

DOWAGIAC CITY COUNCIL MEETING

Monday, March 14, 2016

A regular meeting of the Dowagiac City Council was called to order by Mayor Lyons at 7:00 p.m.

Mayor Lyons led the Pledge of Allegiance to the flag.

PRESENT: Mayor Donald D. Lyons, Mayor Pro-Tem Leon D. Laylin; Councilmembers Charles K. Burling, James B. Dodd, Danielle E. Lucas and City Clerk Jane P. Wilson.

ABSENT: Councilmembers Lori A. Hunt, Bob B. Schuur

STAFF: City Manager Kevin P. Anderson, Assistant City Manager Rozanne H. Scherr, Public Safety Director Steve Grinnwald, Code Enforcement Officer Steve Allen

APPROVAL OF MINUTES OF PREVIOUS MEETING

Councilmember Dodd moved and Councilmember Lucas seconded that the minutes of the February 22, 2016 meeting be approved.

APPROVED unanimously.

COMMENTS FROM THE AUDIENCE (AGENDA)

William Lorenz, 511 Green Street.

COMMUNICATIONS

1. Band Boosters Raffle License request.

Councilmember Laylin moved and Councilmember Lucas seconded to grant the request.

APPROVED unanimously.

2. Borgess Lee Memorial Hospital Nursing Shared Governance Committee flower sale to benefit nursing education and development. Opening day sale at Farr Park.

3. Borgess Lee Memorial Hospital Nursing Shared Governance Committee flower sale to benefit nursing education and development. Saturday sale at Beckwith Park.

Councilmember Burling moved and Councilmember Lucas seconded to grant the requests.

APPROVED unanimously.

4. Chamber of Commerce/DDA Easter Eggstravaganza.

5. Farm and Artisan Market 2016.

DOWAGIAC CITY COUNCIL MEETING

Monday, March 14, 2016

Page Two

Councilmember Laylin moved and Councilmember Burling seconded to grant the requests.

APPROVED unanimously.

PUBLIC HEARING

1. A public hearing will be held concerning the City of Dowagiac's intent to apply for a grant from the Michigan Natural Resources Trust Fund for a project to improve accessibility at Rudy Park.

Mayor Lyons opened the public hearing at 7:11 p.m. to hear comment on the MDNR-TF grant application.

The Rudy Park plan design was presented by Steve Carlisle of Wightman Engineering. Mr. Carlisle answered questions from the Council and residents.

There being no public comment, Mayor Lyons closed the public hearing at 7:22 p.m.

RESOLUTIONS

1. Resolution to authorize the City Manager to submit a grant application to the Michigan Department of Natural Resources Trust Fund for a project to improve accessibility at Rudy Park.

Councilmember Burling offered and moved the adoption of the following resolution; seconded by Councilmember Laylin.

WHEREAS, the City of Dowagiac seeks to provide comprehensive and diverse recreational opportunities for its citizens, and;

WHEREAS, a notice of public hearing was duly advertised in the *Dowagiac Daily News* on March 3, 2016 and posted at City Hall to receive comment on proposed improvements to Rudy Park, and;

WHEREAS, in its 2015 through 2020 revised Park and Open Space Plan, filed with the State of Michigan, the City identified the need to improve Rudy Park to accommodate persons with disabilities as well as for general community use, and;

WHEREAS, grant assistance for such park improvement is available through the Department of Natural Resources, and;

WHEREAS, the City will undertake to apply for Department of Natural Resources grant assistance to improve such property, and in so doing must commit to and provide

DOWAGIAC CITY COUNCIL MEETING

Monday, March 14, 2016

Page Three

local match funding equal to \$62,000.00 exceeding 25% of the total improvement cost.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby authorize the City Manager to submit an application to the Michigan Department of Natural Resources Trust Fund for the remaining of the estimated \$235,000 total improvement cost required to develop and improve Rudy Park for the purposes of expanding outdoor recreation opportunities for persons with disabilities as well as general community use.

BE IT FURTHER RESOLVED that the City of Dowagiac will provide the required local match funding as specified by the Michigan Department of Natural Resources in conjunction with the approved award of any project grant.

ADOPTED unanimously.

2. Resolution to authorize a contract with the Michigan Department of Transportation for a Federal/State/Local airport project under the block grant program for acquiring land for approaches and construction of a terminal building-design.

Councilmember Dodd offered and moved the adoption of the following resolution; seconded by Councilmember Lucas.

WHEREAS, City Council it is cost effective to replace the existing terminal building at the airport; and

WHEREAS, federal and state funds are available to the City of Dowagiac for the purpose of Airport and Airway improvements, and

WHEREAS, property needs to be secured in the runway approaches so that tree growth can be maintained, and

WHEREAS, the City's application has been approved for a Michigan Department of Transportation contractor and Federal/State/Local Airport Project Block Grant through the Michigan Department of Transportation (MDOT).

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by affirmative vote of its City Council, hereby approves the agreement under the direction of the Michigan Department of Transportation; and,

BE IT FURTHER RESOLVED that the City Council directs the City Manager to be authorized as the signatory for execution of the same.

DOWAGIAC CITY COUNCIL MEETING

Monday, March 14, 2016

Page Four

ADOPTED unanimously.

3. Resolution to authorize the updating of ICMA 401 Money Purchase Plan Document.

Councilmember Laylin offered and moved the adoption of the following resolution; seconded by Councilmember Lucas.

DOWAGIAC CITY COUNCIL MEETING

Monday, March 14, 2016

Page Five

RESOLUTION

Plan Number: 10 8 2 8 3

Name of Employer: CITY OF DOWAGIAC State: MI

Resolution of the above named Employer ("Employer")

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, the Employer has established a qualified retirement plan for such employees that serves the interest of the Employer by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the continuance of the qualified retirement plan will serve these objectives; and

NOW THEREFORE BE IT RESOLVED that the Employer hereby amends and restates the qualified retirement plan (the "Plan") in the form of: (select one)

[X] The ICMA Retirement Corporation Governmental Money Purchase Plan & Trust

OR

[] The Plan and Trust and any associated amendments provided by the Employer (executed copies attached hereto)

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the Employer serving as trustee ("Trustee"), for the exclusive benefit of Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose. The Trustee's beneficial ownership of Plan assets held in VantageTrust shall be held for the further exclusive benefit of the Plan participants and their beneficiaries;

BE IT FURTHER RESOLVED that the employer hereby agrees to serve as Trustee under the Plan.

I, Jane P. Wilson, Clerk of the (City, County, etc.) City of Dowagiac, do hereby certify that the foregoing resolution, proposed by (Council Member, Trustee, etc.) _____, was duly passed and adopted in the (Council, Board, etc.) Council of the (City, County, etc.) of City of Dowagiac at a regular meeting thereof assembled this 14th day of March, 2016, by the following vote:

AYES:

NAYS:

ABSENT:

(Seal)

CLERK OF THE (CITY, COUNTY, ETC.)

If you are amending your own individually-designed plan document, this executed resolution should be returned to ICMA-RC as instructed below.

Fax to: 202-962-4601 ATTN: NBS Analyst

OR

Mail to: ICMA-RC ATTN: NBS Analyst 777 North Capitol Street, NE Washington, DC 20002-4240

DOWAGIAC CITY COUNCIL MEETING

Monday, March 14, 2016

Page Six

ADOPTED unanimously.

4. Resolution setting a public hearing and investigation of a nuisance as defined in Chapter 38 of the Dowagiac Code of Ordinances for 118 Clyborn Street.

Councilmember Laylin offered and moved the adoption of the following resolution; seconded by Councilmember Dodd.

WHEREAS, the City Council has received and considered a report from the City's Code Enforcement officer relating to the following-described property and premises within the City of Dowagiac, County of Cass, State of Michigan:

**118 CLYBORN ST
PROPERTY ID# 14-160-300-457-00
. DW 1514 LOT 65 LYLE ADD CITY OF DOWAGIAC.**

WHEREAS, it appears to the City Council that the poor upkeep of the property described above may constitute a nuisance as defined by Chapter 38; Article II, Sections 38-59, justifying abatement by the City pursuant to the powers granted in Chapter 12 of the City Charter and procedures set forth in Chapter 38 of the Code of Ordinances of the City of Dowagiac; and;

WHEREAS, the City Council believes it is warranted in conducting a public hearing and investigation pursuant to such provisions of Chapter 38 of said Code for the purpose of ascertaining and determining for itself whether such condition or conditions exist.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dowagiac will conduct a public hearing and investigation on Monday, March 28, 2016 at 7:00 p.m. in the City Council Chambers, Dowagiac City Hall, for the purposes and according to the procedures referred to above; and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to:

1. Notify, by certified mail directed to the last known address, persons known to have an interest in the property described above and all property owners thereof according to the most recent City Assessor's records, at least ten (10) days in advance of the date herein set for such hearing and investigation.
2. Cause a notice to be published in the *Dowagiac Daily News* at least ten (10) days in advance of said hearing. Then notice herein required shall include time and place of said hearing and legal description and address of the property involved, and specify in what respects said property may constitute a nuisance within the meaning of Chapter 38, Sections 38-41, 38-42, 38-43 and 38-45.
3. Provide for the recording of such hearings.

DOWAGIAC CITY COUNCIL MEETING

Monday, March 14, 2016

Page Seven

ADOPTED unanimously.

5. Resolution authorizing an agreement with Synagro to haul and land apply biosolids.

Councilmember Burling offered and moved the adoption of the following resolution; seconded by Councilmember Laylin.

WHEREAS, the City of Dowagiac has a contract for the transport and land application of biosolids (liquid sludge) with Synagro Central, LLC of Baltimore, Maryland, that expired December 31, 2015, and

WHEREAS, Synagro Central, LLC representatives contacted the City of Dowagiac about extending the contract for another year, with an option for two additional years, and

WHEREAS, Synagro Central, LLC has met all the terms and conditions of the previous contract and has contracts in place with local farmers for land application of biosolids.

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council hereby approves the attached contract with Synagro Central, LLC.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the contract on behalf of the City of Dowagiac.

ADOPTED unanimously.

6. Resolution to authorize and direct the City Treasurer to pay the following bills and payroll due:

Councilmember Burling offered and moved the adoption of the following resolution; seconded by Councilmember Dodd.

WHEREAS, the following information has been reviewed by the City Manager and City Treasurer and is being presented to City Council with a recommendation to approve invoices and payroll #12 for the period ending 02/28/16:

| | |
|----------|----------------------|
| Invoices | \$1,111,652.02 |
| Payroll | <u>\$ 120,807.58</u> |
| Total | \$1,232,459.60 |

DOWAGIAC CITY COUNCIL MEETING

Monday, March 14, 2016

Page Eight

BE IT RESOLVED that the City Manager and City Treasurer are hereby authorized and directed to pay the following bills and payroll due:

| <u>BILLS</u> | <u>PAYROLL</u> | <u>TOTAL</u> |
|----------------|----------------|----------------|
| \$1,111,652.02 | \$120,807.58 | \$1,232,459.60 |

ADOPTED on a roll call vote.

Ayes: Four (4) Laylin, Burling, Dodd, Lucas

Nays: None (0)

Absent: Two (2) Hunt, Schuur

Abstain: None (0)

7. Resolution to go into closed session for the purpose of discussing litigation.

Councilmember Burling offered and moved the adoption of the following resolution; seconded by Councilmember Dodd.

WHEREAS, the Michigan Open Meetings Law, Public Act 267 of the Public Acts of 1976 as amended, provides that public bodies may meet in closed session for the purpose discussing litigation; and

WHEREAS, the Mayor and City Council desire to meet with the City Manager and the City Attorney to receive an update and discuss the litigation.

NOW, THEREFORE, BE IT RESOLVED the City Council will hereby adjourn to closed session to discuss litigation.

ADOPTED unanimously.

CLOSED SESSION

TIME: 7:36 PM

LATER: 8:01 PM

ADJOURNMENT

DOWAGIAC CITY COUNCIL MEETING

Monday, March 14, 2016

Page Nine

Upon motion by Councilmember Laylin and seconded by Councilmember Dodd, the Dowagiac City Council adjourned at 8:01 PM.

Donald D. Lyons, Mayor

Jane P. Wilson, City Clerk

EVENTS APPROVAL FORM

Event: Dowagiac Union Schools Commencement
Date: Sunday, June 5, 2016 2:00 PM
Sponsoring Organization: Dowagiac Union Schools
Contact Person(s): Kelly Millin - Prncipal, Dowagiac High School
Contact Person's Telephone: 269.782.4428

CITY MANAGER:

Final Approval Denial

Comments: _____

Signature _____ Date _____

Department Heads:

Please review the attached event/activity request; indicate conditional approval, approval or denial; and provide comments regarding possible concerns. All comments will be taken under consideration and final approval remains with the City Manager.

DEPARTMENT OF PUBLIC SAFETY:

Approval Approval with conditions Denial

Comments: _____

Signature *St. L. Summell* Date *3/23/16*

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature *James Bradford* Date *3-22-16*

FINANCE DEPARTMENT:

Approval Approval with conditions Denial

Comments: _____

Signature _____ Date _____

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature _____ Date _____

DOWAGIAC UNION SCHOOLS

"Building on a Tradition of Excellence"

March 21, 2016

Mr. Kevin Anderson
Manager, City of Dowagiac
241 South Front Street
Dowagiac, MI 49047

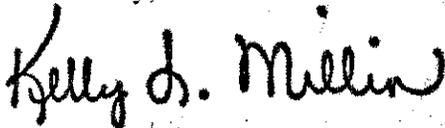
Dear Mr. Anderson:

Our Commencement will be held on Sunday, June 5, 2016 at 2:00 p.m. We would like permission to park cars on Solomon Street. In addition, we would like to block off Solomon Street from 1 p.m. to 4 p.m.

Please let me know if this meets with your approval.

Thank you for your assistance.

Sincerely,



Kelly L. Millin
Principal
Dowagiac Union High School
269-782-4428

EVENTS APPROVAL FORM

Event: 25th Anniversary Gala - temporary liquor licence request
Date: Friday, April 29, 6:30 pm
Sponsoring Organization: Dowagiac Dogwood Fine Arts Festival
Contact Person(s): Bobbie Jo Hartline, Festival Secretary
Contact Person's Telephone: 269.782.1115

CITY MANAGER:

Final Approval Denial

Comments: _____

Signature _____ Date _____

Department Heads:

Please review the attached event/activity request; indicate conditional approval, approval or denial; and provide comments regarding possible concerns. All comments will be taken under consideration and final approval remains with the City Manager.

DEPARTMENT OF PUBLIC SAFETY:

Approval Approval with conditions Denial

Comments: _____

Signature *St. L. Hummel* Date 3/23/16

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature *James Burford* Date 3-23-16

FINANCE DEPARTMENT:

Approval Approval with conditions Denial

Comments: _____

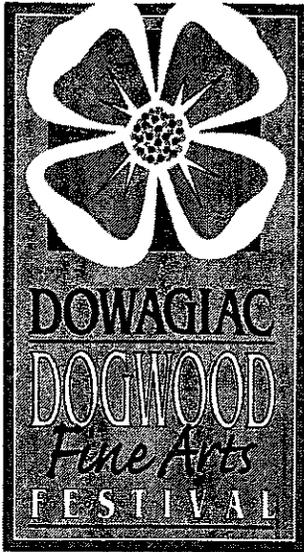
Signature _____ Date _____

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature _____ Date _____



Dowagiac Dogwood Fine Arts Festival, Inc.

March 23, 2016

Dowagiac City Council
214 South Front Street
Dowagiac, MI 49047

City Council Members:

ADVISORY BOARD:

Artists
Winifred Godfrey
Richard Hunt
Tuck Langland
Jerry Catania

Artists
Margaret Atwood
Russell Barts
Pat Conroy
Tim O'Brien
Jonathan Safran Foer

Nan Giordano
Joel Hall
Idela Reed
Sabatino Verlezza

Music
Shirley Jones
Johannes Linstead
Charles Neville
The Manhattan
Rhythm Kings

Storytellers
Carmen Agra Deedy
Donald Davis
Diane Ferlatte
Bil Lepp
Jim May
Antonio Rocha

The Dowagiac Dogwood Fine Arts Festival respectfully requests support for a special, temporary liquor license application. The Festival will kick-off the 2016 season with a 25th anniversary gala, on April 29, at Southwestern Michigan College. This one night event will feature hors d'oeuvres, Michigan wins, live music and artists, and a silent auction.

The Festival was introduced in 1991 and is a local 50c3 non-profit arts and education organization. Our mission is to provide quality fine art experiences for the people of Dowagiac and the surrounding area. The Festival hosts music, theatre, literature, storytelling, visual arts and other creative arts and entertainment activities.

The festival is organized and operated by over 200 volunteers along with one part-time employee. We hope this event and week-long festival will add to the fine arts and home town experience people receive in Dowagiac.

Thank you for the opportunity to appear before the Council. I will be available for any questions that the group may have.

Thank you,
Jim Bendex, President

Dowagiac Dogwood Fine Arts Festival
PO Box 526
(Located In Huntington Bank)
269-782-1115
mail@dogwoodfinearts.org
www.dogwoodfinearts.org

EVENTS APPROVAL FORM

Event: Dogwood Festival Author event, Liquor licence req.
Date: Saturday, May 7, 2016
Sponsoring Organization: Dowagiac Dogwood Fine Arts Festival
Contact Person(s): Bobbie Jo Hartline, Festival Secretary
Contact Person's Telephone: 269.782.1115

CITY MANAGER:

Final Approval Denial

Comments: _____

Signature _____ Date _____

Department Heads:

Please review the attached event/activity request; indicate conditional approval, approval or denial; and provide comments regarding possible concerns. All comments will be taken under consideration and final approval remains with the City Manager.

DEPARTMENT OF PUBLIC SAFETY:

Approval Approval with conditions Denial

Comments: _____

Signature *St. L. Summell* Date 3/23/16

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature *James Bradford* Date 3-23-16

FINANCE DEPARTMENT:

Approval Approval with conditions Denial

Comments: _____

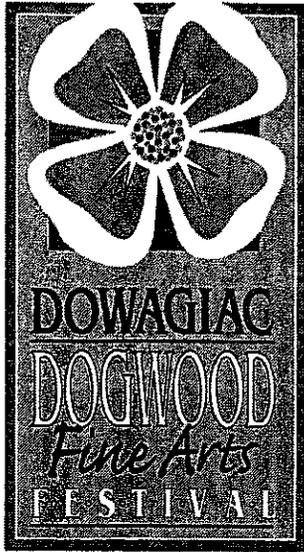
Signature _____ Date _____

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature _____ Date _____



Dowagiac Dogwood Fine Arts Festival, Inc.

March 23, 2016

Dowagiac City Council
214 South Front Street
Dowagiac, MI 49047

City Council Members:

ADVISORY BOARD:

Artists
Winifred Godfrey
Richard Hunt
Tuck Langland
Jerry Catania

Authors
Margaret Atwood
Russell Banks
Pat Conroy
Tim O'Brien
Jonathan Safran Foer

Nan Giordano
Joel Hall
Idela Reed
Sabatino Verlezza

Music
Shirley Jones
Johannes Linstead
Charles Neville
The Manhattan
Rhythm Kings

Storytellers
Carmen Agra Deedy
Donald Davis
Diane Ferlatte
Bil Lepp
Jim May
Antonio Rocha

The Dowagiac Dogwood Fine Arts Festival respectfully requests support for a special, temporary liquor license application. The Festival is celebrating 25 years and will host two authors on author night. On Saturday, May 7, the Festival will host a reception and book signing after the author event at Southwestern Michigan College.

The Festival was introduced in 1991 and is a local non-profit arts and education organization. Our mission is to provide quality fine art experiences for the people of Dowagiac and the surrounding area. The Festival hosts music, theatre, literature, storytelling, visual arts and other creative arts and entertainment activities.

The festival is organized and operated by over 200 volunteers along with one part-time employee. We hope this event and week-long festival will add to the fine arts and home town experience people receive in Dowagiac.

Thank you for the opportunity to appear before the Council. I will be available for any questions that the group may have.

Thank you,

Jim Bendex, President

Dowagiac Dogwood Fine Arts Festival
PO Box 526
(Located In Huntington Bank)
269-782-1115
mail@dogwoodfinearts.org
www.dogwoodfinearts.org

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: March 24, 2016

SUBJECT: Set Public Hearing for Blight at 118 Clyborn

The condition of 118 Clyborn has been an ongoing concern for Code Enforcement. Attached you will find numerous photos and correspondence from that department.

On March 14, 2016 Council reviewed staff's correspondence and photos then set a public hearing for the next council meeting, March 28, 2016. After the public hearing Council will then consider authorizing the removal of the nuisance and assessing the property for costs.

RECOMMENDATION

Authorize the resolution to setting a public hearing for 118 Clyborn.

Support Documents:

- Cover Memo-City Mgr.
- Cover Memo-Dept. Head
- Resolution
- Project Authorization

Res #1
March 28, 2016

Councilmember _____ offered and moved the adoption of the following resolution; seconded by Councilmember _____.

WHEREAS, the Dowagiac City Council has heretofore adopted its resolution scheduling a public hearing on the necessity of abatement of blighted property constituting a public nuisance within the meaning of Sections 38.42 et seq, of the Dowagiac City Code, which structures are described as:

**118 Clyborn Street
Tax #14-160-300-457-00
Described as follows:**

. DW 1514 LOT 65 LYLE ADD CITY OF DOWAGIAC.

WHEREAS, due notice of public hearing to consider the condemnation thereof has heretofore been given in accordance with the requirements of Chapter 66, Section 66.7 of the Dowagiac City Code, both by publication and by mailing to each owner or person in interest in said property as shown by the last general tax assessment roll of the City, at least ten full days prior to the date of said hearing; and;

WHEREAS, said hearing has been conducted and comments thereon received, and;

WHEREAS, the Dowagiac City Council, upon due consideration and deliberation, determines that condemnation of certain structures situated at 118 Clyborn Street, City of Dowagiac, is necessary due to the Blighted condition, and such action must be taken in order to properly and adequately safeguard the public interest, and;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dowagiac by the affirmative vote of its Council does hereby determine that certain structures situated upon the properties hereinabove described constitutes a public nuisance as defined by Chapter 38, Sections 38.71(13) and 38.41 of the Dowagiac City Code justifying abatement by the City pursuant to the powers granted in Chapter 12 of the Dowagiac City Charter and Chapter 38 of the Dowagiac City Code.

BE IT FURTHER RESOLVED that the improvements, repairs and/or demolition of said structures are those set forth in Appendix A attached hereto and incorporated herein by reference, and that said improvements, repairs and/or demolition is necessary in order to protect the public health, safety and welfare.

BE IT FURTHER RESOLVED that said premises by and hereby is determined to contain the following violations:

| | | | |
|---------|----------|---------|------------|
| () | Building | () | Electrical |
| () | Plumbing | () | Heating |
| () | Housing | () | Fire |
| (xxxx) | Other | | |

BE IT FURTHER RESOLVED that said nuisances be abated, and that the owner of said premises, to-wit: , be and hereby is directed to abate said nuisance by commencement of actions necessary to accomplish same **within 15 days** from the date of this resolution, and that said acts be completed, and said nuisances abated, no later than **20 days** from the date of this resolution.

BE IT FURTHER RESOLVED that if, upon the commencement date herein provided, abatement has not been commenced or if, upon the completion date, such conditions constituting a nuisance have not been abated, the City Manager is directed to cause the abatement of such conditions and nuisances by:

() Demolition

(xxxxx) Correction of the above-listed Code violations.

BE IT FURTHER RESOLVED that any costs incurred in the abatement of such conditions and nuisances are to be recovered through use of special assessment of the above listed property.

BE IT FURTHER RESOLVED that the City Manager be and hereby is directed to solicit and receive estimates of the costs and expenses associated with the abatement of said nuisances as hereinabove set forth and that such estimates shall be deposited with the City Clerk for examination in accordance with the requirements of Chapter 66 of the Dowagiac City Code.

BE IT FURTHER RESOLVED that the City Clerk be and hereby is directed to forthwith send, by certified mail, return receipt requested, a copy of this resolution to the last known address of the property owner, or any person having an interest in said properties, as shown by the last general tax assessment roll of the City, together with copies of the Code Enforcement Report forms submitted in this matter.

ADOPTED .







THE CITY OF
DOWAGIAC

CREATING
TOMORROW

01/17/2013

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

**Blight Violation - HOUSE HOLD FURNITURE AND OTHER ITEMS
SCATTERED ON THE PROPERTY FOR AN EXTENDED TIME.**

**RE: 118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)**

While conducting routine neighborhood inspections, the above was observed at the captioned property, which City records indicate you own.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations. After that time, additional enforcement action will be initiated. You can avoid this simply by ensuring that this property is adequately maintained at all times.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer
Sa/ **EENF12-13-0137**



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

03/26/2013

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

AA/BL - UNORGANIZED PROPERTY

118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)

While conducting routine neighborhood inspections, the below was observed at the captioned property, which City records indicate you own.

1. Several piles wood wood are present on the property. The wood scattered in various sections of the property.
2. There is loose trash and several toys scattered on the property.
3. There is a white SUV parked in the rear yard. The vehicle appears to have at least one flat tire and inoperable

Abandoned Auto -Chapter 38 of the Dowagiac City Code, Section 38-59(1), states in part:

"In any area, except where specifically permitted, the storage upon any property of junk automobiles, except in a completely enclosed building...For the purpose of this Division, the term "junk automobile" shall include any such auto which is not licensed for use upon the highways of the state...for a period in excess of 48 hours; and shall also include, whether so licensed or not, any auto which is inoperative for any reason, for a period in excess of 14 days."

Blight - Accumulations of the blight materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3).

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations. After that time, additional enforcement action will be initiated. You can avoid this simply by ensuring that this property is adequately maintained at all times. If you would like to discuss this matter, please contact this office at (269) 782-8427.

BUILDING DEPARTMENT

STEVEN ALLEN

Code Enforcement Officer/cd EENF12-13-0201



THE CITY OF
DOWAGIAC

04/30/2013

CREATING
TOMORROW

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

**Blight Violation - AT LEAST THREE TIRE DISCARDED ON THE TREE LAWN.
EXCESSIVE AMOUNT OF MISC ITEMS SCATTERED ON THE PROPERTY
FOR AN EXTENDED TIME.**

RE: **118 CLYBORN ST**, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)

While conducting routine neighborhood inspections, the above was observed at the captioned property, which City records indicate you own.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations. After that time, additional enforcement action will be initiated. You can avoid this simply by ensuring that this property is adequately maintained at all times.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer
Sa/ EENF12-13-0247



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

06/18/2013

WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047

Possible Abandoned Auto - WHITE SUV PARKED IN THE DRIVE WAY VEHICLE APPEARS TO BE INOPERABLE

RE: 118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)

While conducting routine neighborhood inspections, the above was observed at the captioned property, which City records indicate you own.

Chapter 38 of the Dowagiac City Code, Section 38-59(1), states in part:

"In any area, except where specifically permitted, the storage upon any property of junk automobiles, except in a completely enclosed building...For the purpose of this Division, the term "junk automobile" shall include any such auto which is not licensed for use upon the highways of the state...for a period in excess of 48 hours; and shall also include, whether so licensed or not, any auto which is inoperative for any reason, for a period in excess of 14 days."

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations. After that time, additional enforcement action will be initiated. You can avoid this simply by ensuring that this property is adequately maintained at all times. If you would like to discuss this matter, please contact this office at (269) 782-8427.

BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer
SAEENF12-13-0613



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

07/02/2013

WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047

Blight Violation - LARGE AMOUNT OF LUMBER INTERMINGLED WITH BRUSH

RE: 118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)

Recently, this office received a complaint concerning the above violation. As a result this office performed an inspection. During the inspection it was noted that there is a large pile of brush intermingled with lumber. Please be advised that the city will not remove the pile because it has lumber mixed with it.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have five (5) days** to comply with City regulations. After that time, additional enforcement action will be initiated. You can avoid this simply by ensuring that this property is adequately maintained at all times.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer
Sa/ **EENF12-13-0663**



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

07/15/2013

WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047

Blight Violation - LARGE AMOUNT OF LUMBER INTERMINGLED WITH BRUSH

RE: **118 CLYBORN ST**, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)

While conducting routine neighborhood inspections, the above was observed at the captioned property, which City records indicate you own.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations. After that time, additional enforcement action will be initiated. You can avoid this simply by ensuring that this property is adequately maintained at all times.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer
Sa/ **EENF12-13-0663**



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

08/28/2013

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

Blight Violation - LARGE AMOUNT OF VARIOUS ITEMS SCATTERED ON THE FRONT AND REAR OF THE HOUSE.

**RE: 118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)**

While conducting routine neighborhood inspections, the above was observed at the captioned property, which City records indicate you own.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer
Sa/ **EENF12-13-0798**



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

08/28/2013

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

Abandoned Auto Violation - SEVERELY DAMAGED SUV PARKED IN THE REAR YARD. VEHICLE APPEARS INOPERABLE.

**RE: 118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)**

While conducting routine neighborhood inspections, the above was observed at the captioned property, which City records indicate you own.

Chapter 38 of the Dowagiac City Code, Section 38-59(1), states in part:

"In any area, except where specifically permitted, the storage upon any property of junk automobiles, except in a completely enclosed building...For the purpose of this Division, the term "junk automobile" shall include any such auto which is not licensed for use upon the highways of the state...for a period in excess of 48 hours; and shall also include, whether so licensed or not, any auto which is inoperative for any reason, for a period in excess of 14 days."

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations. After that time, additional enforcement action will be initiated. You can avoid this simply by ensuring that this property is adequately maintained at all times. If you would like to discuss this matter, please contact this office at (269) 782-8427.

BUILDING DEPARTMENT



STEVEN ALLEN
Code Enforcement Officer
SAEENF12-13-0797

03/31/2014

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

RE: Blight Violation - **UNORGANIZED PROPERTY**

118 CLYBORN ST, Dowagiac, MI
Tax I.D. #14-160-300-457-00

This office has received several complaints concerning the upkeep of the above mentioned property. There have been numerous attempts by the city to enforce the city regulated ordinance at this address however, once again this property is in violation of the below mentioned ordinance.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

The City cannot and will not allow this property to continue to remain in the condition that it is currently in. **Please be advised that you have ten (10) days to comply with city regulations.** If after that time the property is not cleaned of all debris and other useless items, the City will hire a local contractor to remove them for you. If that should occur, all cost associated with the clean-up of the property will be special assessed to the property taxes. You can avoid this by simply adequately maintaining your property at all times.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT



STEVEN ALLEN
Code Enforcement Officer
SA/ EENF14-0060

05/08/2014

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

RE: Blight Violation Partial Compliance - **UNORGANIZED PROPERTY**

118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)

Previously, you were notified by this office of blight as referenced above. As of the date of this letter it was noted that some of the items have been removed, however there is still some items that are scattered on the property. Please stack the fire wood and removed all items that are unusable.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2) (3), Causes of Blight.

Please be advised that from **the date of this letter, you have two (2) days** to comply with City regulations. After that time, additional enforcement action will be initiated.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT



STEVEN ALLEN
Code Enforcement Officer
Sa/ EENF14-0060

08/06/2014

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

**RE: Blight Violation - LARGE AMOUNT OF MISC. ITEMS TRASH AND OTHER
DEBRIS DISCARDED IN THE FRONT YARD.**

**118 CLYBORN ST, Dowagiac, MI
Tax I.D. #14-160-300-457-00**

The City has received several complaints concerning the upkeep of this property for several years. Please be advised that the City does not have the man power to continually monitor this property. Consider this a final effort to request your cooperation in adequately maintaining your property. If the City receives a complaint **after 10 day from the date on this letter**, a local contractor will be hired to remove any and all items from the outside of the property. That includes any junk, garbage, broken or unusable items as well as any automobiles that appear to be inoperable or unable to operate legally on public roads.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations. If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT



STEVEN ALLEN
Code Enforcement Officer
SA/ EENF14-0512

09/30/2014

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

RE: Blight Violation Second Notice - LARGE AMOUNT OF MISC. ITEMS TRASH AND OTHER DEBRIS DISCARDED IN THE FRONT YARD.

**118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)**

Previously, you were notified by this office of blight as referenced above. As of the date of this letter the most of the items have been removed however, there is now a large pile of items in the rear yard that appears to be unusable due to the length of time they have been left out in the weather.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have two (2) days** to comply with City regulations.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT



STEVEN ALLEN
Code Enforcement Officer
Sa/ EENF14-0512

10/06/2014

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

**RE: Blight 48-hr Notice - LARGE AMOUNT OF MISC. ITEMS TRASH AND
OTHER DEBRIS DISCARDED ON THE PROPERTY.**

**118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)**

This office has sent you several notices regarding the blight material(s) at the above-captioned residence. During a recheck inspection of this property, it was noted that the material still remains. As you have not completely responded to the City's requests, the complaint is still unresolved.

The purpose of this correspondence is to advise you that the material(s) must be removed within **48 hours from the date of this letter**. If your property is not in compliance within that time frame, the City will make arrangements with a local waste-hauling contractor to remove this debris for you. Should that occur, all costs incurred by the City for this work would be recovered through placement of special assessment upon the property.

You can avoid this simply by arranging to have the debris removed within the prescribed time frame. If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT



STEVEN ALLEN
Code Enforcement Officer
Sa/ EENF14-0512

CERTIFIED MAIL

12/15/2014

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

**RE: Blight 48-hr Notice - LARGE AMOUNT OF MISC. ITEMS TRASH AND
OTHER DEBRIS DISCARDED IN THE FRONT AND REAR YARDS.**

**118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)**

This office has received several complaints and has sent you several notices regarding the blight material(s) at the above-captioned residence. During a recheck inspection of this property, it was noted that the material still remains. As you have not completely responded to the City's requests, the complaint is still unresolved.

The purpose of this correspondence is to advise you that the material(s) must be removed within **48 hours from the date of this letter**. If your property is not in compliance within that time frame, the City will make arrangements with a local waste-hauling contractor to remove this debris for you. Should that occur, all costs incurred by the City for this work would be recovered through placement of special assessment upon the property.

You can avoid this simply by arranging to have the debris removed within the prescribed time frame. If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT



STEVEN ALLEN
Code Enforcement Officer
Sa/ EENF14-0512

CERTIFIED MAIL

THE CITY OF

DOWAGIAC

CREATING
TOMORROW

03/13/2015

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

**RE: Blight Violation - LARGE AMOUNT OF MISC. ITEMS TRASH AND OTHER
DEBRIS DISCARDED IN THE FRONT, BOTH SIDE YARDS AND THE REAR
YARD.**

**118 CLYBORN ST, Dowagiac, MI
Tax I.D. #14-160-300-457-00**

While conducting routine neighborhood inspections, the above property maintenance issue was observed at the captioned property, which City records indicate you own.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations. If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT



STEVEN ALLEN
Code Enforcement Officer
SA/ EENF14-0512



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

04/28/2015

WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047

RE: **Blight Violation Partial Compliance - LARGE AMOUNT OF MISC. ITEMS TRASH AND OTHER DEBRIS DISCARDED IN THE FRONT YARD.**

118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)

Previously, you were notified by this office of blight as referenced above. As of the date of this letter it was noted that some of the items have been removed, however some items still remain. As a result this violation remains unresolved.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that from **the date of this letter, you have two (2) days** to comply with City regulations. After that time, additional enforcement action will be initiated.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer
Sa/ EENF14-0512



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

09/30/2015

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

**RE: Blight Violation - LARGE AMOUNT OF MISC. ITEMS TRASH AND OTHER
DEBRIS DISCARDED IN THE FRONT YARD.**

**118 CLYBORN ST, Dowagiac, MI
Tax I.D. #14-160-300-457-00**

While conducting routine neighborhood inspections, the above property maintenance issue was observed at the captioned property, which City records indicate you own.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have ten (10) days** to comply with City regulations. If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer
SA/ EENF14-0512



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

10/13/2015

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

RE: Blight Violation Second Notice - LARGE AMOUNT OF MISC. ITEMS TRASH AND OTHER DEBRIS DISCARDED IN THE FRONT AND REAR YARD.

**118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)**

Previously, you were notified by this office of blight as referenced above. As of the date of this letter the items still remain on the property.

Accumulations of materials listed above are in violation of Chapter 38 of the Dowagiac City Code, Section 38-59(2)(3), Causes of Blight.

Please be advised that **from the date of this letter, you have two (2) days** to comply with City regulations.

If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,

BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer
Sa/ EENF14-0512



THE CITY OF
DOWAGIAC

CREATING
TOMORROW

02/24/2016

**WILSON, EDWARD N
118 CLYBORN ST
DOWAGIAC, MI 49047**

**Blight Violation - LARGE AMOUNT OF MISC. ITEMS TRASH AND OTHER
DEBRIS DISCARDED IN THE FRONT AND REAR YARD.**

**118 CLYBORN ST, Dowagiac, MI
(Tax I.D. #14-160-300-457-00)**

This office has sent you several notices regarding the blight material(s) at the above-captioned residence. During a recheck inspection of this property, it was noted that the material still remains. As you have not completely responded to the City's requests, the complaint is still unresolved.

In a separate issue it was noted that there are at least four vehicles parked in the front yard. Please be advised that all vehicles must be parked in the driveway. As stated in the ordinance below.

The city's Zoning Code (Chapter 19, Section 19.3 (a)(3), states in part:

"Residential off-street parking spaces shall consist of parking strip, parking bay, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve. Such parking spaces shall be paved with an asphalt or Portland cement binder so as to provide a permanent, durable and dustless surface and shall occupy no greater than thirty-three (33) percent of the required front yard."

The purpose of this correspondence is to advise you that the material(s) must be removed within **10 days from the date of this letter**. If your property is not in compliance within that time frame, this office will forward this violation to the City Council for action.

You can avoid this simply by arranging to have the debris removed within the prescribed time frame. If you would like to discuss this matter, please contact this office at (269) 782-8427.

Signed,
BUILDING DEPARTMENT

STEVEN ALLEN
Code Enforcement Officer Sa/ EENF14-0512

**CITY OF DOWAGIAC
MEMO**

TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: March 24, 2016

RE: April 25-29, 2016 Spring Clean-Up Bids

Spring Clean-up has been a very popular program that gives people the opportunity to have items too large for their weekly trash service to remove. Attached is a memo from James Bradford, Director of Public Services, which details and reviews the bids that have been received. The DPS recommendation is to contract with Republic Services.

RECOMMENDATION

I recommend approving a contract with Republic Services for the 2016 Spring Clean-up Program.



INTER-DEPARTMENTAL COMMUNICATION

TO: Kevin P. Anderson
City Manager

FROM: James D. Bradford 
DPS Director

DATE: March 24, 2016

RE: 2016 SPRING CLEAN-UP BID AWARD RECOMMENDATION

We recently advertised for bids for our annual Spring Clean-up Week, scheduled for April 25 – April 29, 2016. The public bid opening was conducted at 3:00 p.m., Tuesday, March 22, 2016, in the City Clerk's Office. Three bids were received out of four solicitations. Below is a tabulation of the bids received.

| BIDDER | LABOR & EQUIPMENT HOURLY RATE | DISPOSAL CHARGE (per Ton) | 20 CYD Con4tainer (per load) |
|--|---|---------------------------|--|
| Michiana Recycling & Disposal Services Niles, MI | \$250.00 | \$45.00 | \$350.00 |
| Waste Management Wixom, MI | \$200.00 | \$32.00 | \$250.00 + \$32.00 per ton (\$378.00 – based on 4 ton load) |
| Republic Services / Reliable Disposal Kalamazoo, MI | \$155.00* <small>*Hours to be calculated to include travel from & to Stevensville, MI office</small> | \$39.00 | \$220.00 + \$39.00 per ton (\$376.00 – based on 4 ton load) |
| Best Way Disposal Watervliet, MI | NO BID | | |

Based on waste collection statistics from the past five years, the costs for each bidder would be as follows:

| BIDDER | LABOR & EQUIPMENT HOURLY RATE (55 hrs. assumed) | DISPOSAL CHARGE (per Ton) (65 tons assumed) | 20 CYD Container (per load) (2 containers assumed) (20 CYD Tonnage = 4 Tons) | TOTAL |
|--|---|---|--|--------------------|
| Michiana Recycling & Disposal Services Niles, MI | \$13,750.00 | 2,925.00 | \$700.00 | \$17,375.00 |
| Waste Management Battle Creek MI / Indianapolis, IN | \$11,000.00 | \$2,080.00 | \$756.00 | \$13,836.00 |
| Republic Services / Reliable Disposal Kalamazoo, MI | \$8,525.00 | \$2,535.00 | \$752.00 | \$11,812.00 |
| Best Way Disposal Watervliet, MI | NO BID | | | |

I am hereby recommending that we award the Spring Clean-up contract to *Republic Services, Inc.* of Kalamazoo, MI.

JDB:sw
Attachments

enc. Bid Advertisement Notice
Spring Clean-up Week flyer



BID OPENING

Sealed bids for the Waste Disposal Services for Citywide Annual Spring Clean-up Week were received at the office of the Clerk at City Hall, 241 South Front Street, Dowagiac, Michigan, until 3:00 p.m., Tuesday, March 22, 2016, at which time bids were opened and read publicly.

Those present were:

Jane Phillipson Wilson, City Clerk
Susan L. Watson, DPS Administrative Assistant

| BIDDER | LABOR & EQUIPMENT HOURLY RATE | DISPOSAL CHARGE (per ton) | 20 CYD CONTAINER (per load) |
|---|---|---------------------------------|-----------------------------------|
| Michiana Recycling & Disposal Services Niles, MI | \$250.00 | \$45.00 | \$350.00 |
| Best Way Disposal Watervliet, MI | No Bid | No Bid | No Bid |
| Waste Management Wixom, MI | \$200.00 | \$32.00 | \$250.00 + \$32.00/Ton |
| Republic Services / Reliable Disposal Kalamazoo, MI | \$155.00* <small>*Hours to be calculated to include travel from & to Stevensville, MI office</small> | \$39.00 | \$220.00 + \$39.00/Ton |

No further bids were received, the opening concluded at 3:04 p.m.


Jane Phillipson Wilson
City Clerk



ADVERTISEMENT FOR BIDS

Waste Disposal Services for Citywide Annual Spring Clean-Up Week

The City of Dowagiac is seeking sealed bids from waste disposal contractors for its ANNUAL SPRING CLEAN-UP WEEK.

Bids will be received until 3:00 p.m. EST, Tuesday, March 22, 2016, at the Dowagiac City Hall, P.O. Box 430, 241 South Front Street, Dowagiac, Michigan 49047; at which time and place all bids will be publicly opened and read aloud. Bids must be clearly marked in the lower left-hand corner of the envelope as "SPRING CLEAN-UP WEEK BID".

Complete specifications are available upon request from the Department of Public Services at the address noted above, on the City's website (www.cityofdowagiac.com), or by calling 269-782-8200, ext. 112.

The City reserves the right to reject any or all bids, and to waive any informalities or irregularities deemed to be in the best interests of the City.

DATED: March 4, 2016

Jane P. Wilson, City Clerk



SPRING CLEAN-UP WEEK **APRIL 25 – APRIL 29, 2016**

CITY OF DOWAGIAC DEPARTMENT OF PUBLIC SERVICES

*******All materials must be placed curbside prior to 6:00 a.m. Monday, April 25, 2016*******

The following restrictions apply to all disposed materials:

- 1.Á Refuse must be neatly placed curbside in an orderly fashion.
- 2.Á No refrigerators, freezers, or air conditioners will be accepted; unless certification sticker is placed on item indicating that the freon has been removed.
- 3.Á No household garbage will be accepted.
- 4.Á No individual item over 5' long, 3' wide, or 3' high, weighing over 100 lbs will be accepted.
- 5.Á No automotive/marine batteries will be accepted.
- 6.Á No tires or rims will be accepted.
- 7.Á No materials that are prohibited from disposal in TYPE II landfills (paints, solvents, oils, etc.) will be accepted. (Note: Paint cans that are open and contain only DRY paint will be accepted.)
- 8.Á No propane cylinders will be accepted.
- 9.Á All construction / demolition material must be less than one cubic yard in total volume for curbside pickup.
- 10.Á No lawnmowers or small engines will be accepted unless the gasoline has been completely drained.
- 11.Á Total curbside volume shall not exceed 3 cubic yards.
- 12.Á Windows, glass, and mirrors must be less than 3' x 4' in size.

Á

EACH STREET WILL BE SCHEDULED FOR PICK-UP ONE TIME ONLY.

To minimize blighting effects within our neighborhoods, **debris may not be placed curbside prior to Saturday, April 23, 2016**. Violators will be subject to penalties as prescribed by the City's Blight Ordinance.

Property owners will be responsible for clean up and removal of any remaining debris **AFTER** pick up crews have passed through their neighborhood.

For questions regarding the Spring Clean-up Program, or to inquire about disposal alternatives, please contact the Department of Public Services office at 782-8200; email us at DPS_Service_Request@dowagiac.org; or visit the City's website at www.cityofdowagiac.com.

Thank you for your cooperation.

Resolution #2
March 28, 2016

Councilmember _____ offered and moved the adoption of the following resolution;
seconded by Councilmember _____.

WHEREAS, the annual spring clean-up program has been highly utilized by the citizens of
Dowagiac; and,

WHEREAS, the Department of Public services has received multiple bids from waste disposal
firms and recommends the contract be awarded to Republic Services for the
spring clean-up program; and,

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council, by the affirmative
vote of its City Council, does hereby award the bid for April 25-29, 2016 Spring
Clean-up to Republic Services.

ADOPTED/REJECTED

**CITY OF DOWAGIAC
MEMO**

TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: March 25, 2016

RE: MDOT Permit Authorizations

A resolution establishing the process to acquire permits for operation or construction of municipal utilities within the right-of-way for the Michigan Department of Transportation (MDOT) is once again on Council's agenda for consideration. This is a resolution that is required by MDOT in order for the City to apply for "individual permits for use of state trunk line right-of-ways". The last time this came before Council was February 2011. This is necessary for the efficient operation of our water, sewer and electrical systems within MDOT right-of-ways.

The resolution establishes a variety of requirements for the issuance of permits by MDOT including insurance, repair and restoration of right-of-ways. It also establishes the persons authorized to apply for permits on behalf of the City, which are the Public Services Director, City Manager, and Public Works Operations Superintendent.

RECOMMENDATION

Authorize the required resolution by MDOT so that necessary utility work within the right-of-way is not impaired in the future.

**PERFORMANCE RESOLUTION FOR
GOVERNMENTAL AGENCIES**

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipality an "Individual Permit for Use of State Highway Right of Way" or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way".

RESOLVED WHEREAS, the _____
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

- 6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 7. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

NAME AND/OR TITLE

Public Services Engineering Technician

Public Services Administrative Assistant

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____
(Name of Board, etc)

of the _____ of _____
(Name of GOVERNMENTAL AGENCY) (County)

at a _____ meeting held on the _____ day

of _____ A.D. _____.

| SIGNATURE | TITLE | PRINT NAME |
|-----------|-------|------------|
|-----------|-------|------------|

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: March 28, 2016

SUBJECT: Local Street Paving Bid Award

Bids for the Local Street Paving Projects have been received. Three bids were received and the low bidder is Michigan Paving & Materials, Inc., of Paw Paw, MI. The attached memo from Public Services Director James Bradford specifies the projects slated for resurfacing.

RECOMMENDATION

I recommend that City Council award the bid to Michigan Paving & Materials, Inc. in the amount of \$73,746.96.

Support Documents:

Staff Memo
Resolution



INTER-DEPARTMENTAL COMMUNICATION

TO: Kevin P. Anderson
City Manager

FROM: James D. Bradford 
Public Services Director

DATE: March 24, 2016

RE: 2016 Local Street Paving Project

Attached is a copy of the bid tabulation for the 2016 Local Street Paving Project that was opened on Thursday, March 24, 2016, at 2:00 p.m., in the City Hall Conference Room at City Hall. This project involves the resurfacing of the following streets:

- Á Center Street, from West Street to Spruce Street
- Á Green Street, from W. Wayne Street to W. Telegraph Street
- Á Helena Street, mid-block to E. Prairie Ronde Street
- Á Marcellus Highway, from Nubour Street east to City Limits
- Á Marion Street, from Wooden Avenue to S. Paul Street
- Á Paris Avenue, from Second Avenue to Third Avenue
- Á Second Avenue, from Paris Avenue east 50 feet
- Á Singer Street, from Marion Street to Wolf Street
- Á Third Avenue, from Paris Avenue to Henry Street
- Á Walnut Street, from Main Street to W. High Street

It would be our recommendation to award the bid to *Michigan Paving & Materials, Inc.* of Paw Paw, Michigan, in the amount of \$73,746.96.

Should you have any questions regarding this matter, please don't hesitate to contact my office. Thank you.

JDB:sw



BID OPENING

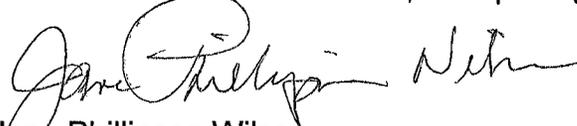
Sealed bids for the 2016 Local Street Paving Projects were received at the office of the City Clerk at City Hall, 241 South Front Street, Dowagiac, Michigan, until 2:00 p.m., Thursday, March 24, 2016, at which time bids were opened and read publicly.

Those present were:

Jane Phillipson Wilson, City Clerk
James D. Bradford, DPS Director
Matt Stack, Public Works Superintendent
Susan L. Watson, DPS Administrative Assistant

| BIDDER | TOTAL BID AMOUNT |
|---|-------------------------|
| Arnt Asphalt Sealing Inc. Benton Harbor, MI | \$94,148.32 |
| Michigan Paving & Materials, Inc. Paw Paw, MI | \$73,746.96 |
| J. Allen & Co., Inc. Galesburg, MI | \$82,257.00 |
| Rieth-Riley Construction Co., Inc. Kalamazoo, MI | \$99,996.60 |

No further bids were received, the opening concluded at 2:03 p.m.


Jane Phillipson Wilson
City Clerk

Resolution #4
March 28, 2016

Councilmember _____ offered and moved the adoption of the following resolution;
seconded by Councilmember _____.

WHEREAS, bids have been received for the 2016 Local Street Paving Bid Award, and;

WHEREAS, staff has reviewed the bids and recommends that Michigan Paving & Materials,
Inc., of Paw Paw, MI be awarded said bid,

NOW, THEREFORE BE IT RESOLVED that the bid be awarded to Michigan Paving &
Materials, Inc., of Paw Paw, MI and that the Mayor and Clerk be and hereby are
authorized to execute any and all documents necessary and appropriate to
effectuate said award.

ADOPTED/REJECTED

Councilmember _____ offered and moved the adoption of the following resolution; seconded by Councilmember _____.

WHEREAS, the following information has been reviewed by the City Manager and City Treasurer and is being presented to City Council with a recommendation to approve invoices and payroll #13 for the period ending 03/24/2016:

| | |
|----------|--------------|
| Invoices | \$260,304.22 |
| Payroll | \$122,685.75 |
| | <hr/> |
| Total | \$382,989.97 |

BE IT RESOLVED that the City Manager and City Treasurer are hereby authorized and directed to pay the following bills and payroll due:

| | | |
|--------------|----------------|--------------|
| <u>BILLS</u> | <u>PAYROLL</u> | <u>TOTAL</u> |
| \$260,304.22 | \$122,685.75 | \$382,989.97 |

Ayes:

Nays:

Absent:

Abstain:

Jane P. Wilson, City Clerk

| Vendor | | Description | Amount |
|-------------------------------------|------------------|---|-----------|
| ABSOPURE WATER COMPANY | 83961942 | BTL WATER/DEPOSITS | 46.00 |
| ADVANTAGE PLUMBING, INC | 347511 | CHANGE OUT TOILET FLAPPERS | 297.00 |
| AIRGAS GREAT LAKES | 9934386105 | WELDING SUPPLIES | 67.60 |
| AMERICAN ELECTRIC POWER | 049-501-336-1-3 | CCWS - VANDALIA TOWER | 29.54 |
| AMERICAN ELECTRIC POWER | 044-619-354-0-7 | M-62 W LIFT STATION | 42.75 |
| AMERICAN ELECTRIC POWER | 040-050-210-0-3 | VINEYARD PL LIFT STATION | 43.84 |
| ANDERSON, KEVIN | 3/14/16 | BYOD CELL PHONE JAN/FEB/MARCH | 180.00 |
| APRILS SQUEEKIE CLEAN | 3/16/16 | J SNOW BLDG - POST CONTRUCTION CLEANING | 87.50 |
| AUSRA EQUIPMENT & SUPPLY, INC | IN84637 | DOOR SEALANT (#80) | 80.03 |
| AUTO VALUE | 377-11811 | WINDOW SEALER (#80) | 20.49 |
| AVFUEL CORPORATION | 008270066 | AIRPORT FUEL | 17,971.61 |
| BBVA COMPASS BANK | 372129 | CATHODIC PROTECTION SYSTEM - RIVERSIDE | 4,800.00 |
| BRUCE WILLIS JR | 3/22/16 | AWARD AMOUNT | 150.00 |
| CASS COUNTY PROSECUTOR'S OFFICE | 3/16/16 | PROSECUTION SERVICES SEPT - DEC 2015 | 1,382.54 |
| CASS COUNTY ROAD COMMISSION | 801389 | COLD PATCH | 453.40 |
| CASS COUNTY TREASURER | 3/15/16 | DELINQUENT PROPERTY TAX - 204 MAPLE ST | 42.44 |
| CINTAS LOCATION #336 | 5004707171 | DPS/MECHANIC - FIRST AID CABINETS | 109.48 |
| CINTAS LOCATION #336 | 5004707170 | WWTP - FIRST AID CABINET | 66.46 |
| CINTAS LOCATION #336 | 5004707172 | CH - FIRST AID CABINET | 44.10 |
| CLINE, JEAN | 3/21/16 | 3/8, 3/14 & 3/15BOARD OF REVIEW | 125.00 |
| COFFEY, ROBIN | 3/22/16 | TAX SETTLEMENT - CASS | 8.64 |
| COMCAST | 8771402380021236 | INTERNET SERVICE-CH | 144.10 |
| DARLENE SERRATOS | 3/23/16 | LABOR - PAINT HEALTH DEPT (J SNOW BLDG) | 2,600.00 |
| DASAS | 3/16/16 | CHECK MADE OUT TO CITY OF DOWAGIAC | 325.00 |
| DAVE'S CONCRETE PRODUCTS, INC | 22945 | 501 MAIN ST SEWER | 495.00 |
| DAVIS, DAVID | 3/6/16 | TRAINING - LANSING | 195.49 |
| DAVIS, DAVID | 287243883201 | TX REIMBURSEMENT 1/18 - 2/17/16 | 45.00 |
| DLT SOLUTIONS, INC | SI314934 | ANNUAL AUTOCAD SUBSCRIPTION | 1,950.06 |
| DODD, JAMES B | 3/24/16 | MILEAGE REIMBURSEMENT - MML CONFERENCE | 126.36 |
| DOUBLEDAY OFFICE PRODUCTS, INC | 02422 | A-Z INDEX DIVIDERS | 9.25 |
| DOUBLEDAY OFFICE PRODUCTS, INC | 02261 | CHAIRS | 380.48 |
| DUANE & PATRICIA BAILEY | 3/22/16 | AWARD AMOUNT | 200.00 |
| DUST BUSTERS | 3/21/16 | CLEANING SERVICES 04/16 | 1,625.00 |
| EAU CLAIRE FRUIT EXCHANGE | 699962 | FERTILIZER/LAWN SEED MIX | 351.50 |
| ENVIRONMENTAL RESOURCE ASSOCIATES | 782565 | REQUIRED TESTING - NPDES | 637.73 |
| FIA CARD SERVICES | 1000 | MEETING W/TOM MARTIN | 28.48 |
| FIA CARD SERVICES | 01101E | ECON DEV MEETING | 20.76 |
| FIA CARD SERVICES | 00007 | ECON DEV MEETING | 17.36 |
| FIA CARD SERVICES | 3/15/16 | WORD PRESS - SCULPTOUR WEBSITE | 13.00 |
| FIA CARD SERVICES | W2697822195-609 | TVALUE SOFTWARE | 149.00 |
| FIA CARD SERVICES | MHFFSF2DJL | MONTHLY IPHONE BACKUPS | 0.99 |
| FIA CARD SERVICES | AX1CE1CA687C | LOGMEIN SUBSCRIPTION - MURRAY | 149.00 |
| FIA CARD SERVICES | AL1CD220E84C | LOGMEIN - ASSESSOR PC | 99.00 |
| FIA CARD SERVICES | 3956708008 | FAX SERVICE - LIFT STATION ALARMS | 24.99 |
| FIA CARD SERVICES | 000014 | CC CHARGE ERROR | 33.54 |
| FIA CARD SERVICES | 105-3852989- | HANGING KEY ORGANIZER | 48.11 |
| FIA CARD SERVICES | 3069547019 | LIFT STATION REPORTS - FAX SERVICE | 24.99 |
| FLEIS & VANDENBRINK ENGINEERING INC | 42651 | BIDDING & CONSTRUCTION SERVICES - WWTP | 12,636.83 |
| GRAMES TIRE & BATTERY, INC | 5123 | NEW TIRES/DISPOSAL (#7) | 856.80 |

| Vendor | | Description | Amount |
|------------------------------------|-------------|--|-----------|
| GRAMES TIRE & BATTERY, INC | 5124 | WHEEL CHANGE/REPAIR (#131) | 42.95 |
| GREEN, VICTORIA | 03/24/2016 | UB refund for account: 15-2087-7 | 115.28 |
| HAAS ALARMS AND SERVICE, INC | 1751 | INSTALL PHONE SYSTEM - LAWYERS OFFICE (J | 1,578.46 |
| HACH COMPANY | 9838755 | LAB SUPPLIES | 51.97 |
| HACH COMPANY | 9808532 | SAMPLER MOTOR | 254.89 |
| HAGGIN FORD & MERCURY INC | 50217 | LAMP ASSY #9 | 22.70 |
| HALE'S HARDWARE, INC | C154239 | BATTERIES | 21.97 |
| HALE'S HARDWARE, INC | B103954 | SCRAP BLADE/UTIL KNIFE/PLEX GLASS (#80) | 26.55 |
| HALE'S HARDWARE, INC | C153304 | UTIL KNIFE/CLR PLASTIC - 501 MAIN ST | 29.85 |
| HALE'S HARDWARE, INC | D104859 | FASTENERS (SEWER RODDING MACHINE) | 1.44 |
| HALE'S HARDWARE, INC | C153187 | WASTE BASKET/VAC BELT/BRUSH/SCRUBBER | 18.19 |
| HALL, DONALD | 3/21/16 | 3/8, 3/14 & 3/15 BOARD OF REVIEW | 125.00 |
| HALL, RICHARD A. | 03/24/2016 | UB refund for account: 11-1822-9 | 122.49 |
| HENRY KROHNE | 718960 | REIMBURSE CELL PHONE CASE | 33.74 |
| HERITAGE CRYSTAL CLEAN, INC | 13941278 | DRUM MOUNT/ENERGY SURCHARGE | 311.57 |
| HILTON, CODY | 03/24/2016 | UB refund for account: 08-2230-17 | 128.51 |
| HOLLINGSWORTH, BRIAN | 03/24/2016 | UB refund for account: 16-1844-6 | 48.10 |
| IBEX INSURANCE AGENCY | 0040263777 | HEALTH INSURANCE PREMIUM-APRIL 2016 | 55,246.51 |
| IBEX INSURANCE AGENCY | 3/24/16 | HEALTH INSURANCE PREMIUM-APRIL 2016 | 2,094.88 |
| JASON GRANT | 3/23/16 | TRAINING COURSE - GULL LAKE | 218.54 |
| JOHNSON, JETHRO | 03/24/2016 | UB refund for account: 11-1706-18 | 24.37 |
| JUDD LUMBER COMPANY, INC | 1603-674892 | LAWN & LEAF RAKE RETURN | (31.99) |
| JUDD LUMBER COMPANY, INC | 1603-674861 | TINE STEEL LEAF RAKE/LAWN RAKE | 44.98 |
| JUDD LUMBER COMPANY, INC | 1603-675177 | 306 CENTER ST SEWER MAIN MANHOLE REPAIR | 21.28 |
| JUDD LUMBER COMPANY, INC | 1603-674385 | 2X4X10 STUD (501 MAIN ST SEWER) | 13.32 |
| JUDD LUMBER COMPANY, INC | 1603-674893 | STEEL LEAF RAKES | 89.94 |
| KENT RECORD MANAGEMENT, INC | 3/14/16 | SHREDDING SVC - MAR 2016 | 30.00 |
| KOTZ SANGSTER WYSOCKI PC | 371247 | LEGAL SERVICES | 4,305.27 |
| LOZADA, JORDAN | 03/24/2016 | UB refund for account: 16-1903-13 | 96.18 |
| MADISON NATIONAL LIFE INS CO, INC | 1205080 | LIFE INSURANCE APRIL 2016 | 934.70 |
| MAXIMUM FIRE PROTECTION | 2651 | FIRE EXT INSPECTION & MTCE (J SNOW BLDG) | 55.00 |
| MELCHING DEMOLITION & DISMANTLING | 2/18/16 | FINAL PAYMENT FOR DEMO - 200 E DIVISION | 65,000.00 |
| MICHIGAN PUBLIC POWER AGENCY | 20160310022 | ENERGY EFF SVC COMM FEE 2/16 | 5.98 |
| MICHIGAN SECTION, AWWA | 200001716 | WATER TREATMENT COURSE - MCDONALD | 310.00 |
| MICHIGAN SECTION, AWWA | 200001717 | WATER TREATMENT COURSE - GILLESBY | 310.00 |
| MICHIGAN STATE POLICE-CASHIERS OFC | 551-463430 | TOKEN FEE | 99.00 |
| PARAGON LABORATORIES, INC | 95116-91167 | REQUIRED NPDES TESTING - WWTP | 850.00 |
| PAULA ICKES | 2/12/16 | SEWER RODDING 315 CLINTON ST | 225.00 |
| PETTY CASH | 3/23/16 | PETTY CASH REIMBURSEMENT - OP SUPPLIES | 9.78 |
| PETTY CASH | 000024 | #9 CAR WASH | 12.00 |
| PETTY CASH | 5077702 | FUEL #9 | 25.00 |
| PETTY CASH | 54402985 | HENRY - WEST BRANCH FUEL | 25.00 |
| PETTY CASH | 1/4/16 | USE OF PERSONAL VEHICLE FOR WORK | 52.38 |
| PETTY CASH | 48805 | PARKING | 6.00 |
| PETTY CASH | 2/9/16 | CAR WASH #1 | 10.00 |
| PETTY CASH | 3/1/16 | TRAVEL TO LANSING - ANDERSON | 44.46 |
| PHILLIPSON, VICKIE | 3/10/16 | 2015 MILEAGE REIMBURSEMENT | 261.05 |
| POWER LINE SUPPLY, INC | 56015186 | BOLTS/ANCHOR/INSULINKS - STOCK | 310.13 |
| POWERNET GLOBAL COMMUNICATIONS | 36376134 | LONG DISTANCE SERVICE 2/12 - 3/12/16 | 26.30 |

| Vendor | | Description | Amount |
|-----------------------------------|--------------|---|-----------|
| PRECISION DATA PRODUCTS, INC. | I0000457706 | MONITORS & PORTABLE HD | 476.00 |
| PRECISION DATA PRODUCTS, INC. | I0000457613 | PRINTER INK | 247.66 |
| PRIME-STRIPE, INC | 50356 | ATHLETIC WHITE PAINT (ROTARY SOFTBALL | 156.05 |
| PRIORITY COMPUTER SERVICES, INC | 204363 | SERVER MAINT - MONTHLY SUBSCRIPTION | 330.00 |
| PUBLIC AGENCY TRAINING COUNCIL | 205007 | TRAINING - GRINNEWALD | 295.00 |
| REAL PRO SOLUTIONS, LLC | HB1401 | EMERGENCY BOARD UP 307 COMMERCIAL ST | 75.00 |
| REBECCA GRABEMEYER | 3/14/16 | BYOD CELL PHONE JAN/FEB/MARCH | 180.00 |
| RHOADES MCKEE | 261777 | ENVIRONMENTAL-LANDFILL | 312.50 |
| RHOADES MCKEE | 261778 | ENVIRONMENTAL-LANDFILL | 70.00 |
| ROHDY'S HEATING & COOLING, LLC | 0000007442 | MTCE & SAFETY CHECK | 290.00 |
| ROHDY'S HEATING & COOLING, LLC | 0000007441 | CH - HVAC MTCE & SAFETY CHECK | 525.00 |
| SCHERER, JOE DBA LONELY PI | 3/21/16 | 04/16 MONTHLY PMT ACCT 7508450033 | 6,174.53 |
| SCHERR, ROZANNE | 3/14/16 | BYOD CELL PHONE JAN/FEB/MARCH | 180.00 |
| SEMCO ENERGY GAS COMPANY | 0149138.502 | GAS SVC 2/1 - 3/2/16 | 110.42 |
| SEMCO ENERGY GAS COMPANY | 0146763.501 | GAS SVC 1/29 - 3/1/16 | 843.98 |
| SEMCO ENERGY GAS COMPANY | 0147944.500 | GAS SVC 1/29 - 3/1/16 | 83.86 |
| SEMCO ENERGY GAS COMPANY | 0149080.500 | GAS SVC 2/1 - 3/02/16 | 557.85 |
| SEMCO ENERGY GAS COMPANY | 0149089.500 | GAS SVC 2/1 - 3/2/16 | 226.27 |
| SEMCO ENERGY GAS COMPANY | 0357529.501 | GAS SVC 2/1 - 3/2/16 | 99.60 |
| SEMCO ENERGY GAS COMPANY | 0357530.501 | GAS SVC 2/1 - 3/2/16 | 61.31 |
| SEMCO ENERGY GAS COMPANY | 0357531.501 | GAS SVC 2/1 - 3/2/16 | 36.20 |
| SEMCO ENERGY GAS COMPANY | 0149077.500 | GAS SVC 2/1 - 3/2/16 | 651.37 |
| SEMCO ENERGY GAS COMPANY | 0148902.500 | GAS SVC 2/1 - 3/2/16 | 267.71 |
| SEMCO ENERGY GAS COMPANY | 0148809.501 | GAS SVC 2/1 - 3/2/16 | 535.01 |
| SEMCO ENERGY GAS COMPANY | 0161871.500 | GAS SVC 2/11 - 3/14/16 | 16.88 |
| SIRCHIE FINGER PRINT LABORATORIES | 0245858-IN | TEST KITS/BLUEMAXX | 241.95 |
| SMITH, ANGELA | 03/24/2016 | UB refund for account: 06-2800-7 | 79.34 |
| SOUTH BEND UNIFORM | 30708 | UNIFORM-LEWIS | 378.20 |
| STATE OF MICHIGAN-MDEQ | 18488 | WWTP CERT RENEWAL - GRIGGS | 95.00 |
| SWISHER, JESSICA | 03/24/2016 | UB refund for account: 11-1817-21 | 66.21 |
| THE BANK OF NEW YORK MELLON | DOWGCBRND07 | BROWNFIELD REDEVELOPMENT BONDS | 47,753.13 |
| THE RIDGE COMPANY | 661340 | NEW BATTERY (#155) | 33.87 |
| THE RIDGE COMPANY | 660666 | AIR, OIL, FUEL & HYDR FILTERS (#7/#131) | 190.29 |
| THE RIDGE COMPANY | 661466 | SEALER - #80 WINDSHIELD | 17.99 |
| THE RIDGE COMPANY | 661402 | TAPE ADHESIVE (#80) | 12.39 |
| THE RIDGE COMPANY | 661808 | CONNECTOR/FAB LOOM SPLIT POLY (TRUCK | 14.94 |
| THE RIDGE COMPANY | 660308 | GREASE FITTING (#150) | 3.08 |
| THE RIDGE COMPANY | 660678 | IGNITION SWITCH - #7 GENERATOR | 23.77 |
| THE RIDGE COMPANY | 660924 | GASKET (#131 | 0.50 |
| THE RIDGE COMPANY | 662563 | HOSE CLAMP (STREET LIGHT REPAIR) | 6.36 |
| TOXOPEUS, DAVID | 287248782175 | CELL PHONE REIMBURSEMENT 2/6 - 3/5/16 | 60.00 |
| TRUE'S SERVICE, INC | 128372 | #2-40 TIRE REPAIR | 72.30 |
| UNDERGROUND PIPE & VALVE, INC | 1013232 | INSTALL TAP & SERVICE - 57781 DAILEY RD | 861.50 |
| UNDERGROUND PIPE & VALVE, INC | 7002039 | 6" PVC PIPE - STOCK (501 MAIN/204 | 385.71 |
| UNDERGROUND PIPE & VALVE, INC | 7002032 | 4" PVC PIPE - STOCK (501 MAIN/204 | 587.50 |
| UNDERGROUND PIPE & VALVE, INC | 1014610 | SEWER STOCK & MATERIAL SUPPLIES | 2,165.50 |
| UNDERGROUND PIPE & VALVE, INC | 7001861 | REHAB FLORENCE ST LIFT STATION | 5,645.37 |
| US BUSINESS SYSTEMS, INC | IN68203 | QUARTERLY PRINTER MTCE - UTILITIES | 579.43 |
| US BUSINESS SYSTEMS, INC | IN68204 | COPIER - QUARTERLY MTCE | 939.55 |

| Vendor | | Description | Amount |
|--------------------------------|-------------|--|-------------------|
| USA BLUEBOOK | 897776 | LAB SUPPLIES | 53.75 |
| USA BLUEBOOK | 898028 | LAB SUPPLIES | 1,165.08 |
| VANDERVRIES, EDWARD | 3/21/16 | ASSESSING SERVICES 04/16 | 1,775.00 |
| VELTHOUSE, MATTHEW | 03/24/2016 | UB refund for account: 10-3206-3 | 91.31 |
| VOSS LIGHTING | 20148270-00 | LIGHT BULBS - CH | 97.70 |
| W. S. DARLEY & CO | 17233944 | RESCUE QUIKLITTER FOR ACTIVE SHOOTER | 39.65 |
| WEST SIDE TRACTOR SALES | U25699 | CUTTING EDGES (#150) | 364.33 |
| WHITAKER, ANGEL | 03/24/2016 | UB refund for account: 16-1887-17 | 130.40 |
| WILL, LINDA J | 03/24/2016 | UB refund for account: 03-1193-2 | 15.96 |
| WOLVERINE ELECTRICAL CONTG INC | 23114 | TRAFFIC SIGNAL MTCE - LOWE/PRAIRIE RONDE | 660.00 |
| | | Total: | <u>260,304.22</u> |

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: March 24, 2016

SUBJECT: Electric Rate Ordinance Amendment – First Reading

Over the past 5 years the City has been able to maintain a relatively stable electric rate for all customer classes. The last rate adjustment was approved by Council in January 2014. However, changing requirements that call for increased renewable energy sources and cleaner burning fuels are causing our cost of purchasing wholesale power to increase in excess of the rate of inflation. This cost increase is being felt for all electric users throughout the USA as power producing companies to invest heavily to comply.

A rate increase will be necessary for the City to maintain current operational and capital investment levels. The proposed increase broken into two implementation periods. The May billings will increase the ready-to-serve charge by 8% and the commodity charge by 5%. The October billings will increase the commodity charge by 5%.

A household that uses 1,000 kWh per month can expect to see the following changes:

| (Residential) | Current | Increase Spring | Increase Fall |
|---------------------|-----------|--------------------|------------------|
| Ready to Serve | \$ 11.45 | \$ 12.37 | \$ 12.37 |
| Commodity 1,000 kWh | 99.61 | 102.10 | 104.59 |
| Monthly Bill | \$ 111.06 | \$ 114.47 | \$ 116.96 |

The proposed electric rates compare favorably with other private and public electric providers in Southwest Michigan. The following chart compares the proposed rates with 6 other electric providers:

| | Min Charge | 250 | 500 | 1000 | 2000 |
|---------------------------------|------------|-------|-------|--------|--------|
| Residential (Old Rate) | 11.45 | 36.35 | 61.26 | 111.06 | 210.67 |
| Residential (New Proposed Rate) | 12.37 | 38.51 | 64.66 | 116.96 | 221.55 |
| AEP | 7.25 | 36.90 | 64.71 | 120.33 | 231.56 |
| Midwest Energy | 18.00 | 48.44 | 77.89 | 136.81 | 254.64 |
| South Haven | 5.50 | 31.50 | 57.50 | 109.50 | 213.50 |
| Niles | 15.00 | 38.50 | 62.00 | 109.00 | 203.00 |
| Sturgis | 15.00 | 40.30 | 65.59 | 116.18 | 217.36 |
| Paw Paw | 10.00 | 35.79 | 61.58 | 113.15 | 216.30 |

| | | | | | |
|---------|-------|-------|-------|--------|--------|
| Average | 11.82 | 38.29 | 64.40 | 116.62 | 221.07 |
|---------|-------|-------|-------|--------|--------|

RECOMMENDATION

Approve the first reading of the amended Electric Rate Ordinance at the March 28, 2016 Council meeting and schedule the second reading for the April 11, 2016 Council meeting.

Support Documents:
 Cover Memo-City Mgr.
 Ordinance

ORDINANCE NO. _____, 2016

ORDINANCE-----

AN ORDINANCE TO AMEND CHAPTER 82 UTILITIES ARTICLE V "ELECTRIC PROVISIONS AND RATES" SECTION 82-279 OF THE DOWAGIAC CITY CODE BE AND IS HEREBY AMENDED BY ITS REPEAL OF THE DOWAGIAC CITY CODE.

THE CITY OF DOWAGIAC ORDAINS:

Section 1: That Chapter 82, Utilities; Article V, "Electric Provisions and Rates", Section 82-279 of the Dowagiac City Code be and hereby is amended to read as follows:

ARTICLE V. ELECTRIC PROVISIONS AND RATES.

Sec. 82-279. Electric rates.

(a) *Residential Electric Service*. Available to customers desiring service for all usual domestic purposes through one meter to a single occupancy or individual dwelling unit. This rate is not available for commercial or industrial use.

- (1) Nature of Service: Alternating current, single-phase, three wire, 60 Hertz, at approximately 120/240 volts.
- (2) Monthly Rate: *(Effective on bills due on and after June 10, 2016)*

| | |
|--|------------|
| Monthly Service Charge (Minimum Monthly Charge)..... | \$12.37 |
| Energy Charge per kWh | \$ 0.10210 |

Monthly Rate: *(Effective on bills due on and after October 10, 2016)*

| | |
|--|------------|
| Monthly Service Charge (Minimum Monthly Charge)..... | \$12.37 |
| Energy Charge per kWh | \$ 0.10459 |

This rate is subject to the transmission cost adjustment charge.

(b) *General Service*. Available to general service customers not specified in other City rate schedules, with normal monthly maximum demands less than 35 Kw, desiring service for general lighting and/or power purposes. Customers may continue to qualify for this service under this rate until their 12-month average demand is greater than or equal to 35 Kw.

(1) Nature of Service: Alternating current, single-phase, three wire, 60 Hertz, at approximately 120/240 volts. The particular nature of the voltage in each case will be determined by the Department of Public Services (DPS).

(2) Monthly Rate: *(Effective on bills due on and after June 10, 2016)*

Monthly Service Charge (Minimum Monthly Charge)..... \$19.18
Energy Charge per kWh. \$ 0.12912

Monthly Rate: *(Effective on bills due on and after October 10, 2016)*

Monthly Service Charge (Minimum Monthly Charge)..... \$19.18
Energy Charge per kWh. \$ 0.13227

This rate is subject to the transmission cost adjustment charge.

(c) *PUBLIC SERVICE*. Available to all Federal, State, and Local Governmental authorities for the supply of electric energy to public buildings, public schools, or other facilities that are supported by public tax levies.

(1) Nature of Service: Alternating current, 60 Hertz, single-phase or three-phase. The particular nature of the voltage in each case will be determined by the DPS.

(2) Monthly Rate: *(Effective on bills due on and after June 10, 2016)*

Monthly Service Charge (Minimum Monthly Charge)..... \$15.22
Energy Charge per kWh \$ 0.12192

Monthly Rate: *(Effective on bills due on and after October 10, 2016)*

Monthly Service Charge (Minimum Monthly Charge)..... \$15.22
Energy Charge per kWh \$ 0.12490

This rate is subject to the transmission cost adjustment charge.

* Public School System customers at a single location with loads in excess of an average of 300 kW demands over a 12-month period can be provided service under the Large General Service Rate. (The 12-month period can be excluded for new public school facilities with expected demands in excess of 300 kW)

(d) *MUNICIPAL WATER SERVICE*. Available to all municipally owned and operated waterworks systems and sewage disposal systems, including booster pumps and lift stations.

(1) Nature of Service: Alternating current, 60 Hertz, single-phase or three-phase. The particular nature of the voltage in each case will be determined by the DPS.

(2) Monthly Rate: *(Effective on bills due on and after June 10, 2016)*

Monthly Service Charge (Minimum Monthly Charge).....\$16.49
 Energy Charge per kWh\$ 0.10367

Monthly Rate: *(Effective on bills due on and after October 10, 2016)*

Monthly Service Charge (Minimum Monthly Charge).....\$16.49
 Energy Charge per kWh\$ 0.10620

This rate is subject to the transmission cost adjustment charge.

(e) *LARGE GENERAL SERVICE*. Available to any general service customer having a demand of 35 KW or more for general lighting and power purposes. Customers may continue to qualify for this rate until their 12-month average demand drops below 35 kW. This rate is available to public school system customers at a single location with demands in excess of 300 kW over a 12-month period.

(1) Nature of Service: Alternating current, 60 Hertz, single-phase or three-phase for both primary and secondary services. The particular nature of the voltage in each case will be determined by the DPS.

(2) Monthly rate: *(Effective on bills due on and after June 10, 2016)*

| | per kwh | 100,000 | 250,000 | 400,000 | 450,000 | 700,000 |
|---|---------|-----------|-----------|-----------|-----------|-----------|
| <u>LGS</u> | | | | | | |
| Monthly Service Charge | | \$ 129.38 | | | | |
| Demand Charge per KW | | \$ 14.33 | \$ 14.33 | \$ 14.33 | \$ 14.33 | \$ 14.33 |
| Energy Charge per kWh | | \$0.06216 | \$0.06080 | \$0.05935 | \$0.05653 | \$0.05506 |
| <u>LGS Discount (Eq supplied by Customer)</u> | | | | | | |
| Monthly Service Charge | | \$ 158.57 | | | | |
| Demand Charge per KW | | \$ 13.62 | \$ 13.62 | \$ 13.62 | \$ 13.62 | \$ 13.62 |
| Energy Charge per kWh | | \$0.06153 | \$0.06008 | \$0.05861 | \$0.05580 | \$0.05444 |

Monthly rate: (Effective on bills due on and after October 10, 2016)

| | per kwh | 100,000 | 250,000 | 400,000 | 450,000 | 700,000 |
|---|---------|-----------|-----------|-----------|-----------|-----------|
| <u>LGS</u> | | | | | | |
| Monthly Service Charge | | \$ 129.38 | | | | |
| Demand Charge per KW | | \$ 14.33 | \$ 14.33 | \$ 14.33 | \$ 14.33 | \$ 14.33 |
| Energy Charge per kWh | | \$0.06367 | \$0.06229 | \$0.06080 | \$0.05791 | \$0.05641 |
| <u>LGS Discount (Eq supplied by Customer)</u> | | | | | | |
| Monthly Service Charge | | \$ 158.57 | | | | |
| Demand Charge per KW | | \$ 13.62 | \$ 13.62 | \$ 13.62 | \$ 13.62 | \$ 13.62 |
| Energy Charge per kWh | | \$0.06303 | \$0.06154 | \$0.06004 | \$0.05716 | \$0.05577 |

*LGS Discount Rate (Equipment supplied by Customer):

Available to customers who furnish and maintain complete substation equipment, including any and all transformers, and/or switches, and/or other apparatus necessary to take entire service at primary distribution voltage.

(3) Monthly Billing Demand:

Energy supplied hereunder will be delivered through not more than one (1) single-phase and/or one (1) poly-phase meter. Customers demand shall be taken monthly to be the highest registration of a fifteen (15) minute integrating demand meter or indicator, or the highest registration of a thermal-type meter.

(4) Power Factor Adjustment (PFA):

Customers with a monthly maximum demand of 100 kW or more will be subject to a power factor adjustment. The PFA is based on the maintenance by the customer of an average monthly power factor of 85%. If the average monthly power factor, as registered by the City's metering devices, is other than 85%, the monthly demand charge will be multiplied by a constant as determined by the following formula:

$$\text{Constant} = .9510 + ((.1275) \times (\text{RKVAH/kWh})^2)$$

Customers with a PFA will have their demand charge accordingly debited or credited and shall continue with the PFA until their 12-month average demand drops below 100 kW.

(f) *SECURITY LIGHTS*. Available to all customers desiring security light (yard light) service providing application is made and a "Protective or Yard Light Agreement" is signed by the customer.

Monthly Rate: (Effective on bills due on and after June 10, 2016)

| | |
|--------------------------------|----------|
| 175 Mercury Vapor..... | \$13.67 |
| 250 Mercury Vapor..... | .\$16.85 |
| 400 Mercury Vapor..... | .\$25.44 |
| 1000 Mercury Vapor..... | .\$52.43 |
| 150 High Pressure Sodium | .\$13.67 |
| 400 High Pressure Sodium | \$38.86 |

(g) *TRANSMISSION COST ADJUSTMENT CHARGE (TCA)*. The current electric rate charged to customers includes a base amount for transmission services. With the formation of the Independent System Operator additional ancillary service charges are billed to the City of Dowagiac. Ancillary service charges can vary each month and can be difficult to predict with certainty. To ensure customers are charged the cost of service and the financial integrity of the electric system is maintained, charges for “ancillary” transmission services will be passed through to customers through a Transmission Cost Adjustment Charge (TCA) based on the formula listed below:

Example Formula for Transmission Cost Adjustment (TCA)

| | Example Calculation | Line | Notes |
|--|--------------------------------|-------------|---|
| Transmission Costs | \$27,078.18 | A | Ancillary service charges for transmission |
| Reconciliation from Previous Month | | B | The City may periodically reconcile transmission recovery with rates |
| Total Transmission Costs to be Recovered | <u>\$27,078.18</u> | C | (A+B) |
| Divided by kWh Purchased | 6,450,000 | D | Actual kWh energy purchased by City |
| Transmission costs per kWh | \$0.004198 | E | Transmission cost per kWh (C/D) |
| Less Base TCA | 0.00238 | F | Base TCA |
| Transmission Adjustment per kWh | 0.00182 | G | Transmission costs per kWh less base (E-F) |
| Losses | <u>0.00013</u> | H | Transmission costs per kWh times loss factor of .07 (G X .07) |
| Transmission Cost Adjustment | <u>0.00195</u> | I | Transmission cost adjustment charged to customer on next month's bill (G+H) |

(h) *ECONOMIC DEVELOPMENT RATE*. In an effort to promote job creation, community investment and long-term electric rate stability, the City Manager shall be empowered to establish a temporary economic development rate for large utility customers for a period of up to six (6) months. The rate cannot be less than the City’s actual cost to purchase power plus 10%. The

justification will be based on a combination of factors including job creation and/or job retention and new investment in the community consistent with the criteria for tax abatements. Once a large utility customer has received this temporary rate, it shall not be eligible for the economic development rate for three (3) years. The City Manager shall document the rationale and communicate the rationale to City Council.

(i) *ENERGY OPTIMIZATION RATE (EOP)*. Pursuant to requirements imposed by the State of Michigan and authorized by the Michigan Public Service Commission the following energy optimization rates shall be in effect:

Residential meter..... \$.002 per kwh
Secondary meter.....\$ 15.66 per meter per month
Primary meter.....\$474.02 per meter per month

(j) *FUEL ADJUSTMENT CHARGE*. Bills will be increased or decreased to offset fuel charge adjustments billed to the City by the supplier. Whenever the energy charge of the wholesale purchased power invoice to the City contains a fuel adjustment debit or credit per kwh, there shall be a corresponding increase or decrease per kwh for all kwh included in the customer’s billing.

Section 2: That pursuant to the provisions of Chapter 1, Section 1-4 of the Dowagiac Charter and due to the length of this Ordinance, the Dowagiac City Clerk be and is hereby directed to forthwith cause posting and publication of this Ordinance on the bulletin board of the Dowagiac City Hall, the same being the usual place of posting for the actions of the City Council.

ADOPTED/REJECTED

Moved by:

Seconded by:

Ayes:

Nays:

Absent:

Abstain:

Donald D. Lyons, Mayor

Jane P. Wilson, City Clerk

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: March 24, 2016

SUBJECT: Water and Sewer Rate Ordinance Amendments – First Reading

Water rates were last adjusted in November 2010 and sewer rates were last adjusted in January 2014. Since that time, staff has continued to monitor expenses and adjust operations to keep operations expenses to a minimum. During the same period of time reinvestment in the capital needs of our water and sewer utilities have continued and the need to make sure that unfunded liabilities are now being funded at appropriate levels. Improvements continue to be made to lift stations, water towers, computers, and planning. Major capital improvements are in process at the wastewater treatment plant with the support of grants, low interest loan, and regional users. A complete assessment of all equipment and pipes is being completed through a grant which will allow us to further quantify long term capital needs.

A rate increase will be necessary for the City to maintain current operational, current capital investment levels, and take appropriate measures to address unfunded liabilities. The proposed increase broken into two implementation periods as follows:

Sewer:

If approved a household using 4,000 gallons of water can expect their bill to increase by \$4.94 in May and \$3.88 in October.

Water:

If approved a household using 4,000 gallons of water can expect their bill to increase by \$4.94 in May and \$3.88 in October.

The proposed sewer and water rates compare favorably with other community sewer and water providers in Southwest Michigan. The attached chart compares the proposed rates with 10 other sewer and water providers. The next result is after the proposed rates are fully implemented the City of Dowagiac's combined sewer and water rates will be 12% *below* the average of these 10 communities.

RECOMMENDATION

Approve the first reading of the amended Sewer Rate Ordinance at the March 28, 2016 Council meeting and schedule the second reading for the April 11, 2016 Council meeting.

Support Documents:

Cover Memo-City Mgr.

Ordinance

Sewer & Water Rate Comparison 2016

ORDINANCE NO. _____, 2016

ORDINANCE-----

AN ORDINANCE TO AMEND CHAPTER 82 UTILITIES ARTICLE IV "WATER AND SEWER RATES" SECTION 82-224 "SEWER RATES AND SERVICE FEES" SUBSECTION (1), (2), (4) AND (5) OF THE DOWAGIAC CITY CODE BE AND IS HEREBY AMENDED BY ITS REPEAL AND THE ADOPTION OF A NEW ARTICLE IV "WATER/SEWER PROVISIONS AND RATES" SECTION 82-224 "SEWER RATES AND SERVICE FEES" SUBSECTION (1), (2), (4) AND (5) OF THE DOWAGIAC CITY CODE.

THE CITY OF DOWAGIAC ORDAINS:

Section 1: That Chapter 82, Utilities; Article IV, "Water and Sewer Rates" Section 82-224 "Sewer rates and service fees" of the Dowagiac City Code be and hereby is amended to read as follows:

ARTICLE IV. WATER/SEWER PROVISIONS AND RATES

Sec. 82-224. Sewer rates and service fees.

Charges for sewer service to each premise connected to the sewer system of the City of Dowagiac shall be as follows:

- (1) *Readiness-to-serve charge.* The readiness to serve charge is utilized to cover expenditures to maintain the sewer collection system and other overhead costs and is the amount of the minimum bill. This charge is based on the actual size of the water meter or equivalent size of a sewer meter:

Inside the corporate Limits of the city

Readiness-to-Serve Charge

| <i>Meter Size (inches)</i> | <i>Effective on bills due on and after 06/10/16 Monthly Charge</i> | <i>Effective on bills due on and after 10/10/16 Monthly Charge</i> |
|--------------------------------|--|--|
| 5/8 | \$ 15.28 | \$15.28 |
| 3/4 | 17.49 | 17.49 |
| 1 | 22.32 | 22.32 |
| 1-1/2 | 28.48 | 28.48 |
| 2 | 45.89 | 45.89 |

| | | |
|---|--------|--------|
| 3 | 174.87 | 174.87 |
| 4 | 225.55 | 225.55 |
| 6 | 332.25 | 332.25 |

Outside the Corporate Limits of the city

Readiness-to-Serve Charge

| <i>Meter Size (inches)</i> | <i>Effective on bills due on and after 06/10/16 Monthly Charge</i> | <i>Effective on bills due on and after 10/10/16 Monthly Charge</i> |
|--------------------------------|--|--|
| 5/8 | \$ 23.83 | \$23.83 |
| 3/4 | 27.15 | 27.15 |
| 1 | 34.61 | 34.61 |
| 1-1/2 | 44.24 | 44.24 |
| 2 | 71.22 | 71.22 |
| 3 | 271.86 | 271.86 |
| 4 | 344.55 | 344.55 |
| 6 | 515.48 | 515.48 |

When more than one (1) meter is used, the total readiness-to-serve charge shall be a sum of the charges for all meters.

- (2) *Commodity charge.* The commodity charge is based on the amount of water used for customers inside and outside the corporate limits of the City of Dowagiac and will be \$0.338 per 100 gallons (*Effective on bills due on and after June 10, 2016*). The commodity charge covers expenditures for wastewater treatment and other overhead costs. The commodity charge is based on the amount of water used for customers inside and outside the corporate limits of the City of Dowagiac and will be \$0.388 per 100 gallons (*Effective on bills due on and after October 10, 2016*).
- (4) *Special rate A – Residential users of sewer only inside city limits.* A charge of thirty-six dollars and one cents (\$36.01) per month shall be assessed to all residential properties inside the City limits using sewer service only. Any multiple residential users or commercial or industrial users of sewer and not water under rate A shall be charged a rate determined by the city engineer and reported to the City Council by the City Manager. In no event shall the rate be less than would be charged under this section. This rate is effective on bills due on and after June 10, 2016.
- (5) *Special rate B - Residential users of sewer only outside city limits.* A charge of forty-two dollars and seventy eight cents (\$42.78) per month shall be assessed to all residential properties outside the City Limits, using sewer service only. Any

multiple residential users or commercial or industrial users of sewer and not water under rate B shall be charged a rate determined by the city engineer and reported to the City Council by the City Manager. In no event shall the rate be less than would be charged under this section. This rate is effective on bills due on and after June 10, 2016.

Section 2: That pursuant to the provisions of Chapter 1, Section 1-4 of the Dowagiac Charter and due to the length of this Ordinance, the Dowagiac City Clerk be and is hereby directed to forthwith cause publication and posting of this Ordinance on the bulletin board of the Dowagiac City Hall, the same being the usual place of posting for the actions of the City Council.

ADOPTED/REJECTED

Moved by:

Seconded by:

Ayes:

Nays:

Absent:

Abstain:

Donald D. Lyons, Mayor

Jane P. Wilson, City Clerk

ORDINANCE NO. _____, 2016

ORDINANCE-----

AN ORDINANCE TO AMEND CHAPTER 82, UTILITIES, ARTICLE IV, "WATER AND SEWER RATES", SECTION 82-223, "WATER RATES AND SERVICE FEES" OF THE DOWAGIAC CITY CODE BE AND IS HEREBY AMENDED BY ITS REPEAL AND THE ADOPTION OF A NEW ARTICLE IV, "WATER/SEWER PROVISIONS AND RATES", SECTION 82-223, "WATER RATES AND SERVICE FEES" OF THE DOWAGIAC CITY CODE.

THE CITY OF DOWAGIAC ORDAINS:

Section 1: That Chapter 82, Utilities; Article IV, "Water and Sewer Rates" Section 82-223 "Water rates and service fees" of the Dowagiac City Code be and hereby are amended to read as follows:

ARTICLE IV. WATER/SEWER PROVISIONS AND RATES

Sec. 82-223. Water rates and service fees.

Charges for water service to each premises connected to the water system of the City shall be measured by a meter. All metered water shall be charged at a two-part rate consisting of a "readiness-to-serve charge" plus a "commodity charge". Water rates and service fees shall be as follows:

- (1) *Readiness-to-serve charge.* There shall be charged for water service within the City of Dowagiac a "readiness-to-serve" charge in the following amounts:

| Meter Size (inches) | <i>Effective on bills due on and after 06/10/16 All Users Monthly Charge</i> | <i>Effective on bills due on and after 10/10/16 All Users Monthly Charge</i> |
|------------------------|--|--|
| 5/8 | \$ 9.61 | \$ 9.61 |
| 3/4 | 11.21 | 11.21 |
| 1 | 14.10 | 14.10 |
| 1-1/2 | 18.27 | 18.27 |
| 2 | 29.46 | 29.46 |
| 3 | 112.73 | 112.73 |
| 4 | 142.49 | 142.49 |
| 6 | 215.80 | 215.80 |
| 8 | 383.64 | 383.64 |

Outside the corporate limits of the city, the readiness-to-serve charge shall be two hundred (200) percent of the rate as established for use within the corporate limits of the city. If deemed to be in the best interest of the utility, Council may on a case-by-case basis waive the two hundred percent (200%) ready to serve rated for 4” or larger meter customers outside of the corporate limits.

When more than one (1) meter is used, the total readiness-to-serve charge shall be the sum of the charges for the meters.

When a single large meter is used to serve apartment houses or multiple dwellings, a multiple dwelling charge in addition to the readiness-to-serve charge for the meter size shall be applied and the charge shall be twenty (20) percent of the readiness-to-serve charge for the meter installed for each unit over four (4). Any self-contained living quarters for a single family is a unit.

The readiness to serve charge contributes to paying the cost necessary to keep the water system in good operating condition and other overhead costs and is the amount of the minimum bill.

- (2) *Commodity Charge.* There shall be levied a commodity charge inside the corporate limits of the city in the following amounts:

| Monthly Usage (gallons) | <i>Effective on bills due on and after 06/10/16</i> | <i>Effective on bills due on and after 10/10/16</i> |
|-------------------------|---|---|
| | All Users (dollars per 100 gallons) | All Users (dollars per 100 gallons) |
| 0-40,000 | \$ 0.236 | \$0.258 |
| Over 40,000 | 0.186 | 0.203 |

Outside the corporate limits of the City of Dowagiac, the commodity charge shall be two hundred (200) percent of the rate as established for the use within the corporate limits of the city.

- (3) *Fire Protection Rates.* The charges for automatic sprinkler services or hose connections for fire protection purposes only shall be:

| <i>Effective on bills due on and after 06/10/16</i> | <i>Effective on bills due on and after 10/10/16</i> |
|---|---|
| | |

| Meter Size (inches) | All Users Monthly Charge | All Users Monthly Charge |
|------------------------|-----------------------------|-----------------------------|
| Less than 4-inch meter | \$11.32 per month | \$11.32 per month |
| 4-inch meter | \$20.53 per month | \$20.53 per month |
| 6-inch meter | \$25.91 per month | \$25.91 per month |
| 8-inch meter | \$32.40 per month | \$32.40 per month |
| 10-inch meter | \$38.04 per month | \$38.04 per month |
| 12-inch meter | \$45.71 per month | \$45.71 per month |

- (4) *Tapping of water mains.* Following receipt in full of the tap-in fees in subsection (5) of this section, the Department and/or its agents shall be responsible for the provision of any and all service taps to water mains within the City’s public distribution system. The service taps or connections shall include all materials and labor, including any and all costs associated therewith, required to install the service connection from the water main to the property line up to and including a cumulative length of 66 feet. For required extensions beyond 66 feet, the City shall impose and collect a charge equal to the complete and total cost of actual labor, equipment, and materials incurred, plus 15 percent, for that portion of the service connection in excess of 66 feet. This cost allocation shall apply to all water service connections without regard to meter or service diameter size. All required water meters shall be provided by the City and shall be and remain the property of the City.
- (5) *Tap-in fees.* There is hereby imposed a tap-in fee, as established and detailed in the schedule of this subsection, which shall be charged against each new connection constructed to serve premises not previously connected to the City water distribution system. The tap-in fee shall cover the cost of water meter and main tapping, as outlined in subsection (4) of this section, as well as provide compensation to the water fund and system users in exchange for a representative share in the cumulative past capital investment, including debt service, in facilities serving the system users. A tap-in fee shall not be imposed on, nor applicable to, any premises connected to existing municipally-owned and operated water distribution systems or components or extensions thereof. However, the construction of dedicated, second-service connections, such as lines for fire suppression service or lawn sprinkling, to premises already connected to existing municipal water systems, shall be subject to the imposition of tap-in fees as detailed and scheduled in this subsection:

Tap-In Fees For Water Connections

| <i>Service Line (inches)</i> | <i>Meter Equivalent Factor</i> | <i>Tap Fee*</i> |
|----------------------------------|--|---------------------|
| 5/8" | 1.0 | 500.00* |
| 3/4" | 1.1 | 550.00* |
| 1" | 1.4 | 700.00* |
| 1 1/2" | 1.8 | 900.00 |

| | | |
|---------------|------|--|
| 2" | 2.9 | 1,450.00 |
| 3" | 5.5 | 2,750.00 |
| 4" | 8.0 | 4,000.00 |
| 6" | 12.0 | 6,000.00 |
| 8" and larger | | Time & material costs plus 15% with minimum Fee equal to 6" tap. |

*For detached, single-family residential dwellings, customers may sign a tap-in fee payment agreement for water connections of one-inch or less service diameter. The agreement shall allow payment of the fee due, without interest, if paid in equal monthly installments over a period not to exceed 12 months.

Section 2: That pursuant to the provisions of Chapter 1, Section 1-4 of the Dowagiac Charter and due to the length of this Ordinance, the Dowagiac City Clerk be and is hereby directed to forthwith cause publication and posting of this Ordinance on the bulletin board of the Dowagiac City Hall, the same being the usual place of posting for the actions of the City Council.

ADOPTED/REJECTED

Moved by:

Seconded by:

Ayes:

Nays:

Absent:

Abstain:

Donald D. Lyons, Mayor

Jane P. Wilson, City Clerk

Water & Sewer Rate Summary Comparison 2016.

| Water Rate Summary | Cassopolis | Benton Township | South Haven | Coloma | Buchanan | Niles | New Buffalo | Decatur | Paw Paw | Sturgis | Current | Spring | Fall |
|--|--------------|-----------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------------|-------------------|
| | | | | | | | | | | | Dowagiac | Increase Dowagiac | Increase Dowagiac |
| RTS | | | | | | | | | | | | | |
| 5/8" | 4.00 | | 32.42 | 14.48 | 9.69 | 12.00 | 12.02 | 16.00 | 15.15 | 9.75 | 8.25 | 9.61 | 9.61 |
| 3/4" | | 6.19 | 32.42 | | | | 12.02 | | | | | | |
| Commodity | | | | | | | | | | | | | |
| 1 - 4,000 Gallons (+5.32 per gal over 4,000) | 18.25 | | | | | | | | | | | | |
| ga | 5.32 | | | | | | | | | | | | |
| cf | | 0.0373 | 0.0222 | 0.00144 | 0.00375 | 0.024 | 0.00316 | 0.00137 | 0.00275 | 0.0023 | 0.00225 | 0.00236 | 0.00258 |
| Average Res Consumption | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 |
| cubic ft equivalent | 533 | 533 | 533 | 533 | 533 | 533 | 533 | 533 | 533 | 533 | | | |
| Consumption Charge | 18.25 | 19.89 | 11.84 | 5.76 | 15.00 | 12.80 | 12.64 | 5.48 | 11.00 | 9.20 | 9.00 | 9.44 | 10.32 |
| Total Monthly Bill | 22.25 | 26.08 | 44.26 | 20.24 | 24.69 | 24.80 | 24.66 | 21.48 | 26.15 | 18.95 | 17.25 | 19.05 | 19.93 |

| Sewer Rate Summary | Cassopolis | Benton Township | South Haven | Coloma | Buchanan | Niles | New Buffalo | Decatur | Paw Paw | Sturgis | | | |
|---------------------------|--------------|-----------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|------------------|--------------|
| | | | | | | | | | | | 1.80 | 2.68 per month | |
| | | | | | | | | | | | 9.50% | 15.54% per month | |
| RTS | | | | | | | | | | | | | |
| 5/8" | 12.00 | 25.00 | 22.72 | 35.00 | 9.69 | 8.75 | 20.28 | 18.94 | 9.80 | 15.75 | 13.85 | 15.69 | 15.69 |
| 3/4" | | 25.00 | 22.72 | | | | | | | | | | |
| Commodity | | | | | | | | | | | | | |
| \$4.83/100 over 4,000 | | | | | | | | | | | | | |
| ga | 0.00565 | | | 0.00269 | 0.00676 | | 0.00438 | | 0.00326 | 0.005 | 0.00306 | 0.00338 | 0.00388 |
| cf | | | 0.0274 | | | 0.0257 | | | | | | | |
| Average Res Consumption | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 |
| cubic ft equivalent | 533 | 533 | 533 | 533 | 533 | 533 | 533 | 533 | 533 | 533 | | | |
| Consumption Charge | 22.6 | | 14.61 | 10.76 | 27.04 | 13.71 | 17.52 | - | 13.04 | 20.00 | 12.24 | 13.52 | 15.52 |
| Total Monthly Bill | 34.60 | 25.00 | 37.33 | 45.76 | 36.73 | 22.46 | 37.80 | 18.94 | 22.84 | 35.75 | 26.09 | 29.21 | 31.21 |

Combined Monthly Sewer and Water 56.85 51.08 81.59 66.00 61.41 47.26 62.46 40.42 48.99 54.70 43.34 48.26 51.14

3.12 5.12 per month
8.73% 19.62% per month

| | Survey Average | Dowagiac (Spring) | Dowagiac (Fall) |
|----------|----------------|-------------------|-----------------|
| Water | 25.36 | 19.05 | 19.93 |
| Sewer | 31.72 | 29.21 | 31.21 |
| Combined | 57.08 | 48.26 | 51.14 |

Monthly Rate Difference from Survey Average (8.82) (5.94)
% Difference less than Average -18.3% -12%