

Minutes of the regular meeting of the Durand City Council held on Monday, February 1, 2021 at 6:30 p.m. via Zoom in accordance with Senate Bill 1108.

Mayor McDonough called the meeting to order at 6:30 p.m.

ROLL CALL:

Present: Dr. Brian Boggs, Jeff Brands, Connie Cobley, Rich Folaron, Mayor Ken McDonough, Pat O'Connor, Matt Schaefer

Absent: None

PLEDGE OF ALLEGIANCE:

The Council led the Pledge of Allegiance to the United States of America.

APPROVAL OF AGENDA:

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

Carried

APPROVAL OF MINUTES:

Folaron moved, O'Connor supported to approve the minutes of the regular meeting held on January 4, 2021, as presented.

Carried

APPROVAL OF BILLS:

Boggs moved, Folaron supported to pay bills #53010-53106.

YEAS: Boggs, Brands, Cobley, Folaron, Mayor McDonough, O'Connor, Schaefer

NAYS: None

Carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Don White, Light of Faith Church – offered prayer

CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:

Multiple Councilmembers thanked Pastor Don for the prayer.

ITEMS OF BUSINESS:

SSESA – Quarterly Report: Guy Hubbard with SSESSA gave the Council the following update:

Call list from October 1, 2020 – December 31, 2020

Number of Calls: 134

Mutual Aid Calls: 2

Response Time (Average): 6 minutes/26 seconds

24/7 availability

CITY OF DURAND
RESOLUTION: 2021 POVERTY GUIDELINES
RESOLUTION # 2020-2021/020120

WHEREAS, the adoption of the guidelines for Poverty Exemptions is required of the City Council and

WHEREAS, the principal residence of persons, who the Assessor and the Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Durand, Shiawassee County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the Assessor or the Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the 2021 federal poverty guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

Federal Poverty Guidelines Used in the Determination of Poverty Exemptions

Size of Family Unit	2021 Poverty Guidelines
1	\$12,760
2	\$17,240
3	\$21,720
4	\$26,200
5	\$30,680
6	\$35,160
7	\$39,640
8	\$44,120
For each additional person	\$4,480

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

The foregoing resolution offered by the City Council Member/ Board Member _____ and _____ supported by _____ City Council Member/ Board Member _____.

Upon roll call vote, the following voted:

“Aye”: _____

“Nay”: _____

The City Clerk declared the resolution _____.

Clerk Date

Schaefer moved, Brands supported to approve the 2021 Poverty Guidelines Resolution as presented.

YEAS: Brands, Copley, Folaron, Mayor McDonough, O’Connor, Schaefer, Boggs

NAYS: None

Carried

Public Hearing – Consideration of Rural Development Grant to Fund New Police Cruiser
Mayor McDonough opened the Public Hearing at 6:45 p.m.

No one spoke

Mayor McDonough closed the Public Hearing at 6:46 p.m.

Folaron moved, Schaefer supported to approve the application for the Rural Development
Community Facilities Grant to purchase a new Police Cruiser in the 2021-2022 fiscal year.

YEAS: Cogley, Folaron, Mayor McDonough, O'Connor, Schaefer, Boggs, Brands

NAYS: None

Carried

Public Hearing – Winter Overnight Parking Ordinance

Mayor McDonough opened the Public Hearing at 6:48 p.m.

No one spoke

Mayor McDonough closed the Public Hearing at 6:49 p.m.

Boggs moved, Mayor McDonough supported to adopt the amended Winter Overnight Parking
Ordinance.

YEAS: Folaron, Mayor McDonough, O'Connor, Schaefer, Boggs, Brands, Cogley

NAYS: None

Carried

Folaron moved, Brands supported to approve the quote from Onix Networking Corporation in
the amount of \$8,008.00.

YEAS: Mayor McDonough, O'Connor, Schaefer, Boggs, Brands, Cogley, Folaron

NAYS: None

Carried

Schaefer moved, Cogley supported to approve the annual cost for ongoing software service and
maintenance from BS&A Software in the amount of \$9833.00.

YEAS: O'Connor, Schaefer, Boggs, Brands, Cogley, Folaron, Mayor McDonough

NAYS: None

Carried

Schaefer moved, Folaron supported to approve Pay Application #4 in the amount of \$142,042.74
and Pay Application #5 in the amount of \$135,882.65 to RCL Construction Company, Inc.
pending approval from the Michigan Economic Development Corporation for Grant Number
MSC-217048-FRZ.

YEAS: Schaefer, Boggs, Brands, Cogley, Folaron, Mayor McDonough, O'Connor

NAYS: None

Carried

Mayor McDonough moved, Folaron supported to approve the request from the Parks and Recreation Department to “set aside” any departmental budgeted unspent funds at fiscal year-end beginning with the fiscal year ending 6/30/2021 and continuing through fiscal year ending 6/30/2023; and to move such funds into Park Development for future projects.

YEAS: Boggs, Brands, Cobby, Folaron, Mayor McDonough, O’Connor, Schaefer

NAYS: None

Carried

Mayor McDonough moved, Cobby supported to approve an amendment to the Engineering Scope of Services Agreement with ROWE PSC dated January 20, 2020 in the amount of \$45,000.00.

YEAS: Brands, Cobby, Folaron, Mayor McDonough, O’Connor, Schaefer, Boggs

NAYS: None

Carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

No one spoke

DEPARTMENT REPORTS:

Fire Chief: He stated that he will have a list of things that are needed in the budget. He said he has three cadets who are going through training. Council person Schaefer said that he appreciated the report that was given to council. He said that many of these needed items are “life and death”.

Police Chief: Chief reports that he has a full crew back from Covid, thanks to the officers that have stepped up.

Clerk/Treasurer: She reports that Frank Walsh would like to hold a special meeting on February 10, 2021 at 7:00 p.m. for the purposes of reviewing the City Manager candidates.

Water/Wastewater Foreman: He reports that Jordan Stewart now has his S4D4 water license and is working on getting his wastewater license. He also said that he is still working on the clarifiers.

Interim City Manager: He reports that he is sending out his Friday updates regularly. Staff is really busy but is keeping up. He reports that James is unable to be here tonight because he has a medical appointment. Pat O’Connor said that he and Andrew met with Consumer’s Energy regarding the lines that run through trees on the Southside of the City. Consumer’s Energy said that those lines are not theirs and that residents should contact their cable companies who should take care of trimming these trees. Ken McDonough said that he would like to see the ice rink up and running. He also would like the DPW to paint the inside of the fire hall. McDonough would also like Andrew to look into getting handicapped signs between Iron Horse and Nick’s restaurant.

COUNCIL COMMENTS:

Boggs: He thanked Pastor Don. He said that he will email a copy of a Letter to the Editor from a former AG teacher regarding chickens.

Cobley: She said the Letter to the Editor was “a very good article”, eggs can be a very expensive as a hobby. She said that parents are getting upset with the condition of the old Simplicity building at 209 S. Oak Street. Parents are afraid that this building is unsafe.

O’Connor: He asked who maintains the billboards along I-69. Cobley said that the properties are owned by several different people. She estimates that it would cost \$5000-\$10,000 to fix them up. The City Clerk said that there is approximately \$1000 in the I-69 sign fund. O’Connor asked to see if staff can find out who owns the sign. He said that the snow plows are getting better.

Folaron: He said that he heard that we were making Shaw Park into a garden. He believes that this should be discussed and voted upon at a council meeting. Cobley said that she found out about a park maintenance grant that is available from the Shiawassee Foundation that had to be submitted with a few short days. Once the grant was submitted, if we received it, then it would go to Council to accept. She said that the Shiawassee Foundation has grant monies that are going un-awarded. Folaron asked the Interim City Manager to check into the light where Cambridge, Yale and Princeton come together, it doesn’t light the area properly.

City Attorney reminded the Council that any deliberation cannot be done through e-mail, it MUST be done at open meetings according to the Open Meetings Act.

Brands: He stated that the DPW was out very early plowing, he appreciated this.

Schaefer: He said, regarding the chicken article “it’s not what we want; we are the people’s voice”. He said that all the comments that he is seeing regarding allowing chickens in the city limits has been supportive. He said that his opinion has not changed. He said that the Simplicity building is on the verge of collapse; we need to be pro-active with this. He said that he likes the idea of a community garden and the \$850.00 grant to start the pilot program at Shaw Park. He stated that should the City receive the grant, he will match the grant with a check, in addition to in kind work.”

Boggs moved, Mayor McDonough supported to adjourn into Closed Session to discuss a Personnel issue at the request of the employee and to allow the supervisor of the employee to be present during the closed session.

YEAS: Cobley, Folaron, Mayor McDonough, O’Connor, Schaefer, Boggs, Brands

NAYS: None

Carried

Meeting adjourned at 7:53 p.m.

Reconvened at 8:18 p.m.

Boggs moved, Mayor McDonough supported to accept Lieutenant Pletscher early retirement request effective in July with the date to be determined later, with payout to be divided into two payments one in June 2021 and one in July 2021.

YEAS: Copley, Mayor McDonough, O'Connor, Schaefer, Boggs, Brands

NAYS: Folaron

Carried 6-1

Boggs moved, Mayor McDonough supported to direct the City Manager, upon Lieutenant Pletscher's retirement, to make Jason Hartz a full time administrator.

YEAS: Folaron, Mayor McDonough, O'Connor, Schaefer, Boggs, Brands, Copley

NAYS: None

Carried

Schaefer moved, O'Connor supported to adjourn the meeting at 8:23 p.m.

Carried

Ken McDonough, Mayor

Mindy McKay, Deputy Clerk