

Minutes of the regular meeting of the Durand City Council held on Monday, March 1, 2021 at 6:30 p.m. via Zoom in accordance with Senate Bill 1246.

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

ROLL CALL:

Present: Brian Boggs (Durand), Jeff Brands (Durand), Connie Coble (Durand), Rich Folaron (Durand), Mayor Ken McDonough (Durand), Pat O'Connor (Durand), Matt Schaefer (Durand)

Absent: None

PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA:

Boggs moved, Brands supported to approve the agenda with the following additions: A1: Mayoral Appointment to Board of Review/Sara Pettit and X1: Closed Session.

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

NAYS: None

Carried

APPROVAL OF MINUTES:

O'Connor moved, Coble supported to approve the minutes of the regular meeting held on February 1, 2021, with corrections and to approve the minutes of the special meeting held on February 10, 2021 as presented.

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

NAYS: None

Carried

APPROVAL OF BILLS:

Mayor McDonough moved, O'Connor supported to pay bills # 53107-53186.

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

NAYS: None

Carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Pastor Don White, Light of Faith offered a prayer.

Deb White, 512 N. Saginaw Street. She had a question involving the directional arrows from W. Clinton Street into the Post Office. She also told the Council that the basketball court lights are on.

Paula Brooks, 104 W. Summit St. She said that she was disappointed in the Argus Press article regarding Saturday's meeting. Everyone needs to work for the best interest of residents and staff.

Mary Stone, Director DUSI She told the Council about a fundraiser idea that would assist in the repainting of the Caboose located near Hagle Street. She said the fundraiser is to guess the day in which a large pile of snow near the caboose would fully melt. Many councilmembers thought it was a good idea and said they would buy a ticket or two.

Rob LaPenn, 7373 N. Seymour Rd. Flushing. He asked if the City of Durand was going to approve an ordinance that would allow for recreational and medical marijuana to open in the City.

Patrick Burris, Frankenmuth. He stated that he was the new owner of the building in which Bea's Bakery was going to open.

CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:

Boggs: He said that he would leave the explanation of the turn lane into the Post Office to Rich Folaron.

Cobley: She liked fundraiser idea of guessing the melt date of the snow bank.

O'Connor: Caboose fundraiser is a great idea.

Schaefer: Thank you to Pastor White. He said that he also would like to know the "arrow" situation into the Post Office. He likes the idea of the fundraiser for DUSI.

Folaron: He said that it is proper to drive across Oak Street to go into the Post Office, proceed with caution from either lane. Folaron noted to Mr. LaPenn that he is against marijuana and that it will be discussed tonight.

Brands: Thanks to Pastor Don. Mary that is a great idea for a fundraiser.

Mayor McDonough: Thanks to Pastor Don. Paula, I totally agree with you.

ITEMS OF BUSINESS:

Schaefer moved, Cobley supported to approve the Mayoral Appointment of Sara Pettit to the Board of Review.

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

NAYS: None

Carried

Schaefer moved, Cobley supported to instruct the City Attorney in coordination with Wade Trim if feasible, to draft an ordinance opting into recreational and medical marijuana facilities in the City with discretion on what categories be allowed with exception that retail be allowed downtown, with the number of facilities be determined by the people writing the ordinance and that the ordinance be brought to us as soon as possible particularly if possible by the April or May meeting to discuss further and omit the Planning Commission from the rest of the discussion.

Schaefer moved, Cobley to amend the motion to include limiting Wade Trim's time involved with drafting ordinance to 15 hours.

Schaefer and Cobley rescinded the motion.

Schaefer moved, Cobley supported to instruct the City Attorney, Matt McKone in consultation with Wade Trim, to draft an opt in ordinance for medical and recreational marijuana with due diligence on categories that should be allowed in city limits with specific instructions that retail be allowed downtown and with the pay limit of 15 hours for consultation on Wade Trim's part.

YEAS: McDonough, O'Connor, Schaefer, Brands, Cobley

NAYS: Boggs, Folaron

Carried 5-2

Honeywell Savings Report was given to the Council. No action was taken.

Folaron moved, Schaefer supported to approve the Invoice #6 in the amount of \$3,800 to Revitalize LLC pending approval from the Michigan Economic Development Corporation for Grant Number MSC-218010-FRZ.

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

NAYS: None

Carried

Mayor McDonough moved, O'Connor supported to approve the Pay Application #6 in the amount of \$132,106.49 to RCL Construction Company, Inc. pending approval from the Michigan Economic Development Corporation for Grant Number MSC-217048-FRZ.

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

NAYS: None

Carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

Sara Pettit, 205 Mackinaw St. She thanked the Mayor and the Council for confirming her to the Board of Review. She said that we need to work on voter turnout, we can't assume to know how people who don't vote feel.

Paula Brooks, She said that she would like to know what other communities have spent on the marijuana issue and the residual effects on the community such as police/court costs, children exposed to chemicals and smells. Are children going to school "spaced out"? She also expressed concerns about residents not being able to enjoy their outdoor spaces due to marijuana odors.

DEPARTMENT REPORTS:

DPW DIRECTOR: He stated that all of his updates have already been given to Council through the City Manager's report.

DPW Forman: Mayor asked that his monthly report include more details such as location of where the tree trimming took place, etc. Snow plowing is going better after the first snow storm. People appreciated the ice rink.

Police Chief: He said that February was a relatively slow month. No covid issues this month. There was an article on Officer Jamie Alderman in the school newspaper, she is doing a great job and the children love her.

Water/Wastewater Foreman: He said that there have been several water main breaks that have been repaired.

Fire Chief: He said that everyone should have received his lengthy report. He reports that his department is covid free. Three people are going to class and should graduate in a few months with their Fire Fighter 1 & 2 certificates.

City Engineer: He stated that there is still no bid date for the summer project. They are waiting for the USDA to allow them to go out for bid. Did complete a couple grants for the City during the last few months.

City Attorney: Looking forward to working with Wade Trim on the draft of the marijuana ordinance and working with Frank Walsh on negotiations for the new City Manager Contract.

Treasurer/Clerk: Nothing to add at this time.

Boggs moved, Folaron supported to adjourn into Closed Session to discuss a personnel issue at the request of the employee and to allow Chief Hartz into the session as well.

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

NAYS: None

Carried

Adjourned into Closed Session at 8:07 p.m.

Reconvened at 8:43 p.m.

Boggs moved, Folaron supported to approve the payout of any unused vacation, sick and PD time including the gift of the service weapon to the employee who will be retiring.

YEAS: Brands, Folaron, Boggs

NAYS: Cobley, Mayor McDonough, O'Connor, Schaefer

Failed 3-4

Schaefer moved, Mayor McDonough supported to follow the union contract to pay out sick and normal PTO time and to provide the employee with his service pistol upon retirement.

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

NAYS: Cobley

Carried 6-1

COUNCIL COMMENTS:

Boggs: Thanked Pastor Don. He acknowledged the new City Manager pending a contract, and appreciated that he was here to observe the process, he welcomed him to the City.

Cobley: Pleased that things are peaceful out there, let it rest. Warning, there are coyotes out and about so watch your dogs. Grass will be growing again soon, let's get ready.

O'Connor: He said that he was glad that it's quiet. He said that he was glad to see Cameron Horvath on the meeting. O'Connor said that we need to work for the people, not ourselves...no game playing, it's over.

Schaefer: He expressed his responsibility to work for the people. He spoke about the marijuana issue.

Folaron: Danielle Hawkins asked for support from the Council to send a letter to the governor asking to have people who are vulnerable and disabled be reclassified from C1 to B1, so that they can get a vaccinated sooner.

Brands: Paula brought up some very good views. Lapeer had those same concerns when they were going through this process. I'd like to comment on the article in the paper, we don't have time for this, just bury the hatchet and move on. I've had a couple of issues with Ken, Connie and Pat; we hashed it out, I'm done with it. What said was said and we move on and we get along great.

McDonough: He expressed his concern with people wanting to get the Covid vaccine. He addressed the lawn care issue

Matt McKone suggested that he along with Brian Boggs and Ken McDonough get together tomorrow morning to get a plan together to develop a plan of action on the Covid vaccine. State Rep. Ben Fredrick has recently made comments regarding this issue so it's being taken seriously but we are the second largest City in Shiawassee County and we need to get consideration so let's talk tomorrow morning.

Boggs moved, Cobley supported to adjourn the meeting at 9:06 p.m.

Ken McDonough, Mayor

Mindy McKay, Deputy Clerk