

REGULAR MEETING OF THE DOWAGIAC CITY COUNCIL

Municipal Building, 241 S. Front Street, Dowagiac, Michigan

Monday, June 23, 2014, 7:00 p.m.

AGENDA

CALL TO ORDER -Mayor Donald D. Lyons

PLEDGE OF ALLEGIANCE TO THE FLAG -Mayor Donald D. Lyons

ROLL CALL -Mayor Donald D. Lyons
-Mayor Pro-Tem Leon Laylin
-Councilmember Charles Burling
-Councilmember James Dodd
-Councilmember Randall Gross, Sr.
-Councilmember Lori Hunt
-Councilmember Bob Schuur

APPROVAL OF MINUTES OF PREVIOUS MEETINGS – June 9, 2014 Regular Meeting
June 16, 2014 Special Meeting

QUESTIONS FROM CITY COUNCIL –

COMMENTS FROM THE AUDIENCE (NON-AGENDA) –

COMMENTS FROM THE AUDIENCE (AGENDA) –

COMMUNICATIONS –

1. Request to hold fireworks on July 3, 2014 at Airport / Russom Park.

RESOLUTIONS –

1. Resolution to authorize and direct the City Treasurer to pay the following bills and payroll due: (Roll Call)

<u>BILLS</u>	<u>PAYROLL (#19)</u>	<u>TOTAL</u>
\$540,117.61	\$110,280.71	\$650,398.32

CITY MANAGER REPORT ON QUESTIONS FROM COUNCIL FROM PREVIOUS MEETINGS –

COMMENTS FROM CITY OFFICIALS –

RESOLUTIONS, Continued (CLOSED SESSION) -

Resolution to adjourn to a closed session to meet with the City Manager to discuss negotiations related to the purchase of real property. (Roll Call)

ADJOURNMENT – to a tour of the Fryman Recycling facility. No business will be conducted.

Kevin P. Anderson
City Manager

Attachments

DOWAGIAC CITY COUNCIL MEETING

Monday, June 9, 2014

A regular meeting of the Dowagiac City Council was called to order by Mayor Donald D. 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 Bob B. Schuur, Charles K. Burling, Lori A. Hunt, James B. Dodd, and Randall G. Gross, Sr.

ABSENT: None.

STAFF: City Manager Kevin P. Anderson and Assistant City Manager Rozanne H. Scherr.

Councilmember Laylin moved and Councilmember Hunt seconded that the minutes of the May 27, 2014 meeting be approved.

Approved unanimously.

RESOLUTIONS

1. Resolution to authorize an agreement with Fleiss and Vanderbrink to design necessary improvements to the Wastewater Treatment Plant.

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

WHEREAS, the City of Dowagiac operates a wastewater treatment system which requires updates to equipment and systems to continue to operate efficiently, and;

WHEREAS, the City has applied for and received preliminary approval for a Storm water, Asset management, and Wastewater (SAW) Grant and State Revolving Funding through the Michigan Department of Environmental Quality, and;

WHEREAS, the attached Professional Services Agreement with Fleis & Vandenbrink Engineering, Inc. for preliminary and final design will aid in utilizing the grant funding effectively.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the Professional Services Agreement with Fleis & Vandenbrink Engineering, Inc. for preliminary and final design.

BE IT FURTHER RESOLVED, that the Mayor and City Manager are hereby authorized and directed to act as signatories for the execution of same.

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ADOPTED unanimously.

2. Resolution to authorize the purchase of Itron's remote meter reader services pursuant to agreement with CAUA.

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

WHEREAS, the City of Dowagiac provides management and meter reading services to the Cassopolis Area Utility Authority (CAUA), and;

WHEREAS, the City and CAUA wish to provide remote meter reading services to the Donnell Lake and Diamond Lake as part of this contract, and;

WHEREAS, the attached purchase orders for Itron, Inc., and HD Supply, Inc., has been prepared for the purchase of professional services and remote read meters.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the purchase of professional services and remote read meters.

BE IT FURTHER RESOLVED, that the City Manager are hereby authorized and directed to act as signatories for the execution of same.

ADOPTED unanimously.

3. Resolution to authorize the purchase of a new DART bus using grant funds.

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

WHEREAS, the City of Dowagiac operates a Dial-A-Ride Transportation (DART) System, and;

WHEREAS, the City has applied for and received approval for state and federal funding through the Michigan Department of Transportation for Congestion Mitigation and Air Quality improvement (CMAQ) capital funding assistance for the purchase of a DART bus, and;

WHEREAS, the attached purchase order and vehicle order form has been prepared for the purchase of a new Dial-A-Ride Transit bus.

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NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the purchase of a new Dial-A-Ride Transit bus.

BE IT FURTHER RESOLVED, that the Mayor and Transportation Coordinator are hereby authorized and directed to act as signatories for the execution of same.

4. Resolution to authorize the finalization of Revolving Loan Agreement and repayment schedule with Forrest Finn LLC for improvements at 115/117 Front Street.

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

WHEREAS, the City of Dowagiac has developed a Revolving Loan Fund (RLF) to assist in economic development projects; and

WHEREAS, the City of Dowagiac determines that it is in the best interest of the community to facilitate improvements to 115/117 Front Street; and

WHEREAS, the developer, Forrest Finn LLC has demonstrated experience in operating a theater and meets the eligibility criteria for RLF applicants; and

NOW, THEREFORE, BE IT RESOLVED the City Council authorizes the City Manager to complete and execute final RLF agreement and amortization schedule with Forrest Finn LLC with the following terms and conditions:

- The loan will be for \$65,000.
- The rate of interest will be 5%.
- The term of the loan is 5 years (60 months).
- The City loan will be secured by a lien on the real estate.

ADOPTED unanimously.

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

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

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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 #18 for the period ending 6/5/14:

Invoices: 289,816.10
Payroll: 194,077.15
Total: \$483,893.25

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

Invoices	Payroll	Total
\$289,816.10	\$194,077.15	\$483,823.25

ADOPTED on a Roll Call vote.

Ayes: Five (5) Dodd, Gross, Hunt, Laylin and Schuur

Nays: One (1) Burling

Absent: None (0)

Abstain: None (0)

Amended Total Amount:

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

Invoices	Payroll	Total
\$289,816.10	\$194,077.15	\$483,893.25

ADOPTED on a Roll Call vote.

Ayes: Six (6) Burling, Dodd, Gross, Hunt, Laylin and Schuur

Nays: None (0)

Absent: None (0)

Abstain: None (0)

COMMENTS FROM CITY OFFICIALS –

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RESOLUTIONS, Continued (CLOSED SESSION)

1. Resolution to adjourn to a closed session to consider the purchase or lease of real property.

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

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 to consider the purchase or lease of real property up to the time an option to purchase or lease that property is obtained; and

WHEREAS, the Mayor and City Council desire to meet with the City Manager and the City Attorney to discuss the purchase of real property.

NOW, THEREFORE, BE IT RESOLVED the City Council will hereby adjourn to closed session to discuss the purchase of real property.

ADOPTED on a roll call vote

Ayes: Six (6) Burling, Dodd, Gross, Hunt, Laylin and Schuur

Nays: None (0)

Absent: None (0)

Abstain: None (0)

CLOSED SESSION

TIME: 7:20 PM

LATER: 7:33 PM

Upon motion by Councilmember Schuur and seconded by Councilmember Laylin, the Dowagiac City Council adjourned at 7:33 p.m.

Donald D. Lyons, Mayor

Kevin P. Anderson, City Manager

SPECIAL DOWAGIAC CITY COUNCIL MEETING

Monday, June 16, 2014

A special meeting of the Dowagiac City Council was called to order by Mayor Pro Tem Leon D. Laylin at 12:00 p.m.

PRESENT: Mayor Pro-Tem Leon D. Laylin; Councilmembers Bob B. Schuur, Charles K. Burling, Lori A. Hunt, James B. Dodd, and Randall G. Gross, Sr.

ABSENT: Mayor Donald D. Lyons.

STAFF: City Manager Kevin P. Anderson and Assistant City Manager Rozanne H. Scherr.

RESOLUTIONS

1. Resolution authorizing the purchase of the storage facility property on Middle Crossing Road.

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

WHEREAS, the City and Silver Creek Township have actively pursued the ongoing development of Russom Field; and

WHEREAS, it is in the long-term best interest of the City to acquire properties for future development as they become available and as the City has resources available; and

WHEREAS, the City Manager has negotiated a purchase agreement, subject to City Council, with Chemical Bank for purchase of the property at 28733 Middle Crossing Street that would accommodate said development; and

WHEREAS, the attached "Real Property Purchase Agreement" has been prepared and reviewed by representatives of the City and Chemical Bank; and

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 revise the agreement to purchase that was authorized on May 9, 2014 execute the attached "Real Property Purchase Agreement" for the purchase of property from Chemical Bank; and

BE IT FURTHERE RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby authorize the City Manager to continue discussions and negotiations with Silver Creek Township to share in ownership of the this property.

ADOPTED Unanimously.

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Upon motion by Councilmember Schuur and seconded by Councilmember Dodd, the Dowagiac City Council adjourned at 12:15 p.m.

Leon D. Laylin, Mayor Pro Tem

Kevin P. Anderson, City Manager

EVENTS APPROVAL FORM

Event: Fireworks 2014
Date: 7/3/2014
Sponsoring Organization: Young Professionals of Greater Dowagiac
Contact Person(s): Whitney Behnke
Contact Person's Telephone: 269.782.1368

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 W. L. Gennaro Date 6/18/14

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature James Bradford Date 6-19-14

FINANCE DEPARTMENT:

Approval Approval with conditions Denial

Comments: _____

Signature _____ Date _____

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature JP Rullyson Date 10-20-14

Anderson, Kevin

From: Whitney Behnke <wbehnke@swmich.edu>
Sent: Friday, June 06, 2014 4:30 PM
To: Anderson, Kevin
Subject: Fireworks Details

Kevin,

The Young Professionals of Greater Dowagiac is requesting to host a fireworks show on July 3, 2014. The details are as follows:

When: July 3, 2014, 8:00pm-12 midnight
Where: Airport - Fireworks launch site
Russom Park - public viewing

We have support from Dowagiac Police & Fire Depts to assist in the event. Will be reaching out to the local CERT members/Cass Co Sheriff's Posse as well.

The President of the Dowagiac Little League has contacted us and we have welcomed them to open the concession stand at Russom Park to sell snacks before the fireworks begin.

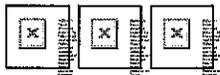
YPGD continues to receive generous donations from local businesses, as well as residents. We are receiving very positive feedback about Bringing Back the 4th Fireworks. Thank you for your support of this event, and support of the Young Professionals of Greater Dowagiac.

If you have further questions, please do not hesitate to contact me.

Regards,

Whitney Behnke

Integrated Marketing Analyst/Customer Relations Developer
Southwestern Michigan College
269-782-1368 -office



https://www.youtube.com/watch?v=KlvS6_uFKIE

DoubleCheck identified this as CLEAN. Give feedback. This is SPAM. More

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 #19 for the period ending 6/20/14:

Invoices: 540,117.61
Payroll: 110,280.71
Total: \$650,398.32

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

Invoices	Payroll	Total
\$540,117.61	\$110,280.71	\$650,398.32

ADOPTED on a roll call vote.

Ayes:

Nays:

Absent:

Abstain:

Kevin P. Anderson, City Manager

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

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 to consider the purchase or lease of real property up to the time an option to purchase or lease that property is obtained; and

WHEREAS, the Mayor and City Council desire to meet with the City Manager to discuss the purchase of real property.

NOW, THEREFORE, BE IT RESOLVED the City Council will hereby adjourn to closed session to discuss the purchase of real property.

ADOPTED/REJECTED

Moved by:

Seconded by:

Ayes:

Nays:

Absent:

Abstain:

Kevin P. Anderson, City Manager