

WORKSHOP OF THE DOWAGIAC CITY COUNCIL

Theater Project Walk Through
115-117 Front Street, Dowagiac, Michigan

Monday, October 27, 2014, 6:20 p.m.

AGENDA

CALL TO ORDER

-Mayor Donald D. Lyons

ROLL CALL

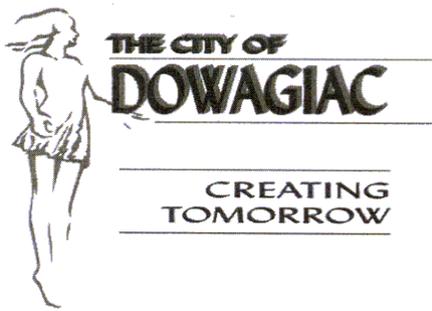
-Mayor Donald D. Lyons
-Mayor Pro-Tem Leon Laylin
-Councilmember Charles Burling
-Councilmember James Dodd
-Councilmember Randy Gross
-Councilmember Lori Hunt
-Councilmember Bob Schuur

This workshop is being called for Council and Staff to tour the building and update Council on status of the project. No action will be taken on any items during this workshop.

ADJOURNMENT -

Kevin P. Anderson
City Manager

Attachments



REGULAR MEETING OF THE DOWAGIAC CITY COUNCIL

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

Monday, October 27, 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 – October 3, 2014 Special Meeting
October 13, 2014
- QUESTIONS FROM CITY COUNCIL –
- COMMENTS FROM THE AUDIENCE (NON-AGENDA) –
- COMMENTS FROM THE AUDIENCE (AGENDA) –
- COMMUNICATIONS –
1. Communication from the Greater Dowagiac Chamber of Commerce to host the Dowagiac Old-Fashioned Christmas Celebration, November 14-16, 2014, the Candle-light Parade, December 5, 2014, and Small Business Saturday on November 29, 2014.
- RESOLUTIONS –
1. Resolution to authorize the continuance of the Tree Removal Program.
 2. Resolution to authorize and direct the City Treasurer to pay the following bills and payroll due: (Roll Call)

BILLS
\$94,733.81

PAYROLL (#2)
\$116,316.04

TOTAL
\$211,049.85

ORDINANCES –

1. Second 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 –

RESOLUTIONS - continued

3. Resolution to adjourn to a closed session to discuss strategies to deal with litigation.

ADJOURNMENT –

Kevin P. Anderson
City Manager

Attachments

DOWAGIAC CITY COUNCIL SPECIAL MEETING

Friday, October 3, 2014

A special meeting of the Dowagiac City Council was called to order by Mayor Lyons at 12:00 p.m.

Mayor Lyons led the Pledge of Allegiance to the flag.

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

ABSENT: Charles K. Burling

STAFF: City Manager Kevin P. Anderson, City Manager.

RESOLUTIONS

1. Resolution to authorizing a Water Service Agreement between the City of Dowagiac and Wayne Township.

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

WHEREAS, in 2013 the City of Dowagiac and Wayne Township entered into a Memo of Understanding (MOU) regarding cooperatively working to develop an extension of a water service to the Nubour Street area, and;

WHEREAS, one of the components of the MOU involved a water services agreement that would define the terms of the water extension in Wayne Township, and;

WHEREAS, the agreement is consistent with the terms stated in the MOU and has been approved by the Wayne Township Board on September 30, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the Water Services Agreement for the Nubour Street Water Service Area, and;

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

ADOPTED unanimously.

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

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

DOWAGIAC CITY COUNCIL SPECIAL MEETING

Friday, October 3, 2014

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WHEREAS, the Michigan Open Meetings Law, Public Act 267 of the Public Acts of 1976 as amended, provides that public bodies may meet in closed session for the purpose to consider the purchase or lease of real property up to the time an option to purchase or lease that property is obtained; and

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

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

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: One (1) Burling

Abstain: None (0)

CLOSED SESSION

TIME: 12:09 PM

LATER: 12:29 PM

Upon motion by Councilmember Laylin and seconded by Councilmember Hunt, the Dowagiac City Council adjourned at 12:30 PM.

Donald D. Lyons, Mayor

Kevin P. Anderson, City Manager

DOWAGIAC CITY COUNCIL MEETING

Monday, October 13, 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 Bob B. Schuur, Charles K. Burling, Lori A. Hunt, James B. Dodd and Randall G. Gross, Sr.

ABSENT: None.

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

Councilmember Laylin moved and Councilmember Dodd seconded that the minutes of the September 22, 2014 regular meeting be approved.

Approved unanimously.

COMMENTS FROM THE AUDIENCE (NON-AGENDA) –
Linda Keesler, 29451 M-62, Dowagiac, Michigan

PUBLIC HEARING

1. Public hearing to receive comment on the declaration of a public nuisance property for the structure located at 311 Grove Street.

Mayor Lyons opened the public hearing at 7:11 pm.

Audience speaking: None

Mayor closed the public hearing at 7:11 pm.

COMMUNICATIONS

1. Optimist Club Children's Halloween Parade, Saturday, October 25th at 10:00 a.m.

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

RESOLUTIONS

1. Resolution to declare the structure at 311 Grove Street a public nuisance property.

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

DOWAGIAC CITY COUNCIL MEETING

Monday, October 13, 2014

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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.

DOWAGIAC CITY COUNCIL MEETING

Monday, October 13, 2014

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

- (xxxxx) 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: **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 unanimously.

DOWAGIAC CITY COUNCIL MEETING

Monday, October 13, 2014

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2. 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 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.

DOWAGIAC CITY COUNCIL MEETING

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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.

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 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

DOWAGIAC CITY COUNCIL MEETING

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and directs the City Administration to levy said assessments against the individual properties therein set forth.

ADOPTED unanimously.

4. 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 FY2013-14:	705,064.03
Invoices FY2014-15:	51,957.05
Payroll #26:	177,783.31

Total:	<u>\$934,804.39</u>
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BE IT RESOLVED that the City Manager and City Treasurer are hereby authorized and directed to pay the following bills and payroll due:

Invoices	Payroll	Total
<u>\$757,021.08</u>	<u>\$177,783.31</u>	<u>\$934,804.39</u>

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: None (0)

Abstain: None (0)

ORDINANCES

First reading of an ordinance to approve the rezoning of 512 Keene Avenue from "R-2" residential to "OS" Office Service.

DOWAGIAC CITY COUNCIL MEETING

Monday, October 13, 2014

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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.

Moved by: Laylin

Seconded by: Gross

COMMENTS FROM CITY OFFICIALS

Upon motion by Councilmember Schuur and seconded by Councilmember Dodd, the Dowagiac City Council adjourned at 7:25 PM.

Donald D. Lyons, Mayor

Kevin P. Anderson, City Manager



Chamber of Commerce & DDA

Tour The Grand Old City at www.dowagiacchamber.com

"Visit Dowagiac often. There are so many memorable ways to fill a day, a week or a lifetime."

Dear Mayor Lyons and City Council:

The Greater Dowagiac Chamber of Commerce and Borgess-Lee Memorial Hospital are pleased to host Dowagiac's Christmas Celebration, which opens Friday, Nov. 14, with our three-day Christmas Open House Weekend. This year's celebration represents an approximate \$5,000 community promotion, funded by the Chamber of Commerce and corporate sponsors that include Borgess-Lee Memorial Hospital, Dr. Charles Burling & Dr. Jon Gillesby, Chemical Bank, Clark Chapel, Family Fare, Front Street Crossing, Mahar Insurance, The Timbers of Cass County and Vylonis Contracting.

In regard to both Open House Weekend and parade night, the Chamber of Commerce would like permission to limit and to select the type of non-profit and commercial vendors, which appear during the community celebration. As a result, we will avoid duplication in terms of street vendors and what they offer.

The tri-fold celebration features Christmas Open House Weekend, which is Friday through Sunday, November 14-16; our Candle-light Christmas Parade on Friday, December 5; and Small Business Saturday on November 29. For your convenience, attached herewith is our holiday brochure.

On behalf of the Chamber and as Chairman of Open House Weekend, I would like to request the use of the following for Open House Saturday:

- The Haggin-Wimberley Memorial Bandstand to stage vocal and instrumental performances
- Beeson Street for dance performances.
- Two to three parking spaces on Front Street, adjacent to the park, to serve as a loading area for horse-drawn wagon rides
- Barricades to provide for the temporary closure of Beeson Street and orange safety cones for the loading zone
- The use of downtown streets for horse-drawn wagon rides
- The Beckwith Park for the interactive animal display by Country Reindeer Farm, and food booths.

Parade Co-chairman Kim MacGregor and I will work closely with the Department of Public Safety on the organization of parade line-up. In preparation for the parade, we would like to request the use of:

- The Haggin-Wimberley Memorial Bandstand for pre-parade entertainment featuring the ACTION Chorale
- Barricades to close Front Street at 6 p.m. to through-traffic in advance of the street performance by Positively Dance
- Residential streets in and around West High Street for parade line-up
- And barricades that may be requested by the Department of Public Safety for use during parade line-up

In advance of Small Business Saturday, I request permission to install temporary informational signage, the size of real estate signs, at several of our major intersections. A copy of the signage is attached herewith.

Prior to the Nov. 14 Open House Weekend, I am requesting DPS personnel prepare and install the City's lighted wreaths and garlands on downtown lampposts; hang holiday lights on the evergreen at Beckwith Park, on the gazebo and on the ornamental trees on Front Street that are planted within the landscaped islands; and install the decorative street banners, and the event & corporate sponsor banners.

As always, thank you for your consideration and for the much-needed assistance of city support services provided to us by DPS, police, fire and grounds personnel.

We look forward to seeing you Open House Weekend and also Parade Night, as we celebrate this joyous season!

Warm Regards, Vickie Phillipson, Chamber of Commerce & DDA Program Director

EVENTS APPROVAL FORM

Event:

Date:

Sponsoring Organization:

Contact Person(s):

Contact Person's Telephone:

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 _____

DEPARTMENT OF PUBLIC SERVICES:

_____ Approval _____ Approval with conditions _____ Denial

Comments: _____

Signature _____ Date _____

FINANCE DEPARTMENT:

_____ Approval _____ Approval with conditions _____ Denial

Comments: _____

Signature _____ Date _____

DOWNTOWN DEVELOPMENT AUTHORITY:

_____ Approval _____ Approval with conditions _____ Denial

Comments: _____

Signature _____ Date _____

DOWAGIAC CHRISTMAS CELEBRATION

Open House Weekend November 14-16

Friday, November 14

9 am - 7 pm . . . Visit the Christmas Open Houses of our specialty shops, as we kick off the Yuletide Season with in-store events the entire weekend. Shopkeepers present their finest merchandise, special discounts, festive treats & weekend drawings. Open Houses continue through Sunday, 12 to 4 pm.

Saturday, November 15

9 - 2 pm . . . Enjoy the hand-made works of Michiana artisans, showcased at the 18th annual Theta Mu Sorority Craft Show, located at Dowagiac Union High School on Prairie Ronde.

9 - 5 . . . Christmas Open Houses at our specialty stores continue, as shopkeepers attend to your every need. For those who tire easily, distinctive dining and even an old-fashioned soda fountain provide the perfect spot to rest awhile.

10 - 2 . . . A true-to-life **Old-World Santa** greets families within the elegant indoor setting of Wood Fire Italian Trattoria. Enjoy the warm surroundings of the Pompeii Room, where children receive a coloring book from **St. Nick** & can register for a gift basket of toys & invitation to appear with Santa in the Candle-light Parade!

10 - 2 . . . Join **Mrs. Claus** at Caruso's Candy Kitchen, where children can make a jingle bell bracelet & enjoy **Kringle Krafts** from 10 to 5 at Who Knew? Consignment.

10 - 2 . . . Our restaurateurs wish you **Sweet Tidings**, as they serve complimentary, bite-size samples of holiday desserts. Be sure to vote for your favorite at Caruso's, Deb's Café, Wood Fire Italian Trattoria & Wounded Minnow Saloon!

10 - 2 . . . Celebrate "Sister to Sister" at **Rosy Tomorrow's**. In-house Artisan Michelle Stambaugh of Mud-Luscious invites you to bring your best friend, mom or daughter and make a gift for someone special or to keep. Nominal \$5 fee.

10 - 2 . . . At Beckwith Park families can meet Holly from **Country Reindeer Farm** and enjoy horse-drawn wagon rides.

10 - 2 . . . Warm up with hot chocolate, served by contestants of the Miss Dowagiac Scholarship Pageant and meet **Pastry Artist Jordan Anderson**, owner of The Baker's Rhapsody. Be sure to take home some of his delightful creations! Nominal fee.

10 - 2 . . . The Kari Lynch Band presents favorite **Christmas carols** at the gazebo.

11 - 2 . . . Mable Hartman leads an interactive **Christmas Card Design Workshop** for families at Dowagiac Area History Museum. Materials supplied.

11 - 2 . . . Live **elves spread their whimsical magic**, greeting shoppers from our holiday storefront window displays. Presented by Miss Michele & Co. & participating retailers.

11:30 - 12:15 . . . Dance into the holidays with **Positively Dance!**

12:15 . . . Welcome members of the Extreme Poms Team from Miss Michele & Co.

Sunday, November 16

Noon - 4 . . . Enjoy holiday shopping the way it used to be, as the **Christmas Open Houses** of our specialty shops continue. Be sure to register for the **Weekend Drawing** that awards \$50 Universal Dowagiac Gift Certificates to several holiday shoppers.

Borgess Tree of Love

Join Borgess-Lee Memorial Hospital and our community on **Wednesday, Dec. 3**, at 5:30 for this very special tree-lighting ceremony at Farr Park.

Symbolic of the donations raised to provide mammography services to the uninsured, a beautiful pine will be set aglow in pink lights. Honor someone special by making a donation to the **Borgess Tree of Love Campaign**.

For every \$8 donation, you can help an uninsured woman receive free mammography services.



Candle-light Parade

Friday, December 5

6 pm . . . As you await evening festivities, savor the hot chocolate and sweet delights available from our street vendors.

6:15 - 7 . . . Gather 'round the Beckwith Park for our Tree-Lighting Ceremony, pre-parade entertainment featuring **ACTION Chorale & Positively Dance**, and community caroling also led by ACTION.

7 pm . . . Listen for the tolling bell of our Town Crier and join Borgess-Lee Memorial Hospital and the Chamber as we usher in one of **Michigan's largest holiday events**. Our Candle-light Parade of 100 lighted floats, costumed characters & marching bands makes this a magical evening you'll long remember!

Our Proud Sponsors. . .

Borgess-Lee Memorial Hospital & the Chamber of Commerce, as the **Proud Hosts** of our celebration, along with these sponsors, invite you to enjoy our **Grand City** during this special season. . .

Burling & Gillesby, DDS
Chemical Bank
Clark Chapel
Family Fare

Front Street Crossing
Mahar Insurance
The Timbers of Cass County
Vylonis Contracting

DOWAGIAC



**Small Business
Saturday**

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: October 23, 2014

SUBJECT: Tree Removal Policy Extension

On September 12, 2011, Council approved a policy that encourages and assists homeowners in the removal of dead trees from their property with funding from the housing incentive program. The policy was in effect for three (3) years and expired on September 30, 2014.

We currently have four (4) applications for tree removal for FY 2014-15 and recognize there are still dead trees that need to be removed. The attached resolution would modify and extend the program for two (2) years with a budget of \$2,000 per year.

RECOMMENDATION

Authorize the resolution to modify and extend the tree removal policy.

Support Documents:
Cover Memo-City Mgr.
Resolution/Policy

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

WHEREAS, On September 12, 2011, City Council approved a tree removal policy to address the problem of Emerald Ash Bore within the City which has caused numerous trees to die, and;

WHEREAS, diseased trees can create a dangerous situation in the right-of-way as well as pose a significant liability to individual property owners, and;

WHEREAS, the City is responsible for and will take care of trees within the street right-of-way, and;

WHEREAS, the City recognizes that the cost to remove large Emerald Ash trees can be a barrier for property owners and wishes to modify and extend the tree removal policy that expired on September 30, 2014.

NOW, THEREFORE, BE IT RESOLVED that in an effort to assist property owners in this matter, City Council does hereby modify and extend the following policy:

1. Staff will solicit proposals from qualified, insured tree removal firms with the goal of receiving a quantity discount that will be passed directly onto homeowners.
2. The eligibility requirements of the Design Review Committee for the Housing Incentive Program will be amended to allow for a grant of up to \$200 per tree removal up to a maximum of three (3) trees removed per lot.
3. If the cost to the homeowner is less than \$500, the homeowner will be eligible to voluntarily place a special assessment on their property for up to two (2) years. If the cost is greater than \$500, the homeowner shall have the opportunity to voluntarily place a special assessment on their property for up to three (3) years. An interest rate of 2% shall be placed on the special assessments.
4. The program will be available on a first come, first serve basis. Funds are available for up to a total of 10 tree removals in the city each year.
5. The program will be in place for two (2) years ending in September 2016.
6. Staff will advertise to homeowners the availability of these discounted rates and incentives via the utility billing inserts, press releases, the City's website and other appropriate means.

ADOPTED/REJECTED

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

WHEREAS, the following information has been reviewed by the City Manager and City Treasurer and is being presented to City Council with a recommendation to approve invoices and payroll #2 for the period ending 10/23/14:

Invoices FY 2013-14	\$30,554.99
Invoices FY 2014-15	\$64,178.82
Payroll	<u>\$116,316.04</u>
Total	\$211,049.85

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>
\$94,733.81	\$116,316.04	\$211,049.85

Ayes:

Nays:

Absent:

Abstain:

James E. Snow, City Clerk

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: October 20, 2014

SUBJECT: Ordinance Amendment – Second Reading

An ordinance is on Monday's agenda for the 2nd 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 Dowagiac Area Federal Credit Union purchased the property and requested 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 lot.

The Planning Commission held a public hearing on October 6th to solicit public comment on the request and formally adopted a resolution recommending approval of the request with no conditions.

First reading of the ordinance was approved at the October 13, 2014 City Council meeting.

RECOMMENDATION

Approve the second reading of the ordinance amendment for the purpose of rezoning 512 Keene Avenue from the "R-2" Residential District to "OS" Office Service District.

Support Documents:
Cover Memo-City Mgr.
Ordinance

October 13, 2014 – 1st Reading
October 27, 2014 --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