

Minutes of the regular meeting of the Durand City Council held on Monday, October 4, 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, 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, O'Connor supported to approve the agenda with the addition of I. Vinewood Street Closure.

Carried

**APPROVAL OF MINUTES:**

Mayor McDonough moved, Schaefer supported to approve the minutes of the regular meeting held on September 20, 2021 as presented.

Carried

**APPROVAL OF BILLS:**

Brands moved, O'Connor supported to approve bills #53941-53992.

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

NAYS: None

Carried

**HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:**

Mary Yarborough, 313 Mercer. She stated that Pastor White is doing better. She offered a prayer.

**CITY COUNCIL RESPONSE TO CITIZEN'S COMMENTS:**

The Council thanked Mary Yarborough for the prayer.

**DPW, UTILITIES, MECHANIC REPORTS:**

Utilities Foreman: He stated that the shut off policy needs to be discussed and possibly changed. He said one fire hydrant has been changed but that several others still need changing as well. He said that they are in the process of winterizing everything.

Mechanic: He said that he received the parts for the street sweeper so that is running again. He also stated several other items that were maintained this month.

DPW Foreman: He stated that most of the library has been finished. He replaced the water heater at City Hall and the skate park has been sealed. Mayor McDonough stated that the golf cart is too fast and we need to clean out the catch basins after heavy rains.

**ITEMS OF BUSINESS:**

Presentation: Daniel Harris and Alexander Keiswetter introduced themselves as co-founders of The Woods which is a marijuana business. They gave a brief overview of what they feel are the benefits of allowing a marijuana retail store in the City.

Presentation: Josh Hicks regarding 209 S. Oak Street property. He and his partners with J&J Ag Equipment, LLC explained how they would like to acquire the property at 209 S. Oak Street and bring in their business of repairing/making tractor parts etc. They explained that they would need the cooperation of the City in order to obtain funds for clean-up of the site.

O'Connor moved, Cobley supported to move to submit a Brownsfield letter on behalf of J&J Ag Equipment, LLC to be submitted to the County Coordinator and the Brownfield Board.

YEAS: Cobley, Folaron, O'Connor, Schaefer

NAYS: None

ABSTAIN: Boggs, Brands, Mayor McDonough

Carried

Boggs moved, Mayor McDonough supported to authorize according to Section 2.441 of the Ordinance, a Market Analysis to be done as soon as possible on the property located at 209 S. Oak Street with the findings to come back to the Council at a special meeting.

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

NAYS: None

Carried

Presentation: Candyce Wolsfeld, Chamber Director gave an update of the events that took place in 2020-2021. Michael Nazarian gave an update on the edible landscape project. He said that it was a huge success and he asked the Council to make it a permanent project of the downtown.

Boggs moved, Cobley supported to approve the schedule of events for 2022 and authorize the appropriate street closures.

Carried

Schaefer moved, Cobley supported to make the edible landscape a permanent project in the downtown to include a \$500.00 yearly budget for the project.

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

NAYS: None

ABSTAIN: Brands

Carried

Mayor McDonough moved, Folaron supported to approve and adopt each of the following policies as presented:

- Federal Awards Administration Policies and Procedures
- Fair Housing Resolution/Policy
- Grievance Procedure
- Non-Discrimination on Basis of Handicap
- Section 3-Economic Opportunities Policy
- Procurement Policy
- Purchasing Policy
- Compensation and Benefits Policy
- Citizen Participation Plan/CDBG Program

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

NAYS: None

Carried

## **PUBLIC HEARING – ICE GRANT CLOSEOUT**

City Manager stated that the purpose of this public hearing was to close out the ICE Grant that was awarded to City for improvements to our sewer plant, including sewer lining from Monroe Rd. to Lansing Highway, new Influent building that houses the new bar screen, repair of storm sewer line from Obert to the Holly Drain.

Mayor McDonough opened the Public Hearing at 7:41 p.m.

No one spoke

Mayor McDonough closed the Public Hearing at 7:42 p.m.

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

Carried

Boggs moved, Cobley supported to approve the terms of the DPW Supervisors Union agreement as presented.

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

NAYS: None

Carried

## **CITIZENS SPEAK – AGENDA ITEMS ONLY:**

Paula Brooks, 104 W. Summit. She commented on housing prices going down, right of way at the 209 S. Oak Street location and cannabis.

Deb White, She commented on cannabis, the sale of 209 S. Oak Street and the edible landscape.

## **DEPARTMENT HEAD REPORTS:**

Fire Chief: He said they had a good turnout at the Harvest Fest. He said that this Wednesday is Safety Day and the Fire Department will be at the elementary schools. October 17<sup>th</sup> will be the training day in the downtown area.

DPW Director: He said that Rob touched on the Water Shut off issue, more information to come at a later date. Council approved the purchase of 25 trees and he has found homes for most of them. He said that the trees will cost between \$4,000 to 4,500 with the Consumers Energy grant providing \$2,500 of that cost.

Police Chief: He told the Council that the AED's were delivered today and all are up and running. He thanked Riverside Market, Graff Chevrolet and the Mason Lodge for their donations that made this purchase possible.

City Engineer: O'Connor moved, Mayor McDonough supported to close Vinewood Street, open to through traffic, to be maintained in the winter by the City with the contractor supplying materials, with paving to take place in the spring, to include a tap of 60 feet of sanitary sewer off Oak Street.

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

NAYS: None

Carried

Treasurer/Clerk: She reported that the audit went well, and will be presented to Council at the December meeting. Baker Tilley is almost ready with the rate study and will be making a presentation at a special meeting.

City Attorney: Nothing to Add

City Manager: He told the Council that he would be attending the MERS Conference later this week in Grand Rapids with the Treasurer/Clerk and Deputy Clerk.

**CITY COUNCIL COMMENTS:**

Boggs: He stated that if Light of Faith were to have issues getting into their parking lot due to the Vinewood Street closure that they could use the basement of City Hall. He also stated that when the Council meetings run longer than one and half hours there should be a five minute break.

Cobley: She said that she is pleased with J&J Ag Equipment, LLC. She said that she would volunteer to help get residents to agree to take a tree in their right of way.

O'Connor: He said that the J&J presentation was good. Congratulations to the supervisors for their union contract.

Brands: He said "nice job on the presentation". He asked if a port-a-john could be placed behind the clock tower from spring thru fall for those people who either walk or are helping with the landscape downtown. He asked that the DPW Director give residents extra time to mow their lawns due to all the rain that we have been getting. He thanked the DPW for getting the rocking chairs assembled so quickly.

Folaron: He thanked the guys for their presentation.

Schaefer: He thanked everyone for coming to the meeting.

Mayor McDonough: He said that the festival went well and he does like the idea of having a port-a-john in the downtown. He also said that the City should have a stricter policy on "shut offs". He said that there is a 19 million dollar grow house project coming to Webberville which is going to bring a lot of money to that city.

Boggs moved, Schaefer supported to go into closed session under section 8 subsection A of the Open Meetings Act to discuss the City Manger's evaluation as he has requested a closed session which is except from disclosure under section 13.1 of the Freedom of Information Act.

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

NAYS: None

Carried

Adjourned into closed session at 8:40 p.m.

Reconvened at 9:18 p.m.

Boggs moved, O'Connor supported to give the City Manager a three percent raise, a \$300.00 per month car allowance and he will have a one year performance evaluation from date of hire.

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

NAYS: None

Carried

Adjourned at 9:18 p.m.

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Ken McDonough, Mayor

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Mindy McKay, Deputy Clerk