

Minutes of the regular meeting of the Durand City Council held on Monday, April 5, 2021 at 6:30 p.m. in the Council Chambers of Durand City Hall.

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

ROLL CALL:

Present: Brian Boggs, Jeff Brands, Connie Cobley, Rich Folaron, Mayor Ken McDonough, Matt Schaefer

Absent: Pat O'Connor

PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA:

Boggs moved, Schaefer supported to approve the agenda with the addition of K: Approval of Northern Pump & Well Invoice.

YEAS: Boggs, Brands, Cobley, Folaron, Mayor McDonough, Schaefer

NAYS: None

Carried

APPROVAL OF THE MINUTES:

Schaefer moved, Folaron supported to approve the minutes of the regular meeting held on March 1, 2021 and the special meetings held on February 25, 2021 and February 27, 2021 and the minutes of the closed sessions held on November 2, 2020, February 1, 2021, February 10, 2021 and March 1, 2021, as presented.

Carried

APPROVAL OF BILLS:

Mayor McDonough moved, Schaefer supported to approve bills #53187-53280.

YEAS: Cobley, Folaron, Mayor McDonough (abstain # 53255), Schaefer, Boggs, Brands

NAYS: None

Carried

HEARING OF REPRESENTATIVES AND CITIZEN'S COMMENTS:

Deb Doyle, 420 W. Main Street – She welcomed the new City Manager to Durand.

Mary Yarborough, 313 N. Mercer, Light of Faith Church – She offered a prayer

Deb White, 512 N. Saginaw St. She welcomed the City Manager to the City. She asked when the South Oak Street railroad tracks would be repaired.

Ann Slesman, 602 Gomas Court – expressed her opposition to the Chicken/Rabbit Ordinance.

Ken Edwards, Railroad Days Inc. – He said that plans for Durand Railroad Days are moving forward. The event will be held on May 14 -16, 2021.

CITY COUNCIL RESPONSE TO CITIZENS PRESENT:

Boggs: Thanked Rev. Yarborough for the prayer. He stated that the Council received letters regarding the Chicken/Rabbit Ordinance. He thanked them for their comments.

Brands: He thanked Rev. Yarborough for the prayer.

Schaefer: Thanked Rev. Yarborough for prayer. He addressed some of the issues that were raised regarding the Chicken/Rabbit Ordinance. Thanked residents for their comments.

McDonough: He said that there are chickens in the City now. He thanked Rev. Yarborough for the prayer and said that his family needs prayer for his brother.

ITEMS OF BUSINESS:

Folaron moved, Cobley supported to award the bid for ground care maintenance to Clean Cut Complete per the unit prices in their bid dated March 24, 2021.

YEAS: Folaron, Mayor McDonough, Schaefer, Boggs, Brands, Cobley

NAYS: None

Carried

Schaefer moved, Mayor McDonough supported to approve Change Order #3 with RCL Construction Company for an increase of \$6,616.50.

YEAS: Mayor McDonough, Schaefer, Boggs, Brands, Cobley, Folaron

NAYS: None

Carried

Boggs moved, Schaefer supported to authorize the declaration of the aforementioned utility accounts as delinquent.

YEAS: Schaefer, Boggs, Brands, Cobley, Folaron, Mayor McDonough

NAYS: None

Carried

Mayor McDonough moved, Folaron supported to approve the first reading of the Zoning Ordinance Amendments to Zoning Map.

Carried

Schaefer moved, Boggs supported to approve the request as submitted, to close approximately 100 linear feet of Maryette Street right of way, north of Main Street and south of Brand Street, for a graduation party on June 26, 2021 to include a liability insurance rider naming the City as an insured party, if alcohol is served.

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

NAYS: Folaron

Carried 5-1

Boggs moved, Mayor McDonough supported to approve the requests for street closures, the allowance of alcohol on those closed streets and the placement of a communication board as detailed in the letter to the Mayor from Greater Durand Area Chamber of Commerce Incorporated dated March 23, 2021 to include a liability insurance rider naming the City as an insured party, when alcohol is served.

YEAS: Brands, Copley, Folaron, Mayor McDonough, Schaefer, Boggs

NAYS: None

Carried

Schaefer moved, Mayor McDonough supported to send the Marijuana Facilities Licensing Ordinance to the Planning Commission at their next regular meeting, to return to Council at the Council Meeting following the Planning Commission meeting.

YEAS: Copley, Mayor McDonough, Schaefer

NAYS: Folaron, Boggs, Brands

Failed 3-3

Boggs moved, Copley supported to approve Pay Application #7 in the amount of \$243,427.54 to RCL Construction Company, Inc. pending approval from the Michigan Economic Development Corporation for Grant Number MSC-217048-FRZ.

YEAS: Folaron, Mayor McDonough, Schaefer, Boggs, Brands, Copley

NAYS: None

Carried

Mayor McDonough moved, Boggs supported to approve the edible landscape project coordinating it with the Parks and Recreation, DDA and Chamber of Commerce with the addition of displaying signage limiting the City's liability.

YEAS: Mayor McDonough, Schaefer, Boggs, Brands, Copley, Folaron

NAYS: None

Carried

Schaefer moved, Mayor McDonough supported to approve the first reading of Chicken/Rabbit Ordinance.

YEAS: Schaefer, Copley, Mayor McDonough

NAYS: Boggs, Brands, Folaron

Failed 3-3

Boggs moved, Folaron supported to approve the invoice from Northern Pump and Well for repairs to well #1, not to exceed \$14,227.25.

YEAS: Boggs, Brands, Copley, Folaron, Mayor McDonough, Schaefer

NAYS: None

Carried

CITIZENS SPEAK – AGENDA ITEMS ONLY:

Ann Sleeseman – Addressed chicken issue.

Paula Brooks – Commented on Micheal Nazarian's community garden project

Candyce Wolford – Chamber Director She said that the business owners are 100 % behind getting more people in the downtown.

Deb White – She commented on the chicken and marijuana ordinances. She had a question regarding the block closure.

David Eckstein – He introduced himself stating that he is interested in buying the old Simplicity building.

Sam Mogg, 509 Brand – Stated that he was against the marijuana ordinance.

DEPARTMENT REPORTS:

Water/Wastewater Foreman: He said that the upgrades to the sewer plant are complete. He is working on getting budget numbers together.

DPW Foreman: He stated that he received an estimate on work to be done on the old ambulance building. Mayor McDonough asked the Foreman to include fleet maintenance on his monthly reports.

Police Chief: He stated that Officer Rogers retired and Mike Shenk has been hired to replace him. Lt. Pletscher will be retiring in July. He welcomed Cameron Horvath and looks forward to working with him.

Building Inspector/Zoning Administrator: He said with the spring weather, he is focused on blight issues. He also stated that there are two commercial projects started in the City.

DPW Director: He stated that the S. Oak railroad crossing is scheduled to be replaced this year. He stated that now that the new City Manager has started, he will begin to focus on DPW issues again.

City Attorney: No comment

Deputy Clerk: She let the Council know that the office has been experiencing internet issues due to equipment failure with Invisalink, they are working to restore internet services ASAP. She also told the Council about the Budget Workshop dates and times and reminded them of the regular Council Meeting on May 3rd and the special meeting on May 17th to adopt the budget.

City Manager: He said that his first day on the job went well. He said that residents will see him out and about. He said that he is excited to be here and looking forward to working with everyone and his door is always open.

COUNCIL COMMENTS:

Boggs: He welcomed Cameron. He noted that the rough draft of the budget was received as per charter requirements. Councilman Boggs noted that the Marijuana Ordinance or the Chicken/Rabbit Ordinance could return to council only in accordance with the City Charter

Chapter 7.6 (B)(7). Dr. Boggs also said that it may be time to revisit the consent order with Leisure Lake.

Cobley: She discussed the Hazardous Waste Collection that is scheduled to take place at City Hall on May 8, 2021.

Brands: He said that he would like to see the streets get painted this year. The lines on the streets and the curbs need to be painted by a professional. He also inquired about the faded street signs, DPW Foreman responded that his department is already addressing this issue.

Folaron: He thanked the DPW for the work done recently at the Library. He stated that some communities offer rewards for reporting vandalism in and around city property.

Schaefer: He welcomed the new City Manager. He thanked the Police Chief for taking care of the sign issue that was addressed at last month's meeting. He thanked the residents for coming tonight and sharing their opinions. He briefly went over the Fire Chief's report in his absence.

Boggs moved, Cobley supported to purchase to Automatic External Defibrillator's for the fire department, one to be purchased now and one to be purchased in the new fiscal year.

YEAS: Boggs, Brands, Cobley, Folaron, Mayor McDonough, Schaefer

NAYS: None

Carried

Mayor McDonough: He said that kids are playing in the culverts on Holmes Street. He also said that there is flooding and mosquitos on Holmes that need to be addressed. He welcomed the City Manager. He ended by asking everyone to get the Covid vaccine.

Mayor McDonough adjourned the meeting at 8:40 p.m.

Ken McDonough, Mayor

Mindy McKay, Deputy Clerk