CITIZENS SPEAK AGENDA ITEMS ONLY:

John Matajewski, 708 Kingswood Street. He said that he thinks that C2AE is doing a great job at the detention pond.

Mayor Doyle adjourned the meeting at 6:34 p.m.

JULY 20, 2015 CITY COUNCIL MINUTES

Minutes of the regular meeting of the Durand City Council held on Monday, July 20, 2015 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

PLEDGE OF ALLEGIANCE:

All those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA:

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

Unanimously carried

APPROVAL OF MINUTES:

McDonough moved, Boggs supported to approve the minutes of the regular meeting held on June 15, 2015 and the special meeting held on June 29, 2015, as presented.

Unanimously carried

APPROVAL OF BILLS:

McDonough moved, VanRiper supported to pay bills #45302-45434.

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

NAYS: None

Unanimously carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Susan Carsten, 509 N. Mackinaw Street. She asked the Council to work with DUSI to get a lease that is acceptable to both parties.

Jeanette Gomas, Pittsburg Rd., She encouraged the Council to work with DUSI and it's volunteers, looking forward to the future.

Paula Brooks, 104 Summit Street. She asked the following four questions:

1. Will the 2015-2016 Budget be published?
2. Will Hagle Street be available for the Farmer's Market 2016 Season?
3. What is the status of the \$80,000.00 Trust Fund Grant Monies for Diamond District Park?
4. How much money is left from the Jack McCurry fund?

Tim Colton, 608 E. Main Street. He thanked the DPW for pumping water out of the basement of the depot during the recent storm. He also said that the front canopy on the depot was damaged due to high winds, would that be covered under insurance? He stated that he would like to see cooperation rather than contention in regards to the proposed lease agreement.

Jon Matejewski, 708 Kingswood, He stated that he would like to see something good happen regarding the depot lease agreement.

Mary Warner-Stone, 3810 Reed. She passed out a letter that was sent to the Council in May of 2015. She stated that she would like to have a conversation with the council regarding this letter.

CITY COUNCIL REPOSE TO CITIZEN'S COMMENTS:

Connie Cobley said that she believes that we need a mediator to help with the lease agreement; she suggested the Cook Family Foundation or the Michigan Non Profit Association.

Tom VanRiper stated that if we did use a mediator that both parties should share in the cost.

Brian Boggs stated that he doesn't think that using either the Cook Family Foundation or the Michigan Non Profit Association would be beneficial since they both have a

relationship with the Durand Union Station. Dr. Boggs went on to say that he believes that it should be binding mediation through a court of law.

ITEMS OF BUSINESS:

Presentation: NRMI Website and Marketing Campaign Literature/ Janice Brownson, Secretary.

Ms. Brownson gave a brief history of how the City of Durand acquired the land for the National Railroad Memorial. She said that Howard Johnson donated the land for the park while Jack McCurry gave monies for the development of Diamond District Park. Ms. Brownson said that after meeting with Message Makers, a company that develops websites and marketing campaigns they came up the following marketing strategies:

- The development of a new logo and shield**
- The development of a new website**
- The creation of a Sponsorship Packet for fundraising**
- The development of a 19 point Power Point presentation**
- The development of an outreach plan – How to close the sale**

Ms. Brownson demonstrated the website. Clark Harder will handle the national campaign that is set to launch in September.

Boggs moved, McDonough supported to accept the donation of a retired 3 light union switch and signal from Canadian National Railroad Signal Department in memory of Dallas Brownson.

Unanimously carried

McDonough moved, Cobley supported to award the bid for ferric chloride to PVS Technologies in the amount of \$446.00 per dry ton.

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

NAYS: None

Unanimously carried

McDonough moved, VanRiper supported to award the bio solids removal bid to Synagro Central, LLC for \$0.0399 per gallon hauled and \$800.00 annually for sample collection for a period of five years, or through June 2020.

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

NAYS: None

Unanimously carried

VanRiper moved, Boggs supported to approve the payment of the invoice for membership renewal in the Michigan Municipal League and the Legal Defense Fund at a cost of \$3,397.00.

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

NAYS: None

Unanimously carried

Boggs moved, Cobley supported to approve the ballot language to maintain public transportation services in the city of Durand and place the ballot proposal on the November 3rd election.

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

NAYS: None

Unanimously carried

McDonough moved, Brands supported to approve the purchase of 470 bricks for Veterans Memorial Park from Marsh Products in the amount of \$5,770.00.

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

NAYS: None

Unanimously carried

Boggs moved, McDonough supported to approve the bank rating report, as submitted by the City Treasurer, recognizing that the City of Durand invests with the following listed institutions: First Merit Bank, N.A. – 4 stars, JP Morgan Chase Bank, N.A. – 4 stars, Citizens Bank, N.A. (formerly Known as Charter One) – 4 stars, Fifth Third Bank – 4 stars, Michigan Class – AAA rated by Standard and Poor.

Unanimously carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

Norma Ward stated that she didn't know that the City of Durand was sponsoring NRMI.

Jeanette Gomas asked who the current President of NRMI? City Manager said that T.J. Gaffney is the President. Ms. Gomas asked why the address for NRMI is a P.O. Box in Saginaw instead of Durand. City Manager stated that Dallas Brownson was President and that is where he lived.

DEPARTMENT REPORTS:

DPW Supervisor: He told the Council that the new water main is complete in the North East section of the city and tie in will be done tomorrow. He also said that there was a water main break on Oak Street that will be dug tomorrow also.

Police Chief: He said that there have been a few larcenies involving vehicles. He suggests that people lock their vehicles and if they see or hear anything unusual that they call the police department. They continue to investigate these incidents.

Treasurer: No comment

City Attorney: Gave each Councilman a copy of a proposed lease agreement between the City of Durand and DUSI to review. Mr. McKone gave the Council a history lesson on how and when DUSI was established and a brief timeline of when discussions of having a lease agreement began until present day.

Boggs moved, McDonough supported to present the lease agreement to DUSI as the City Council's best offer with the opportunity for DUSI to come to the negotiation committee one time to settle any and all differences, then DUSI shall come back to the next Council Meeting, on August 3, 2015 with an answer, whereby the Council will approve the lease agreement.

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

NAYS: Cobley

Carried

City Manager: No comment

COUNCIL COMMENTS:

VanRiper: He said that he hopes this lease works out because this building means a lot to him and this community.

Cobley: She stated that she was proud of all the flags that were put all around town to celebrate the Fourth of July. She asked who owns the baggage car because she has conflicting information.

Brands: He said that he wanted to "put to rest" the rumor that NRMI was started by the City to get rid of DUSI. He said this rumor is not true and it is a totally separate organization and will enhance the depot and bring more people into town.

Boggs: He said that the Council continues to negotiate with DUSI because we feel that they bring value to the City but that the City absolutely needs a lease with them.

McDonough: He said that he feels the same as Dr. Boggs.

Mayor Doyle adjourned the meeting at 9:25 p.m.
