

## JUNE 7, 2010 CITY COUNCIL MINUTES

Minutes of the Durand City Council meeting held on Monday, June 7, 2010 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 7:31 p.m.

### **ROLL CALL:**

**Present :** Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper

**Absent:** Canute

### **APPROVAL OF AGENDA:**

Schuyler moved, McDonough supported to approve the agenda as presented.

Unanimously Carried.

### **APPROVAL OF MINUTES:**

Boggs moved, McDonough supported to approve the minutes of the regular meeting held on May 3, 2010, the Budget Workshop held on May 12, 2010 and the Special Meeting held on May 20, 2010, as presented.

Unanimously Carried.

### **APPROVAL OF BILLS:**

VanRiper moved, Boggs supported to approve the payment of bills number 38146-38262.

**YEAS:** Brands, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs

**NAYS:** None

Unanimously Carried.

### **CITIZENS PRESENT:**

Jeff Decker, 106 Mercer Street. Received a bill for \$85.00 for lawn care to his property on May 14, 2010. He said that it had rained all week and he was waiting for the grass to dry, but before he could mow it the City mowed it for him and billed him \$85.00. City Manager explained that the City was trying to make the area look nice for the hundreds of people that were expected to attend Railroad Days that weekend. Mr. Decker was one of many people who had their lawns mowed by the City in anticipation of the weekend. Mr. Decker was advised to meet with the DPW Director to come to a reasonable solution.

Danette Bancroft, 423 W. Main Street. She also complained about having her lawn mowed by the City and then being charged for it. This happened two different times and she was billed \$120.00 each time. Ms. Bancroft was directed to meet with the DPW Director.

### **ITEMS OF BUSINESS:**

Schuyler moved, McDonough supported to approve the proposed City Council Meeting Schedule for 2010-2011, as presented.

Unanimously Carried.

VanRiper moved, Boggs supported to purchase a 2010 Crown Victoria Police Vehicle from Signature Ford through the State of Michigan Purchasing Program in the amount of \$24,668.73 less the trade in cost of \$6,000.00 for the 2008 Police Impala with a net purchase cost of \$18,668.73.

**YEAS:** Mayor Doyle, Schuyler, VanRiper, Boggs, Brands

**NAYS:** McDonough

Carried.

**McDonough moved, VanRiper supported to approve the Municipal Service Agreement between WODA and the City of Durand for a period of 35 years, as outlined in the agreement.**

**YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle**

**NAYS: None**

**Unanimously Carried.**

**McDonough moved, Boggs supported to approve the Street Agreement between WODA and the City of Durand in the amount of \$60,000.00 to be paid by WODA as a contribution for necessary street repairs to the streets along Sycamore House.**

**YEAS: Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, McDonough**

**NAYS: None**

**Unanimously Carried.**

**Public Hearing and Adoption: Revised PILOT Ordinance for Sycamore House**

**Mayor Doyle opened the Public Hearing at 8:02 p.m.**

**No one spoke**

**Mayor Doyle closed the Public Hearing at 8:03 p.m.**

**McDonough moved, VanRiper supported to approve the revised PILOT ordinance for Sycamore House, as presented.**

**YEAS: VanRiper, Boggs, Brands, Mayor Doyle, McDonough, Schuyler**

**NAYS: None**

**Unanimously Carried.**

**VanRiper moved, Boggs supported to approve the rate increase for Sewer, as outlined with a 2% increase in the Ready to Service Fees and a \$.05 per 1,000 gallon usage fee.**

**YEAS: Boggs, Brands, Mayor Doyle, Schuyler, VanRiper**

**NAYS: McDonough**

**Carried.**

**McDonough moved, Schuyler supported to declare the outstanding utility accounts as uncollectible and order the Treasurer to place the debts on the 2010 summer tax roll.**

**YEAS: Brands, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs**

**NAYS: None**

**Unanimously Carried.**

**McDonough moved, VanRiper supported to declare the outstanding invoices due to the city as uncollectible and order the Treasurer to place the debts on the 2010 summer tax roll.**

**YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands**

**NAYS: None**

**Unanimously Carried.**

**McDonough moved, Boggs supported to approve the Letter of Understanding between the City of Durand and Larry Porter, as presented.**

**YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle**

**NAYS: None**

**Unanimously Carried.**

**Boggs moved, VanRiper supported to approve the Letter of Understanding between the City of Durand and Michael Tanner, as presented.**

**YEAS: Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, McDonough**

**NAYS: None**  
**Unanimously Carried.**

**VanRiper moved, Boggs supported to approve the emergency purchase of an air conditioning unit in the amount of \$2,981.00 from Lamphere Plumbing and Heating for the Waste Water Treatment Plant.**  
**YEAS: VanRiper, Boggs, Brands, Mayor Doyle, McDonough, Schuyler,**  
**NAYS: None**  
**Unanimously Carried.**

**McDonough moved, Boggs supported to approve the amendments to the 2009-2010 City of Durand budget, as recommended by the City Treasurer.**  
**YEAS: Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper**  
**NAYS: None**  
**Unanimously Carried.**

**Boggs moved, Schuyler supported to approve the contract with C2AE for design, geotechnical investigation and bid preparation for Washtenaw, Sycamore, Gratiot, Pine, Montcalm and Elm Streets in the amount of \$25,500.00, striking the last sentence from paragraph K.**  
**YEAS: Brands, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs**  
**NAYS: None**  
**Unanimously Carried.**

**Boggs moved, McDonough supported to approve the contract with C2AE for engineering services and grant assistance for the USDA Rural Development application in the amount of \$28,000.00, striking the last sentence of paragraph H.**  
**YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands**  
**NAYS: None**  
**Unanimously Carried.**

**McDonough moved, Boggs supported to approve the contract with the Michigan Department of Transportation #10-5201 to reconstruct Russell and E. Main Streets and authorize the Mayor and the City Clerk to execute the contracts.**  
**YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle**  
**NAYS: None**  
**Unanimously Carried.**

**McDonough moved, Schuyler supported to approve the contract with C2AE for Amendment #2 for Russell Street Reconstruction and Utility Improvements in the amount of \$2,200.00 for Design, \$7,000.00 for Materials, \$50,800.00 for Construction Management Fees for a total of \$60,000.00.**  
**YEAS: Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, McDonough**  
**NAYS: None**  
**Unanimously Carried.**

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

**Paula Brooks, 104 W. Summit Street asked if there would be another City Council meeting this month. City Manager said no.**

**Danette Bancroft, 423 W. Main Street, asked how long the Russell Street to Main Street Project is expected to take. City Manager said that the project will start in July and is expected to finish in September.**

**DEPARTMENT REPORTS:**

**Treasurer:** Forms for utility billing automatic payment will be ready for residents to pick up starting tomorrow. She stated that we will be printing taxes in house to save on costs, and they will be sent out the first week in July.

**City Attorney:** He stated that four properties that were going to the Tax Tribunal are expected to be settled in the next few days.

**City Manager:** She stated that she has been busy working on personnel issues.

**COUNCIL COMMENTS:**

**Brands:**

- He stated that Dietrich's Flower Shop store front has been spruced up and looks nice.
- Mr. Brands stated that he saw a Durand Police Officer sitting in his car in the median on Lansing Road.
- He also said that no one is taking care of the landscaping at Trumble Park. He has weeded it a couple of times, but it needs more attention. City Manager agreed that it needs a once a year weeding and another layer of mulch. She said that the Rotary has agreed to maintain the landscaping at the Park and will get to it very soon.
- What is the latest on the Depot parking lot? City Manager said that she met with Teres Cody, we currently do not have a plan for the parking lot until the water main break under the railroad tracks is repaired.
- He said that he noticed the new signs on the basketball courts in Trumble Park that said "no skate boards or bikes". He wants to know where the kids that ride bikes are supposed to ride them. He said that they are being chased out of the parking lots of the High School, Citizen's Bank and Watkins. City Manager suggested that he take his concerns to the Parks and Recreation Board.

**Boggs:** He stated that he does not think that the basketball courts are an appropriate place to have kids "do their jumps and such" but they do need a place to ride. He asked if there was an update on Sagelink? City Attorney said no.

**McDonough:** He said that on Thursday of last week there were gas powered bikes riding on the sidewalks in his neighborhood. He called the police, but no one came to investigate. City Attorney said they would look into this. McDonough also said something needs to be done about the trains that block traffic for long periods of time. Recently, a train blocked the Oak Street and Main Street crossings for over 25 minutes.

**VanRiper:** He said that there are holes in the street that need to be patched on the corner of Huron and Mackinaw Streets and Huron and Marquette Streets. DPW Director said that patching of streets are going out for bid and should be on the next City Council agenda.

Mayor Doyle introduced Sean Ely of The Argus Press.

Mayor Doyle adjourned the meeting at 9:10 p.m.

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Deborah Doyle, Mayor Mindy McKay, Administrative Assistant

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**Minutes of the Budget Workshop of the Durand City Council held on Wednesday, May 12, 2010 at 10:00 a.m. in the Council Chambers of Durand City Hall.**

**CALL TO ORDER:**

**Mayor Doyle called the meeting to order at 10:04 a.m.**

**ROLL CALL:**

**Present: Boggs, Brands, Mayor Doyle, McDonough, Schuyler**

**Absent: Canute, VanRiper**

**City Manager introduced Sharon Gould, Baker College. Ms. Gould is available to help assist the Council with making difficult, emotional decisions, should the council need her help. Ms. Gould briefly reviewed the decision making process that was discussed at the Council Workshop held in April. It was noted that this service is being provided to the City, at no cost.**

**Presentation of the 2010-2011 City of Durand Budget:**

**This budget is based on an anticipated 25% reduction in State revenue sharing.**

**The City Manager highlighted the proposed changes in each of the following:**

- 2001 WWTP Debt Retirement**
- 2001 Water Debt Retirement**
- 1999 WWTP Bond**
- Fire Hall Debt Retirement**
- Ambulance Fund**
- Refuse Service Fund (McDonough would like to see this bid out for FY 2011-2012)**
- Sidewalk Fund**
- Building Inspector Fund**
- Fringe Benefit Fund (Healthcare costs increased by 18%)**

**Mayor Doyle called a recess for 10 minutes or until the City Attorney arrived.**

**Reconvened at 11:35 a.m.**

**David Cooper, Woda Principle and Craig Patterson, Project Manager of Sycamore House, were present to discuss with the Council revising the PILOT ordinance and consideration of a Service Agreement.**

**Mr. Cooper stated that now that Sycamore House is completed they are trying to finalize the financing sources on the project. He went on to say that partly due to the collapsed roof, the project ran over by 1 Million dollars. He explained that currently Woda has a PILOT agreement with the City of Durand for 16 years. Mr. Cooper is asking that the City extend the PILOT to 35 years and in exchange, Woda would pay additional funds to the City based on revenues from rent and amounts specified in the service agreement.**

**Mayor Doyle said that the Council would like more time to look over the proposed changes in the ordinance and the new service agreement before taking action.**

**No action was taken.**

**Councilman Boggs asked if Woda and the City had come to an agreement for the reconstruction of the streets surrounding Sycamore House. Mr. Cooper stated that Woda was prepared to pay \$60,000 for street repair, which is 25 % of the cost.**

City Attorney stated that he will prepare an agreement regarding the streets and he will also prepare any corrections to the Service Agreement.

Resumed Budget Workshop at 12:15 p.m.

- Major Street
- Local Street
- Street Fund
- Downtown Development Authority
- Equipment Revolving Fund (Includes purchase of: truck for DPW Foreman (to replace truck #620), police cruiser, computer hardware and copier for administrative offices)
- Water Fund

Mayor Doyle Recessed for lunch at 12:45 p.m.

Reconvened at 1:25 p.m.

- Wastewater Treatment (Recommended 5% rate increase, plus \$.05 per 1000 gallons processed, Council discussed a 2% increase, plus \$.05 per 1000 gallons processed, recommended eliminating the wastewater processor position)
- General Fund Department
- Legislative Department
- City Manager Department
- Elections Department
- Assessor Department
- City Clerk Department
- City Treasurer Department
- Police Department (Reducing the Chief of Police position to part time)
- Fire Department
- Director of Public Works
- Department of Public Works (Eliminating one full-time position)
- Parks and Recreation Department
- Planning Department

Councilman Schuyler stated in light of the recommended staff reductions, what was the administrative staff going to give up? City Manager said that they are taking a freeze on their wages for the FY 2010-2011. She stated that there are several employees in the administrative offices that are the least paid employees in the organization, and she feels it would be unfair to ask them to take a wage reduction. There was also discussion on continuing with the 39 hour work week for the new fiscal year.

**DEPARTMENT COMMENTS:**

There were none.

**COUNCIL COMMENTS**

Schuyler: He told the City Manager and staff that they did a “fabulous job” on the budget.

Mayor Doyle adjourned the meeting at 3:40 p.m.

**Minutes of the Durand City Council meeting held on Monday, April 5, 2010 at 7:30 p.m. in the Council Chambers of the Durand City Hall.**

**Mayor Doyle called the meeting to order at 7:30 p.m.**

**ROLL CALL:**

**Present: Boggs, Brands, Mayor Doyle, McDonough, Schuyler**

**Absent: Canute, VanRiper**

**APPROVAL OF AGENDA:**

**McDonough moved, Schuyler supported to approve the agenda with the removal of Item E.**

**Unanimously Carried.**

**APPROVAL OF MINUTES:**

**Schuyler moved, McDonough supported to approve the minutes of the regular meeting held on March 1, 2010 and the special meeting held on March 25 & 26, 2010, as presented.**

**Unanimously Carried.**

**APPROVAL OF BILLS:**

**McDonough moved, Boggs supported to approve the payment of City bills number #37951-38063.**

**YEAS: Boggs, Brands, Mayor Doyle, McDonough, Schuyler**

**NAYS: None**

**Unanimously Carried.**

**CITIZENS PRESENT:**

**Mike Douglass, 500 Cambridge. Mr. Douglass congratulated the City Attorney on the demolition of the old Bay Station. He stated that now something needs to be done about the garage that is on eye sore at 102 Huron Street. Mr. Douglass asked what could be done about people who pull building permits and never finish the project. The City Attorney said the Building Inspector is required to follow up and the homeowner can be sited for violation of the building code.**

**Dennis Rainwater, Candidate for State Representative of the 85th District. He introduced himself and a passed out his political flyer.**

**ITEMS OF BUSINESS:**

**Schuyler moved, McDonough supported to approve the Consent Agenda, including the request from the VFW to use Trumble Park for its Military History Show on May 1st, the request from the Durand Ministerial to hold National Day of Prayer on May 6th at Durand City Hall, and to appoint Justin Tompkins and Ted Shaeffer to the Parks and Recreation Board to fill vacancies created by the resignation of Brooks Oesterle and Bill Hart.**

**Unanimously Carried.**

**Mike Bemis made a presentation on the "Bikin for Burns" fundraiser on behalf of the Durand Fire Department. This is an event that will take place in Genesee County on May 8, 2010. It starts at Perani Event Center and the bikers will then proceed on a 40 mile ride that ultimately ends at the Shriners Circus Park in Clio. Proceeds will benefit the Durand City Fire Department and the Swartz Creek Area Fire Department Fire Prevention Programs.**

**Boggs moved, McDonough supported to authorize Hamilton Electric to rewind the motor of influent pump #3 at a cost of \$2,809.00.**

Councilman Schuyler asked the DPW Director if the cause of the problem cannot be identified, what guarantee do we have that this problem will not occur again once the rebuilt pump is installed a second time. DPW Director stated that Jeff Stull, Diesler Electric and himself had all inspected the wiring, even going so far as to splice the plastic off the wires themselves looking for a broken wire, and still could not find anything wrong.

After much discussion, Boggs moved to amend the motion to authorize Hamilton Electric to rewind the motor of influent pump #3 and to give the City Manager the authority to renegotiate the bill and/or to pay the bill. McDonough supported the motion.

**YEAS:** Brands, Mayor Doyle, McDonough, Schuyler, Boggs

**NAYS:** None

**Unanimously Carried.**

Boggs moved, Brands supported to authorize Graff Chevrolet of Durand to repair the damage to car #61 in the amount of \$2,005.69.

**YEAS:** Mayor Doyle, McDonough, Schuyler, Boggs, Brands

**NAYS:** None

**Unanimously Carried.**

McDonough moved, Schuyler supported to approve the list of unpaid utility bills as delinquent in preparation for summer tax collection.

**Unanimously Carried.**

A draft copy of the annual City of Durand budget was presented to meet our City's Charter requirements of presenting a budget by the first meeting in April annually.

#### **DEPARTMENT REPORTS:**

**Mike Fuja, County Commissioner:** He gave the City Manager a draft copy of the Ordinance that the County is working on regarding Pawn Brokers.

**Police Chief:** He stated that March was a busy month for the Police Department and April is proving to be just as busy. The department is having problems with two computers that are in the vehicles, he hopes to have those problems solved soon.

**DPW Director:** He stated that tomorrow is the 1st day of brush pick-up. He reminded the residents that the City is going to an every-other month schedule for brush pick-up.

**Maureen Wegener, Engineer:** She stated that C2AE will be hosting the dinner following the Capital Conference on April 14th. Details to follow.

**City Manager:** She stated that the City Council held a Strategic Planning Session on March 25 & 26, 2010. Goals were identified and importance was given to the following:

- Upgrade Infrastructure
- Complete the Saginaw Street Project
- Revitalize the Downtown District

The City Manager also said the City was not successful in getting the ICE grant for completion of the Saginaw Street Project. She said that she will be working with the staff and engineers to improve the grant process. The City Manager reminded the Council that Legislative Day is April 14th. She will need RSVP's for the dinner following the event, which is sponsored by C2AE. She also reminded the Council that the Rural Development Project meeting is scheduled for April 19, 2010 at 7:00 p.m. And lastly, the



old Bay Station has been torn down and Denny Goul is interested in developing a park on that site. More details will be forthcoming.

**COUNCIL COMMENTS:**

**Brands:** He asked when the basketball court lights will be turned on. DPW Director responded that as of today the lights are on and the bathrooms are open.

**Boggs:** He asked if the streets around Sycamore House were included in the ICE grant. City Manager said the yes they were included in the grant and we will be looking at that situation again in the next few weeks.

Mayor Doyle adjourned the meeting at 8:45 p.m.

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**MARCH 1, 2010 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held on Monday, March 1, 2010 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 7:31 p.m.

**ROLL CALL:**

**Present:** Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper

**Absent:** Canute

**APPROVAL OF AGENDA:**

McDonough moved, Boggs supported to approve the agenda with the removal of Item B. Unanimously Carried.

**APPROVAL OF MINUTES:**

Schuyler moved, VanRiper supported to approve the minutes of the regular meeting held on February 1, 2010, as presented.

Unanimously Carried.

**APPROVAL OF BILLS:**

McDonough moved, Boggs supported to approve the payment of City bills number 37856-37950.

**YEAS:** Brands, Mayor Doyle, McDonough (abstain from #37936), Schuyler, VanRiper

**Boggs**

**NAYS:** None

Unanimously Carried.

**CITIZENS PRESENT:**

Obert Smith, 106 Oakland Street. He addressed the Council regarding a high water usage problem that he had in the fall and early winter. He explained that he has met with the DPW Director and still is not satisfied with the situation. The City Manager offered the option of sending the old meter into the company to be extensively tested. She explained that if the meter is tested and determined to be working properly, the resident would be responsible for all testing fees. If the meter was determined to be faulty, the City would pay for the testing fees and would make any necessary water rate adjustments. It was also suggested that he dye test his toilets to determine if he had a slow leak.

**ITEMS OF BUSINESS:**

**McDonough moved, Boggs supported to approve the Annual Service Support Fee for internet services and support in the amount of \$3,180.00.**

**YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands**

**NAYS: None**

**Unanimously Carried.**

**McDonough moved, Schuyler supported to approve the contract renewal with Gary Stiles for organic farming on the Goodall Road property for a period of 3 years beginning in the 2010 growing season and expiring at the end of the 2012 growing season for an annual amount of \$80.00 per tillable acre.**

**YEAS: McDonough, Schuyler, VanRiper, Boggs, Brands, Mayor Doyle**

**NAYS: None**

**Unanimously Carried.**

**McDonough moved, VanRiper supported to renew the contract for street striping and marking with Michigan Pavement Marking for the 2010-11 fiscal year, not to exceed \$8,410.00.**

**YEAS: Schuyler, VanRiper, Boggs, Brands, Mayor Doyle, McDonough**

**NAYS: None**

**Unanimously Carried.**

**McDonough moved, Schuyler supported to approve the contract with Gary Stiles for organic farming on the Reed Road property for a period of 3 years beginning in the 2010 growing season and expiring at the end of the 2012 growing season for an annual amount of \$80.00 per tillable acre. The first year's lease fee will be waived in consideration of the acreage being cleared and prepared for farming.**

**YEAS: VanRiper, Boggs, Brands, Mayor Doyle, McDonough, Schuyler**

**NAYS: None**

**Unanimously Carried.**

**Boggs moved, McDonough supported to adopt the Uniform Traffic Code for application within the City of Durand.**

**YEAS: Boggs, Brands, Mayor Doyle, McDonough, Schuyler, VanRiper**

**NAYS: None**

**Unanimously Carried.**

**McDonough moved, Boggs supported to include a storm water extension to the southwest end of Russell Street to be completed during the Russell Street reconstruction project-cost estimated at \$11,000.00.**

**YEAS: Brands, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs**

**NAYS: None**

**Unanimously Carried.**

**McDonough moved, Schuyler supported to approve the new Brush Program for the 2010 growing season and evaluate it after the season has ended.**

**Unanimously Carried.**

**CITIZENS SPEAK-AGENDA ITEMS ONLY**

**No one spoke**

**DEPARTMENT REPORTS:**

**Treasurer: The City is researching the option of offering residents the opportunity of automatically debiting their bank accounts for payment of utility bills and taxes. More information to follow.**

**City Manager: Introduced Maureen Wegener, Engineer for C2AE, who will be attending our council**

meetings to answer any engineering questions. This service is being provided at no additional cost to the city.

**COUNCIL COMMENTS:**

**Boggs:** He stated that he was glad to have a representative from C2AE at our meetings.

**McDonough:** He requested that the council packets be delivered before 9:00 p.m.

**Schuyler:** He said that spring time is coming and he would like to know the definition of a junk vehicle. Police Chief stated that in order to classify vehicles in “working condition” the vehicle must have a battery, four tires that hold air, and must be able to start. Councilman Schuyler asked him to check out the three vehicles at the corner of Perry and Oak Streets.

**Van Riper:** He asked about the legality of people bringing bags of trash from out of town and placing it along side people’s trash who live in the city. City Attorney stated that it was illegal and the City Manager would be checking into the situation.

Mayor Doyle adjourned the meeting at 8:37 p.m.

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**FEBRUARY 1, 2010 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held on Monday, February 1, 2010 at 7:30 p.m. in the Council Chambers of the Durand City Hall.

Mayor Doyle called the meeting to order at 7:32 p.m.

**ROLL CALL:**

**Present :** Boggs, Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper

**Absent:** None

**APPROVAL OF AGENDA:**

McDonough moved, Boggs supported to approve the agenda with the following additions: #5 to Consent Agenda: Request to serve alcohol-Durand Union Station, Item E. First Reading of the Uniform Traffic Code.  
Unanimously Carried.

**APPROVAL OF MINUTES:**

McDonough moved, VanRiper supported to approve the minutes of the regular meeting held on January 18, 2010, as presented.  
Unanimously Carried.

**APPROVAL OF BILLS:**

VanRiper moved, Schuyler supported to approve the payment of City bills number 37811-37855.

**YEAS:** Brands, Canute, Mayor Doyle, McDonough (abstain from # 37816, 37833),

Schuyler, VanRiper, Boggs

**NAYS:** None

Unanimously Carried.

**CITIZENS PRESENT:**

No one spoke.

## **ITEMS OF BUSINESS:**

**Kent Edwards addressed the Council on behalf of the Durand Railroad Days Committee. He highlighted the events that are planned for the festival which will take place May 14th, 15th, & 16th, 2010. Along with the traditional events such as the carnival, parade and the beer and wine tasting tent, there will be two new events added which are Lazar Tag and the Mechanical Bull Riding Event.**

**Boggs moved, Schuyler supported to approve the Consent Agenda which includes the following items:**

- 1. Approval of 2010 Railroad Days Activities**
- 2. Waiver to Serve Alcohol on March 20th for the Thompson Wedding**
- 3. Waiver to Serve Alcohol on March 24th for the Annual Chamber of Commerce Dinner**
- 4. Cancel the Regular City Council Meeting of February 15, 2010**
- 5. Waiver to Serve Alcohol on February 20th for the Durand Union Station**

**Carried Unanimously.**

**Boggs moved, VanRiper supported to approve the lease agreement with Durand Union Station, Inc. for the Durand Union Station building for a period of ten years for \$1.00 per year, which can be renewed annually.**

**YEAS: Mayor Doyle, Schuyler, VanRiper, Boggs, Brands**

**NAYS: Canute, McDonough**

**Carried.**

**McDonough moved, Canute supported to approve the resolution as requested by the Michigan Department of Natural Resources to eliminate the drinking fountain from the original grant documents.**

**YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands, Canute**

**NAYS: None**

**Carried Unanimously.**

**Boggs moved, Brands supported to submit Notice of Intent for an Infrastructure Capacity Enhancement – Community Development Block Grant through the Michigan Economic Development Corporation in the amount of up to \$750,000.00 pledging up to \$75,000.00 in matching funds from the Major Street Fund to complete the N. Saginaw Street streetscape project.**

**YEAS: Schuyler, VanRiper, Boggs, Brands, Canute, Mayor Doyle**

**NAYS: McDonough**

**Carried.**

**Schuyler moved, Canute supported to approve the first reading of the ordinance to adopt the Uniform Traffic Code.**

**Unanimously Carried.**

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

**Mike Douglass, 500 Cambridge Dr. Mr. Douglass asked under the new lease agreement with Durand Union Station. who will approve the liquor requests? City Manager responded that the Durand Union Station will approve all requests to serve alcohol. Douglass asked if the City Manager and the Mayor will still be required to serve on the Board of Directors. City Manager said that they are working on a separate agreement that will address this issue.**

## **DEPARTMENT REPORTS:**

**Police Chief: Last week he signed 4 petitions involving the kids who vandalized the concession stand at Optimist Park.**

**DPW Director: He has been contacted by Probate Court to provide a dollar amount to the damage that was done at Optimist Park so that the kids can make restitution.**

**City Manager:** Last week the SEDP announced that Sagelink Credit Union and Sycamore House have won an award which will be officially awarded at SEDP's Thursday Luncheon.. MML will hold a seminar in Lansing on February 12th regarding "Walkability in our Community", if anyone is interested in attending please let the City Manager know. The MML Capital Conference is scheduled for April 14th, mark your calendars. The City Manager told the Council that she has been finishing up grants and meeting with the library regarding their lease agreement with the City of Durand.

**COUNCIL COMMENTS:**

**Brands:** He asked what the status of the Bay Station is. The City Manager stated that the City has received the Deed for the property.

**Boggs:** No Comment

**McDonough:** He said that Terry Goul's equipment was seen at the WWTP and he wondered why. The City Manager said that Terry had contacted the City and wanted to purchase compost from us. We were happy to sell him what he needed. McDonough told the City Manager to "Keep up the good work".

**Canute:** He pointed out the on the lease agreement between the City of Durand and the Durand Union Station there were two places that stated "Genesee County" where it should have read "Shiawassee County". City Attorney said that he would see that the contract was corrected.

**Schuyler:** No Comment

**VanRiper:** No Comment

**Mayor Doyle:** No Comment

**Mayor Doyle** adjourned the meeting at 8:24 p.m.

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**JANUARY 18, 2010 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held on Monday, January 18, 2010 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

**Mayor Doyle** called the meeting to order at 7:30 p.m.

**ROLL CALL:**

**Present:** Boggs, Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper

**Absent:** None

**APPROVAL OF AGENDA:**

**Canute** moved, **Schuyler** supported to approve the agenda with the correction of the check numbers 37696-37810.

**Carried Unanimously.**

**APPROVAL OF MINUTES:**

**McDonough** moved, **VanRiper** supported to approve the minutes of the regular meeting held on December 21, 2009, as presented.

**Carried Unanimously.**

**APPROVAL OF BILLS:**

**VanRiper moved, Boggs supported to approve the payment of City bills number 37696-37810.**

**YEAS: Boggs, Brands, Canute, Mayor Doyle, McDonough (abstain from #37801),**

**Schuyler, VanRiper**

**NAYS: None**

**Carried Unanimously.**

**CITIZENS PRESENT:**

**Chris Swallow and Corey Moore from Davison. They were both employed by Oiler Construction, a subcontractor for WODA Construction who is building Sycamore House. They stated that they had worked for three weeks, but were only paid for two. They were asking for direction as to where they should go to seek help. City Attorney said that they should start at the Wages and Hours Commission which is part of the Department of Labor.**

**Dennis Rainwater, 505 Vassar Drive. He introduced himself and told the Council that he is a Candidate for State Representative.**

**ITEMS OF BUSINESS**

**VanRiper moved, Schuyler supported to approve the bid for Sternberg Lighting in the amount of \$11,215.00 from Medler Electric.**

**YEAS: Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs**

**NAYS: None**

**Carried Unanimously.**

**Canute moved, McDonough supported to amend the City of Durand Investment Policy removing the following language – “An annual review of the financial condition and registration of qualified bidders will be conducted by the Treasurer. A current audited financial statement is required to be on file for each financial institution and broker/dealer in which the City of Durand invests.” – as recommended by the city’s auditors.**

**YEAS: Canute, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands**

**NAYS: None**

**Carried Unanimously.**

**Boggs moved, VanRiper supported to approve the emergency repairs to one of the influent pumps at the Waste Water Treatment Plant by Hamilton Electric in the amount of \$9,200.00.**

**YEAS: Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands, Canute**

**NAYS: None**

**Carried Unanimously.**

**Boggs moved, Schuyler supported to accept the proposal from Genesee Technologies in the amount of \$2,941.00 to provide necessary City Hall computer network upgrades.**

**YEAS: Schuyler, VanRiper, Boggs, Brands, Canute, Mayor Doyle**

**NAYS: McDonough**

**Carried.**

**CITIZENS SPEAK – AGENDA ITEMS ONLY**

**John Matejewski, 708 Kingswood Drive. He stated that every time that he attends a Council meeting there seems to be problems at the WWTP. He asked the council what happened to the plan to make Durand a WI/FI area? He said that we need to do something to bring people back into the City.**

**REPORTS:**

**County Commissioner Mike Fuja:** He stated that “If there is anything I can do to help the City of Durand, let me know. That’s why I’m here.”

**Fire Chief:** He stated that everything is pretty quiet. The Fireman’s Ball will be held in September.

**Police Chief:** Nothing going on.

**DPW Director:** Recently attended a four hour meeting with MDOT regarding the Russell St/E. Main Street project. We expect to start both projects after Railroad Days.

**Treasurer:** No comment

**City Attorney:** No comment

**City Manager:** Recently the City received notification from MEDC that Durand has been re-classified as a Low to Moderate community. This re-classification means that our community now qualifies for significant grant opportunities. The City Manager states that she will be attending a meeting on Wednesday to learn more about the type of grants and who would be eligible for them. This is a good shot in the arm for Durand.

**Administrative Assistant:** No comment

**COUNCIL COMMENTS:**

**Brands:** He stated that businesses are complaining about people getting tickets for illegal “U” turns, and threatening that they will not return to Durand. He feels that “J” walking is a bigger issue than people making illegal turns. The City Manager stated that the City took direction from the Council as to the crack down of those drivers making illegal and dangerous “U” turns and will continue to follow the Council’s direction.

**Boggs:** Stated that the next League of Cities and Villages meeting will be held on January 21, 2010 at 7:00 P.M in the Council Chambers of City Hall. He stated that the City Manager will be doing a demonstration on technology. Everyone is invited to attend.

**McDonough:** He asked who backs up MMR when they go to Genesee County. City Manager said that they have a 911 mutual aid agreement similar to what the Police Department has, and the closest ambulance would respond to insure the best service to the residents of Durand. Councilman McDonough also said that he recently spoke with the City Manager from St. Johns and he complimented our City Manager on the way that she conducted the recent income survey.

**Canute:** No comment

**Schuyler:** No comment

**VanRiper:** No comment

**Doyle:** No comment

**Mayor Doyle** adjourned the meeting at 8:29 p.m.

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**JANUARY 4, 2010 CITY COUNCIL MINUTES**  
**NO MEETING**

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**DECEMBER 21, 2009 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held on Monday, December 21, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.

Mayor Doyle called the meeting to order at 7:30 p.m.

**ROLL CALL:**

**Present:** Boggs, Brands, Canute, Mayor Doyle, McDonough, VanRiper

**Absent:** Schuyler

**APPROVAL OF AGENDA:**

McDonough moved, Canute supported to approve the agenda as presented.

Carried Unanimously.

**APPROVAL OF MINUTES:**

McDonough moved, VanRiper supported to approve the minutes of the regular meeting held on November 16, 2009, as presented.

Carried Unanimously.

**APPROVAL OF BILLS:**

McDonough moved, Boggs supported to approve the payment of City bills number 37599-37695.

**YEAS:** Boggs, Brands, Canute, Mayor Doyle, McDonough, VanRiper

**NAYS:** None

Carried Unanimously.

**CITIZENS PRESENT:**

Brenda Johnson, 401 Marquette St. She thanked the Council for the curb cuts on Saginaw and Genesee Streets. She still has concerns that she feels are not being addressed regarding people who are parking their cars across the sidewalks making it very difficult for her to get around town in her scooter. She suggested a reminder be placed in the monthly newsletter that parking in such a manner is against the law. Chief Tanner stated that the police are looking for cars that are parked over the sidewalks and will issue citations.

**ITEMS OF BUSINESS:**

Paul Bailey, Principal Auditor of Stewart, Beauvais and Whipple, Inc. presented the final audit of the city's financial statements for the budget year 2008-2009.

Boggs moved, McDonough supported to accept the 2008-2009 City of Durand audit, as presented, and place it on file with the Treasurer.

**YEAS:** Brands, Canute, Mayor Doyle, McDonough, VanRiper, Boggs

**NAYS:** None

Carried Unanimously.

Boggs moved, VanRiper supported to approve the final invoice from Perrin Construction in the amount of \$8,503.76 for quantity adjustments on the Lovejoy Street project.



**YEAS: Canute, Mayor Doyle, VanRiper, Boggs, Brands**

**NAYS: McDonough**

**Carried.**

**McDonough moved, Canute supported to cancel the regular meeting scheduled for January 4, 2010.**

**Carried Unanimously.**

**City Manager addressed the Council by stating that the State of Michigan reduced Revenue Sharing in October as the legislators were finalizing the 2009-10 state budget. As a result, the City of Durand will lose revenue, which directly impacts the General Fund operations. At this time, the best case scenario of revenue loss will be approximately \$75,000.00 and the worst case is projected to be \$150,000.00. After meeting with all of the Department Heads and the various unions, the following are the 2009-2010 Budget reductions:**

**\$16,000.00 By reducing employees work week from 40 hours to 39 hours per week, starting January 1, 2010.**

**\$10,000.00 Reducing Contingency Reserve for the Trumble Park Grant**

**\$20,000.00 Canceling the scheduled renovations for City Hall**

**\$ 8,000.00 Eliminating Hydrant Rental**

**\$ 2,375.00 Reducing City Meetings by five**

**\$ 4,000.00 Reduction of Elections**

**\$15,000.00 Canceling the purchase of surveillance equipment for Parks**

**For a total of proposed savings of \$ 75,375.00.**

**Councilman McDonough asked what the status of the Wellhead Protection out at Leisure Lake? He stated that the city is pumping water into the Lake and asked if this could be a cost savings item. DPW Director said that this is an issue on his agenda and he will be following up on this.**

**DEPARTMENT REPORTS:**

**Police Chief: He wanted to clarify that parking issues such as the one that Mrs. Johnson brought up is a priority and although other matters do take precedent, he will be stepping up the parking issues. He wished everyone a Happy and Safe Holiday and a Merry Christmas.**

**DPW Director: He is conducting a comprehensive review on all energy usages in an attempt to reduce costs. He will be investigating why the general bills are on a downward trend while energy bills are increasing. He wished everyone a Merry Christmas.**

**Treasurer: She stated that December has been a busy month due to taxes. Merry Christmas.**

**City Attorney: Wished everyone a Merry Christmas.**

**City Manager: She stated that in December she attended an event sponsored by the SEDP where ten investors/site selectors from large firms were invited to see what Shiawassee County has to offer. Four of the ten have since made contact and/or shown interest in doing business within our county. SEDP is working hard to promote all of Shiawassee County whether it is in Durand, Perry or Owosso. 140 jobs have been retained in our county as a direct result of the work of Justin Horvath at the SEDP. The City Manager wished everyone a Merry Christmas and a Happy New Year.**

**Administrative Assistant: Wished everyone a Merry Christmas.**

**COUNCIL COMMENTS:**

**Canute:** He asked the City Manager what she found out about the MDOT Grant for the Depot? She stated that the scope of the project was the parking lot of the Depot and did not extend to the sewer problems. She told the Council that the grant could be used for engineering costs, noting that never before has this expense been allowed. Councilman Canute asked how the agreement between the Depot and the City was coming. City Attorney stated that the two parties had met and that he will present something to the Council at the January meeting. Canute asked what the matching grant amount is on the Diamond District Park. City Manager said that grant requires a match of under \$30,000.00.

**VanRiper:** He asked how the City was handling the water situation on foreclosed homes during the winter months. DPW Director stated that the water department is trying to shut the water off at the street in homes that are known to be empty and in foreclosure.

**Brands:** He asked if the City knew who is parking their semis/trailer by the Water Tower and at the Farmer's Market. Police Chief said that they would be monitoring the situation. Brands wished everyone a Merry Christmas and Happy New Year.

**Boggs:** Merry Christmas.

**McDonough:** He asked what was happening with the vacant lot behind the car wash. City Manager said that the lot was purchased a long time ago with the intentions of making it an over-flow parking lot. Currently it is not prepared as a parking lot but people are using it as such. McDonough asked the City Attorney if the city would be liable if someone got hurt. City Attorney replied that the City had immunity.

**Mayor Doyle:** She asked the City Attorney if it was necessary to hold Council Meetings when the only thing on the agenda is a request from a community organization. He said that granting such requests is more of a political issue, but that the City Manager could certainly handle these requests.

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

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**DECEMBER 7, 2008 CITY COUNCIL MINUTES**  
**NO MEETING**

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**NOVEMBER 16, 2009 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held on Monday, November 16, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.

City Manager called the meeting to order at 7:32 p.m.

City Clerk administered Oath of Office to newly elected Council Members:

James Schuyler, Precinct I  
Tom VanRiper, Precinct II  
Jeff Brands, At Large

City Manager opened the floor for nominations for the position of Mayor.

Boggs moved, Van Riper supported to elect Doyle as Mayor. Schuyler nominated Canute for Mayor. City Manager closed the nominations.

**ROLL CALL VOTE:**

**Boggs: Doyle**

**Brands: Doyle**

**Canute: Canute**

**Doyle: Doyle**

**McDonough: Canute**

**Schuyler: Canute**

**VanRiper: Doyle**

**Canute: 3 Votes**

**Doyle: 4 Votes**

**Doyle moved, Boggs supported to elect Schuyler as Mayor Pro-Tem.**

**Carried Unanimously.**

**City Clerk administered Oath of Office to newly elected Mayor, Deb Doyle and newly elected Mayor Pro-Tem, James Schuyler.**

**ROLL CALL:**

**Present: Boggs, Brands, Canute, Mayor Doyle, McDonough, Schuyler, VanRiper**

**Absent: None**

**APPROVAL OF AGENDA:**

**McDonough moved, Schuyler supported to approve the agenda as presented.**

**Carried Unanimously.**

**APPROVAL OF MINUTES:**

**McDonough moved, Canute supported to approve the minutes of the regular meeting held on November 2, 2009 and the minutes from the Executive Session held on November 2, 2009, as presented.**

**Carried Unanimously.**

**APPROVAL OF BILLS:**

**Canute moved, Schuyler supported to approve the payment of City bills number 37505-37598.**

**YEAS: Brands, Canute, Mayor Doyle, McDonough (abstain from #37553), Schuyler,**

**VanRiper, Boggs**

**NAYS: None**

**Carried Unanimously.**

**CITIZENS PRESENT:**

**Leonard Krawczyk, owner of the Iron Horse. His concern is with the issuance of tickets to people in the downtown area for making illegal "U" turns. He believes that \$95.00 is too much to pay for this type of ticket and would like to see the City of Durand establish an ordinance where the fee would be lowered and the money would stay in the community. Chief Tanner told the audience that the cost of the ticket is \$60.00 and that the City has been diligent in getting the word out to the public that making this type of turn is illegal and dangerous, and that the City would be strictly enforcing the law.**

**Mike Douglass, 500 Cambridge Drive. He congratulated the newly elected Council Members and the newly elected Mayor.**

**Donna Klein, Independent News. She introduced Caroline, a foreign exchange student from Germany who is attending school in New Lothrop and has an interest in journalism.**

**ITEMS OF BUSINESS:**

**Boggs moved, McDonough supported to place the delinquent invoices, as prepared by the City Treasurer, on the December 2009 tax roll for collection.**

**YEAS: Canute, Mayor Doyle, McDonough, Schuyler, VanRiper, Boggs, Brands**

**NAYS: None**

**Carried Unanimously.**

**DEPARTMENT REPORTS:**

**Mike Fuja, Shiawassee County Commissioner. He stated that the Shiawassee County Commission may create an ordinance to regulate Pawn Brokers in the county. This ordinance would not affect the City of Durand because they have a population of over 3000, however, he believes that it may be beneficial for the City of Durand to establish its own ordinance.**

**Fire Chief: Last week there was a major fire on McBride Street involving four homes. There has been some concern as to how long it took the department to respond and Chief Rinker would like the public to know that he personally was on the scene in five minutes and the department was there in eight minutes.**

**Chief of Police: No Comment**

**City Attorney: Congratulations to the newly elected Councilman and to Mayor Doyle.**

**City Manager: Congratulations to the newly elected Councilman and to Mayor Doyle, I am looking forward to working with all of you. At our next meeting the auditors will be here to present the 2008-2009 audit.**

**COUNCIL COMMENTS:**

**Brands: He stated that being on the Council will be a learning experience. He said that he has big shoes to fill, lots to learn and is looking forward to the experience.**

**Schuyler: He thanked Mike Douglass for the years that he served on the Council. He thanked the 54 people that voted for him. He commented that the leaf program is working wonderfully.**

**Boggs: Congratulations to the newly elected Council Members and Mayor Doyle.**

**Canute: He stated that there are pot holes that need attention on Tuscola and Fitch Streets. He extended his congratulations to the newly elected members and Mayor Doyle.**

**VanRiper: He thanked the people that voted for him and his wife for her support.**

**McDonough: No comment.**

**Doyle: She thanked the Council for their vote of confidence in her. She was glad to hear that the two newest Councilmen had already attended a MML class.**

**Mayor Doyle adjourned the meeting at 8:02 p.m.**

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**NOVEMBER 2, 2009 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held on Monday, November 2, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

**Mayor Canute called the meeting to order at 7:30 p.m.**

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough  
Absent: Schuyler**

**APPROVAL OF AGENDA:**

**Boggs moved, Hildebrandt supported to approve the agenda with the following addition: E. Approval of School Lease Agreement.  
Carried Unanimously.**

**APPROVAL OF MINUTES:**

**McDonough moved, Doyle supported to approve the minutes of the regular meeting held on October 19, 2009 and the minutes from the Executive Session held on October 19, 2009, as presented.  
Carried Unanimously.**

**APPROVAL OF BILLS:**

**Hildebrandt moved, McDonough supported to approve the payment of City bills number 37458-37504.  
YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough (No on check # 37471, abstain from check # 37482)  
NAYS: None  
Carried.**

**CITIZENS PRESENT:**

**No one spoke**

**ITEMS OF BUSINESS:**

**Boggs moved, McDonough supported to adjourn to Executive Session to discuss the City Manager's Evaluation.  
YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs  
NAYS: None  
Carried Unanimously.**

**Adjourned to Executive Session at 7:40 p.m.**

**Reconvened at 7:50p.m.**

**Doyle moved, Hildebrandt supported to approve the Consent Agenda which includes re-appointing Tim Shaw and Lori Childs to the DDA Board of Directors, endorsing the amendment to the Shiawassee County Brownfield Redevelopment Plan which includes Sycamore House for blight and approval of the 2008 Drain Assessment for the Smith and Shepard Drain in the amount of \$735.58.  
YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass  
NAYS: None  
Carried Unanimously.**

**Hildebrandt moved, McDonough supported to approve the invoice from UIS Programmable Services in the amount of \$2,359.38 for power supply and CPU at the Water Plant.  
YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, Doyle  
NAYS: None  
Carried Unanimously.**

**Doyle moved, Hildebrandt supported to approve the amendments to the City of Durand Zoning Ordinance – Exterior Lighting within the DDA District and the Lansing Road Sub Area and Decorative Screening Wall within the DDA District and Lansing Road Sub Area.**

**YEAS: McDonough, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt**

**NAYS: None**

**Carried Unanimously.**

**Boggs moved, McDonough supported to approve the Lease Agreement between Durand Area Schools and the City of Durand with the addition of June 30, 2010 as an end date and with the stipulation that it be a closed campus. Property must meet the City of Durand Zoning Code.**

**YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough**

**NAYS: None**

**Carried Unanimously.**

**DEPARTMENT REPORTS:**

**Fire Chief: Everything is running well.**

**Police Chief: Things are pretty quiet.**

**City Manager: Recently members of the City Council and staff attended a rally at the State Capital regarding revenue sharing. She reminded the Council that the Annual Chamber Breakfast is Thursday, November 5th. The Depot raffle is next Thursday, November 12, 2009 at the VFW Hall.**

**COUNCIL COMMENTS:**

**McDonough: Asked if the City Manager would have the DPW check out the sump pump/storm situation at 110 W. Fauble. He wished the candidates good luck at the election tomorrow.**

**Doyle: No comment.**

**Hildebrandt: She stated that four residents contacted her regarding situation at their homes that needed the attention of the city. City Manager made note of those addresses and will follow up with the DPW Director.**

**Boggs: He stated that it has been a pleasure working with Mike Douglass. Mike Douglass was instrumental in getting Brian to run for City Council.**

**The City Manager recognized Mike Douglass by reading a list of projects that have been initiated and/or completed during his time in office.**

**Mike Douglass: He gave a speech about his time spent serving on the Durand City Council.**

**Mayor Cameron Canute presented Mike with a plaque that read:**

**In recognition of Dedicated Public Service and Leadership to the City of Durand**

**Michael D. Douglass**

**City Councilman**

**1993-1995**

**2005-2009**

Presented the 2nd day of November, 2009

Cameron C. Canute, Mayor

Amy J. Roddy, City Clerk

City Manager invited everyone to stay for a reception in Mike Douglass' honor.

Mayor Canute adjourned the meeting at 8:20 p.m.

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**OCTOBER 19, 2009 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held on Monday, October 19, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.

Mayor Canute called the meeting to order at 7:30 p.m.

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, Doyle, McDonough, Schuyler, Hildebrandt**

**Absent: None**

**APPROVAL OF AGENDA:**

Boggs moved, Hildebrandt supported to approve the agenda with the following changes: Remove Item A and replace it with a Consent Agenda: Appointment of Mike Downer to the Planning Commission and Approval of Election Inspectors. Add Item F: Approval of selling and transporting leaves to non-residents.

Carried Unanimously.

McDonough moved Schuyler supported to approve the minutes of the regular meeting held on October 5, 2009 with the following corrections:

Discussion was had regarding selling water to Vernon Township.

Douglass moved, Schuyler supported to allow the Mayor to appoint a committee consisting of the City Manager, City Attorney and two Council members to discuss the possibility of selling water to Vernon Township.

Carried Unanimously.

**APPROVAL OF BILLS:**

Hildebrandt moved, McDonough supported to approve the payment of City bills number 37398-37457.

**YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler**

**NAYS: None**

Carried Unanimously.

**CITIZENS PRESENT:**

Jack Swick, 7746 S. Reed Road. Mr. Swick's concern is with the stray cats currently roaming the City of Durand. He suggested a City Ordinance that would prohibit cats from being outside.

Paula Brooks, 104 W. Summit Street. She stated that the 35th Anniversary of Amtrak's Blue Water Line is Wednesday and people will be going to the Depot for the celebration. She wants the driveway to receive some attention before then, if possible.

**ITEMS OF BUSINESS:**

Boggs moved, Hildebrandt supported to approve the Consent Agenda which includes the appointment of Mike Downer to the Planning Commission and to approve the election inspectors for the November 3rd

election.

Carried Unanimously.

McDonough moved, Doyle supported to pass the second reading of the City Code Amendment of Chapter 35 – Prohibiting Parking in Leaf Pickup Areas and adopt the changes as presented.

YEAS: Douglass, Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute

NAYS: None

Carried Unanimously.

Doyle moved, Schuyler Supported to approve the first reading of the recommendations from the City of Durand Planning Commission to amend the Zoning Ordinance Changes – Exterior Lighting within the DDA District and the Lansing Road Sub Area and Decorative Screening Wall within the DDA District and the Lansing Road Sub Area.

Carried Unanimously.

Boggs moved, Doyle supported to approve the City of Durand Personnel Policies, as presented.

YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass

NAYS: None

Carried Unanimously.

Boggs moved, McDonough supported to approve the sale and transporting of leaves to non-city residents.

Carried Unanimously.

**CITIZENS SPEAK: (Agenda items only)**

Mike Fuja, Shiawassee County Commissioner. He stated that the County is wrestling with their budget and they anticipate that they will need to reduce the budget by about 1.2 million dollars.

**DEPARTMENT REPORTS:**

Police Chief: He reported that there was a couple of Breaking and Enterings last week. The police department provided security at the football game last Friday night, there were no problems.

DPW Director: The Leaf Pick up program will begin next week. We will post signs on Wed/Thursday of this week, with leaf pickup to begin on Monday. October 20th is the first day for leaf drop off at the Waste Water Treatment Plant. Lovejoy Street will be complete tomorrow, October 20th. Tree crews are finishing up work for the season as is the sidewalk program.

City Manager: She stated that the celebration at Trumble Park that was held on Saturday, October 10th was well attended and that everyone had a nice time. She announced that Wednesday, October 21st is the 35th Anniversary of Amtrak's Blue Water Line that runs from Port Huron to Chicago. The Depot is hosting a mini-celebration from 7:00 a.m. to 9:00 a.m. for anyone wishing to attend. On Thursday, October 22 there will be a rally at the State Capital for all municipal governments to express concerns for the revenue sharing cuts. She reminded Council that on November 5th the Chamber of Commerce will hold their annual breakfast. Valde Garcia will be the Key Note Speaker.

**COUNCIL COMMENTS:**

Douglass: He asked the City Manager if a decision had been made as to the relocation of Railroad Days. Douglass stated that he would like to be involved in the decision. Douglass stated that he had recently received two disturbing phone calls regarding campaigning activities.

Schuyler: He stated that the Railroad Crossing at West Main Street are rotting and are unsafe.



**Boggs:** He asked that reminders be sent to the City Council members regarding the upcoming DDA meeting.

**Hildebrandt:** She briefly shared her opinion regarding “small town politics”. She stated that there are 2 big pot holes at 222 and 218 Russell Street that need to be repaired. She also said that there is a broken water box at 405 Mercer Street that is need of repair. Lastly, she observed a worker putting cold patch on Sycamore Street and wondered if it was a City employee.

**Doyle:** She commented that the Leaf Pick up Program was very nicely explained in the new Leaf Brochure. Good Job.

**McDonough:** He stated that he spoke with 50 residents and 25 of them said that “enough on doing parks, we want our roads fixed”.

**Boggs moved, McDonough supported to adjourn to Executive Session to discuss the City Manager’s Evaluation.**

**YEAS:** Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler

**NAYS:** None

**Carried Unanimously.**

**Adjourned to Executive Session at 8:35 p.m.**

**Reconvened at 9:00 p.m.**

**Boggs moved, Douglass supported to give the City Manager a 3% wage increase, retroactive to July 1, 2009.**

**YEAS:** Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass

**NAYS:** None

**Carried Unanimously.**

**Mayor Canute adjourned the meeting at 9:05 p.m.**

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### **OCTOBER 5, 2009 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held on Monday, October 5, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

**Mayor Canute called the meeting to order at 7:30 p.m.**

**ROLL CALL: Present:** Boggs, Mayor Canute, Douglass, Hildebrandt, McDonough, Schuyler

**Absent:** Doyle

**APPROVAL OF AGENDA:**

**Boggs moved, McDonough supported to approve the agenda as presented.**

**Carried Unanimously.**

#### **APPROVAL OF MINUTES:**

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on September 21, 2009 and the minutes from the special meeting held on September 30, 2009 as presented. Carried Unanimously.**

#### **APPROVAL OF BILLS:**

**Hildebrandt moved, McDonough supported to approve the payment of City bills number 37337-37397.**

**YEAS: Boggs, Mayor Canute, Douglass, Hildebrandt, McDonough (abstained from #37363), Schuyler**

**NAYS: None**

**Carried Unanimously.**

#### **CITIZENS PRESENT:**

**Sam Black, 402 N. Cambridge. He introduced himself and asked to be considered as a candidate to fill the current vacancy on the Library Board. He has lived in Durand for the past eight years and has 18 years experience in journalism.**

**Beatrice Wisely, 211 Atwater Street. She has a shed that is located on City property and would like to purchase that land from the City. The City Attorney stated that the land that Mrs. Wisely is asking about is a public right of way and can not be sold. Mayor Canute stated that Mrs. Wisely needs to move her shed onto her property.**

#### **ITEMS OF BUSINESS:**

**Boggs moved, Hildebrandt supported to appoint Mr. Bob Smith to the Library Board.**

**YEAS: Douglass, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute**

**NAYS: None**

**Carried Unanimously.**

**Douglass moved, Schuyler supported to allow the Mayor to appoint a committee, to consist of the City Manager, City Attorney and two Council members, to meet with Vernon Township to discuss the possibility of selling water to the township.**

**Carried Unanimously.**

#### **CITIZENS SPEAK (Agenda Items Only):**

**Paula Brooks, 104 W. Summit Street. Ms. Brooks stated that she lives in the township and pays a double water bill each month. She feels that she has paid towards the water plant system.**

**Brian Huff, 410 N. Oxford. He asked who is Mr. Bob Smith? Mr. Huff went on to say that he felt the Library Board position was an important one for the safety of our children.**

#### **DEPARTMENT REPORTS:**

**Police Chief: The investigation on the incident from last Wednesday is almost complete and he will be forwarding a complete report to the City Manager and the City Attorney.**

**DPW Director: Stated that Lovejoy Street is almost complete. Paving will take place next week. The sidewalk and tree trimming programs are winding down for the year. The City of Durand has a new leaf pickup program which will consist of raking the leaves into the street. A brochure with complete details is being mailed to all residents.**

**Treasurer: Our audit is wrapping up this week and we are hopeful that we will have results sometime in November.**

**City Attorney:** He stated that we need an ordinance that disallows parking in the leaf pick-up area. Tonight would be the first reading with the second reading to follow at the next regularly scheduled meeting and then 15 days following the second reading the Ordinance would go into effect.

**Boggs moved,** Hildebrandt supported to approve the first reading of the Leaf Pick Up Parking Ordinance, with the second reading to take place at our next regularly scheduled meeting. Carried Unanimously.

**City Manager:** The City Manager invited everyone to the Trumble Park Tribute on Saturday, October 10, 2009 at 11:00 a.m. There will be a short presentation followed by complimentary hot dogs, popcorn, cotton candy and orange drink. Everyone is welcome.

The City Manager stated that October 21, 2009 is the 35th anniversary of the Amtrak Blue Water Line which runs from Port Huron to Chicago. Amtrak is offering a 35% discount for this trip. She will have more information on this in her Friday Update. The City Manager and the Treasurer attended a town hall meeting with Congressman Mike Rogers to discuss the Health Care Package and the financial problems that are happening at the Federal level. Everyone is feeling the effects of the current economic environment, not just the City of Durand. Lastly, the City Manager recognized Norma Ward who received a Distinguished Volunteer Award by the Michigan Historical Society for her work with the Durand Union Station and the Railroad Museum.

#### **COUNCIL COMMENTS:**

**McDonough:** He stated that he hopes the officers who were involved in last week's incident are doing well. He stated that he attended the MML Conference last week and received a good education. He feels that the residents need to call their legislators to ask them to restore funds to municipalities.

**Hildebrandt:** She stated that she attended the MML Conference where she learned interesting facts about Michigan's economics. Ms. Hildebrandt also read the "Married Woman's Act". She has also received complaints that teenagers are using fowl language within hearing distance of young children, at Trumble Park.

**Boggs:** He attended the MML Conference. He thought it was a good conference. Mr. Boggs thanked Mr. Smith for stepping forward to fill the vacancy on the Library Board.

**Schuyler:** He stated that Lovejoy Street is coming along nicely and is looking forward to seeing it paved next week.

**Douglass:** He asked what the status is on the Bay Station. The Building Inspector gave an update. He asked about trimming the trees that hang over the sidewalks. The City Manager stated that the tree trimming funds for this year have been spent, but she will look into this for next years tree trimming budget. Mr. Douglass suggested starting with Genesee Street. Mr. Douglass also asked about the cost of the MML Conference.

**Mayor Canute:** He asked who is responsible for the water shut off valves in front of the homes in Durand. The City Manager responded that the home owner is the responsible party.

Mayor Canute adjourned the meeting at 8:50 p.m.

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#### **SEPTEMBER 21, 2009 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held on Monday, September 21, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.

**Mayor Canute called the meeting to order at 7:30 p.m.**

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough  
Absent: Schuyler**

**APPROVAL OF AGENDA:**

**McDonough moved, Hildebrandt supported to approve the agenda with the deletion of Items A, E and the Executive Session.  
Carried Unanimously.**

**APPROVAL OF MINUTES:**

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on August 17, 2009 and the minutes from the special meeting held on September 9, 2009 as presented.  
Carried Unanimously.**

**APPROVAL OF BILLS:**

**Hildebrandt moved, McDonough supported to approve the payment of City bills number 37203-37336.  
YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Boggs  
NAYS: None  
Carried Unanimously.**

**CITIZENS PRESENT:**

**No one spoke.**

**ITEMS OF BUSINESS:**

**Doyle moved, Hildebrandt supported to approve the memorandum of understanding with the National Railroad Memorial, Inc.  
YEAS: Douglass, Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute  
NAYS: None  
Carried Unanimously.**

**Doyle moved, Hildebrandt supported to approve the request from the National Railroad Museum, Inc. allowing them to expend \$2,500.00 from the Diamond District Park Development account and approve the Promissory Note for repayment no later than June 30, 2010.**

**YEAS: Doyle, Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass  
NAYS: None  
Carried Unanimously.**

**McDonough moved, Doyle supported to approve the contract for wet interior tank inspections to Dixon Engineering in the amount of \$3,750.00.**

**YEAS: Hildebrandt, McDonough, Boggs, Mayor Canute, Douglass, Doyle  
NAYS: None  
Carried Unanimously.**

**CITIZENS SPEAK (Agenda Items Only)**

**Ken Themm, 512 Marquette Street. He thanked the Council for approving the Memorandum of Understanding and the Promissory Note that will allow the Diamond District Park to move forward. Mr. Themm believes that with the Durand Depot, the Owosso Train Museum and now the Diamond District Park, the Southeast corner of Shiawassee County will become a vacation destination.  
Mike Fuja, Shiawassee County Commissioner.**

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**SEPTEMBER 7, 2009 CITY COUNCIL MINUTES**  
**NO MEETING**

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**AUGUST 17, 2009 CITY COUNCIL MINUTES**

Minutes of the Durand City Council meeting held on Monday, August 17, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.

Mayor Canute called the meeting to order at 7:30 p.m.

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler**  
**Absent: None**

**APPROVAL OF AGENDA:**

**Boggs moved, Hildebrandt supported to approve the agenda with the addition of Consent Agenda #4: Appointment to the Leaf Committee.**  
**Carried Unanimously.**

**APPROVAL OF MINUTES:**

**McDonough moved, Hildebrandt supported to approve the minutes of the regular meeting held on August 3, 2009 as presented.**  
**Carried Unanimously.**

**APPROVAL OF BILLS:**

**McDonough moved, Hildebrandt supported to approve the payment of City bills number 37129-37202.**

**YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough (abstain from # 37134 and 37135), Schuyler, Boggs**

**NAYS: None**

**Carried Unanimously.**

**CITIZENS PRESENT:**

**Renee Kelly, 108 Mercer Street. She reported that the street light at the corner of Mercer and Genesee Streets is out and has been for about a year. Would like this fixed.**

**Jim Akers, 110 W. Fauble Street. He stated to the Council that he is opposed to the curb and gutter project in the Lovejoy Street area, since he is unemployed and cannot afford it.**

**Sandy Akers, 110 W. Fauble Street. She voiced her opposition to the curb and gutter project in the Lovejoy Street area because of the high cost.**

**Harold Kuisel, Republican Candidate for State Representative, 85th District. He introduced himself and gave a brief overview of his campaign platform.**

**Jim Stechshulte, Candidate for State Representative, 85th District. He introduced himself and gave a brief overview of his campaign platform.**

**Brenda Johnson, 401 Marquette Street. She stated that people are still parking over sidewalks which prevent her from using her scooter to get around in the community. She would like the police to continue to enforce this ordinance by issuing tickets and making this a priority. She also wanted to know when the handicapped improvements to the curbs were going to be started.**

**Tom Dorey, 500 Vassar Drive. He stated that he walks the community every day and sees cars continue to park across sidewalks and especially the sidewalks along the Trumble Park area. He suggested that signs be erected along the Park.**

**ITEMS OF BUSINESS:**

**Boggs moved, Doyle supported to approve the Consent Agenda, which includes the request to serve alcohol at Durand Union Station from Andy Zick, the appointment of Cameron Canute as Delegate and Ken McDonough as Alternate to the MML Annual Meeting, to cancel the regular meeting on September 7, 2009 due to the Labor Day holiday and to appoint Deb Doyle and Jim Schuyler to the Leaf Committee. Carried.**

**Hildebrandt moved, McDonough supported to continue the City's participation with SATA and approve an amount not to exceed \$7,487.98 as the City's subsidy amount for SATA's operations for fiscal year beginning October 1, 2009.**

**YEAS: Douglass, Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute**

**NAYS: None**

**Carried Unanimously.**

**McDonough moved, Hildebrandt supported to approve the invoice from Michigan Pipe and Valve in the amount of \$2,375.44.**

**YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass**

**NAYS: None**

**Carried Unanimously.**

**McDonough moved, Doyle supported to approve the contract with C2AE for depot site improvement services at an amount not to exceed \$8,480.00.**

**YEAS: Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass, Doyle**

**NAYS: None**

**Carried Unanimously.**

**Public Hearing and Resolution to Approve Special Assessment District for Lovejoy Street.**

**Mayor Canute opened the hearing at 8:23 p.m.**

**Mr. Jim Akers, 110 W. Fauble Street. Expressed his opposition to the project.**

**Mrs. Sandy Akers, 110 W. Fauble Street. Expressed her opposition to the project.**

**Public hearing was closed at 8:35 p.m.**

**Douglass moved, Boggs supported to approve the costs for Lovejoy Street Special Assessment District and direct the Assessor to assess the costs to the properties within the district for a period of no more than 5 years.**

**YEAS: McDonough, Schuyler, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt**

**NAYS: None**

**Carried Unanimously.**

**CITIZENS SPEAK (Agenda Items Only)**

**Marty Tyler, Holmes Street. He stated that the street that he lives on floods every time we get any significant amount of rain and the roads become impassible. City Manager stated that the City is going to fix this problem but it's going to be very expensive and will be done over a period of several years.**

**DEPARTMENT REPORTS:**

**Police Chief:** The Police Department has been very busy. We currently have several investigations going on. In regards to the illegal parking over the sidewalks: he has been paying very close attention to this problem during the day and will address this issue with the other officers.

**DPW Director:** Lovejoy Street project to begin on August 25, 2009.

**City Attorney:** Greetings from Mr. McKone somewhere in Scandinavia.

**City Manager:** An income survey is currently being conducted throughout the City. This survey is needed to help the City of Durand qualify for grant opportunities. 350 Homes were randomly selected to be surveyed. We would appreciate your cooperation if you are asked to participate.

**COUNCIL COMMENTS:**

**Douglass:** Stated that a sound system is needed in the Council Chambers. City Manager said that she has made an arrangement with the shop teacher at the Durand Middle School and he is going to make a podium for City Hall.

**Schuyler:** No comment.

**Boggs:** No comment.

**McDonough:** He told City Manager to keep up with the newsletter, and that she was doing a good job. McDonough asked when the City of Durand was going to get the trees for the fall planting. The DPW Director stated that they would be picking up the trees on Thursday but they wouldn't be planting them for three or four weeks. The DPW Director explained that due to the grant regulations, the City had to pick them up by a certain date.

**Doyle:** No comment.

**Hildebrandt:** She stated that she had received calls from area residents about a home on Spring Street that has goats in the yard and has an odor problem. The Police Chief said that he was aware of the problem and it should be resolved very soon.

**Mayor Canute:** No comment.

Boggs moved, McDonough supported to go into Executive Session to discuss the City's Manager's evaluation.

**YEAS:** Schuyler, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough,

**NAYS:** None

Carried Unanimously.

The Council reconvened at 10:24 p.m.

No business was conducted.

Mayor Canute adjourned the meeting at 10:25 p.m.

**Minutes of the Durand City Council meeting held on Monday, August 3, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

**Mayor Canute called the meeting to order at 7:30 p.m.**

**ROLL CALL: Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler  
Absent: None**

**APPROVAL OF AGENDA:**

**McDonough moved, Doyle supported to approve the agenda as presented.  
Carried Unanimously.**

**APPROVAL OF MINUTES:**

**Boggs moved, McDonough supported to approve the minutes of the regular meeting held on July 20, 2009 with the following corrections: award bid for Cold Patch to Saginaw Asphalt rather than Ace Asphalt.  
Carried Unanimously.**

**APPROVAL OF BILLS:**

**McDonough moved, Hildebrandt supported to approve payment of City bills number 37066-37128.  
YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough (abstain from #37095), Schuyler, Boggs  
NAYS: None  
Carried Unanimously.**

**CITIZENS PRESENT:**

**Don Westcott, President of Durand Union Station. He gave an update of the water restoration project at Durand Union Station. He stated that the Archive room is coming together with the help of a professional Archivist and other volunteers. The library is back in place now, after some rearranging to allow for additional books.**

**Dan Brooks, Vice President of Durand Union Station. He stated that the drip pipe that caused the water damage earlier this year has been relocated to the Archive room, which is heated, in an effort to prevent this from happening again. He also brought a diagram of the proposed changes to the Museum/Gift shop area. This would involve electrical work and minor repair work. All costs would be paid for by Durand Union Station.**

**Boggs moved, Doyle Supported to approve the structural changes to Durand Union Station suggested by Dan Brooks and approved by Marty Johnson.**

**YEAS: Douglass, Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute  
NAYS: None  
Unanimously Carried.**

**ITEMS OF BUSINESS:**

**Hildebrandt moved, McDonough supported to approve the request from the Chamber of Commerce to close streets in the downtown for the End of Summer Crusin' activity.  
Carried Unanimously,**

**Schuyler moved, Doyle supported to award the bid for sidewalk replacement to Mehay Construction as outlined in the bid document.**

**YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass**



**NAYS: None**

**Carried Unanimously.**

**McDonough moved, Hildebrandt supported to award the bid for tree trimming to Miles Tree Service in an amount not to exceed \$15,000.00 for tree trimming and stump grinding services.**

**YEAS: Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass, Doyle**

**NAYS: None**

**Carried Unanimously.**

**Boggs moved, Doyle supported to approve the invoice from DMS Solutions to replace the computer back up system in the administrative offices in the amount of \$1,658.00.**

**YEAS: McDonough, Schuyler, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt**

**NAYS: None**

**Carried Unanimously.**

**Doyle moved, Schuyler supported to approve the contract with JFNEW in the amount of \$33,579.00 to complete the mixing zone demonstration/study at the Waste Water Treatment Plant with the elimination of Section 3.7 and the last two paragraphs in Section 3.8.**

**YEAS: Schuyler, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough**

**NAYS: None**

**Carried Unanimously.**

**Mayor Canute opened the Public Hearing at 8:04 p.m.**

**City Attorney gave a brief overview of the Ordinance to Amend Chapter 14 – Registration of Rental Housing Units.**

**No one from the public spoke.**

**Mayor Canute closed the Public Hearing at 8:05 p.m.**

**Hildebrandt moved, McDonough supported to approve the amendment to Chapter 14 of the City of Durand Code and Ordinances as presented.**

**YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler**

**NAYS: None**

**Carried Unanimously.**

**Mayor Canute opened the Public Hearing at 8:06 p.m.**

**City Attorney gave brief overview of the Ordinance to Amend Chapter 14 – Adoption of 2006 International Housing Maintenance Code.**

**No one from the public spoke.**

**Mayor Canute closed the Public Hearing at 8:07 p.m.**

**Doyle moved, Hildebrandt supported to approve the amendment to Chapter 14 of the City of Durand Code and Ordinances to include the adoption of the 2006 International Housing Maintenance Code, as presented.**

**YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler, Boggs**

**NAYS: None**

**Carried Unanimously.**

**Mayor Canute opened the Public Hearing at 8:08 p.m.**

**City Attorney gave a brief overview of the Amendment of Chapter 78 – Point of Sale Inspection for Storm Water.**

**Tom VanRiper, 404 Marquette Street asked if homes that had been previously inspected and approved, would still have to be re-inspected? City Attorney said yes they would, anytime a home comes on the**

market it will be inspected.

Mayor Canute closed the Public Hearing at 8:13 p.m.

Hildebrandt moved, McDonough supported to approve the amendment to Chapter 78 of the City of Durand Code and Ordinances to include the changes to illicit storm water connections to the sanitary sewer.

YEAS: Douglass, Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute

NAYS: None

Carried Unanimously.

McDonough moved, Schuyler supported to establish a Special Assessment District for Lovejoy Street curb and gutter improvements, set a public hearing for August 17th and direct the administration to notify all affected property owners within the Special Assessment District.

YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass

NAYS: None

Carried Unanimously.

#### **CITIZENS SPEAK:**

No one spoke

#### **DEPARTMENT REPORTS:**

**Police Chief:** He stated that it's been a busy July. The two new police cars are here and they have the decals on them. Chief Tanner thanked the Council for purchasing the two new police cars.

**DPW Director:** He received a letter from DEQ regarding the three overflow events that happened in recent months, and because of our efforts to comply with their requirements they are waiving any fees that could have been assessed.

**City Attorney:** He stated that it is a good move by the City to approve the amendments to the International Housing Maintenance Code and the Registration of Rental Housing Units. Approving these amended Ordinances will really spruce up the City.

**City Manager:** She stated that implementing the International Maintenance Code for Rental Units was one of the City Council goals from 2008 and "now you have provided us with the tools to do our job". The City Manager gave an update on the Train festival. She said that Owosso had approximately 35,000 people visit the area. "Locally we didn't see the impact, but in Owosso it was very successful". She stated that she just returned from the Michigan Public Managers Summer Conference where they heard that the state economic situation is very grim and will continue to be for the next 11 to 15 years.

#### **COUNCIL COMMENTS:**

**Douglass:** He asked what happened to the stone and cut water lines at the old DVA building? City Attorney said that he had a phone call into their attorney's office, but that he was out of town. City Attorney will follow up on this. Douglass asked about the old Bay Station. Marty Johnson, Building Inspector said that by passing the International Maintenance Code, this will now allow us to take care of this problem. Mr. Douglass also asked the administration to take a drive down McBride Street when it's raining, it always floods. Mr. Douglass asked if we could look into black topping the area past the sidewalk of Dave's Muffler Shop.

**Schuyler:** No comment.

**Boggs:** No comment.

**McDonough: No comment.**

**Doyle: No comment.**

**Hildebrandt: She asked why we weren't looking into "chip sealing" on some of city streets. The DPW Director stated that we are looking into "chip sealing" along Oak Street next year. Ms. Hildebrandt stated that there is a big cat problem behind the Changes Barber Shop and would appreciate someone looking into this. Ms. Hildebrandt also stated that she had a long talk recently with Buck Keisel, who is running for 85th District Representative and he says to say "Hi".**

**Mayor Canute: He thanked the past and present administration for getting Sagelink Credit Union to build in the City of Durand. "If you haven't had a tour yet, you need to take the opportunity to do so".**

**Mayor Canute adjourned the meeting at 8:43 p.m.**

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### **JULY 20, 2009 CITY COUNCIL MINUTES**

**Minutes of the Durand City Council meeting held on Monday, July 20, 2009 at 7:30 p.m. in the Council Chambers of Durand City Hall.**

**Mayor Canute called the meeting to order at 7:30 p.m.**

**ROLL-CALL: Present: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler  
Absent: None**

#### **APPROVAL OF AGENDA:**

**McDonough moved, Hildebrandt supported to approve the agenda as presented.  
Carried.**

#### **APPROVAL OF MINUTES:**

**Schuyler moved, McDonough supported to approve the minutes of the regular meeting held on June 15, 2009 and the special meeting held on June 11, 2009 as presented.  
Carried.**

#### **APPROVAL OF BILLS:**

**McDonough moved, Hildebrandt supported to approve the payment of City bills number 36892-37065.  
YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough (abstained from Check # 37033, No on check # 37000), Schuyler  
NAYS: None  
Carried.**

#### **CITIZENS PRESENT:**

**Brenda Johnson, 401 Marquette Street. She is concerned with unlawful parking across sidewalks. Ms. Johnson is handicapped and uses a motorized device to travel around the city. She also states that the rear of Trumble Park does not have a handicapped accessible entrance to the park. She has to travel all the way to the front of the park to gain access. She said that the corners of Genesee and Saginaw Streets need to be made handicapped accessible as well.**

**Paula Brooks, Summit Street. Wanted to know what the status is with the Diamond District Park? Has it been approved by Council? The City Manager responded by saying that the City of Durand is working with an adhoc committee. Nothing on the plans has changed from several years ago. Nothing can happen without the City Council's approval.**

**Connie Cobley, Director of Durand Union Station. She gave an update of the Train Fest 2009 that is scheduled for this week (July 24-26). DUS is working with the Owosso Kiwanis regarding parking for the festival. Parking will be at the Caboose and at Durand High School. Volunteers from both DUS and booster groups at Durand High School will be directing parking traffic and will receive a portion of the parking fee. Ms. Cobly stated that they have no idea of how many people to expect for this event, she was told from the International Railroad Institute to expect anywhere from 20,000 people to 160,000 people.**

**ITEMS OF BUISINESS:**

**Schuyler moved, Doyle supported to award the bid for Cold Patch to Ace Asphalt in the amount of \$84.95 per delivered ton.**

**YEAS: Douglass, Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute**

**NAYS: None**

**Carried Unanimously.**

**McDonough moved, Boggs supported to award the bid for Limestone to Constine, Inc. in the amount of \$14.75 per ton.**

**YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass**

**NAYS: None**

**Carried Unanimously.**

**Doyle moved, Hildebrandt supported to award the bid for Sand to Fouss Gravel in the amount of \$5.75 per ton.**

**YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass**

**NAYS: None**

**Carried Unanimously.**

**McDonough moved, Schuyler supported to award the bid for Ferric Chloride to PVS Technologies in the amount of \$616.00 per dry ton.**

**YEAS: Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass, Doyle**

**NAYS: None**

**Carried Unanimously.**

**Boggs moved, Hildebrandt supported to award the bid for videotaping the storm and sanitary sewer lines to Downunder Municipal Services in the amount of \$6,465.00**

**YEAS: McDonough, Schuyler, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt**

**NAYS: None**

**Carried Unanimously.**

**Hildebrandt moved, Schuyler supported to award the bid for Pavement Marking to Michigan Pavement Marking based on the cost per item as presented.**

**YEAS: Schuyler, Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough**

**NAYS: None**

**Carried Unanimously.**

**McDonough moved, Hildebrandt supported to renew the 2008-2009 bid award Overband Crack Sealing to Scodeller Construction in an amount not to exceed \$10,000.00.**

**YEAS: Boggs, Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler**

**NAYS: None**

**Carried Unanimously.**

**McDonough moved, Hildebrandt supported to approve the payment of the invoice for membership renewal in the Michigan Municipal League at a cost of \$3,468.00.**

**YEAS: Mayor Canute, Douglass, Doyle, Hildebrandt, McDonough, Schuyler, Boggs**

**NAYS: None**

**Carried Unanimously.**

**McDonough moved, Doyle supported to approve the change order from Mehay Construction in the amount of \$2,498.05 to complete the sidewalk path at Trumble Park. YEAS: Douglass, Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute**

**NAYS: None**

**Carried Unanimously.**

**Doyle moved, Hildebrandt supported to approve the contract for Assessor of Record Services with HSC Services, Inc. in the amount of \$1,800.00 per month from July 1, 2009 through June 30, 2010.**

**YEAS: Doyle, Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass**

**NAYS: None**

**Carried Unanimously.**

**Hildebrandt moved, McDonough supported to approve the contract amendment for engineering services for Russell Street resurfacing to include the engineering services for E. Main Street resurfacing in the additional amount of \$2,700.00.**

**YEAS: Hildebrandt, McDonough, Schuyler, Boggs, Mayor Canute, Douglass, Doyle**

**NAYS: None**

**Carried Unanimously.**

**Doyle moved, Hildebrandt supported to move the City Ordinance Amendment Prohibiting Storm Water in Sanitary Sewer from First Reading and set a Public Hearing for August 3, 2009.**

**Carried Unanimously.**

**Doyle moved, Hildebrandt supported to move to adoption of the International Maintenance Code and the Amended Rental Maintenance from first reading and set a Public Hearing for August 3, 2009.**

**Carried Unanimously.**

#### **CITIZENS SPEAK:**

**Connie Cobley, Director of Durand Union Station gave an update on the Water Restoration work that is being done at the Depot. The archival room and library are completed and work on the museum room is to start July 29th.**

#### **DEPARTMENT REPORTS:**

**Police Chief: The Police Department is writing tickets in the downtown area and is issuing tickets for parking across sidewalks.**

**DPW Director: The official start date for the reconstruction of Lovejoy Street is scheduled for August 17, 2009 with a completion date of late September. Tomorrow (6/21/09) we will be conducting a smoke test along Oak Street.**

**City Manager: Our Legislature in Lansing is proposing to remove the funding for Amtrak. We must pick up the phone to call our State Legislatives to urge them to keep this vital service that provides us with tourist and transportation opportunities to people who may otherwise have none. Speaker Dillion is**

proposing to incorporate all government health care benefits for State employees. City Manager will keep the Council up to date on any new developments regarding this situation.

**Administrative Assistant:** Thanked the Council for allowing her to attend the Michigan Association of Municipal Clerk Conference held in Frankenmuth on June 16-19th.

**COUNCIL COMMENTS:**

**McDonough:** He asked the City Attorney if our City Ordinance requires that the Railroads erect and maintain a fence around their property. Our City Attorney will research it and get back with the Council.

**Boggs:** He thanked the City Attorney for the DVA article. Mr. Boggs asked the City Manager if there was anyway that the curb at Genesee and Saginaw could be made handicapped accessible. The City Manager said that she would talk to the DPW Director and look at getting it done this year.

**Schuyler:** He stated that the West Main Street Railroad Crossing, where the sidewalk meets the RR ties) needs some repairs.

**Douglass:** He asked if the stone marker at the old DVA building has been found. Do we know why the water lines were cut? The City Attorney is looking into this situation. Mr. Douglass would like to hold a work sessions on the City Manager's evaluation and at the same time have an annexation workshop. Mr. Douglass also stated that he was very upset about the article that Ken Themm wrote in the Independent. He wants the public to know that the City of Durand is not giving any money to that park other than the sum that was left to the City for just this purpose.

Mayor Canute adjourned the meeting at 9:17 p.m.

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**JULY 6, 2009 CITY COUNCIL MINUTES**  
**NO MEETING**