



REGULAR MEETING OF THE DOWAGIAC CITY COUNCIL

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

Monday, August 8, 2016, 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 Danielle Lucas
-Councilmember Lori Hunt
-Councilmember Bob Schuur

APPROVAL OF MINUTES OF PREVIOUS MEETING – July 25, 2016

QUESTIONS FROM CITY COUNCIL –

COMMENTS FROM THE AUDIENCE (NON-AGENDA) –

COMMENTS FROM THE AUDIENCE (AGENDA) –

RESOLUTIONS –

1. Resolution introducing a resolution to accept an offer for the conveyance of property at 303 Parsonage, parcel number 14-160-200-903-00, and 403 West Street, parcel number 14-160-200-904-00 for \$6,200 at the September, 2016 regular City Council meeting.
2. Resolution to authorize an emergency purchase order for the purpose of making additional repairs Unit #4 (bucket truck).
3. Resolution to authorize the amendment of the 2015-2016 Fiscal Year Budget.
4. Resolution to authorize the payment of bills:

<u>BILLS</u>	<u>PAYROLL</u>	<u>TOTAL</u>
\$495,447.68	\$117,439.09	\$612,886.77

ORDINANCES-

1. 2nd reading of an ordinance to amend Chapter 82, Utilities; Article I., Section 82-24 "Landlord/ Tenant Policy for Rental Properties", Sub-paragraph (b) regarding landlord affidavit policy.

COMMENTS FROM CITY OFFICIALS –

RESOLUTIONS (continued)

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

ADJOURNMENT –

Kevin P. Anderson
City Manager

Attachments

DOWAGIAC CITY COUNCIL MEETING

Monday, July 25, 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, Lori A. Hunt, Danielle E. Lucas, Bob B. Schuur and City Clerk Jane P. Wilson.

ABSENT: None

STAFF: Assistant City Manager Rozanne H. Scherr; Museum Director Steve Arseneau

Councilmember Laylin moved and Councilmember Dodd seconded that the minutes of the July 11, 2016 meeting be approved.

Approved unanimously.

COMMENTS FROM THE AUDIENCE (NON-AGENDA)

Mike Wells, Town & Country Garden Club member, asked permission to plant 1000+ crocus bulbs in front of the Cheetah sculpture on Depot Drive.

Carol Higgins, candidate for State Representative 59th District, spoke about the key points in her platform.

Lady Corinne Anne, resident, expressed her gratitude for the council's contributions.

Rick Behnke, candidate for Cass County Sheriff, summarized his law enforcement experience and contributions to the community. Asked for council's support at the August 2 primary election.

Aaron Miller, State Representative 59th District incumbent, spoke about House Bill 5578 addressing the "dark stores" taxation issue.

COMMENTS FROM THE AUDIENCE (AGENDA)

Diane Barrett Curtis, resident, expressed support for Resolution #1 and asked council to consider expanding the "mural project" beyond the post office wall.

RESOLUTIONS

1. Resolution authorizing Steve Arseneau, Dowagiac Area History Museum Director, to apply for a Michigan Humanities Council grant for the development of a project spotlighting Dowagiac's history with the "Orphan Train."

DOWAGIAC CITY COUNCIL MEETING

Monday, July 25, 2016

Page Two

Councilmember Burling offered and moved to approve the following resolution; seconded by Councilmember Hunt.

WHEREAS, the City Council of the city of Dowagiac are committed to quality public art in the public spaces and;

WHEREAS, a committee has been working to develop a mural based on the city of Dowagiac's history with the orphan train and;

WHEREAS, there is an opportunity for grants to assist with the cost of painting a mural, and;

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby authorize Steve Arseneau to execute a grant application with the Michigan Humanities Council for a mural project commemorating Dowagiac's history with the Orphan Train.

APPROVED unanimously.

2. Resolution to authorize an addendum to the Cass/Van Buren Emergency Services Authority Agreement with Coloma Emergency Ambulance dba/Pride Care Ambulance to include additional properties within Keeler Township.

Councilmember Laylin offered and moved to approve the following resolution; seconded by Councilmember Dodd.

WHEREAS, the city has participated with surrounding townships to form an authority that contracts with pride care for ambulance services, and;

WHEREAS, Keeler Township wishes to expand the area in which the authority provide services, and;

WHEREAS, the expansion of service area mutually benefits all members of the authority by providing additional vehicles committed to this area, and;

WHEREAS, the authority board of directors unanimously recommends all members of the authority approved an addendum agreement that includes all of Keeler Township,

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby adopt and approve an addendum agreement between the Cass/Van Buren Emergency Services Authority and the Coloma emergency, Inc. DBA pride and care ambulance for expanded service area.

AND BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign said agreement on behalf of the city of Dowagiac.

DOWAGIAC CITY COUNCIL MEETING

Monday, July 25, 2016

Page Three

APPROVED unanimously.

3. Resolution introducing the final form resolution to accept an offer for the conveyance of property at 504 Keene, parcel number 14-160-300-727-00, to Tony Danneffel for \$3,000 at the August 22, 2016 regular City Council meeting.

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

WHEREAS, the City of Dowagiac wishes to convey and sell a parcel of real property owned by the City in accordance with the provisions of Section 14.9 of the City Charter; and,

WHEREAS, to do so requires the formal approval of the final-form resolution authorizing such conveyance a minimum of twenty-one (21) days in advance of the final adoption of the said, final-form resolution.

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council, by the affirmative vote of its City Council, does hereby adopt and introduce the attached, final-form resolution for the conveyance of City-owned real property in accordance with the provisions of Section 14.9 of the City Charter, and further directs the City Clerk to maintain on file for public review said same final-form resolution for a period of not-less-than twenty-one (21) days preceding the formal action by Council to approve the resolution as attached.

APPROVED unanimously.

Resolution #
First Reading July25, 2016
Second Reading August 22, 2016

City Property Sale; 504 Keene Ave.

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

WHEREAS, at the July 25, 2016 City Council meeting by way of an adopted resolution introducing same, the Dowagiac City Council approved of a final-form resolution authorizing the conveyance of City-owned, real property in accordance with the provisions of Section 14.9 of the City Charter, and the specifications outlined in the City Council Policy enacted on June 21, 1993, and;

DOWAGIAC CITY COUNCIL MEETING

Monday, July 25, 2016

Page Four

WHEREAS, having now remained on file for public inspection with the Office of the City Clerk for in-excess-of the minimum twenty-one (21) day period required by the City Charter, the City of Dowagiac wishes to formally convey and sell the parcel of surplus real property legally described in Exhibit "A", commonly known as 504 Keene Ave. in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-300-727-00, to Tony Danneffel, for the total sale price of three thousand dollars (\$3000.00).

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council, by the affirmative roll call vote of five or more of its City Council Members, does hereby adopt and approve the sale and conveyance of City-owned real property legally described in Exhibit "A", commonly known as 504 Keene Ave. in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-300-727-00, to Tony Danneffel, for the total sale price of three thousand dollars (\$3000.00).

BE IT FURTHER RESOLVED that the said conveyance shall be accomplished by means of the transfer of a Quit-claim Deed, as prepared by the City Attorney, signed by the Mayor and Clerk respectively of the City of Dowagiac, and executed within thirty (30) days following adoption of this resolution.

4. Resolution to authorize the final form resolution to sell the property referred to as parcel number 14-160-100-270-00, on the 400 block of Johnson Street to Willie and Arquilla Lewis.

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

WHEREAS, at the June 27, 2016 City Council meeting by way of an adopted resolution introducing same, the Dowagiac City Council approved of a final-form resolution authorizing the conveyance of City-owned, real property in accordance with the provisions of Section 14.9 of the City Charter, and the specifications outlined in the City Council Policy enacted on June 21, 1993, and;

WHEREAS, having now remained on file for public inspection with the Office of the City Clerk for in-excess-of the minimum twenty-one (21) day period required by the City Charter, the City of Dowagiac wishes to formally convey and sell the parcel of surplus real property legally described in Exhibit "A", commonly known as 400 Block Johnson Street in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-100-270-00, to Willie Lewis and Arquilla Lewis, for the total sale price of one hundred dollars (\$100.00).

DOWAGIAC CITY COUNCIL MEETING

Monday, July 25, 2016

Page Five

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council, by the affirmative roll call vote of five or more of its City Council Members, does hereby adopt and approve the sale and conveyance of City-owned real property legally described in Exhibit "A", commonly known as 400 Block Johnson Street in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-100-270-00, to Willie Lewis and Arquillia Lewis, for the total sale price of one hundred dollars (\$100.00).

BE IT FURTHER RESOLVED that the said conveyance shall be accomplished by means of the transfer of a Quit-claim Deed, as prepared by the City Attorney, signed by the Mayor and Clerk respectively of the City of Dowagiac, and executed within thirty (30) days following adoption of this resolution.

APPROVED 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.

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 for period ending 7/16/16 and payroll #22:

Invoices \$872,288.83 PR #22 \$201,263.73 Total \$1,073,552.56

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>
\$872,288.83	\$201,263.73	\$1,073,552.56

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: None (0)

Abstain: None (0)

DOWAGIAC CITY COUNCIL MEETING

Monday, July 25, 2016

Page Six

ORDINANCES

1. 2nd reading of an ordinance to amend Chapter 82, Utilities; Section 7 “Service Deposits,” Sub-paragraph (4) to eliminate duplicate language and correct a typographical error.

ORDINANCE NO. , 2016

ORDINANCE-----

AN ORDINANCE TO AMEND CHAPTER 82 UTILITIES ARTICLE I. “IN GENERAL” SECTION 82-7 “SERVICE DEPOSITS”, SUB-PARAGRAPH (4), OF THE DOWAGIAC CITY CODE BE AND IS HEREBY AMENDED BY ITS REPEAL AND THE ADOPTION OF A NEW SUBPARAGRAPH (4) OF THE DOWAGIAC CITY CODE.

THE CITY OF DOWAGIAC ORDAINS:

Section 1. That Chapter 82, Utilities; Article I. “In General”, Section 82-7 “Service Deposits”, Sub-paragraph (4) be and hereby is amended to read as follows:

- d. Commencing on August 1, 2016, level I deposits shall be applied to all “non renting” customers’ bills within 90 days of said date and annually within 90 days of August 1, 2016 thereafter for those “non-renting” customers who have maintained a current bill (paid by the due date without penalty) for the 12 months of the proceeding calendar year. Deposits for all “renting” customers shall not be applied to the account but shall remain as an active deposit until the “renting” account is closed.
 - 1. Remove – this has been covered in subsection i.
- i. Once a “non-renter” has established a current payment history with the city, a deposit will not be required should the applicant request utility service at a new location. Should the applicant subsequently be disconnected for a violation of any utility ordinance they will be required to pay any deposits as required of an applicant without acceptable credit history. Further, their utilities will not be turned on until all amounts, including the deposits required, have been paid in full.

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.

DOWAGIAC CITY COUNCIL MEETING

Monday, July 25, 2016
Page Seven

First Reading: July 11, 2016

Moved by: Laylin

Seconded by: Burling

Second Reading: July 25, 2016, ADOPTED on a Roll Call Vote

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

Nays: None (0)

Absent: None (0)

Abstain: None (0)

Donald D. Lyons, Mayor

Jane P. Wilson, City Clerk

ADJOURNMENT

Upon motion by Councilmember Dodd and seconded by Councilmember Laylin, the Dowagiac City Council adjourned at 7:35 PM.

Donald D. Lyons, Mayor

Jane P. Wilson, City Clerk

EVENTS APPROVAL FORM

Event: Benefit Concert for Richard Henninger
Date: Thursday, August 25, 2016
Sponsoring Organization: Volunteers and teachers from Patrick Hamilton and Kincheloe Schools
Contact Person(s): Ashley Hamlet
Contact Person's Telephone: 269-779-1322

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 8/4/16

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature *James Bradford* Date 8-5-16

FINANCE DEPARTMENT:

Approval Approval with conditions Denial

Comments: _____

Signature _____ Date _____

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature _____ Date _____

Bobbie Jo Hartline

From: Kevin Anderson
Sent: Wednesday, August 03, 2016 8:30 AM
To: Bobbie Jo Hartline
Subject: FW: benefit concert on Thursday August 25

From: Ashley Hamlet [mailto:ahamlet@dowagiacschools.org]
Sent: Wednesday, August 3, 2016 8:18 AM
To: Kevin Anderson <kanderson@dowagiac.org>
Subject: Re: benefit concert on Thursday August 25

Good Morning Kevin!

I realized I forgot to mention in the previous email that Richard Henninger is an aid at Justice Gage Elementary and his wife, Crystal Henninger, works at Patrick Hamilton Elementary with me, and they have a beautiful baby girl at home. Hope that I provided you in these two emails the information you need! Let me know if there is anything else I can tell you! :)

Thanks again Kecin for being so receptive and helpful!

Sincerely,

Ashley Hamlet

On Tuesday, August 2, 2016, Ashley Hamlet <ahamlet@dowagiacschools.org> wrote:

Hi Kevin!

It's Ashley Hamlet, the art teacher at Patrick Hamilton and Kincheloe Elementary. I spoke with you on the phone earlier today about doing the benefit concert at the Beckwith Park Thursday August 25th. You asked me to email you the details of who would be playing and any other information I could provide.

I just received confirmation from my Father-in-Law, Bob Hamlet, that he could perform that Thursday from 7:30-8:30. I was also thinking of looking into other local talent that had original pieces that could perform a song or two, such as my husband, or fellow teachers. I would have a donation box as well as two laminated papers taped on perspective sides saying, "Benefit Concert for Richard Henninger" and "Donate to join in his fight against cancer. Thank You!".

Vicki also said she would mention our additional Benefit Concert for the following Thursday at the conclusion of the "Rain Date" concert to help spread the word, and if I get the okay from you, I will also contact Ted Yokum to ask if he would be interested in doing a story in the paper on the Benefit Concert to help spread the word.

If all goes according to plan, this can help fund a benefit dinner to be hosted by Patrick Hamilton that could bring in quite a bit more funding, beyond what awesome help the Benefit Concert can supply. I also, as the art teacher, look for ways for students to be involved in the community in powerful ways, and this will give them a chance to make artworks to be sold at the Benefit Dinner in a silent auction. All proceeds going directly to Richard Henninger's treatment. I had another friend that I was going to split the proceeds with but as of now, she just received a call that the cancer that was in her throat is now gone! Hopefully the healthy research we did and tried in her diet contributed! So now as it stands, all proceeds can go to Richie!

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: July 27, 2016

SUBJECT: Sale of Property – 504 Keene Street

A resolution of intent to sell Parcel # 14-160-300-727-00 to Tony Danneffel for \$3,000.00 is on Monday's agenda for your consideration. A final form resolution is also included for your review.

Once the final form resolution has been introduced, the issue must remain "on the table" for the required 21-day period before final Council action can be taken on August 22, 2016.

Conditions of the sale will be as follows:

- Total sale price will be three thousand dollars (\$3000.00) cash – "as is";

RECOMMENDATION

Introduce intent to sell and final form resolution for the sale of Parcel # 14-160-300-727-00.

Support Documents:

- Cover Memo-City Mgr.
- Resolution – Intent to Sell
- Resolution – Final Form
- Letter of Request
- Map
- Real Estate Summary

Council member _____ offered and moved the adoption of the following resolution, seconded by Council Member _____.

WHEREAS, the City of Dowagiac wishes to convey and sell a parcel of real property owned by the City in accordance with the provisions of Section 14.9 of the City Charter; and,

WHEREAS, to do so requires the formal approval of the final-form resolution authorizing such conveyance a minimum of twenty-one (21) days in advance of the final adoption of the said, final-form resolution.

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council, by the affirmative vote of its City Council, does hereby adopt and introduce the attached, final-form resolution for the conveyance of City-owned real property in accordance with the provisions of Section 14.9 of the City Charter, and further directs the City Clerk to maintain on file for public review said same final-form resolution for a period of not-less-than twenty-one (21) days preceding the formal action by Council to approve the resolution as attached.

ADOPTED/REJECTED

Dear Sir or Madam,

Timothy Craig & Melissa Craig
would like to raise the bid we
put in for the property on Parsonage
Street to \$6,200. We as a family
would love to live and thrive in
this home and renovate and elevate
this property.

Thank you

Melissa & Timothy Craig

269. 462-1975

RECEIVED

AUG 3 2016

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: August 5, 2016

SUBJECT: Unit #4 Bucket Truck Additional Repairs

Unit #4 is a bucket truck which is an essential vehicle for operating and maintaining the city's electric distribution system. It was purchased in 2003 and in April Council approved the replacement of boxes for unit #4 and the work was scheduled for July. Mechanically the vehicle is sound and this work is intended to extend the service life of the vehicle.

While removing the boxes for replacement several critical safety items needing repair became exposed, the most critical of which is a cracked base plate for the boom. The additional repairs are expected to increase the cost from the \$28,791.49 to \$50,217.85.

An emergency purchase order was issued so that there would not be a delay in returning this equipment into service.

RECOMMENDATION

Authorize the resolution to approve these additional repairs in the amount of \$50,217.85.

Support Documents:

- Cover Memo-City Mgr.
- Resolution
- Purchase Authorization

Councilmember _____ offered and moved the adoption of the following Resolution, which was seconded by Councilmember _____.

WHEREAS, on April 25, 2016 City Council authorize the replacement of the compartment boxes to extend the life of Unit 4, a bucket truck for the Electric Division; and,

WHEREAS, during the replacement of the compartment boxes other critical repairs needs were uncovered;

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by affirmative vote of its City Council, hereby approves and the revised purchase order in the amount of \$50,217.85, and;

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

ADOPTED/REJECTED



INTER-DEPARTMENTAL COMMUNICATION

TO: Kevin P. Anderson
City Manager

FROM: James D. Bradford 
DPS Director

DATE: August 3, 2016

RE: Unit #4 Bucket Truck Additional Repairs

As we discussed, City Council approved a quote for a replacement box for unit #4 at the April 25, 2016 meeting. The total amount of the quote was \$28,791.49.

City personnel delivered the truck to Altec about two weeks ago. On today's date, Altec contacted this office advising of numerous additional repairs that were discovered once the old box was removed from the chassis.

I have attached both the original quote and the revised quote which is in the amount of \$50,217.85 – an increase of \$21,426.36.

The additional items are noted in yellow on the revised estimate #287476. Item #13 is repair of our boom attachment sub base and shear plates for \$14,732.91. Item #11 and #16 are for examination only to determine what was wrong. Item #11 is for the emergency lowering device from the bucket. Worst case scenario, if the entire pump needs replaced, it will cost an additional \$800. All other repairs are for damaged items on the boom and hydraulics.

Should you have any questions, please don't hesitate to let me know.

JDB:sw
Attachments



PO BOX 430 * 241 S. FRONT ST.
 DOWAGIAC, MICHIGAN 49047
 (269) 782-2195 * FAX (269) 782-1838
 www.cityofdowagiac.com

PURCHASE ORDER

NO. **1546**

TO:	SHIP TO:
<p>Altec 5201 2. 84th Street Indianapolis, IN 46268</p>	<p>Dept. of Public Services 241 S. Front Street Dowagiac, MI 49047</p>

PLEASE ENTER OUR ORDER FOR THE FOLLOWING:

DATE REQUIRED	SHIP VIA	FEDERAL T.I.N.	DEPT.	ORDER DATE	
		38-6004607	MVP	04/27/2016	
ITEM NUMBER	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	ACCOUNT NO.
1	Perform 12 month Preventative Maintenance Inspection	1	\$520.77	\$520.77	661-932-970.00
2	Dielectric Test; Cat B/C; Boom & Linder & (ISO Grip if applicable) (Price discounted, when done w/PM)	1	\$150.00	\$150.00	
3	Replace complete body	1	\$23,406.14	\$23,406.14	
4	Prep and paint body (sublet)	1	\$2,180.00	\$2,180.00	
5	Replace Missing and damaged safety placards / operational placards	1	\$234.58	\$234.58	
6	Supplies / Environmental disposal fee	1	\$200.00	\$200.00	
7	Freight (Estimate only, actual charges will be reflected on final invoice)	1	\$2,100.00	\$2,100.00	
	Per Estimate # 287476 / Service Request #2529228.				
	Model #LAN-51-2E				
	Chassis VIN # 1FVABWAK94HM48024				
	Unit Serial # 7666100351LAN				

Approved by Council on 4/25/16. ✓

ORDER TOTAL: **\$28,791.49**

PLEASE ACKNOWLEDGE IMMEDIATELY AND STATE WHEN YOU WILL SHIP OUR ORDER. PURCHASE ORDER NUMBER MUST APPEAR ON ALL RELATED PACKAGES AND FORMS.

Purchase order must be signed before purchase is made for all purchases over \$1,000 unless covered by exception per Section 2-240 of city code.

James Bradford
 DEPARTMENT HEAD
R. Grabenmeyer CPA *H2 File*
 DIRECTOR OF FINANCE (Purchase over \$1,000)

 CITY MANAGER (Purchase over \$5,000)

Altec Service Estimate

5201 W 84th Street
Indianapolis, IN, 46268
US

Customer				Service Request	
Estimate #	287476			Service Request #	2529228
Customer	CITY OF DOWAGIAC			Unit Information	
Account #	9446	Payment Terms	NET 30	Customer Vehicle #	
Contact	HENRY KROHNE			Model	LAN-51-2E
Email				Chassis VIN #	1FVABWAK94HM48024
Phone	269-462-2147	Fax		Mileage	
Mobile				Unit Serial #	7666100351LAN
Altec Representative				Assy Serial #(FA)	7666100351LAN
Contact	Indy Service Center			In-Service Date	
Email					
Phone		Fax			
This Estimate Expires: 05/08/2016					
Notes:					

Item	Description	Hours	Labor	Material	Expenses	Total
1	~PERFORM 12 MONTH PREVENTATIVE MAINTENANCE INSPECTION	--	\$500.00	\$20.77	\$0.00	\$520.77
2	~DIELECTRIC TEST; CAT B/C; BOOM & LINER & (ISO GRIP IF APPLICABLE) (PRICE DISCOUNTED, WHEN DONE W/PM)	--	\$150.00	\$0.00	\$0.00	\$150.00
3	REPLACE COMPLETE BODY	50.00	\$5,000.00	\$0.00	\$18,406.14	\$23,406.14
4	PREP AND PAINT BODY (SUBLET)	0.00	\$0.00	\$0.00	\$2,180.00	\$2,180.00
5	~REPLACE MISSING AND DAMAGED SAFETY PLACARDS / OPERATIONAL PLACARDS	1.50	\$150.00	\$84.58	\$0.00	\$234.58
6	SUPPLIES / ENVIRONMENTAL DISPOSAL FEE	0.00	\$0.00	\$0.00	\$200.00	\$200.00
7	FREIGHT (ESTIMATE ONLY, ACTUAL CHARGES WILL BE REFLECTED ON THE FINAL INVOICE)	0.00	\$0.00	\$0.00	\$2,100.00	\$2,100.00
Totals		51.50	\$5,800.00	\$105.35	\$22,886.14	\$28,791.49

Options:

The items listed below are NOT included in the total above

Item	Description	Hours	Labor	Material	Expenses	Total
8	OPTION - FIBERGLASS BODY	0.00	\$0.00	\$0.00	\$29,957.55	\$29,957.55

*This estimate is provided with the understanding that items may be discovered during the repair process that may require additional labor and/or materials to repair. Examples would include, but are not limited to, hidden damages or items that were not clearly visible or known at the time of estimate, damaged internal components, fasteners and pins that may be rusted, seized or broken.

**This estimate does not include City, County, State or Federal taxes.

***Transportation or towing of the vehicle is not included in the estimate unless specified.

****Freight charges are estimated and may be adjusted to reflect the actual cost incurred on the invoice.

Atec Service Estimate

5201 W 84th Street
Indianapolis, IN, 46268
US

Customer				Service Request	
Estimate #	287476			Service Request #	2529228
Customer	CITY OF DOWAGIAC			Unit Information	
Account #	9446	Payment Terms	NET 30	Customer Vehicle #	
Contact	HENRY KROHNE			Model	LAN-51-2E
Email				Chassis VIN #	1FVABWAK94HM48024
Phone	269-462-2147	Fax		Mileage	
Mobile				Unit Serial #	7666100351LAN
Atec Representative				Assy Serial #(FA)	7666100351LAN
Contact	Indy Service Center			In-Service Date	
Email					
Phone		Fax			
This Estimate Expires: 08-MAY-2016					
Notes:					

Item	Description	Hours	Labor	Material	Expenses	Total
1	~PERFORM 12 MONTH PREVENTATIVE MAINTENANCE INSPECTION	--	\$500.00	\$20.77	\$0.00	\$520.77
2	~DIELECTRIC TEST; CAT B/C; BOOM & LINER & (ISO GRIP IF APPLICABLE) (PRICE DISCOUNTED, WHEN DONE W/PM)	--	\$150.00	\$0.00	\$0.00	\$150.00
3	REPLACE COMPLETE BODY	50.00	\$5,000.00	\$0.00	\$18,406.14	\$23,406.14
4	PREP AND PAINT BODY (SUBLET)	0.00	\$0.00	\$0.00	\$2,180.00	\$2,180.00
5	~REPLACE MISSING AND DAMAGED SAFETY PLACARDS / OPERATIONAL PLACARDS	1.50	\$150.00	\$103.48	\$0.00	\$253.48
6	REPAIR CRACK ON BOOM REST CROSS BRACE	1.50	\$150.00	\$0.00	\$0.00	\$150.00
7	~REPLACE MISSING DUST CAPS FOR TOOL COUPLINGS	0.75	\$75.00	\$40.02	\$0.00	\$115.02
8	REPAIR DAMAGED GELCOAT AREAS ON UPPER BOOM	4.00	\$400.00	\$49.99	\$0.00	\$449.99
9	REPAIR DAMAGED GELCOAT AREAS ON PLATFORM	2.00	\$200.00	\$49.99	\$0.00	\$249.99
10	REPLACE DAMAGED HOSES AT UPPER CONTROLS	8.00	\$800.00	\$0.00	\$625.00	\$1,425.00
11	TROUBLESHOOT INOPERABLE EMERGENCY DC PUMP FROM UPPER CONTROLS (OPEN FOR CAUSE AND CORRECTION)	1.50	\$150.00	\$0.00	\$0.00	\$150.00
12	REPLACE MISSING PINION GEAR COVER	0.25	\$25.00	\$17.65	\$0.00	\$42.65
13	REPLACE RUST DAMAGED SUBASE WELDMENT, SHEAR PLATES AND HARDWARE	80.00	\$8,000.00	\$0.00	\$6,732.91	\$14,732.91
14	LUBRICATE UNIT PER PM	0.00	\$0.00	\$0.00	\$0.00	\$0.00
15	REPLACE HYDRAULIC FILTER PER PM	0.00	\$0.00	\$0.00	\$0.00	\$0.00
16	TROUBLESHOOT INOPERABLE TAG LIGHT (OPEN FOR CAUSE AND CORRECTION)	0.50	\$50.00	\$0.00	\$0.00	\$50.00
17	SECURE HOSES AT UPPER CONTROLS	0.75	\$75.00	\$0.00	\$0.00	\$75.00
18	REPAIR DAMAGED GELCOAT AREAS ON LOWER BOOM INSERT	1.50	\$150.00	\$0.00	\$0.00	\$150.00
19	REPAIR DAMAGED LOWER BOOM REST	2.00	\$200.00	\$0.00	\$0.00	\$200.00
20	REPLACE DAMAGED UPPER CONTROL COVER	0.50	\$50.00	\$180.20	\$0.00	\$230.20
21	SECURE AND INSTALL HOSES SLEEVE ON HOSES AT ELBOW	1.25	\$125.00	\$56.70	\$0.00	\$181.70
22	~REPLACE MISSING PLATFORM LINER	0.25	\$25.00	\$530.00	\$0.00	\$555.00
23	SECURE DIELECTRIC CAP CHAIN	0.25	\$25.00	\$0.00	\$0.00	\$25.00
24	~COMPLETE STRUCTURAL LOAD TEST	1.50	\$150.00	\$0.00	\$0.00	\$150.00
25	RESEAL LEAKING ROTATION GEARBOX	5.00	\$500.00	\$400.00	\$0.00	\$900.00

26	SUPPLIES / ENVIRONMENTAL DISPOSAL FEE	0.00	\$0.00	\$0.00	\$200.00	\$200.00
27	FREIGHT (ESTIMATE ONLY, ACTUAL CHARGES WILL BE REFLECTED ON THE FINAL INVOICE)	0.00	\$0.00	\$0.00	\$3,675.00	\$3,675.00
	Totals	163.00	\$16,950.00	\$1,448.80	\$31,819.05	\$50,217.85

Options:

The items listed below are NOT included in the total above

Item	Description	Hours	Labor	Material	Expenses	Total
28	OPTION - FIBERGLASS BODY	0.00	\$0.00	\$0.00	\$29,957.55	\$29,957.55

*This estimate is provided with the understanding that items may be discovered during the repair process that may require additional labor and/or materials to repair. Examples would include, but are not limited to, hidden damages or items that were not clearly visible or known at the time of estimate, damaged internal components, fasteners and pins that may be rusted, seized or broken.

**This estimate does not include City, County, State or Federal taxes.

***Transportation or towing of the vehicle is not included in the estimate unless specified.

****Freight charges are estimated and may be adjusted to reflect the actual cost incurred on the invoice.

Please sign below to authorize this estimate			
Printed Name: <i>James D Bradford</i>	P.O. <i>1546</i>	Date: <i>8-3-16</i>	
Signature: <i>James D Bradford</i>		Would you like to keep salvageable parts removed from the unit?	
		Yes	No

Altec Service Group Limited Warranty

Products rebuilt or repaired by Altec Service Group are warranted to be free from defects in material and workmanship at the time of rebuild/repair subject to the following provisions:

- § Labor Coverage: For a period of six (6) months following the date of repair, no charge for labor shall be made for a repair or replacement by the Altec Service Group.
- § Travel Coverage: For a period of thirty (30) days following the date of repair, no charge for travel shall be made for a repair or replacement at the customers location by the Altec Service Group.
- § Parts Coverage: For a period of one (1) year following the date of repair, Altec will at its option, repair or replace any part found to be defective in material or workmanship at the time of repair.
- § This warranty is limited to parts that are repaired or replaced by the Altec Service Group. Authorization and coverage of this warranty will be at the discretion of the Altec Service Group.
- § Accessory items are excluded from this warranty and will be warranted from the original manufacturer.

This limited warranty is expressly in lieu of any other warranties, express or implied, including, but not limited to, any warranty of merchantability or fitness for a particular purpose. Except as specified above, no associate, agent or representative of Altec is authorized to extend any warranty on Altec's behalf. Remedies under this limited warranty are expressly limited to the provision and installation of parts and labor, as specified above, and any claims for other loss or damages of any type (including, but not limited to, loss from failure of the product to operate for any period of time, other economic or moral loss, or direct, immediate, special, indirect, incidental or consequential damage) are expressly excluded.

Ser War 2-10 Altec Industries, Inc.

CITY OF DOWAGIAC

MEMO TO: **Mayor and Council Members**

FROM: **Kevin P. Anderson, City Manager**

DATE: **August 8, 2016**

SUBJECT: **Budget Amendments**

Each year budgets are reviewed on a quarterly basis for the purpose of making recommendations to Council to amend the budget based on actual financial activity and revised expectations. A review of the recommendations through the second quarter of Fiscal Year 2015-2016 is attached for your review and consideration.

RECOMMENDATION

Approve the resolution authorizing budget amendments as presented.

Support Documents:

Cover Memo – City Mgr.
Dept. Head Memo
Resolution
Budget Amendments

Resolution #3
August 8, 2016

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

WHEREAS, the City administration has reviewed the attached budgets for the 2015-16 fiscal year and the actual revenues and expenditures through the third quarter of 2015-16 fiscal year; and

WHEREAS, the City administration recommends revision of the attached budgets in accordance with the latest projections available; and

WHEREAS, the attached report for these funds indicates the current budget and the recommended budget revisions.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby adopt the attached, recommended revised budgets.

ADOPTED/REJECTED

CITY OF DOWAGIAC

MEMO TO: **Kevin P. Anderson, City Manager**

FROM: **Rebecca L. Grabemeyer, CPA**

DATE: **August 5, 2016**

SUBJECT: **Budget Amendments**

As you are aware I prepare 4 to 5 budget amendments each year and try to encompass the prior 3 months and any changes we see coming down the pipeline. I do my best to work with department heads to help with these predictions. This period there were a few increases or decreases that had to be made to fund balance. Here is a summary showing where the majority of the increases came from.

General fund decrease of \$28,120.

\$36,600 of decrease is related to health insurance costs. Two employees went from having no coverage or single coverage to family plans. We were able to reduce some expenses to help offset these costs. We also have better predictions now from the state on Shared Revenue and a better feel for local revenue sharing from the casino. Both of these figures have decreased from what we predicted May 2015.

Major Streets increase of \$67,500

\$60,000 is from a federal grant for Railroad Street. The expense was previously reported on the December budget amendments.

Industrial/Economic Development decrease of \$26,700

Our Big Grey building estimates were actually higher than what it cost us to raze the building. This allowed us to shift some of those planned expenses to the costs of obtaining, environmental studies, demolition of property for the division street corridor project. In addition to those funds we also need this additional amount to cover costs through our last bill sheet.

Electric Utility decrease of \$191,845

The majority of these increases include increased consulting costs for the Division Street Corridor project, capital expenditures including completing the condo units in the James E Snow Building along with transformers for Auto Cad and Dowagiac Union Schools.

Sewer Utility decrease of \$85,630

Increased costs in our sewer fund relate to our waste water treatment plant and consulting with a company for management and maintenance. Another large expense was the channel monster grinder and primary pump plc replacement.

Water Utility decrease of \$19,580

\$13,000 of this decrease in fund balance relates to payroll. Of which we decreased other accounts to cover this amount. Of the other \$6,000 of decreased fund balance other notable items include the interest expense for the Nubour Debt and there was additional storage tank maintenance that needed to be complete when the annual check was completed this year.

Please let me know if you have any questions.

A motion to make the following adjustments to the original budget.

Account	Description	Amount	Change	
101	General Fund			
R	101-208-607.00	Service Fee Revenue	600	Increase Budget
R	101-212-403.00	Current Taxes	11,000	Increase Budget
R	101-265-651.00	Grounds & Recreation Fees	3,000	Increase Budget
R	101-299-575.00	State Revenue Sharing	(25,000)	Decrease Budget
R	101-298-576.00	Local Revenue Sharing	(10,000)	Decrease Budget
R	101-299-575.01	State Aid	500	Increase Budget
R	101-301-607.00	Service Fee Income	6,500	Increase Budget
R	101-301-695.17	K-9 Donations	12,500	Increase Budget
R	101-537-530.00	Federal Grant	16,000	Increase Budget
R	101-537-540.00	State Grant	4,000	Increase Budget
R	101-804-686.50	Book Sales/Misc.	500	Increase Budget
R	101-804-695.00	Miscellaneous Income	4,600	Increase Budget
R	101-804-696.10	Donations	7,500	Increase Budget
	101-191-801.00	Contractual/Professional	1,000	Increase Budget
	101-191-901.00	Printing and Publishing	1,800	Increase Budget
	101-208-934.00	Site Maintenance & Improvement	3,500	Increase Budget
	101-263-853.00	Telephone	(6,000)	Reclass Budget
	101-265-720.00	Worker's Comp	610	Increase Budget
	101-265-801.00	Contractual/Professional Services	(8,000)	Reclass Budget
	101-265-974.20	Cemetery/Grounds Improvement	5,800	Increase Budget
	101-301-702.00	Salaries & Wages	(3,500)	Reclass Budget
	101-301-716.00	Health/Dental Insurance	19,600	Increase Budget
	101-301-740.17	K-9 Expenses	12,500	Increase Budget
	101-301-751.00	Gas & Diesel	(8,400)	Decrease Budget
	101-301-801.00	Contractual/Professional Services	(7,500)	Decrease Budget
	101-301-805.00	Dues/Memberships	1,500	Increase Budget
	101-301-932.00	Vehicle Insurance	1,300	Increase Budget
	101-302-716.00	Health/Dental Insurance	17,000	Increase Budget
	101-302-853.00	Telephone	3,350	Increase Budget
	101-316-701.00	Salaries & Wages	3,500	Reclass Budget
	101-336-853.00	Telephone	1,150	Reclass Budget
	101-371-720.00	Worker's Compensation	160	Increase Budget
	101-371-801.06	Code Enforcement	6,000	Increase Budget
	101-537-715.00	FICA Taxes	100	Increase Budget
	101-537-720.00	Worker's Compensation	50	Increase Budget
	101-537-801.00	Contractual/Professional Services	8,000	Reclass Budget
	101-537-970.00	Capital Items	1,700	Increase Budget
	101-804-801.00	Contractual/Professional Services	4,600	Increase Budget
	101-804-931.00	Building Maintenance	500	Increase Budget
	101-804-970.00	Capital Items	7,500	Increase Budget
	101-953-722.00	Unemployment Costs	(8,000)	Decrease Budget
		Revenue	31,700	
		Expense	59,820	
		Overall		(28,120) Increase / (Decrease) Fund Bal.

202 Major Streets

R	202-476-530.00	Federal Grant	60,000	Increase Budget
	202-463-702.00	Salaries & Wages	(4,000)	Decrease Budget
	202-463-784.00	Repair Maint Supply	500	Reclass Budget
	202-463-970.00	Capital Items	3,500	Reclass Budget
	202-479-702.25	Regular Overtime	100	Reclass Budget
	202-479-718.00	Retirement Contributions	100	Reclass Budget
	202-479-784.00	Repair Maint Supply	(250)	Reclass Budget
	202-479-946.00	Equipment Rental	(200)	Reclass Budget

202-483-853.00	Telephone		350	Reclass Budget
202-486-718.00	Retirement Contributions		(3,500)	Decrease Budget
202-486-946.00	Equipment Rental		(4,100)	Reclass Budget
	Revenue	60,000	Expense	(7,500)
			Overall	67,500 Increase / (Decrease) Fund Bal.

203 Local Streets

R	203-476-548.00	State Metro Act		3,700	Increase Budget
	203-463-702.00	Salaries & Wages		(11,300)	Reclass Budget
	203-463-946.00	Equipment Rental		6,700	Increase Budget
	203-469-946.00	Equipment Rental		(1,000)	Reclass Budget
	203-475-702.00	Salaries & Wages		2,300	Reclass Budget
	203-479-784.00	Repair Maint Supply		(1,000)	Decrease Budget
	203-479-946.00	Equipment Rental		(1,000)	Decrease Budget
	Revenue	3,700	Expense	(5,300)	Overall
					9,000 Increase / (Decrease) Fund Bal.

208 Parks

R	208-718-607.00	Service Fees Income		(1,000)	Reduce Budget
R	208-718-676.00	Transfer from Other Funds		(2,000)	Reduce Budget
	208-718-934.00	Site Maintenance & Improvement		(3,000)	Reduce Budget
	Revenue	(3,000)	Expense	(3,000)	Overall
					- Increase / (Decrease) Fund Bal.

226 Solid Waste

	226-523-702.16	Wages - Solid Waste		4,700	Increase Budget
	226-523-702.17	Wages - Compost		(1,000)	Decrease Budget
	226-523-720.00	Worker's Compensation		750	Increase Budget
	226-523-801.00	Contractual/Professional Services		3,125	Increase Budget
	226-523-801.07	Nubour Landfill Maintenance/Services		(6,575)	Reclass Budget
	226-523-956.00	Miscellaneous Expense		(1,000)	Reclass Budget
	Revenue	-	Expense	-	Overall
					- Increase / (Decrease) Fund Bal.

240 Industrial/Economic Development

	240-261-725.00	Property Taxes		3,700	Increase Budget
	240-261-801.00	Capital Items		57,000	Reclass Budget
	240-261-970.00	Capital Items		23,000	Increase Budget
	240-261-970.09	Capital Items #4 Big Grey		(57,000)	Reclass Budget
	Revenue	-	Expense	26,700	Overall
					(26,700) Increase / (Decrease) Fund Bal.

243 LDFA Project

R	243-729-403.11	Captured Tax		5,600	Increase Budget
	243-729-801.00	Contractual/Professional Services		50	Increase Budget
	Revenue	5,600	Expense	50	Overall
					5,550 Increase / (Decrease) Fund Bal.

245 DDA - TIF Project

	245-850-718.00	Retirement Contributions		(600)	Reduce Budget
	245-850-880.00	Community Promotion		100	Increase Budget
	245-850-931.05	Façade Incentive Program		500	Increase Budget
	Revenue	-	Expense	-	Overall
					- Increase / (Decrease) Fund Bal.

252 Rehab Loan Payments

NO ADJUSTMENTS SUGGESTED

Revenue - **Expense** - **Overall** - **Increase / (Decrease) Fund Bal.**

255 Rental Rehab

NO ADJUSTMENTS SUGGESTED

Revenue - **Expense** - **Overall** - **Increase / (Decrease) Fund Bal.**

265 Municipal Facilities/Improvement

265-264-801.00 Contractual/Professional 800 Reclass Budget
265-264-956.00 Miscellaneous Expense (800) Reclass Budget

Revenue - **Expense** - **Overall** - **Increase / (Decrease) Fund Bal.**

266 City Drug Forfeiture

266-765-956.00 Miscellaneous Expense 250 Increase Budget

Revenue - **Expense** **250** **Overall** **(250)** **Increase / (Decrease) Fund Bal.**

268 Federal Drug Forfeiture

NO ADJUSTMENTS SUGGESTED

Revenue - **Expense** - **Overall** - **Increase / (Decrease) Fund Bal.**

499 Capital Project Fund

NO ADJUSTMENTS SUGGESTED

Revenue - **Expense** - **Overall** - **Increase / (Decrease) Fund Bal.**

582 Electric Utility

R 582-267-668.00 Rental Income 1,500 Increase Budget
582-267-725.00 Property Taxes 400 Increase Budget
582-267-801.00 Contractual/Professional Services 1,500 Increase Budget
582-267-931.00 Building Maintenance 1,000 Increase Budget
582-269-725.00 Property Taxes 2,000 Increase Budget
582-269-931.00 Building Maintenance 1,000 Increase Budget
582-270-931.00 Building Maintenance 1,000 Increase Budget
582-270-970.00 Capital Expenditure 77,000 Increase Budget
582-270-990.00 Debt Service (7,400) Decrease Budget
582-270-995.00 Interest Expense 7,400 Increase Budget
582-442-970.00 Capital Expenditure 23,995 Increase Budget
582-483-946.00 Equipment Rental (6,000) Decrease Budget
582-483-956.00 Miscellaneous Expense 1,200 Increase Budget
582-580-873.00 Travel & Training 100 Increase Budget
582-580-880.09 Education 150 Increase Budget
582-850-801.00 Contractual/Professional Services 90,000 Increase Budget

Revenue **1,500** **Expense** **193,345** **Overall** **(191,845)** **Increase / (Decrease) Fund Bal.**

588 Dial A Ride Transportation

R 588-959-530.00 Federal Grant 7,800 Increase Budget
R 588-959-540.00 State Grant 2,000 Increase Budget
588-959-717.00 Life Insurance 60 Increase Budget
588-959-720.00 Worker's Compensation 70 Increase Budget

588-959-801.00	Contractual/Professional Services	170	Increase Budget
588-959-901.00	Printing & Publishing	200	Increase Budget

Revenue	9,800	Expense	500	Overall	9,300	Increase / (Decrease) Fund Bal.
----------------	--------------	----------------	------------	----------------	--------------	----------------------------------------

590 Sewer Utility

590-442-702.00	Salaries & Wages	(5,000)	Decrease Budget
590-442-720.00	Worker's Compensation	500	Increase Budget
590-442-853.00	Telephone	1,200	Increase Budget
590-443-740.00	Operating Supplies	5,000	Increase Budget
590-443-801.00	Contractual/Professional Services	42,400	Increase Budget
590-443-970.00	Capital Items	36,000	Increase Budget
590-483-720.00	Worker's Compensation	480	Increase Budget
590-483-805.00	Dues, Memberships, Subscriptions	200	Increase Budget
590-483-956.00	Miscellaneous Expenses	1,200	Increase Budget
590-483-961.00	Bad Debt Expense	1,500	Increase Budget
590-483-965.00	Transfers to Other Funds	200	Increase Budget
590-536-716.00	Health/Dental Insurance	250	Reclass Budget
590-536-720.00	Worker's Compensation	40	Reclass Budget
590-536-946.00	Equipment Rental	(300)	Reclass Budget
590-538-702.35	Maintenance OT	1,500	Increase Budget
590-538-720.00	Worker's Compensation	160	Increase Budget
590-539-720.00	Worker's Compensation	300	Increase Budget

Revenue	-	Expense	85,630	Overall	(85,630)	Increase / (Decrease) Fund Bal.
----------------	----------	----------------	---------------	----------------	-----------------	----------------------------------------

591 Water Utility

R 591-536-695.00	Miscellaneous Income	1,300	Increase Budget
591-442-937.00	Storage Tank Maintenance	3,600	Increase Budget
591-483-720.00	Worker's Compensation	380	Increase Budget
591-483-805.00	Dues, Memberships Subscriptions	900	Increase Budget
591-483-961.00	Bad Debt Expense	1,500	Increase Budget
591-487-995.00	Interest Expense	4,000	Increase Budget
591-536-702.20	Wages - Monitor Collection	7,000	Increase Budget
591-536-702.30	Wages - Maint & Repair	6,000	Increase Budget
591-536-715.00	FICA Taxes	900	Increase Budget
591-536-717.00	Life Insurance	100	Increase Budget
591-536-718.00	Retirement Contributions	3,500	Increase Budget
591-536-784.10	Repair Maint Supply	(4,000)	Decrease Budget
591-536-801.00	Contractual/Professional Services	(3,000)	Decrease Budget

Revenue	1,300	Expense	20,880	Overall	(19,580)	Increase / (Decrease) Fund Bal.
----------------	--------------	----------------	---------------	----------------	-----------------	----------------------------------------

661 Motor Pool/Equipment

661-932-702.05	Administrative Salaries	5,000	Increase Budget
661-932-853.00	Telephone	600	Increase Budget
661-932-933.00	Vehicle Maintenance	(5,900)	Decrease Budget
661-832-720.00	Worker's Compensation	300	Increase Budget

Revenue	-	Expense	-	Overall	-	Increase / (Decrease) Fund Bal.
----------------	----------	----------------	----------	----------------	----------	----------------------------------------

662 Computer Replacement Fund

662-932-718.00	Retirement Contributions	930	Reclass Budget
662-932-720.00	Worker's Compensation	70	Reclass Budget
662-932-740.00	Operating Supplies	(1,000)	Reclass Budget

Revenue	-	Expense	-	Overall	-	Increase / (Decrease) Fund Bal.
----------------	----------	----------------	----------	----------------	----------	----------------------------------------

677 Self Insurance

R	677-951-665.00	Interest Income		400	Increase Budget	
	Revenue	400	Expense	-	Overall	400 Increase / (Decrease) Fund Bal.

678 Self Insurance - MMRMA

R	678-954-672.02	Reinsurance Recoveries		(15,000)	Decrease Budget	
	678-954-910.01	Insurance Claims		(15,000)	Decrease Budget	
	Revenue	(15,000)	Expense	(15,000.00)	Overall	- Increase / (Decrease) Fund Bal.

711 Cemetery Trust

NO ADJUSTMENTS SUGGESTED

Revenue	-	Expense	-	Overall	- Increase / (Decrease) Fund Bal.
----------------	----------	----------------	----------	----------------	------------------------------------------

733 Retiree Insurance

	733-861-955.00	BCBS Payments		4,500	Increase Budget	
	733-861-955.50	Self Insurance Payments Retirees		(500)	Decrease Budget	
	733-861-956.00	Miscellaneous Expense		900	Increase Budget	
	Revenue	-	Expense	4,900.00	Overall	(4,900) Increase / (Decrease) Fund Bal.

753 Public Art

NO ADJUSTMENTS SUGGESTED

Revenue	-	Expense	-	Overall	- Increase / (Decrease) Fund Bal.
----------------	----------	----------------	----------	----------------	------------------------------------------

All Funds (265,275) Increase / (Decrease) Fund Bal.

Signature

Date Approved

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 #23 for the period ending 07/31/16:

Invoices	\$495,447.68
Payroll	\$117,439.09
<hr/>	
Total	\$612,886.77

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>
\$495,447.68	\$117,439.09	\$612,886.77

Ayes:

Nays:

Absent:

Abstain:

Jane P. Wilson, City Clerk

Vendor		Description	Amount
1ST CHOICE AUTOMOTIVE	0010265	#07 - TRANSMISSION REPAIR	140.41
A CHILD IS MISSING	7/22/16	CHILD IS MISSING ALERT PROGRAM	200.00
ABSOPURE WATER COMPANY	86071131	BOTTLED WATER/DEPOSIT - 26688 NUBOUR	50.75
ABSOPURE WATER COMPANY	86071130	BOTTLED WATER - 26461 NUBOUR	64.50
ABSOPURE WATER COMPANY	86099637	BTL WATER/DEPOSITS	46.00
ADVANCED ANIMAL CONTROL	7/21/16	CCWS/WTP - GROUNDHOG REMOVAL	450.00
ALERT-ALL CORP	216070360	PUBLIC ED MATERIALS	109.50
AMANDA BUTLER	8/4/16	ELECTION SERVICE 8/2/16	100.00
AMERICAN ELECTRIC POWER	043-149-774-1-6	BOOSTER STATION - NUBOUR	80.16
AMERICAN ELECTRIC POWER	044-619-354-0-7	M-62 W LIFT STATION	69.42
AMERICAN ELECTRIC POWER	040-050-210-0-3	VINEYARD PL LIFT STATION	33.29
AUSRA EQUIPMENT & SUPPLY, INC	IN86213	ROCKER SWITCH (#80)	275.00
AUSRA EQUIPMENT & SUPPLY, INC	IN86282	PARTS/SHIPPING #80	44.02
AUTO VALUE	377-14395	#128 - BRAKE FLUID	19.99
AUTOMATED ENERGY, INC	21978	AMERIWOOD METER SUBSCRIPTION	1,260.00
BATES, ROSE	08/04/2016	UB refund for account: 04-0634-2	200.00
BAZAN, STACEY	3441075547	TX REIMBURSEMENT 6/26 - 7/25/16	60.00
BEHNKE, MATT	7/31/16	MENTAL TRANSPORT	16.00
BELL, VICKY	8/4/16	ELECTION SERVICE 8/2/16	197.50
BENDER ELECTRIC, INC	16625	3-WAY SWITCH ON PUMP - WWTP	113.00
BERGMAN SMALL ANIMAL PC	377498	K-9 CHECK UP	135.71
BERRIEN COUNTY COUNCIL FOR CHILDREN	2016-188	FORENSIC INTERVIEW	250.00
BERRIEN COUNTY COUNCIL FOR CHILDREN	2016-182	FORENSIC INTERVIEW	250.00
BILL GRANT	8/4/16	JULY JANITORIAL	178.50
BRADFORD, JARRID	287248950627	CELL PHONE REIMBURSEMENT 6/7 - 7/6/16	60.00
BROWN, EVELYN	8/4/16	ELECTION SERVICE 8/2/16	168.75
BS&A SOFTWARE, INC	107913	ASSESSING - ANNUAL SUBSCRIPTION	1,191.00
CAGNEY, MARY	8/4/16	ELECTION SERVICE 8/2/16	194.38
CAGNEY, THOMAS	8/4/16	ELECTION SERVICE 8/2/16	187.50
CASS COUNTY SHERIFF'S DEPARTMENT	7/20/16	RETIREMENT PLAQUE	7.15
CASS OUTDOOR POWER EQUIPMENT, INC	117023	POLE PRUNER - REWIND STARTER/GREASE	55.39
CINTAS LOCATION #336	336-01904	MATS & UNIFORMS	904.08
CINTAS LOCATION #336	336-01904	MATS	97.62
CINTAS LOCATION #336	336-01904	MATS & UNIFORMS	534.27
CINTAS LOCATION #336	5005754032	CH - FIRST AID CABINET	39.24
CINTAS LOCATION #336	5005754031	DPS/MECHANIC - FIRST AID CABINET	98.87
CINTAS LOCATION #336	5005754033	MEDICAL SUPPLIES - CABINET RESTOCK	114.67
CITY SERVICES, INC	S101891694.001	HYD REPAIR FOR CAUA	870.00
COMCAST	8771402380126332	INTERNET SERVICE-FD	84.90
CREATIVE VINYL SIGNS, INC.	32222	EXHIBIT PANEL	41.86
CREATIVE VINYL SIGNS, INC.	32324	SIGNAGE FOR BECKWITH THEATRE	142.62
CROSS EXCAVATING & DEMOLITION	2016-5506	DEMO 305 COMMERCIAL ST HOUSE	6,500.00
CROWNE PLAZA	8/1/16	HOTEL LODGING - P HARDING (CONF	365.70
DAVE'S CONCRETE PRODUCTS, INC	23674	CONCRETE - HELENA/KING/WALNUT/COMMERCIAL	438.75
DAVIS, DAVID	7/19/16	FUEL - TRAINING	29.00
DIANE BARRETT-CURTIS	8/4/16	ELECTION SERVICE 8/2/16	168.75
DOWAGIAC UNION SCHOOLS	201617-115	FUEL EXPENSES-JULY 2016	5,005.32
EAU CLAIRE FRUIT EXCHANGE	34593	STUMP KILLER/WEED SPRAY	211.06
EDDIE WAINWRIGHT	8/1/16	PLUMB/MECH INSPECTIONS JULY 2016	451.40

Vendor		Description	Amount
ELECTIONSOURCE	32203	PROF SVC - VOTING TABULATORS	735.00
ELHORN ENGINEERING COMPANY	265716	CCWS - CHEMICALS	500.00
ETNA SUPPLY	S101869311.002	HYDRANT REPAIR PARTS	201.50
FED EX	5-486-05198	POSTAGE	25.42
FLAIL-MASTER	111179-01	MT6 - BLADES/CLEVIS PINS	88.69
FRONTIER	23118907970401035	PHONE SERVICE 6/20 - 7/19/16	818.03
GRAMES TIRE & BATTERY, INC	5508	#2 - TIRE REPAIR	18.95
GRAMES TIRE & BATTERY, INC	5531	TIRE REPAIR - FLAT BED TRAILER	18.95
GREAT LAKES CHLORIDE	62916M-IN	DUST CONTROL - COMPOST SITE	450.00
HAAS ALARMS AND SERVICE, INC	2924	CH FIRE ALARM SERVICE CALL	70.00
HAFLER, ANDREW	7/28/16	POLYGRAPH EXAM	27.00
HAGGIN WIMBERLY CHEVY OLDS GEO INC	193373	OIL CHANGE PD VEH #121	38.52
HALE'S HARDWARE, INC	D113534	CHANNEL - GREASE	27.14
HALE'S HARDWARE, INC	C173297	EXPANDING FOAM - TRANSFORMER W PRAIRIE	5.62
HALE'S HARDWARE, INC	C174463	WASP SPRAY - PENN/DECATUR RD GENERATOR	3.98
HALE'S HARDWARE, INC	B116538	FLY PAPER - DPS BREAKROOM	4.16
HALE'S HARDWARE, INC	D114969	FASTENERS - CEMETERY BENCH	2.60
HALE'S HARDWARE, INC	C174999	FD OP SUPPLIES	29.42
HARDIN, R. WAYNE	7/29/16	BUILDING INSP JULY 2016	307.80
HARDING'S MARKET, INC	7/29/16	DRINKING WATER	7.94
HARNDEN, SHARON	8/4/16	ELECTION SERVICE 8/2/16	200.63
HERITAGE CRYSTAL CLEAN, INC	14137439	PAINT DISPOSAL - WWTP	175.00
HI-TECH SMR COMMUNICATIONS	24138	REPAIR SIREN/LIGHTBAR CONTROLLER (#132)	140.00
INFRASTRUCTURE ALTERNATIVES, INC.	17614	WTP/WWTP CONTRACT SVCS - 6/16	4,050.00
INFRASTRUCTURE ALTERNATIVES, INC.	17623	WWTP - MECHANICAL SVCS 6/16	765.50
INFRASTRUCTURE ALTERNATIVES, INC.	17643	WTP/WWTP CONTRACT SVCS - 7/16	8,100.00
INTERNET BUSINESS SOLUTIONS, INC.	17323	MONTHLY WEBSITE MTCE	39.95
J & H OIL COMPANY	11078701	CEMETERY GAS	414.65
JEFF YAUCHSTETTER	7/25/16	REIMBURSE - SEWER RODDING AT 214	225.00
JORDAN, DONNA	8/4/16	ELECTION SERVICE 8/2/16	187.50
JUDD LUMBER COMPANY, INC	1608-690759	SCREWDRIVERS	14.28
JUDD LUMBER COMPANY, INC	1607-689356	HAMMER BIT/NUTS & BOLTS - CEMETERY BENCH	19.85
JUDD LUMBER COMPANY, INC	1607-689573	TEE/DRAIN VALVE - CEMETERY WATER REPAIRS	21.77
JUDD LUMBER COMPANY, INC	1607-690062	MORTAR - COMMERCIAL ST WATER VALVE	3.99
JUDD LUMBER COMPANY, INC	1607-690064	MORTAR - WATER VALVE REPAIR COMMERCIALS	3.99
KARASEK, MARY	8/4/16	ELECTION SERVICE 8/2/16	184.38
KEN SIMPSON	160810	ELECTRICAL INSP JULY 2016	372.40
KIARA GILLAM	8/4/16	ELECTION SERVICE 8/2/16	178.75
KRISTI BUZALSKI	8/4/16	ELECTION SERVICE 8/2/16	184.38
LD DOCSA ASSOCIATES, INC	11483	PAY REQ. #10 - WWTP IMP PROJECT	253,923.46
LEADER PUBLICATIONS, INC	110251	MISC PUBLICATIONS	376.70
LEADER PUBLICATIONS, INC	110255	MISC PUBLICATIONS	81.00
MANOR MINI MART	7/20/16	MUSEUM EVENT	112.96
MERRILL EXCAVATING, INC.	2358	CLEANING LAGOONS-WWTP	1,175.00
MI ASSOCIATION CHIEFS OF POLICE	200001510	ACCREDITATION MANAGER TRAINING -	25.00
MI COMMUNITY ACTION AGENCY ASSOC	8/1/16	EU-MONTHLY PYMT ALLOCATION-8/16	12,076.00
MICHIGAN STATE POLICE-CASHIERS OFC	551-470790	REID TRAINING - BEHNKE	475.00
MIDWEST ENERGY	3503301	CCWS - WELL HOUSES	1,090.16
MIDWEST GLASS & MIRROR	61210	SLIDING GLASS WINDOW FOR HEALTH ENV	233.00

Vendor		Description	Amount
NCL OF WISCONSIN, INC.	376093	LAB SUPPLIES	200.80
NEOMI COX	7/20/16	AWARD AMOUNT	100.00
NICHOLS, BEVERLY	8/4/16	ELECTION SERVICE 8/2/16	187.50
NORTHERN CONSTRUCTION SVS CORP	160127	DIVISION ST CORRIDOR PROJECT DRAW #1	103,574.15
OMG NATIONAL	N1030907	BADGE STICKERS	252.00
OVERHEAD DOOR CO KALAMAZOO, INC	INVOHD000146049	REPAIR BAY 2 & 3 OH DOORS - AMBULANCE	150.00
PARAGON LABORATORIES, INC	95116-93863	NPDES - MERCURY TESTING	165.00
PAULA S RALPH	7/22/16	ELECTION - PRELIMINARY/PUBLIC ACCURACY	75.00
PETERSEN, MICHAEL	8/4/16	ELECTION SERVICE 8/2/16	190.63
PETTY CASH	8/4/16	PETTY CASH REIMBURSEMENT	163.09
PHYSIO-CONTROL, INC	116128935	AED PADS	160.40
POWER LINE SUPPLY, INC	56052119	HAZARD SIGNS - SUBSTATIONS	37.99
POWER LINE SUPPLY, INC	56052118	HAZARD SIGNS - SUBSTATIONS	114.01
PRECISION DATA PRODUCTS, INC.	I0000467020	BATTERY BACKUP	86.95
PRECISION DATA PRODUCTS, INC.	I0000466386	WWTP - CHEMICAL PUMP UPS	160.00
PRECISION DATA PRODUCTS, INC.	I0000467072	TONER	141.95
PREFERRED PRINTING, INC	29716	FARMERS MARKET DRAWING CARDS	63.00
PVS TECHNOLOGIES, INC	211389	FERROUS CHLORIDE - WWTP CHEMICALS	1,870.53
REAL PRO SOLUTIONS, LLC	PC1720	COST OF SERVICE CALL	150.00
REAL PRO SOLUTIONS, LLC	LM2435	BLIGHT MOWINGS	57.50
REAL PRO SOLUTIONS, LLC	LM2436	MOWING CITY OWNED PROPERTY	503.13
REAL PRO SOLUTIONS, LLC	LM2437	BLIGHT MOWING	71.88
REAL PRO SOLUTIONS, LLC	LM2440	WWTP MOWING	375.00
REAL PRO SOLUTIONS, LLC	LM2439	WWTP - TRIM LAGOONS	750.00
RECOLLET, ELI	08/04/2016	UB refund for account: 13-1604-11	3.79
RICK HERTER ART	001-72816	ARTIFACT ACQUISITION	7,500.00
SCOTT SAYLOR	00206	MOW RUSSOM PARK	185.00
SEMCO ENERGY GAS COMPANY	0161871.500	GAS SVC 6/13 - 7/13/16	16.91
SIMMONS TREE & LAWN	8/1/16	LAWN MTCE - PARKS/FACILITIES	10,260.00
SLC METER LLC	246225	5/8" REGISTERS & ERT	2,694.87
SPARTAN TOOL LLC	523766	SPARVISION 200 PIPE CAMERA	7,545.00
SPECIALTY SYSTEMS OF SOUTH BEND INC	013410	ASBESTOS REMOVAL FOR 305 COMMERCIAL ST	16,250.00
SPRINT NEXTEL COMMUNICATIONS	LCI-259699	"PING" INVESTIGATION	30.00
STAPLES BUSINESS ADVANTAGE	8040199607	OFFICE SUPPLIES/GLOVES	54.46
STATE OF MICHIGAN	8/1/16	DEPUTY POLICE CHIEF VEHICLE REGISTRATION	128.00
STATE OF MICHIGAN	ME-0200312	SALES & TAX-JULY 2016	16,425.99
STATE OF MICHIGAN	8/4/16	DIVISION ST UNDERGROUND STORAGE TANKS -	300.00
STATE OF MICHIGAN	8/4/16	2016 BOND FILING FEE	400.00
STATE OF MICHIGAN-MDEQ	7/20/16	MUN WW OPERATORS CERT EXAM - HADLEY	70.00
THE RIDGE COMPANY	680121	AIR FILTER (PD VEH #121)	22.61
THE RIDGE COMPANY	680412	O-RING/THREAD LOCKER STICK (#5)	12.87
THE RIDGE COMPANY	680715	AIR FILTER/OIL FILTER (#102)	16.54
THE RIDGE COMPANY	678212	BATTERY CHARGER - CONNECTOR/TEST	19.22
THE RIDGE COMPANY	678441	#128 - BRAKE CYLINDERS	15.18
THE RIDGE COMPANY	678831	TEFLON TAPE	5.98
THE RIDGE COMPANY	678842	SAFETY GLASSES/#128 - BRAKE LINES	12.95
THE RIDGE COMPANY	678905	TOOLS - ROTARY FILE/ADAPTER/COUPLING	11.18
THE RIDGE COMPANY	679840	#5 - FUEL FILTERS/COOLANT FILTER	46.35
THE RIDGE COMPANY	679841	#5 - AIR FILTER	30.53

Vendor		Description	Amount
THE RIDGE COMPANY	679843	#5 - OIL FILTERS	18.38
THYSSENKRUPP ELEVATOR CORPORATION	3002711843	QTRLY ELEVATOR MTCE - J SNOW BLDG	549.32
TRANSPORTATION MANAGEMENT, INC.	8/1/16	DART - RTAP FEES	1,143.86
TURF SERVICES	3165	IRRIGATION/SPRAY HEADS	105.00
UNDERGROUND PIPE & VALVE, INC	7002314	COUPLINGS - STOCK	168.75
UNDERGROUND PIPE & VALVE, INC	7002346	GASKETS/DUO SLEEVES/MEGALUGS - STOCK	1,328.36
UNDERGROUND PIPE & VALVE, INC	7002361	4" FLANGE GASKET KITS	80.00
USA BLUEBOOK	013117	LAB SUPPLIES	354.72
USA BLUEBOOK	005994	LAB SUPPLIES & THERMOMETER	507.09
VAN BUREN/CASS CO HEALTH DEPT	519	CREW HEP B SHOTS	106.00
VERIZON WIRELESS	9769078630	VERIZON WIRELESS MONTHLY INVOICE (CELL	1,154.62
VERIZON WIRELESS	9769265648	CCWS - ITRON FIXED NETWORK	100.04
VERIZON WIRELESS	9769246404	MIFI CARD - MONTHLY SUBSCRIPTION	240.08
VERIZON WIRELESS	9769257908	VERIZON TABLET - MONTHLY FEE	154.80
WATSON'S TREE SERVICE	3123971	TREE REMOVALS & STUMP	10,850.00
WEST SHORE FIRE REPAIR, INC	11621	RESPIRATOR FIT TESTING	35.00
WIGHTMAN & ASSOCIATES, INC	53104	305 COMMERCIAL ST - ASBESTOS SURVEY	2,600.00
WIGHTMAN & ASSOCIATES, INC	52929CR	DIVISION & COMMERCIAL C.M.	(42,257.84)
WIGHTMAN & ASSOCIATES, INC	53053	DIVISION & COMMERCIAL ST CORRIDOR IMP	34,683.86
WILLIAMS-A-1 EXPERT TREE SERVICE	7655	CRANE SVC - SET NEW GRINDER EQUIP	1,000.00
WOODRUFF, ROBERTA	8/4/16	ELECTION SERVICE 8/2/16	200.63
WYOMING ASPHALT PAVING CO., INC.	1329	ASPHALT	88.50
WYOMING ASPHALT PAVING CO., INC.	1353	ASPHALT	41.52
Total:			495,447.68

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: August 5, 2016

SUBJECT: Rental Affidavit and Third Party Form and Ordinance Amendment

On July 11, 2016 Council held a first reading of an ordinance to amend the Landlord/Tenant Policy for rental properties. The purpose of this ordinance is to address uncollected utility payments and assure all rate payers that the city continues to minimize the cost of uncollected utilities. The proposed ordinance continues to allow for owner affidavits, but does not allow for further affidavits on a property where an outstanding utility balance exists on that property.

The ordinance is now ready for the second reading and council action.

RECOMMENDATION

Approve the second reading of the amendment to Landlord/Tenant Policy for Rental Properties at the August 8, 2016 Council meeting.

Support Documents:

- Cover Memo-City Mgr.
- Cover Memo-Dept. Head
- Ordinance

ORDINANCE NO. , 2016

ORDINANCE-----

AN ORDINANCE TO AMEND CHAPTER 82, UTILITIES, ARTICLE I. “IN GENERAL” SECTION 82-24, “LANDLORD/TENANT POLICY FOR RENTAL PROPERTIES”, SUB-PARAGRAPH (B), OF THE DOWAGIAC CITY CODE BE AND IS HEREBY AMENDED BY ITS REPEAL AND THE ADOPTION OF A NEW SUBPARAGRAPH (B) OF THE DOWAGIAC CITY CODE.

THE CITY OF DOWAGIAC ORDAINS:

Section 1. That Chapter 82, Utilities; Article I. “In General”, Section 82-24 “Landlord/Tenant Policy for Rental Properties”, Sub-paragraph (b) be and hereby is amended to read as follows:

- b. To avoid having delinquent utility charges from their tenants assessed against their premises, landlords must file with the city before the tenant occupies the premises a signed copy of the lease agreement and a sign and notarized “AFFIDAVIT OF TENANT RESPONSIBILITY FOR CITY OF DOWAGIAC UTILITY CHARGES AND **THIRD PARTY AUTHORIZATION FORM.**” The lease must contain language that the tenant is responsible for the utility bills. Upon the filing of the lease agreement, the tenant will be responsible for a utility deposit in accordance with section 82-7 of this Code that is payable at the time service is established. The utility deposit will be applied to the tenant’s final bill for that premises, with any excess amount being refunded to the tenant.

Starting August 31st 2016, on all active and future Affidavits, if a tenant vacates the premise leaving an unpaid balance on a utility bill, that unpaid balance and applicable interest and penalties must be paid in full in order for that premise to be eligible to avoid having subsequent tenant utility charges assessed against that premises by filing the Affidavit and Third Party Authorization Form as provided above.

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.

First Reading: July 11, 2016

Moved by: Laylin

Seconded by: Burling

Second Reading: August 8, 2016

ADOPTED/REJECTED by rollcall vote.

Ayes:

Nays:

Absent:

Abstain:

Donald L. Lyons, Mayor

Jane P. Wilson, City Clerk

**AFFIDAVIT OF TENANT RESPONSIBILITY FOR CITY OF DOWAGIAC UTILITY CHARGES
AND THIRD PARTY AUTHORIZATION FORM**

_____, being duly sworn, deposes and says:
(Property Owner Name)

1. That the undersigned is the owner and/or authorized representative of the owner of certain property situated in the City of Dowagiac (City), County of Cass, and State of Michigan, as more fully described in the **attached Lease Agreement**, service address:

(Service Address, City, State, Zip)

2. That the undersigned makes this Affidavit pursuant to the provisions of Section 21 of the Revenue Bond Act of 1933, 1933 PA 94, MCL 141.121, Section 5 of the Municipal Water Liens Act, 1939 PA 178, MLC 123.165, Section 4-j of the Home Rule City Act, 1909 PA 279, MCL 117.4-j and CHAPTER 82 UTILITIES, Section 82-12(a) and Section 82-24(b) of the Dowagiac City Code;

3. That the undersigned hereby confirms and represents, upon oath, that the real property described in the attached Lease Agreement is subject to a legally-executed lease containing a provision that the leasee shall be liable for payment of City utility bills as therein provided; further, that the name(s) and mailing address(es) of **all known occupants** are:

A copy of the subject lease is attached hereto, incorporated herein by reference, and designated Appendix A.

4. That, by the filing of this Affidavit, and receipt by the City of a completed deposit card, cash deposit, and photo ID from the tenant, the undersigned acknowledges that any City utility charges incurred for services beginning on the first day of the billing cycle following the filing of this Affidavit with the City shall not be subject to a lien against said premises as authorized by the authority identified in paragraph 2 hereof;

5. That, by execution of this Affidavit, Affiant agrees to file with the City Utility Department written notice of any cancellation, change in, or termination of the attached Lease. Said written notice shall be filed not less than 20 days before the effective date of any such cancellation, change, or termination unless the facts giving rise to such event shall not be known to the landlord at least twenty (20) days in advance, in which event such notice shall be given and provided within 48 hours following such knowledge by the landlord;

6. That the undersigned further acknowledges and agrees that any City utility charges incurred from and after the effective date of any cancellation, change, or termination of the Lease shall constitute a lien against said premises as authorized by the authority identified in paragraph 2 hereof regardless of whether or when such notice of cancellation, change or termination is actually filed as required by the provisions of the immediately preceding paragraph.

7. I acknowledge it's my responsibility as the landlord/authorization representative to verify the tenant has completed the deposit card, paid a cash deposit, has provided the City with a photo ID, and completed the third party authorization section of this form in order for this premises to not be subject to a lien.

8. I acknowledge and understand that in order for the City Utility Department to release he tenant's account information to me, the tenant must complete the third party authorization section of this form.

9. If authorized, please send my copy of disconnect notices for the premises to the following location:

Email: _____

Address: _____

I acknowledge and understand that my failure to receive a copy of the disconnect notice shall not impair the City's rights under the authority identified in paragraph 2 hereof.

(Property Owner Signature) (Date)

BE IT KNOWN that on the ____ day of _____, 20____, personally appeared _____, to me known to be the same person described in and who executed the within Affidavit and who acknowledged the same to be his/her free act and deed.

Notary Public, Cass County, MI

Utilities/Utility Lease Affidavit

My commission expires:

Customer Name: _____

Service Address: _____

Service City, State, Zip: Dowagiac, MI 49047

Account Number: _____

I hereby consent and authorize the City of Dowagiac Utility Department, on my behalf, to notify the following designated person(s) and/or property owner to receive my account information as indicated:

Billing	Disconnect Notice	Authorized Third Party
<input type="checkbox"/>	Yes	Name: _____ Relationship to Customer: Landlord/Landlord Manager Email: _____ Mailing Address: _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	Name: _____ Relationship to Customer: _____ Email: _____ Mailing Address: _____ _____

This authorization and consent will become void upon my notification to the Dowagiac Utility Department to terminate, or, upon my vacating this service address.

Customer Signature_____

Driver's License Number:_____ Verified _____

Social Security Number:_____ Verified _____

Phone Number:_____ Verified _____

(Tenant Affidavit & Third Party Auth)

CITY OF DOWAGIAC

MEMO TO: Kevin P. Anderson, City Manager

FROM: Rebecca L. Grabemeyer, CPA

DATE: July 8, 2016

SUBJECT: Rental Affidavit and Third Party Form & Ordinance Amendment

The Affidavit of Tenant Responsibility for City of Dowagiac Utility Charges and Third Party Authorization Form has been updated and reviewed. In the past these were two separate forms, we are now combining the forms. Modifications to the form includes:

- Tenants will be signing the bottom portion of the form granting access to the landlord (or Management Company) to receive past due/disconnect notices.
- The form also states that the affidavit becomes valid once the City receives the completed Affidavit of Tenant Responsibility for City of Dowagiac Utility Charges and Third Party Authorization Form, a completed deposit card, cash deposit, and photo ID from the tenant.

Ordinance 82-24 has also been updated and the bold portion of the ordinance displays what has been updated. The ordinance continues to allow affidavits in which any unpaid balance of a utility bill will not be assessed to the property. If a tenant vacates a premise leaving an unpaid balance on a utility bill, in order for that premise to be eligible for filing an affidavit the unpaid balance including interest and penalties will need to be paid in full.

If you have questions regarding this matter please feel free to contact me.

Resolution #5
August 8, 2016

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 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/REJECTED

Moved by:

Seconded by:

Ayes:

Nays:

Absent:

Abstain:

Jane Wilson, City Clerk