

Minutes of the regular Durand City Council meeting held on Monday, November 6, 2023 at 6:30 p.m. in the Council Chambers of Durand City Hall.

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

ROLL CALL:

Present: Brian Boggs, Mayor Jeff Brands, Deb Doyle, Rich Folaron

Absent: Nick Florindi, Pat O'Connor

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 with the additional of I: Approval Brush Grinding and to move item C to A1.

Carried

APPROVAL OF MINUTES:

Folaron moved, Doyle supported to approve the minutes of the regular meeting held on October 2, 2023 as presented.

Carried

APPROVAL OF BILLS:

Boggs moved, Folaron supported to pay bills number 56658-56801.

YEAS: Boggs, Mayor Brands, Doyle, Folaron

NAYS: None

Carried

HEARING OF REPRESENTATIVES AND CITIZENS PRESENT:

Paula Brooks, 104 W. Summit Comments regarding vacant council seat.

Amber Rochefort, 408 N. Hampton Dr. She introduced herself to the Council as she submitted a letter of interest for the vacant at large position.

Trent Atkins, 11567 S. Cork Rd. Morrice He introduced himself as the Emergency Manager for the County. He said that he is currently working on the Hazard Mitigation plan for the county. He also said that he represents SESSA and said that for the month of October, SESSA responded to 64 calls in the City of Durand.

Deb White, 512 N. Saginaw St. She asked people to vote tomorrow for the ambulance service. "We really need them." She offered a prayer.

Sheryl Duguid, 6789 S. Byron Rd., She said that Lansing is trying to take control of zoning (HB5120) from local authorities. She specifically referenced solar farms, she said people should be aware.

Caroline Wilson, County Clerk She said that they are back in the Court House after the renovations have been completed. She said that her office is now doing finger printing in the clerk's office for people with new CPL's. Ms. Wilson gave the Council and update on early voting for the 2024 election year.

CITY COUNCIL RESPONSE:

Doyle: Thanked Deb White for prayer

Boggs: He said that the House Bill has passed and are now are going to the Senate. He said that the special election is being held tomorrow in the City for ambulance services. He said that during the August 7, 2023 council meeting that Tim Delau, representing SESSA, agreed to extend the current contract to July 2024 and city wants him to keep his word.

Doyle moved, Folaron supported to authorize the City Attorney to draft a letter to SESSA regarding the agreement to extend our contract to July 2024 as was discussed at the open meeting in August 2023. Carried.

ITEMS OF BUSINESS:

Boggs moved, Folaron supported to appoint Amber Rochefort to the vacant At Large seat on the Durand City Council.

YEAS: Mayor Brands, Doyle, Folaron, Boggs,

NAYS: None

Carried

The Oath of Office was administered to Amber Rochefort by the City Clerk.

The City Council recognized Timothy Halleaux for his Eagle Scout Project of making six barrier free picnic tables and placing them in Fitch and Optimist Parks.

Boggs moved, Folaron supported to appoint Joe Perri as the City Representative to the Shiawassee Library Board.

Carried

Folaron moved, Boggs supported to approve the invoice from Haviland for a Chlorine Cylinder for the WWTP in the amount of \$3,278.00 as presented.

YEAS: Doyle, Folaron, Rochefort, Boggs, Mayor Brands

NAYS: None

Carried

Boggs moved, Folaron supported to conditionally approve the rental agreement between the roller hockey league and the city, and give the City Manager and the City Attorney permission to continue to negotiate/finalize terms of the agreement on our behalf.

YEAS: Folaron, Rochefort, Boggs, Mayor Brands, Doyle

NAYS: None

Carried

Doyle moved, Folaron supported to approve the invoice from Detroit Salt Company for road salt in the amount of \$8,987.53, as presented.

YEAS: Rochefort, Boggs, Mayor Brands, Doyle, Folaron

NAYS: None

Carried

Folaron moved, Doyle supported to approve the attached list provided by the Shiawassee County Drain Office and authorize the Treasurer to place the assessed items totaling \$30,315.69 on the winter 2023 tax roll for collection as well as approval of the At Large invoice in the amount of \$2,067.04.

YEAS: Mayor Brands, Doyle, Folaron, Rochefort

NAYS: None

ABSTAIN: Boggs

Carried

RESOLUTION FOR ANNEXATION

WHEREAS, the City of Durand, Shiawassee County, Michigan, is a Michigan Home Rule City; and

WHEREAS, the City of Durand is the owner of a certain parcel of real property by virtue of a Warranty Deed, legally described as:

The land referred to in this search is described as follows: Township of Vernon, County of Shiawassee, State of Michigan A strip of land 75 feet wide lying Northwesterly of and adjacent to the Northwesterly line of the Grand Trunk Western Railroad right-of-way over and across the following described lands, viz: A part of the Northwest 1/4 of Section 15, T6N, R4E, Vernon Township, Shiawassee County, Michigan, described as: Beginning on the Section line at a point that is 450 feet North of the Northwest corner of land platted as Grand View Addition of the Southwest 1/4 of the Northwest 1/4 of Section 15, T6N, R4E, Vernon Township, Shiawassee County, Michigan, thence Easterly parallel with the Northerly line of said addition to the railroad right-of-way; thence Northeasterly along the railroad right-of-way to the North line of said Section; thence West to the Northwest corner of said Section, and thence South to the point of beginning. EXCEPT the right-of-way of State Highway M-78 and ALSO EXCEPT lands conveyed to the State Highway Commissioner; and ALSO EXCEPT easements for power lines, AND ALSO EXCEPT a parcel of land described as: Beginning at a point which is determined by commencing at the Northwest corner of said Section 15 and running North 3°22' East, 5.18 feet and thence South 86°23' East along the centerline of M-78 a distance of 300 feet to the point of beginning; thence from the point of beginning thus determined run South 86°23' East along said centerline 200 feet; thence South 3°22' West 165 feet; thence North 86°23' West 200 feet, and thence North 3°22' East 165 feet to the point of beginning.

WHEREAS, the above described real property is vacant land, and

WHEREAS, the above described real property is adjacent to the corporate boundaries of the City of Durand, and

WHEREAS, no persons reside on the above described real property, and

WHEREAS, MCLA 117.9 (8) provides for the annexation of real property meeting the requirements set forth above solely by resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Durand, Shiawassee County, Michigan as follows:

1. The City Council does hereby annex to the City of Durand, Michigan, the following described real property:

The land referred to in this search is described as follows: Township of Vernon, County of Shiawassee, State of Michigan A strip of land 75 feet wide lying Northwesterly of and adjacent to the Northwesterly line of the Grand Trunk Western Railroad right-of-way over and across the following described lands, viz: A part of the Northwest 1/4 of Section 15, T6N, R4E, Vernon Township, Shiawassee County, Michigan, described as: Beginning on the Section line at a point that is 450 feet North of the Northwest corner of land platted as Grand View Addition of the Southwest 1/4 of the Northwest 1/4 of Section 15, T6N, R4E, Vernon Township, Shiawassee County, Michigan, thence Easterly parallel with the Northerly line of said addition to the railroad right-of-way; thence Northeasterly along the railroad right-of-way to the North line of said Section; thence West to the Northwest corner of said Section, and thence South to the point of beginning. EXCEPT the right-of-way of State Highway M-78 and ALSO EXCEPT lands conveyed to the State Highway Commissioner; and ALSO EXCEPT easements for power lines, AND ALSO EXCEPT a parcel of land described as: Beginning at a point which is determined by commencing at the Northwest corner of said Section 15 and running North 3°22' East, 5.18 feet and thence South 86°23' East along the centerline of M-78 a distance of 300 feet to the point of beginning; thence from the point of beginning thus determined run South 86°23' East along said centerline 200 feet; thence South 3°22' West 165 feet; thence North 86°23' West 200 feet, and thence North 3°22' East 165 feet to the point of beginning.

2. That this annexation by Resolution is based upon the findings of the City Council, that the real property is vacant, is owned by the City of Durand, that no persons are residing thereon and the property is adjacent to the City of Durand.

YEAS: Mayor Brands, Doyle, Folaron, Rochefort, Boggs

NAYS: None

Jeff Brands, Mayor

Mindy McKay, City Clerk

PREPARED BY:
MATTHEW S. McKONE
Durand City Attorney

Boggs moved, Doyle supported to approve the resolution annexing parcel #012-15-100-013 from Vernon Twp to the City of Durand as presented.

YEAS: Mayor Brands, Doyle, Folaron, Rochefort, Boggs

NAYS: None

Carried

Doyle moved, Folaron supported to approve the proposal from Bedrock Express, Ltd for stump grinding in an amount not to exceed \$12,000.00.

YEAS: Doyle, Folaron, Rochefort, Boggs, Mayor Brands

NAYS: None

Carried

CITIZENS SPEAK ON AGENDA ITEMS ONLY:

No one spoke

COUNCIL COMMENTS:

Doyle: She asked everyone to get out and vote tomorrow. She welcomed Amber to the Council.

Rochefort: She thanked everyone for the opportunity to sit on the Council. She encouraged everyone to get out to vote.

Boggs: He welcomed Amber to the Council. He reminded the administration that Consumer's Energy will be trimming trees soon and he want them to be actively engaged with them so that they don't "butcher" our trees. He said that the city has a right to have someone out there with them at all times. They must honor our agreement. He reminded everyone to get out to vote.

Folaron: Welcome Amber, Go Green.

Mayor Brands: Nothing to add

Mayor Brands adjourned the meeting at 7:18 p.m.

Jeffrey Brands, Mayor

Mindy McKay, City Clerk