

REGULAR MEETING OF THE DOWAGIAC CITY COUNCIL

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

Monday, October 13, 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 MEETING – September 22, 2014
- QUESTIONS FROM CITY COUNCIL –
- COMMENTS FROM THE AUDIENCE (NON-AGENDA) –
- COMMENTS FROM THE AUDIENCE (AGENDA) –
- PUBLIC HEARING –
1. Public hearing to receive comment on the declaration of a public nuisance property for the structure located at 311 Grove Street.
- COMMUNICATIONS –
1. Optimist Club Children's Halloween Parade, Saturday, October 25th at 10:00 a.m.
- RESOLUTIONS –
1. Resolution to declare the structure at 311 Grove Street a public nuisance property.
 2. Resolution to confirm special assessment roll against properties remaining delinquent in the payment of code enforcement expenses (grass/weeds) incurred by the City.
 3. Resolution to confirm special assessment roll against properties remaining delinquent in the payment of code enforcement expenses (blight/boarding/miscellaneous) incurred by the City.

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

BILLS
\$757,021.08

PAYROLL (#)
\$177,783.31

TOTAL
\$934,804.39

ORDINANCES –

1. First reading of an ordinance to approve the rezoning of 512 Keene Avenue from “R-2” Residential to “OS” Office Service.

CITY MANAGER REPORT ON QUESTIONS FROM COUNCIL FROM PREVIOUS MEETINGS –

COMMENTS FROM CITY OFFICIALS –

ADJOURNMENT –

Kevin P. Anderson
City Manager

Attachments

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

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, Lori A. Hunt, James B. Dodd and Randall G. Gross, Sr.

ABSENT: Bob B. Schuur.

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

Councilmember Dodd moved and Councilmember Laylin seconded that the minutes of the September 8, 2014 regular meeting be approved.

Approved unanimously.

COMMENTS FROM THE AUDIENCE (NON-AGENDA) –
Mike Moroz, Dowagiac, Candidate for State Representative District 59

PUBLIC HEARING

1. Public hearing to consider an application for an Industrial Facilities Tax (IFT) Exemption Certificate for Ameriwood Corporation.

Mayor Lyons opened the public hearing at 7:06 pm.

Audience speaking: None

Mayor closed the public hearing at 7:06 pm.

2. Public hearing to consider an application for an Industrial Facilities Tax (IFT) Exemption Certificate for Premier Tool and Die Cast.

Mayor Lyons opened the public hearing at 7:07 pm.

Audience speaking: None

Mayor closed the public hearing at 7:07 pm.

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Two

COMMUNICATIONS

1. Borgess Lee-Memorial Tree of Love in Farr Park, November 24-December 31, 2014.

Councilmember Laylin moved, and Councilmember Burling seconded to grant the request.

2. Yeo & Yeo Engagement Letter for Audit Services.

Councilmember Burling moved, and Councilmember Dodd seconded to grant the request.

RESOLUTIONS

1. Resolution to approve the Industrial Facilitied Tax (IFT) application for Ameriwood Corporation.

RESOLUTION FOR APPLICATION OF INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR Ameriwood Furniture

Motion by Laylin, supported by Gross for the adoption of the following resolution.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on September 22, 2014, by the Dowagiac City Council, a resolution established an Industrial Development District, as requested by Ameriwood Furniture; and

WHEREAS, Ameriwood Furniture has filed an application for an Industrial Facilities Exemption Certificate with respect to personal property improvements; and

WHEREAS, before acting on said application, the Dowagiac City Council held a hearing on Monday, September 22, 2014, at the City Hall, 241 S. Front Street, Dowagiac at 7:00 PM. at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction of real property and installation of new machinery and equipment had not begun earlier than six (6) months before the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the real property and installation of equipment will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Dowagiac; and

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Three

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Dowagiac, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the Dowagiac City Council that:

1. The City of Dowagiac finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Dowagiac, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Dowagiac.
2. The application of Ameriwood Furniture for an Industrial Facilities Exemption Certificate with respect to real property and new machinery and equipment on the following described parcel of real property situated within the an Industrial Development District is hereby approved.
3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of twelve (12) years after completion.

YEAS: Five (5)
NAYS: None

RESOLUTION DECLARED ADOPTED.

2. Resolution to approve the Industrial Facilities Tax (IFT) application for Premier Tool and Die Cast.

RESOLUTION FOR APPLICATION OF
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR Premier Tool and Die Cast

Motion by Burling, supported by Dodd for the adoption of the following resolution.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on September 22, 2014, by the Dowagiac City Council, a resolution established Industrial Development District, as requested by Premier Tool and Die Cast; and

WHEREAS, Premier Tool and Die Cast has filed an application for an Industrial Facilities Exemption Certificate with respect to personal property improvements; and

WHEREAS, before acting on said application, the Dowagiac City Council held a hearing on Monday, September 22, 2014 at the City Hall, 241 S. Front Street, Dowagiac at 7:00 PM. at

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Four

which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of new machinery and equipment had not begun earlier than six (6) months before the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the installation of equipment will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Dowagiac; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Dowagiac, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the Dowagiac City Council that:

1. The City of Dowagiac finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Dowagiac, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Dowagiac.
2. The application of Premier Tool and Die Cast for an Industrial Facilities Exemption Certificate with respect to new machinery and equipment on the following described parcel of real property situated within the Industrial Development District is hereby approved.
3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of twelve (12) years after completion.

YEAS: Five (5)

NAYS: None

RESOLUTION DECLARED ADOPTED.

3. Resolution to approve MERS Health Care Savings Program Participation Agreements for the POLC Sergeant Union and the POLC Patrol Union.

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

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Five

WHEREAS, the City of Dowagiac approved participation in the Michigan Employees' Retirement System Health Care Savings Program on May 9, 2005, and;

WHEREAS, members of the Police Officers Labor Council have negotiated an amendment to the health Care Savings Program for both the Sergeants and the Patrol Officers Collective Bargaining Agreements, and;

WHEREAS, amendments to the Health Care Savings Program require formal approval by City Council;

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, authorizes the City Manager to sign the amended participation agreement with the Michigan Employees' Retirement System effective October 1, 2014.

ADOPTED unanimously.

4. Resolution to confirm special assessment roll against properties remaining delinquent in the payment of code enforcement expenses (grass/weeds) incurred by the City.

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

WHEREAS, Chapter 66, Section 66.19 of the Dowagiac City Code, "Single Lot Assessments-Generally," provides that the City of Dowagiac is authorized to levy a special assessment against single premises for expenses which are chargeable against such premises under the provisions of the Dowagiac City Code, and;

WHEREAS, the Dowagiac City Council, upon due consideration and deliberations, determined that certain noxious weeds and grasses were present upon the various single premises described in Appendix A attached hereto and incorporated herein by reference, and that the cutting of such noxious weeds and grasses by the City was necessary by virtue of non-compliance with the provisions of Chapter 86, Section 86.59 of the Dowagiac City Code, and;

WHEREAS, the expense incurred with respect to each parcel of land entered upon in carrying out the provisions of said Chapter 86 have been kept, which charges, together with an amount equal to fifty percent (50%) thereof to cover costs of publication, overhead and other expenses, are chargeable against such single premises as provided in Chapter 66 of the Dowagiac City Code, and;

WHEREAS, the City Manager has directed the City Assessor to prepare a special assessment

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Six

roll covering all such charges which have not been paid, together with an additional amount equal to fifty percent (50%) thereof, to cover the cost of publication, overhead and other expenses, and;

WHEREAS, said roll has been filed with the City Clerk and is now being presented to the Council for confirmation and levy, and;

WHEREAS, said special assessment roll is attached hereto and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby confirm the attached special assessment roll for the parcels more fully described in Appendix A attached hereto and incorporated herein by reference and directs the City Administration to levy said assessments against the individual properties therein set forth.

ADOPTED unanimously.

5. Resolution to confirm special assessment roll against properties remaining delinquent in the payment of code enforcement expenses (blight/boarding/miscellaneous) incurred by the City.

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

WHEREAS, Chapter 66, Section 66.19 of the Dowagiac City Code, "Single Lot Assessments-Generally," provides that the City of Dowagiac is authorized to levy a special assessment against single premises for expenses which are chargeable against such premises under the provisions of the Dowagiac City Code; and

WHEREAS, the Dowagiac City Council, upon due consideration and deliberation, determined for the preservation of the public peace, health and safety of the city that certain deteriorating property condition(s) existed on private properties described in Appendix A, attached hereto and incorporated herein by reference, and that the abatement by the City of such deteriorating property condition(s) was necessary by virtue of non-compliance with the provisions of Chapter 18 of the Dowagiac City Code; and

WHEREAS, this expense is chargeable against such premises and the owner thereof under the provisions of the Charter, the Code and the law of the State of Michigan and is not of the class required to be prorated among several lots and parcels of land in a special assessment district; and

WHEREAS, an account of labor, material, and services for which such expenses incurred has been billed to the property owner by the City Building Official, as provided in

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Seven

Chapter 66 of the Dowagiac City Code; and

WHEREAS, this bill had not been paid; and

WHEREAS, the City Manager has directed the City Assessor to prepare a special assessment roll covering all such charges which have not been paid; and

WHEREAS, said roll has been filed with the City Clerk and is now being presented to the Council for confirmation and levy; and

WHEREAS, said special assessment roll is attached hereto and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council hereby confirms the attached special assessment roll for the parcels more fully described in Appendix A attached hereto and incorporated herein by reference and directs the City Administration to levy said assessments against the individual properties therein set forth.

ADOPTED unanimously.

6. Resolution to confirm special assessment roll against properties remaining delinquent in the payment of utility bills due to the City.

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

WHEREAS, Chapter 82, Section 82.24 (c) of the Dowagiac City Code, "UTILITIES", provides that the City of Dowagiac is authorized to place as a lien on the premises to which electric, water and/or sewer service is provided for delinquent utilities for six (6) months or more; and,

WHEREAS, delinquent utilities with such lien are charged on the next property tax bill for the premises; and,

WHEREAS, the Dowagiac City Council upon review of the various single premises described in Appendix A attached hereto and incorporated herein by reference, determined by virtue of non-compliance with the provisions of Chapter 82, Section 82-24 (c) of the Dowagiac City Code.

WHEREAS, the City Manager has directed the City Assessor to prepare a special assessment roll covering all such charges which have not been paid; and

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Eight

WHEREAS, said roll has been filed with the City Clerk and is now being presented to the Council for confirmation and levy; and

WHEREAS, said special assessment roll is attached hereto and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby confirm the attached special assessment roll for the parcels more fully described in Appendix A attached hereto and incorporated herein by reference and directs the City Administration to levy said assessments against the individual properties therein set forth.

ADOPTED unanimously.

7. Resolution to set a public hearing for Monday, October 13, 2014 at 7:00 pm for consideration of declaring the structure at 311 Grove Street a public nuisance property.

Councilmember Burling 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 Building Official relating to the following-described property and premises within the City of Dowagiac, County of Cass, State of Michigan:

311 Grove Street

Tax # 14-160-100-118-00

Described as follows: .DW 367 COM 16 RDS W OF NW COR LOT 56, B. MC CONNELL'S ADD S 8 RDS, W 4 RDS, N 8 RDS E 4 RDS TO PL OF BEG UNPLATTED – POKAGON SEC 1 CITY OF DOWAGIAC.

WHEREAS, it appears to the City Council that the condition of the property described above may constitute a nuisance as defined by Chapter 38; Article II, Sections 38-41, 38-42, 38-43, 38-45, and 39-45 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 October 13, 2014 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,

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Nine

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, 38-45, and 39-45.

3. Provide for the recording of such hearings.

ADOPTED unanimously.

8. Resolution establishing Trick or Treat hours for October 31, 2014 from 6:00-7:00 pm.

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

WHEREAS, traditionally the City Council has designated a specific day and time in which Halloween Trick or Treat activities will be conducted in the City of Dowagiac, and;

WHEREAS, this year Halloween falls on Friday, October 31, 2014, and;

WHEREAS, the Dowagiac City Administration and Police Department have recommended that the Trick or Treat hours for 2014 be established as 6:00 p.m. to 7:00 p.m. on Friday, October 31.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby authorize and designate that Trick or Treat activities be conducted in the City of Dowagiac for 2014 on Friday, October 31, between the hours of 6:00 p.m. and 7:00 p.m.

BE IT FURTHER RESOLVED, that those that go out on Trick or Treat activities limit their solicitations to homes with porch lights on.

ADOPTED unanimously.

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Ten

9. Resolution to approve an agreement for professional services with SmithGroupJJR to conduct a planning study for areas in and around the downtown.

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

WHEREAS, a vibrant downtown is instrumental in the overall economic health of the City of Dowagiac; and

WHEREAS, the City Council desires to build on the past successes of the downtown revitalization that began over 25 years ago; and

WHEREAS, City Council will engage in a planning process to engage both public and professional input into identifying new opportunities in the areas adjacent to downtown; and

WHEREAS, the City Manager is recommending that SmithGroupJJR has the experience and expertise to assist and advise the City of Dowagiac during this process,

NOW, THEREFORE BE IT RESOLVED that the Mayor be and hereby is authorized to execute the attached Professional Services agreement with SmithGroupJJR.

ADOPTED unanimously.

10. Resolution to approve an agreement for professional services with Wightman & Associates to develop conceptual park plans for Rudy Park and 101 Cass Avenue.

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

WHEREAS, a quality park system is instrumental in the overall quality of life for the City of Dowagiac; and

WHEREAS, the City Council seeks to continue build upon the City of Dowagiac's park system by actively planning for the future development of the parks system,

NOW, THEREFORE BE IT RESOLVED that the Mayor be and hereby is authorized to execute the attached Professional Services agreement with Whiteman & Associates.

ADOPTED unanimously.

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014
Page Eleven

11. Resolution authorizing budget amendments through September 22, 2014.

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

WHEREAS, the City administration has reviewed the attached budgets for the 2013-14 fiscal year and the actual revenues and expenditures through September 22, 2014; 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 unanimously.

12. 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 payrolls #26 for the period ending 8/21/14:

Invoices:	619,405.68
Payroll #26:	172,696.85
Total:	<u>\$792,102.53</u>

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

<u>Invoices</u>	<u>Payroll</u>	<u>Total</u>
\$619,405.68	\$172,696.85	\$792,102.53

ADOPTED on a roll call vote.

Ayes: Five (5) Burling, Dodd, Gross, Hunt, Laylin

DOWAGIAC CITY COUNCIL MEETING

Monday, September 22, 2014

Page Twelve

Nays: None (0)

Absent: One (1) Schuur

Abstain: None (0)

COMMENTS FROM CITY OFFICIALS

RESOLUTIONS (CONT)

13. Resolution to adjourn to a closed session to meet with the City Manager to discuss collective bargaining strategies between the City and IBEW Local #876.

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

ADOPTED on a roll call vote.

Ayes: Five (5) Burling, Dodd, Gross, Hunt, Laylin

Nays: None (0)

Absent: One (1) Schuur

Abstain: None (0)

CLOSED SESSION

TIME: 7:24 PM

LATER: 7:40 PM

Upon motion by Councilmember Laylin and seconded by Councilmember Burling, the Dowagiac City Council adjourned at 7:40 PM.

Donald D. Lyons, Mayor

Kevin P. Anderson, City Manager

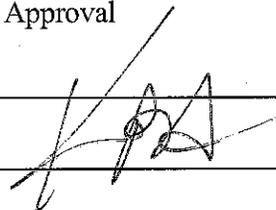
EVENTS APPROVAL FORM

Event: Children's Halloween Parade
Date: Saturday, October 25, 2014 Beckwith Park Gazebo 10:00 am - 11:30 am
Sponsoring Organization: Optimist Club of Dowagiac
Contact Person(s): Steve Grinnwald
Contact Person's Telephone: 269.782.9743

CITY MANAGER:

Final Approval Denial

Comments: _____

Signature  Date _____

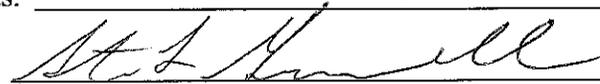
Department Heads:

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

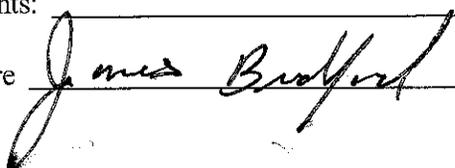
Comments: _____

Signature  Date 9/22/14

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature  Date 9-22-14

FINANCE DEPARTMENT:

Approval Approval with conditions Denial

Comments: _____

Signature _____ Date _____

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature _____ Date _____

Optimist Club of Dowagiac Michigan District

**Steven L. Grinnwald
Club President
81868 White Oak Dr.
Decatur, MI 49045**

Mayor Don Lyons
Dowagiac City Council
241 S. Front St.
Dowagiac, MI 49047

Dear Mayor Lyons and Council,

The Optimist Club of Dowagiac would like to hold its annual children's Halloween Parade on Saturday, October 25, 2014 at 10:00 A.M.

I am seeking permission from Mayor Lyons and City Council to:

- Hold the parade on Saturday, October 25, 2014.
- Start the parade at the Beckwith Park Gazebo at 10:00 A.M.
- Turn left onto S. Front St., continue past Dowagiac City Hall, and turn left onto Park Pl.
- Turn left onto Depot Dr., and continue back to the Gazebo.
- The proposed route has been approved by Dowagiac Police.

The Optimist Club of Dowagiac plans to give awards to participants for best costumes in 5 age groups, and candy to all participants at the conclusion of the parade. The parade/event will conclude by 11:30 A.M. Dowagiac Police and Fire Departments have agreed to assist with this event.

Sincerely,

Steven L. Grinnwald

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: September 19, 2014

SUBJECT: Nuisance Compliant, 311 Grove Street

The structure at 311 Grove Street is in dilapidated condition and Code Enforcement has sent appropriate notices to the owner of record. Repairs have not been made and City Council has called for a public hearing and action on October 13, 2014. Appropriate public notices have been given.

RECOMMENDATION

Hold a public hearing and adopt a resolution declaring the structure at 311 Grove Street constitutes a public nuisance.

Resolution #1
October 13, 2014

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 dangerous structures constituting a public nuisance within the meaning of Sections 38.42 et seq, of the Dowagiac City Code, which structures are described as:

311 GROVE ST

Tax #14-160-100-118-00

**Described as follows: . DW 367 COM 16 RDS W OF NW
COR LOT 56, B. MC CONNELL'S
ADD S 8 RDS, W 4 RDS, N 8
RDS E 4 RDS TO PL OF BEG
UNPLATTED - POKAGON SEC 1
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 **311 GROVE ST**, City of Dowagiac, is necessary due to the deteriorated and/damaged condition and the inability of the structures to be economically rehabilitated, and such action must be taken in order to properly and adequately safeguard the public interest, and;

WHEREAS, this Council does further determine that the whole of the cost of the repairs, improvements and/or demolition of the structures attached hereto and incorporated herein by reference shall be defrayed by use of the withholding funds, under PA 495, of 1980 upon the property hereinabove described in the event that said improvements and/or demolition shall not be made by the owner thereof within the time limits hereinbelow proscribed.

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:

<input checked="" type="checkbox"/>	Building	()	Electrical
<input type="checkbox"/>	Plumbing	()	Heating
<input type="checkbox"/>	Housing	()	Fire
<input type="checkbox"/>	Other		

BE IT FURTHER RESOLVED that said nuisances be abated, and that the owner of said premises, to-wit: **DAVIS, ANNIE & HALLIBURTON, JESSE**, be and hereby is directed to demolish said nuisance by commencement of actions necessary to accomplish same **within 30 days** from the date of this resolution, and that said acts be completed, and said nuisances abated, no later than **60 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

(~~xxxxx~~) Demolition

() 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 assessed against the properties hereinabove described in accordance with the provisions of Chapter 66, Section 66.1 et seq, of the Dowagiac City Code.

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 .

AFFP

Public Hearing PLEASE TAKE NOT

Affidavit of Publication

STATE OF MICHIGAN }
COUNTY OF CASS } SS

Public Hearing

PLEASE TAKE NOTICE that a Public Hearing will be held by the Dowagiac City Council in the Council Chambers of the Dowagiac City Hall, 241 South Front Street, Dowagiac, Michigan 49047, on Monday, October 13, 2014 at 7:00 pm to hear comments on a nuisance property located at 311 Grove St.

Donna Knight, being duly sworn, says:

Legal description:

That she is Classified Manager of the Dowagiac Daily News, a daily newspaper of general circulation, printed and published in , Cass County, Michigan; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

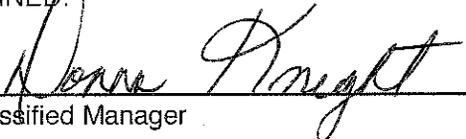
. DW 367 COM 16 RDS W OF NW COR LOT 56, B. MC CONNELL'S ADD S 8 RDS, W 4 RDS, N 8 RDS E 4 RDS TO PL OF BEG UNPLATTED - POKAGON SEC 1 CITY OF DOWAGIAC.

DATED: October 13, 2014
James E. Snow, City Clerk

October 01, 2014

That said newspaper was regularly issued and circulated on those dates.

SIGNED:


Classified Manager

Subscribed to and sworn to me this 1st day of October 2014.


Rhonda Rau, Notary Public, Berrien County, MI

My commission expires: September 20, 2014

a0109307 00019666

City of Dowagiac
241 S. Front Street
P.O. Box 430
Dowagiac, MI 49047

RECEIVED
OCT 10 2014

Resolution #1
September 22, 2014

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

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

305 PENNSYLVANIA AVE
Tax #14-160-100-089-00
Described as follows: . DW 156 LOT 148, EX S 1
RD. ORIGINAL PLAT 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 **305 PENNSYLVANIA AVE**, City of Dowagiac, is necessary due to the deteriorated and/damaged condition and the inability of the structures to be economically rehabilitated, and such action must be taken in order to properly and adequately safeguard the public interest, and;

WHEREAS, this Council does further determine that the whole of the cost of the repairs, improvements and/or demolition of the structures attached hereto and incorporated herein by reference shall be defrayed by use of the withholding funds, under PA 495, of 1980 upon the property hereinabove described in the event that said improvements and/or demolition shall not be made by the

owner thereof within the time limits herein below proscribed.

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:

- (~~xxxxxx~~) Building () Electrical
- () Plumbing () Heating
- () Housing () Fire
- () Other

BE IT FURTHER RESOLVED that said nuisances be abated, and that the owner of said premises, to-wit: **PEET, DIANE**, be and hereby is directed to **demolish** said nuisance by commencement of actions necessary to accomplish same **within 5 days** from the date of this resolution, and that said acts be completed, and said nuisances abated, no later than **10 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:

- (~~xxxxxx~~) Demolition
- () 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 the withholding funds deposited with the City on July 29, 2014, issued under Public Act 495, 1980.

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 unanimously.

Rozanne H. Scherr, Assistant City Manager

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: October 10, 2014

SUBJECT: Building Department Special Assessments

A resolution is on Monday's City Council agenda for the purpose of levying special assessments on a number of properties within the city. The assessments to be levied are detailed in the attachments to the resolutions. The purpose of each resolution is as follows:

- Assessments for private properties that did not comply with the Blight or Boarded Structures Ordinance and were either cleaned up, boarded or demolished.

RECOMMENDATION

Approve the resolution for the purpose of levying special assessments.

Support Documents:

- Cover Memo-City Mgr.
- Resolution
- Dept. Head Backup

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

WHEREAS, Chapter 66, Section 66.19 of the Dowagiac City Code, "Single Lot Assessments-Generally," provides that the City of Dowagiac is authorized to levy a special assessment against single premises for expenses which are chargeable against such premises under the provisions of the Dowagiac City Code, and;

WHEREAS, the Dowagiac City Council, upon due consideration and deliberations, determined that certain noxious weeds and grasses were present upon the various single premises described in Appendix A attached hereto and incorporated herein by reference, and that the cutting of such noxious weeds and grasses by the City was necessary by virtue of non-compliance with the provisions of Chapter 86, Section 86.59 of the Dowagiac City Code, and;

WHEREAS, the expense incurred with respect to each parcel of land entered upon in carrying out the provisions of said Chapter 86 have been kept, which charges, together with an amount equal to fifty percent (50%) thereof to cover costs of publication, overhead and other expenses, are chargeable against such single premises as provided in Chapter 66 of the Dowagiac City Code, and;

WHEREAS, the City Manager has directed the City Assessor to prepare a special assessment roll covering all such charges which have not been paid, together with an additional amount equal to fifty percent (50%) thereof, to cover the cost of publication, overhead and other expenses, and;

WHEREAS, said roll has been filed with the City Clerk and is now being presented to the Council for confirmation and levy, and;

WHEREAS, said special assessment roll is attached hereto and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby confirm the attached special assessment roll for the parcels more fully described in Appendix A attached hereto and incorporated herein by reference and directs the City Administration to levy said assessments against the individual properties therein set forth.

ADOPTED/REJECTED

SPECIAL ASSESSMENTS FALL '14

MOWINGS

Parcel Number	PROPERTY ADDRESS	BALANCE DUE
14-160-300-568-00	315 W RAILROAD ST	\$88.50
		\$88.50

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

WHEREAS, Chapter 66, Section 66.19 of the Dowagiac City Code, "Single Lot Assessments-Generally," provides that the City of Dowagiac is authorized to levy a special assessment against single premises for expenses which are chargeable against such premises under the provisions of the Dowagiac City Code; and

WHEREAS, the Dowagiac City Council, upon due consideration and deliberation, determined for the preservation of the public peace, health and safety of the city that certain deteriorating property condition(s) existed on private properties described in Appendix A, attached hereto and incorporated herein by reference, and that the abatement by the City of such deteriorating property condition(s) was necessary by virtue of non-compliance with the provisions of Chapter 18 of the Dowagiac City Code; and

WHEREAS, this expense is chargeable against such premises and the owner thereof under the provisions of the Charter, the Code and the law of the State of Michigan and is not of the class required to be prorated among several lots and parcels of land in a special assessment district; and

WHEREAS, an account of labor, material, and services for which such expenses incurred has been billed to the property owner by the City Building Official, as provided in Chapter 66 of the Dowagiac City Code; and

WHEREAS, this bill had not been paid; and

WHEREAS, the City Manager has directed the City Assessor to prepare a special assessment roll covering all such charges which have not been paid; and

WHEREAS, said roll has been filed with the City Clerk and is now being presented to the Council for confirmation and levy; and

WHEREAS, said special assessment roll is attached hereto and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council hereby confirms the attached special assessment roll for the parcels more fully described in Appendix A attached hereto and incorporated herein by reference and directs the City Administration to levy said assessments against the individual properties therein set forth.

ADOPTED/REJECTED

SPECIAL ASSESSMENTS FALL '14

OTHER ENFORCEMENTS

Parcel Number	PROPERTY ADDRESS	BALANCE DUE
14-160-100-629-00	505 CHESTNUT ST	\$270.00
14-160-200-749-00	402 N FRONT ST	\$150.00
14-160-300-076-00	101CASS AVE	\$195.00
14-160-300-568-00	315 W RAILROAD ST	\$420.00
		\$1,035.00

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 #1 for the period ending 10/09/14:

Invoices FY2013-14:	705,064.03
Invoices FY 2014-15:	51,957.05
Payroll:	<u>177,783.31</u>
Total:	934,804.39

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>
\$757,021.08	\$177,783.31	\$934,804.39

ADOPTED/REJECTED

Ayes:

Nays:

Absent:

Abstain:

James E. Snow, City Clerk

Vendor		Description	Amount
ABSOPURE WATER COMPANY	83330414	BOTTLED WATER/DEPOSIT - 26688 NUBOUR	36.25
ABSOPURE WATER COMPANY	83330412	BOTTLED WATER - 26461 NUBOUR	64.50
ACADEMY TESTING	9/23/14	KROHNE CDL ROAD TEST	100.00
ACCOUNTING CONSULTANTS, PC	9/15/14	CONSULTING SVC THROUGH SEPTEMBER 15,	2,182.50
AEROSPACE RISK MANAGEMENT GROUP INC	9/19/14	AIRPORT INSURANCE POLICY 10/1/14 -	2,838.00
AIRGAS GREAT LAKES	9922082211	WELDING SUPPLIES	49.46
ALEXANDER CHEMICAL A CARUS COMPANY	SCL 10006650	RETURNED CONTAINER CREDIT	(355.00)
ALEXANDER CHEMICAL A CARUS COMPANY	SCL 10006651	RETURNED DRUM CREDIT	(365.00)
ALEXANDER CHEMICAL A CARUS COMPANY	SLS 10023823	WWTP CHEMICALS	2,015.00
ALEXANDER CHEMICAL A CARUS COMPANY	SLS 10023822	WTP CHLORINE/FLUORIDE	765.45
AMERICAN ELECTRIC POWER	CDOW_201409_01	SEPTEMBER ENERGY	404,413.78
AMERICAN ELECTRIC POWER	048-197-857-0-2	ST LIGHTS - MARCELLUS HWY	10.21
AMERICAN ELECTRIC POWER	040-050-210-0-3	VINEYARD PL LIFT STATION	38.84
APX, INC	2616	MIRECS - LOAD BASED FEE	56.29
ARNT ASPHALT SEALING, INC	20275	ASPHALT/PARKING AREA - WAREHOUSE	5,125.00
BACK ROADS SERVICES	3685	PUMP MTCE	406.00
BACK ROADS SERVICES	3683	PUMP TEST CERTIFICATION	1,008.00
BACK ROADS SERVICES	3686	PUMP MTCE	488.59
BACK ROADS SERVICES	3684	PUMP MTCE FD 221	182.00
BBVA COMPASS BANK	267357	ANNUAL WATER TOWER INSPECTIONS	1,160.00
BENDER ELECTRIC, INC	16508	WTP/WWTP LIGHTING	8,984.00
BENSON'S CARPET	9/23/14	CH CARPET - BALANCE DUE	8,567.40
BERRIEN COUNTY TREASURER	1164	NUBOUR WELL TESTING	2,063.84
BRADFORD, JARRID	287248950627	CELL PHONE REIMBURSEMENT 8/7/14 - 9/6/14	60.00
BREATHING AIR SYSTEMS	0009434-IN	AIR CASCADE SYSTEM	1,275.00
CHET NICHOLS, INC	500307	#15 - BRAKE ROTORS/PADS/MUFFLER/SWAY BAR	246.26
CHET NICHOLS, INC	499893	#174 - RETURN RADIATOR CAP	(5.13)
CHET NICHOLS, INC	500146	#174 - COOLANT RESERVOIR	9.49
CHET NICHOLS, INC	501167	#174 - RETURN RADIATOR CAP & COOLANT	(14.91)
CHET NICHOLS, INC	501170	#174 - RETURN COOLANT RESERVOIR	(9.49)
CHET NICHOLS, INC	501359	#155 - SWITCHES	121.07
CHET NICHOLS, INC	502452	#155 - RETURN SWITCH	(74.33)
CHET NICHOLS, INC	505307	RETURN CORE VEH #6	(14.00)
CHET NICHOLS, INC	505306	BATTERY #6	101.95
CHET NICHOLS, INC	501168	#174 - COOLANT RESERVOIR	9.49
CINTAS LOCATION #336	5001976834	CH - FIRST AID KIT	137.36
CINTAS LOCATION #336	5001976832	FIRST AID KIT - WWTP	176.10
CINTAS LOCATION #336	5001976833	FIRST AID KIT -- DPS GARAGE	43.19
CINTAS LOCATION #336	01904	MATS & UNIFORMS	456.56
CINTAS LOCATION #336	05625	MATS	98.89
CINTAS LOCATION #336	07833	MATS & UNIFORMS	416.64
CINTAS LOCATION #336	5001733423	FIRST AID KIT - WWTP	72.78
COMCAST	8771402380021236	INTERNET SERVICE - CITY HALL	122.82
CROSSBREED HOLSTERS, LLC	DOWAGIAC PD 3	HOLSTER - BRADFORD	57.78
DAVE'S CONCRETE PRODUCTS, INC	20587	MDOT GRADE CONCRETE - 319 E DIVISION	604.00
DAVE'S CONCRETE PRODUCTS, INC	20689	CONCRETE PAD - 501 S FRONT	434.00
DAVIS, DAVID	9/30/14	K-9 CARE	996.95
DE LAGE LANDEN	9/19/14	BOARD OF REVIEW REFUND (14-160-500-545-	785.27
DOGWOOD HILLS TREE FARM	9/22/14	DOGWOOD TREES/FRASIER FIR/RED MAPLES -	2,196.00

Vendor		Description	Amount
DOHM'S PAT-CH GREENHOUSE	9/29/14	MUMS FOR DOWNTOWN FLOWER POTS	131.00
DORNBOS SIGN & SAFETY, INC	INV17337	SIGN POSTS - RUSSOM FIELDS	444.60
DORR INDUSTRIES, INC	13474	PICNIC TABLES	839.70
DOUBLEDAY OFFICE PRODUCTS, INC	156234I	PINK COPY PAPER	62.90
DOUBLEDAY OFFICE PRODUCTS, INC	156357I	CHAIR MATS	501.95
DOUBLEDAY OFFICE PRODUCTS, INC	156437I	CHAIR MAT	85.59
DOUBLEDAY OFFICE PRODUCTS, INC	156613I	CHAIR MAT - DIRECTOR	57.99
DOUBLEDAY OFFICE PRODUCTS, INC	156403I	CHAIR MAT	119.99
DOUBLEDAY OFFICE PRODUCTS, INC	156748I	PAPER/PENS	42.09
DOYLE O' CONNOR	9/30/14	FMCS MEDIATOR FOR 9/17/14 IBEW	508.85
EAU CLAIRE FRUIT EXCHANGE	31162	CROSSBOW BRUSH KILLER	130.90
EDWARDSBURG FIREMAN'S ASSOCIATION	2014-005	CAGE BRANCH FFII CLASS	250.00
ETNA SUPPLY	S101209352.001	CCWS - COPPERHORNS	246.79
ETNA SUPPLY	S101186107.001	DUCTILE IRON PIPE FLANGE - HYDRANT	149.45
FERRIER, PENNY M	9/30/14	MUSEUM CLEANING SERVICE SEPTEMBER 2014	331.50
FIRST DUE FIRE SUPPLY COMPANY	14-912	REPLACEMENT POSITIVE PRESSURE FAN	2,386.80
FLEETMATICS USA, LLC	IN349391	VEHICLE TRACKING SERVICE	40.00
FLEIS & VANDENBRINK ENGINEERING INC	38543	WWTP - PLANT DESIGN	14,832.71
FRONTIER	23118907970401035	PHONE SERVICE 8/20/14 - 9/19/14	1,847.95
GEMPLER'S	1020292981	GLOVES/RAIN JACKETS/PANTS	1,238.70
GRAMES TIRE & BATTERY, INC	3445	USED 16" TIRES #155	120.00
GRAMES TIRE & BATTERY, INC	3421	DART #110 - NEW TIRES	522.12
GREAT LAKES COATING	19961	TACK (ASPHALT PATCHING)	25.00
GREATER DOWAGIACCHAMBER OF COMMERCE	9/30/14	ARCADIA BOOK ON DOWAGIAC HISTORY	22.00
HACH COMPANY	9042411	LABORATORY SUPPLIES	1,309.04
HACH COMPANY	9044765	LABORATORY SUPPLIES	46.95
HALE'S HARDWARE, INC	C88410	PRIMER/PVC CEMENT	8.32
HALE'S HARDWARE, INC	C88636	WHITE CAP - NORTHWEST PARK SOCCER FIELD	1.74
HALE'S HARDWARE, INC	C86708	SHOVELS	24.23
HALE'S HARDWARE, INC	C88610	FASTENERS/DRILL	57.10
HALE'S HARDWARE, INC	C89474	CABLE/CONDUIT	179.81
HALE'S HARDWARE, INC	10096322	#155 - 25 AMP BRIDGE (ELECTRICAL	4.49
HALE'S HARDWARE, INC	C87686	BULBS/LIGHT/BATTERIES	52.34
HALE'S HARDWARE, INC	D58712	ELBOWS/CONDUIT WO 14-1001	42.23
HALE'S HARDWARE, INC	C88935	ELEMENTS/FUSE - DPS GARAGE HOT WATER	19.87
HALE'S HARDWARE, INC	C88940	RELIEF VALVE (SLUA)	43.86
HALE'S HARDWARE, INC	C88538	SEAL TAPE/HEX BUSHING (#2-20)	3.28
HALE'S HARDWARE, INC	C89318	VELCRO FOR LAPTOP MOUNTS	7.25
HALE'S HARDWARE, INC	C88758	LIFT STATION KEYS	12.33
HANSON BEVERAGE SERVICE	021377	LABORATORY WATER - WWTP	31.00
HARDIN, R WAYNE	9/30/14	BUILDING INSPECTION SEPT 2014	2,834.20
HARDING'S MARKET, INC	9/29/14	OPERATING SUPPLIES	45.57
HD SUPPLY POWER SOLUTIONS, LTD	2656595-00	AMERIWOOD METERING REPAIR	10,268.00
IBEX INSURANCE AGENCY	35919790	HEALTH INSURANCE PREMIUM 10/1/14 -	47,366.46
IN & MI MUNICIPAL DISTRIBUTORS ASSO	991	PROF/LEGAL SERVICES	2,036.97
INTERNET BUSINESS SOLUTIONS, INC.	14876	MONTHLY WEBSITE MTCE	39.95
J & H OIL COMPANY	10204801	CEMETERY GAS	330.24
J & H OIL COMPANY	1897117	HOSE/CEMETERY FUEL PUMP	29.84
J DOHENY SUPPLIES INC	A76755	#11 8" HOSE END	238.51

Vendor		Description	Amount
JANEY SCHULTE	9/30/14	50% REIMBURSE HOMEOWNER - SEWER REPAIR	1,555.50
JEFF GROSS	9/30/14	AWARD AMOUNT	200.00
JIM D'S BODY SHOP, INC	873571	PUSHBAR & RADIATOR SUPPORTS SUPPLEMENT -	303.20
JUDD LUMBER COMPANY, INC	1409-621730	CONCRETE MESH/EXPANSION JOINT - BLDG	21.45
JUDD LUMBER COMPANY, INC	1409-621543	CONDUIT - STREET LIGHTS (WO 14-1001)	10.47
JUDD LUMBER COMPANY, INC	1409-621329	PD CHIEF DESK REPAIR	19.25
JUDD LUMBER COMPANY, INC	1409-621540	CAUTION TAPE (WO 14-1001)	7.99
JUDD LUMBER COMPANY, INC	1409-619670	ROTARY HAMMER RENTAL	33.00
JUDD LUMBER COMPANY, INC	1409-620820	CONDUIT WO 14-1001	10.47
JUDD LUMBER COMPANY, INC	1409-621121	REDI-MIX CEMENT (CEMETERY FOUNDATIONS)	15.48
JUDD LUMBER COMPANY, INC	1409-622011	CEMENT - STORM SEWER INLET	30.96
KENT RECORD MANAGEMENT, INC	0048531	SHREDDING SVC 09/01 - 09/30/14	60.00
KENT RECORD MANAGEMENT, INC	0048532	SHREDDING SVC 09/01 - 09/30/14	30.00
KOONTZ-WAGNER CONST SERVICES LLC	126568-21	CREW SUPERVISION 8/20 - 9/16	935.98
LAKE MICHIGAN MAILERS, INC	309862	POSTAGE	5,000.00
LAWSON PRODUCTS, INC	9302754594	PARTS CLNR/CARB CLNR/WASHERS/LOCKNUTS	93.65
LAYLIN, LEON	9/30/14	MILEAGE REIMBURSEMENT	80.00
LEADER PUBLICATIONS, INC	103239	MISC PUBLICATIONS	192.45
MARTINS PAWMART	9/24/14	K-9 FOOD	42.69
MAXIMUM FIRE PROTECTION	2167	RECHARGE EXTINGUISHERS	100.00
MAXIMUM FIRE PROTECTION	2168	RECHARGE FIRE EXTINGUISHER	25.00
MAXIMUM FIRE PROTECTION	2156	NEW FIRE EXTINGUISHERS - #102	70.00
MCDONALD UNDERGROUND	390	DIRECTIONAL BORE WATER - 318 E DIVISION	1,000.00
MCDONALD UNDERGROUND	389	DIRECTIONAL BORE & INSTALL URD CONDUIT	27,694.50
MICHIGAN STATE POLICE-CASHIERS OFC	551-426127	SOR FEES	540.00
MICHIGAN STATE POLICE-CASHIERS OFC	551-427634	TOKEN 1	99.00
MICHIGAN STATE POLICE-CASHIERS OFC	551-427635	TOKEN 2	66.00
MIDWEST ENERGY	11003	INSTALL METER FOR YARD LIGHT - RUDOLPHI	100.00
MIDWEST ENERGY	3503301	CCWS - VANDALIA TOWER	974.59
MILLER, CANFIELD, PADDOCK AND STONE	1259735	LEGAL SVC - EMPLOYMENT MATTERS	9,263.16
MILO ALLETT	9/19/14	REIMBURSE SECURITY DEPOSIT - AIRPORT	102.00
MOSES FIRE EQUIPMENT, INC.	14414	THROTTLE CABLE #2-20	133.22
MOSES FIRE EQUIPMENT, INC.	14436	REPAIR PARTS FOR ENGINE TANK	164.23
MTL, INC	15885	MOWING RUSSOM PARK	710.00
NELSON, ROBERT	9/27/14	FOOD SUPPLIES - CASS COUNTY FIREMAN'S	184.64
NORTHERN CONSTRUCTION SVS CORP	7691	CURE/GUTTER/SIDEWALKS/RAMPS - FRONT &	12,565.00
O'BOYLE COWELL BLALOCK AND ASSOC	51010.03-20	RUSSOM PARK	30.39
ONE WAY PRODUCTS	584907	TRASH CAN LINERS - RUSSOM FIELDS	54.20
ONE WAY PRODUCTS	584711	TRASH CAN LINERS	159.16
OSCAR AZEVEDO	1-14	SERVICES RENDERED - AIRPORT MANAGER	4,166.65
OSTROM, JERID	14-134-NA	MILEAGE - COURT	9.04
PARAGON LABORATORIES, INC	42078-82138	NPDES TESTING IPP	360.00
PARAGON LABORATORIES, INC	42078-82184	NPDES ANALYSIS	88.00
PETTY CASH	9/30/14	PETTY CASH REIMBURSEMENT	86.66
PETTY CASH	9/16/14	OPERATING SUPPLIES	31.96
PINE VALLEY ECO PRODUCTS, INC	0058295	TAR REMOVER	425.34
POKAGON TOWNSHIP	9/30/14	2014 TOWNSHIP PROPERTY TAX	4,468.17
POWER BRAKE & SPRING SERVICE CO	2185515-00	HOSES - #132LT	123.30
POWER LINE SUPPLY, INC	5861970	CONNECTORS - STOCK	25.88

Vendor		Description	Amount
POWER LINE SUPPLY, INC	5865837	CLEVIS THIMBLE - STOCK	220.30
PRECISION DATA PRODUCTS	I0000418045	PRINTER TONER/BATTERY BACKUP	161.20
PREFERRED PRINTING, INC	27449	FUNDRAISING BROCHURE	287.50
PRINTING SYSTEMS, INC	86676	CHECKS	402.21
PRIORITY COMPUTER SERVICES, INC	202110	BACKUP SOFTWARE SUBSCRIPTION	170.00
PRIORITY COMPUTER SERVICES, INC	202165	REPLACEMENT PCS	8,990.00
PVS TECHNOLOGIES, INC	190167	FERROUS CHLORIDE - WWTP	2,073.98
REAL PRO SOLUTIONS, LLC	1339	EMERGENCY BOARD-UPS	125.00
REAL PRO SOLUTIONS, LLC	LM2218	CCWS - MOW PENN PUMP HOUSES	90.00
REAL PRO SOLUTIONS, LLC	LM2219	CCWS - MOW VANDALIA TOWER	70.00
REAL PRO SOLUTIONS, LLC	LM2222	MOW - IND PARK ROW	600.00
REAL PRO SOLUTIONS, LLC	LM2221	MOW - COMMERCIAL CENTER ROW	400.00
REAL PRO SOLUTIONS, LLC	LM2213	BLIGHT MOWING	199.50
RHOADES MCKEE	246619	ENVIRONMENTAL-LANDFILL	125.00
RIDER, ELIZABETH	10/09/2014	UB refund for account: 07-1725-15	128.60
RIETH-RILEY CONSTRUCTION COMPANY	7170284	ASPHALT	103.46
RIETH-RILEY CONSTRUCTION COMPANY	7170301	ASPHALT	123.60
RIETH-RILEY CONSTRUCTION COMPANY	7170292	ASPHALT	99.64
RIETH-RILEY CONSTRUCTION COMPANY	7170350	ASPHALT	200.92
RIETH-RILEY CONSTRUCTION COMPANY	7170375	ASPHALT	111.62
ROAD EQUIPMENT PARTS CENTER	KS405328-1	VALVE CORE #132LT	(33.77)
ROAD EQUIPMENT PARTS CENTER	KS405040	RELAY VALVE/INHERENT CORE #132LT	92.03
ROAD SOLUTIONS, INC	0093254-IN	ICE BITE - SALT TREATMENT	7,615.00
ROHDY'S HEATING & COOLING, LLC	0000004765	HEATING MTCE/SAFETY CHECK - CH	593.40
ROHDY'S HEATING & COOLING, LLC	0000004762	HEATING MTCE & SAFETY CHECK	290.00
RUTKOWSKE, JASON	9/01/14	CLOTHING EXPENSE	325.00
SAYLOR, SCOTT	000001	MOW - METERING STATION	30.00
SAYLOR, SCOTT	000002	MOW - TELEGRAPH SUBSTATION	30.00
SAYLOR, SCOTT	000003	MOW - POPLAR SUBSTATION	50.00
SAYLOR, SCOTT	000004	MOW - RUDOLPHI WATER TOWER	45.00
SAYLOR, SCOTT	000005	MOW - WWTP GROUNDS	175.00
SAYLOR, SCOTT	000001	MOW - METERING STATION	30.00
SAYLOR, SCOTT	000001	MOW - METERING STATION	30.00
SAYLOR, SCOTT	000002	MOW - TELEGRAPH SUBSTATION	30.00
SAYLOR, SCOTT	000002	MOW - TELEGRAPH SUBSTATION	30.00
SAYLOR, SCOTT	000003	MOW - POPLAR SUBSTATION	50.00
SAYLOR, SCOTT	000003	MOW - POPLAR SUBSTATION	50.00
SAYLOR, SCOTT	000004	MOW - RUDOLPHI WATER TOWER	45.00
SAYLOR, SCOTT	000004	MOW - RUDOLPHI WATER TOWER	45.00
SAYLOR, SCOTT	000006	MOW/TRIM - WWTP LAGOONS	500.00
SCHILLING'S WASH & WAX	85	CAR WASH-PD	16.00
SEMCO ENERGY GAS COMPANY	0148809.501	GAS UTILITY - FD	13.39
SEMCO ENERGY GAS COMPANY	0161871.500	GAS SVC 8/14 - 9/15/14	50.36
SHARE CORPORATION	889210 889476	SHOP SUPPLIES	514.33
SIMPSON, KEN	141011	ELECT. INSP. 8-26-14 THRU 9-30-14	1,366.80
STATE OF MICHIGAN	ME-0200312	SALES & TAX 9/14	17,294.61
STATE OF MICHIGAN-MDOT	SE 370403	TRAFFIC SIGNAL ENERGY	144.73
STUIFBERGEN BLOEMBOLLEN EXPORT B.V.	14030208	CROCUS BULBS (ST DENYS)	130.00
SYNAGRO CENTRAL LLC	20-119026	ACROBIC SLUDGE LAND APP	10,573.50

Vendor		Description	Amount
THE AMERICAN ROAD MACHINERY COMPANY	39857	#132LT - OIL LINE	30.36
THE RIDGE COMPANY	562513	#131 - RETURN SILICONE	(10.99)
THE RIDGE COMPANY	562533	#110 DART - CORE RETURN	(139.00)
THE RIDGE COMPANY	572327	RETURN FILTERS - AUX FUEL TANK	(40.58)
THE RIDGE COMPANY	579578	#11 - LEAK DETECTION DYE	13.54
THE RIDGE COMPANY	571595-C	FUEL FILTER/FILTER BASE (DEDUCTION TAKEN	81.16
THE RIDGE COMPANY	504596	#174 - RADIATOR CAP	9.37
THE RIDGE COMPANY	582215	#15 - WHEEL BOLT NUT	2.12
THE RIDGE COMPANY	582278	#106 HYDRAULIC FILTER	11.30
THE RIDGE COMPANY	582339	OIL FILTER - VALVE TURNER	6.54
THE RIDGE COMPANY	582998	#155 - FERRULES/FITTINGS	3.22
THE RIDGE COMPANY	583337	#132 - AIR/OIL/FUEL FILTERS	71.18
THE RIDGE COMPANY	583338	#132 - OIL FILTER	5.84
THE RIDGE COMPANY	583421	#132 - FUEL FILTER	2.59
THE RIDGE COMPANY	583437	FUEL FILTER #74	(3.15)
THE RIDGE COMPANY	582056	RADIATOR CAPS #74	(3.74)
THE RIDGE COMPANY	584031	VALVE DRAIN #2-40	12.00
THE RIDGE COMPANY	584079	RADIATOR CAP #132LT	4.99
THE RIDGE COMPANY	583567	RETURN BRAKE VALVE #132LT	(75.99)
THE RIDGE COMPANY	583367	FUEL/AIR FILTERS #132LT	42.24
THE RIDGE COMPANY	583333	BRAKE VALVE #132LT	75.99
THE RIDGE COMPANY	9/22/14	DART #220 - OIL CHANGE	7.94
THE RIDGE COMPANY	585183	FITTING - POWER WASHER HOSE	2.85
THE RIDGE COMPANY	585177	HYD HOSE/FITTINGS - PRESSURE WASHER	339.26
THE RIDGE COMPANY	585132	#104 REFLECTOR	2.50
THE RIDGE COMPANY	584611	COUPLING #132LT	1.76
THE RIDGE COMPANY	584718	HYD HOSE FITTING/1/2 HYD HOSE	87.76
TIFFANY GOEHRING	TG_RS3040	GRAPHICS WORK ON FUNDRAISING BROCHURE	200.00
TOXOPEUS, DAVID	9/1/14	CLOTHING EXPENSE	325.00
TOXOPEUS, DAVID	287248782175	CELL PHONE REIMBURSEMENT 8/19/14 -	60.00
TRUE'S SERVICE, INC	126210	HAUL LOADER TO SOUTH BEND	285.00
TURF SERVICES	34515	IRRIGATION REPAIR - SERVICE	71.77
USA BLUEBOOK	450780	NEW CHLORINE PUMPS - WWTP	23.40
USA BLUEBOOK	451374	NEW CHLORINE PUMPS - WWTP	113.63
VERIZON WIRELESS	9732441795	CELL PHONE MONTHLY INVOICE	690.01
VERIZON WIRELESS	9732632682	TABLET - MONTHLY FEE	144.78
VICTOR CUTHBERT, JR.	9/26/14	CLEAR WEST END OF 4 & 22 TO BRING RUNWAY	400.00
VYLONIS, JOHN A	251	SALT STORAGE BLDG ROOF	19,053.00
WAINWRIGHT, EDDIE	9/29/14	PLUMB/MECH INSPECTIONS 9/1 - 9/30/14	11,946.80
WASTE MANAGEMENT OF MICHIGAN	7366243-2529-5	WWTP - SLUDGE DISPOSAL	2,370.00
WATER SOLUTIONS UNLIMITED, INC	35577	PHOSPHATE - CCWS	847.00
WAYNE TOWNSHIP	9/30/14	2014 TOWNSHIP PROPERTY TAX	911.85
WEAL L.E.D'S LLC	1575	REPLACEMENT EMERGENCY LIGHTS	850.00
WIGGINS, DANIEL	2014-3531	MILEAGE - COURT	9.04
WIGGINS, DANIEL	9/9/14	MILEAGE REIMBURSEMENT/TRAVEL EXPENSES	53.81
WIGGINS, DANIEL	9/8/14	MILEAGE REIMBURSEMENT/TRAVEL EXPENSES	52.92
WIGGINS, DANIEL	9/10/14	MILEAGE REIMBURSEMENT	41.81
WIGHTMAN & ASSOCIATES, INC	48000	CASS AVE BRIDGE - LOAD RATING	390.00
WIGHTMAN & ASSOCIATES, INC	48063	MIDDLE CROSSING - CMAQ PROJECT	126.60

INVOICE REGISTER FOR CITY OF DOWAGIAC
POST DATES 09/19/2014 - 09/30/2014
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: GEN

Vendor	Description	Amount
WMCJTC	SWAT SWAT TRAINING - ROMAN	175.00
	Total:	<u>705,064.03</u>

Vendor		Description	Amount
ABSOPURE WATER COMPANY	54809093	C & C COOLER RENTAL - 25830 NUBOUR	6.00
ABSOPURE WATER COMPANY	54806511	H & C COOLER RENTAL	8.00
ABSOPURE WATER COMPANY	54814377	C & C COOLER RENTAL - 26688 NUBOUR	6.00
ABSOPURE WATER COMPANY	83362871	BTL WATER DEPOSITS/RETURNS	34.50
ACCELA INC #774375	7915	MINUTETRAQ MONTHLY SUBSCRIPTION	349.00
AUTOMATED ENERGY, INC	19588	AMERIWOOD METER SUBSCRIPTION	1,260.00
CASS COUNTY ROAD COMMISSION	10/08/14	PERMIT APP FEE & DEPOSIT - INSTALL SEWER	350.00
CENTRAL ELEVATOR COMPANY, INC	57493	QUARTERLY ELEVATOR INSPECTION	134.00
CINTAS LOCATION #336	5001976835	SERVICE OF FIRST AID KIT	33.41
COMCAST	8771 40 238	FD - INTERNET SERVICE	72.90
CURT ROHDY	10/02/14	FACADE INCENTIVE (PARTIAL PAYMENT)	1,000.00
EAU CLAIRE FRUIT EXCHANGE	861013	GRASS SEED/FERTILIZER	351.10
ELMER'S LOCKSMITH	6815	SLUDGE BLDG DOOR LOCK	219.50
ENVIRONMENTAL SYSTEMS RESEARCH INST	92871089	GIS SOFTWARE MAINTENANCE	1,583.01
GALLS, INC	002510554	RAINCOATS AND HOLSTER - PD	351.00
GLOBAL TELEMATIC SOLUTIONS, LLC	16319	VEHICLE TRACKING SERVICE	220.00
GREG WILLIAMS	10/01/14	AWARD AMOUNT	150.00
HALE'S HARDWARE, INC	D60791	PAINT/PAINT ROLLER/COVER	54.08
HALE'S HARDWARE, INC	C89773	CONNECTORS	13.57
HALE'S HARDWARE, INC	C89633	MAINT SUPPLIES	15.33
HALE'S HARDWARE, INC	C90338	MAINT SUPPLIES	85.89
HI-TECH SMR COMMUNICATIONS	22217	PAGER BATTERIES	90.00
INTERNATIONAL CODE COUNCIL, INC	INV0485839	INTL ENERGY CODE BOOKS	82.00
J ALLEN & COMPANY, INC	14274	FRONT ST - REPAIR PATCHES (WO 14-1001)	2,675.00
JUDD LUMBER COMPANY, INC	1410-623027	CEMENT - BOLLARDS FOR ALLEY	34.83
KATINA LOVELACE	10/01/14	AWARD AMOUNT	450.00
MI COMMUNITY ACTION AGENCY ASSOC	10/01/14	EU-MONTHLY PYMT ALLOCATION-10/14	11,408.41
NEIL KELLER	10/03/14	REIMBURSE - SEWER RODDING AT 512 GREEN	225.00
NEW WORLD SYSTEMS	037903	SOFTWARE SUPPORT 11/14 - 10/15	9,267.00
NYE UNIFORM COMPANY, INC	477771	UNIFORMS-PART TIME OFFICERS	362.06
PRAIRIE RONDE REALTY	2380	OCTOBER RENT-DART	150.00
PRECISION DATA PRODUCTS	I0000419170	PRINTER INK & MOUSE	197.99
PRIORITY COMPUTER SERVICES, INC	202240	BACKUP SOFTWARE RENEWAL	507.00
REAL PRO SOLUTIONS, LLC	PC1660	PROPERTY MTCE	589.00
REAL PRO SOLUTIONS, LLC	LM2227	BLIGHT MOWINGS	174.00
RON & JUDY RODRIGUEZ	10/01/14	AWARD AMOUNT	200.00
SIMMONS TREE & LAWN	10/01/14	MOWING CITY FACILITIES	10,260.00
STATE OF MICHIGAN-ECONOMIC DEV	10/01/14	CDBG IND PK GRANT REPAYMENT	6,345.88
TERMINIX	338541841	PEST CONTROL - CH	1,396.80
THE GARMENT DISTRICT	1	UNIFORM CLEANING	33.90
THE RIDGE COMPANY	585469	DART #220 - BATTERY CABLE RPLC	14.27
THE RIDGE COMPANY	585503	EXHAUST REPAIR DART #110	7.98
UNDERGROUND PIPE & VALVE, INC	1004706	COPPER - INSTALL WATER LINE AT 435 COLBY	371.00
VOSS LIGHTING	20134096-00	FLUORESCENT LAMPS - CH	88.20
VOSS LIGHTING	20134098-00	FLUORESCENT BULBS - CH	100.80
WASTE MANAGEMENT OF MICHIGAN	8368012-1710-7	DUMPSTERS/TRASH CART - 10/14	628.64
Total:			51,957.05

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: October 10, 2014

SUBJECT: Ordinance Amendment – First Reading

An ordinance is on Monday’s agenda for the 1st reading of an ordinance to amend Section 22.5 (C)(6), Map of Chapter 22, Changes and Amendments, of the Dowagiac City Code. The purpose of this amendment is for the rezoning of 512 Keene Avenue.

The owners have requested for property rezoning at the above-noted property from the “R-2” Residential district to “OS” Office Service district. The zoning is intended to allow for improved traffic flow and expansion of the credit union that is located on an adjacent.

The Planning Commission held a public hearing last week to solicit public comment on the request and formally adopted a resolution recommending approval of the request with no conditions.

Second reading of the ordinance amendment can be on the October 27, 2014 City Council agenda.

RECOMMENDATION

Set October 27, 2014 as the date for the second reading of an ordinance amendment for the purpose of rezoning 415 E. Prairie Ronde from the I-2 Heavy Industrial District to a Planned Unit Development (PUD).

Support Documents:
Cover Memo-City Mgr.
Ordinance

October 13, 2014 – 1st Reading
--2nd Reading

ORDINANCE NO. _____, 2014

ORDINANCE-----

AN ORDINANCE TO AMEND SECTION 22.5 (C) (6), MAP OF CHAPTER 22, CHANGES AND AMENDMENTS, OF THE DOWAGIAC CITY CODE BY AMENDMENT OF THE ZONING MAP.

THE CITY OF DOWAGIAC ORDAINS:

Section 1: That Section 22.5 (C) (6) of Chapter 22, of the Dowagiac Zoning Code be is hereby amended by changing the official zoning map as follows:

“Designate as "OS – Office Service," certain described property in the City of Dowagiac, County of Cass, State of Michigan, more specifically described in Appendix "A", attached hereto and incorporated herein by reference "

Section 2: That this ordinance shall take full force and effect immediately upon its publication in a newspaper of general circulation within the City of Dowagiac.

ADOPTED/REJECTED

Moved by:

Seconded by:

Ayes:

Nays:

Absent:

Abstain:

Donald D. Lyons, Mayor

James E. Snow, City Clerk

APPENDIX "A" PROPERTY DESCRIPTION

. DW 2057 LOT 19 MESHEW'S FAIRGROUNDS ADD CITY OF DOWAGIAC.

Subject to any and all easements and restrictions of record or otherwise.

Subject to any facts that may be disclosed in a full and accurate title search.

TAX NUMBER 14-160-300-723-00

More commonly known as 512 Keene Ave.

City of Dowagiac

INTER-DEPARTMENTAL COMMUNICATION

TO: James Snow, City Clerk

FROM: Steven Allen

RE: Planning Meeting

DATE: October 6, 2014

We have one item on the agenda for the upcoming planning meeting scheduled for Monday October 6, 2014 at 7:00pm

This involves a rezoning request submitted by Dowagiac Area Federal Credit Union Ms. Cathy Merrill 473 E. Division St. Dowagiac MI. The property is located at 512 Keene Ave. Dowagiac MI. The request is to rezone the property from "R-2" Medium density to "OS" Office Service.

512 Keene Ave. Property ID # 14-160-300-723-00

I have included the necessary 300' list of mailing labels for the re-zoning request

PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Dowagiac Planning Commission in the Council Chambers of City Hall, located at 241 South Front Street Dowagiac Michigan 49047, on Monday October 6, 2014 at 7:00 pm to hear comments on a rezoning application submitted by Dowagiac Area Federal Credit Union for the rezoning of 512 Keene St. from "R-2" Medium density residential to "OS" Office service.

Legal description:

.DW 2057 LOT 19 MESHEW'S FAIRGROUNDS ADD CITY OF DOWAGIAC.

DATED: September 16, 2014

James E. Snow, City Clerk

City of Dowagiac

ZONING PERMIT # PZ14-030

Building Department
Phone: (269) 782-8427

241 S. Front Street
Fax: (269) 782-1838

Dowagiac, MI 49047
Hours: Monday - Friday, 8:30 a.m. - 5:00 p.m.

512 KEENE AVE 14-160-300-723-00	Location
---	-----------------

Date Issued: 09/11/14	Expire Date: 03/10/15
PLEASE CALL (269) 782-8427 FOR AN INSPECTION 24 HOURS IN ADVANCE	

DOWAGIAC AREA FEDERAL CREDIT	Applicant/Contractor
473 E DIVISION ST DOWAGIAC MI 49047	Cell:

MOSHER, MARJORIE ET AL	Owner of Record
54355 INDIAN LAKE RD DOWAGIAC MI 49047	Cell:

Work Description: RE-ZONE 512 KEENE ST. FROM R-2 MEDIUM DENSITY TO OS OFFICE SERVICE

Stipulations:

Permit Item	Fee Basis	Fee Total
REZONING REQUEST	1.00	359.75



Building Official

mailed

Applicant

Invoice #:	00008101
Fee Total:	\$359.75
Amount Paid:	\$359.75
Balance Due:	0.00

I agree this permit is only for the work described, and does not grant permission for additional or related work which requires separate permits. I understand that this permit will expire and become null and void if work is not started within 180 days at any time after work has commenced; and, that I am responsible for assuring all required inspections are requested in conformance with the applicable code. I hereby certify that the proposed work is authorized by the owner, and that I am authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of the State of Michigan and the City of Dowagiac. All information on the permit application is accurate to the best of my knowledge.

PAYMENT OF PERMIT FEE CONSTITUTES ACCEPTANCE OF THE ABOVE TERMS.

POST THIS PERMIT SO IT IS VISIBLE FROM THE STREET

Inspection Record

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |



REZONING PETITION

CITY OF DOWAGIAC

241 S. Front Street P.O. Box 430 Dowagiac, MI 49047
269.782.8427

Guidelines of the rezoning petition process:

- Applicant must complete and submit this petition along with a non-refundable \$359.75 fee to the Building Department
- The Building Department will place the petition on the Planning Commission agenda.
- State law requires that the request be published in a local newspaper at least 17 days prior to the scheduled meeting. The Planning Commission meets the first Monday of every month.
- The Planning Commission issues a recommendation to the Dowagiac City Council. City Council meetings are held the second and fourth Mondays of each month.
- The City Council shall give two readings, to review the applicant's request and Planning Commission's recommendation, prior to taking action.
- Typical time frame is about 60 days. It is recommended that the owner and/or his/her representative attend the Planning Commission hearings and the City Council hearings.

I (We), the above-named applicant(s) hereby petition the Dowagiac Planning Commission for a proposed amendment to the Dowagiac Zoning Code in accordance with Chapter 22, Section 22.5, Changes and Amendments.

1. **IDENTIFICATION**

Cash Credit/Debit Card Check# _____
(checks payable to City of Dowagiac)

Applicant Name: Dowagiac Area FCU/Cathy Merrill **Telephone #** 269-782-2410

Mailing Address: 473 E. Division St.

City: Dowagiac **State:** MI **Zip:** 49047

Signature: _____

Agent for Owner Name: Cathy Merrill, CEO **Telephone #**
269-782-2410 Dowagiac Area FCU

Mailing Address: _____

City: _____ **State:** _____ **Zip:** _____

Signature: _____

2. **PROPERTY LOCATION:** Property Address 512 Keene Avenue Lot # _____

Property Tax # 14-160-300-723-00

3. **LEGAL RECORDED DESCRIPTION:** _____

DW 2051 Lot 19 Meshew's Fairgrounds add City of Dowagiac

4. CURRENTLY ZONED

- R-1, Low Density Residential District
- R-2, Medium Density Residential District
- R-3, Multi-Family Residential District
- R-4, Manufactured Home Park District
- O-S, Office Service District
- C-1, Neighborhood Business District
- C-2, Central Business District
- C-3, General Business District
- I-1, Light Industrial District
- I-2, Heavy Industrial District
- I-3, Industrial Park District
- PUD, Planned Unit Development District
- FP, Floodplain Overlay District

PROPOSED ZONING

- R-1, Low Density Residential District
- R-2, Medium Density Residential District
- R-3, Multi-Family Residential District
- R-4, Manufactured Home Park District
- O-S, Office Service District
- C-1, Neighborhood Business District
- C-2, Central Business District
- C-3, General Business District
- I-1, Light Industrial District
- I-2, Heavy Industrial District
- I-3, Industrial Park District
- PUD, Planned Unit Development District
- FP, Floodplain Overlay District

5. DESCRIBE USE OR USES OF THIS PROPERTY including access roadways and proposed off-street parking:

the property would be used to expand the current parking lot on the west side of our existing lot

6. USE OR USES WILL BE SERVED BY THE BELOW-DESCRIBED SEWAGE DISPOSAL AND WATER FACILITIES:

City of Dowagiac

7. THE SURFACE DRAINAGE OF THIS PROPOSED USE OR USES WILL BE HANDLED AS FOLLOWS:

manhole drain placed in parking lot area to accommodate excess run off

8. PROPOSED REZONING IS COMPATIBLE WITH THE GOALS AND OBJECTIVES OF THE LAND USE PLAN AS OUTLINED IN THE FOLLOWING STATEMENT:

once rezoned The property will
serve as an addition to the
existing parking lot

9. IMPACT OF THIS PROPOSED USE OR USES ON SURROUNDING LANDS, BUILDINGS, AND LAND USE ZONES WILL BE AS FOLLOWS:

no more than the past vehicular
traffic is expected

10. THE AFFECT OF THIS PROPOSED USE OR USES ON PUBLIC FACILITIES AND SERVICES WILL BE AS FOLLOWS:

use of city sewer

11. ATTACHED AS AN APPENDIX IS EVIDENCE OF OUR INTEREST IN THE PROPERTY PROPOSED TO BE REZONED (I.E. LEASE AGREEMENT, WARRANTY DEED, QUIT CLAIM DEED, ETC.)

ATTACHED TO DOCUMENT

FOR OFFICE USE ONLY

DATE PETITION FORM IS ISSUED TO APPLICANT: 9-10-14 By: SD

DATE PETITION IS SUBMITTED AND FEE RECEIVED: \$359.75 By: SD

DATE TRANSMITTED TO PLANNING COMMISSION: 9-16-14 By: SD

DATE OF PUBLIC HEARING: 10-6-14 By: SD

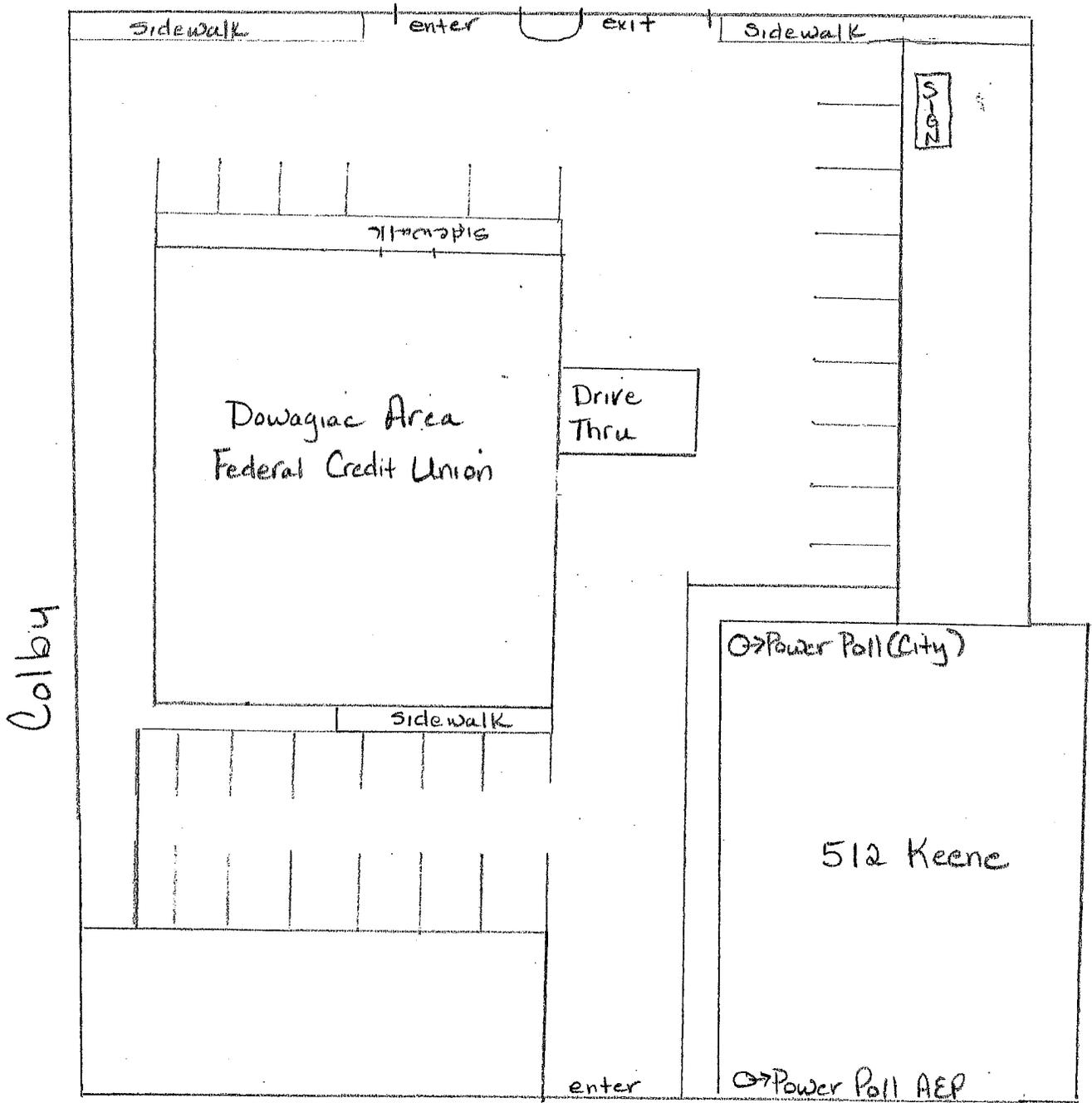
DATE TRANSMITTED TO CITY COUNCIL: _____ By: _____

DISPOSITION: _____

JAMES D. BRADFORD, ZONING ADMINISTRATOR

12. SKETCH OF THE BUILDING AND PROPERTY LINES OF THE SUBJECT PROPERTY AND THE PROPERTIES IMMEDIATELY ADJACENT THERETO. *This Diagram Should Include Auxiliary Buildings, Parking And Sign Locations If Applicable.*

M-62 / Division St.



(revised 3/2014)

Keene Ave

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

WHEREAS, the City of Dowagiac has received a request from, Dowagiac Area Federal Credit Union for the rezoning of 512 Keene Ave. and;

WHEREAS, the rezoning request involves changing the zoning classification of "R-2" Medium Density Residential to "OS," Office Service and;

WHEREAS, in accordance with Article IX, Chapter 94 of the Dowagiac City Code, all rezoning requests must be first reviewed by the Dowagiac Planning Commission, following a properly noticed and conducted public hearing, and;

WHEREAS, on October 6, 2014, the Planning Commission conducted such a public hearing in complete compliance with the terms and provisions of Article IX, Chapter 94 of the compiled Dowagiac Code and in full compliance with the Open Meetings Act, and;

WHEREAS, having now reviewed all of the pertinent information subject to this rezoning request, it is most appropriate that the Planning Commission recommend to the Dowagiac City Council that the property legally described on Appendix "A" be designated as "OS" Office Service in accordance with Article IX, Chapter 94 of the compiled Dowagiac City Code, and that the official zoning map of the City be amended to indicate same.

NOW, THEREFORE, BE IT RESOLVED, that the City of Dowagiac Planning Commission, by the affirmative majority vote of its members, does hereby recommend to the Dowagiac City Council that the property described herein, noted as Appendix "A," be formally designated with the zoning classification of "OS" Office Service and that the official zoning map of the City of Dowagiac be modified to indicate same.

ADOPTED/REJECTED