



REGULAR MEETING OF THE DOWAGIAC CITY COUNCIL

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

Monday, March 25, 2013, 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 – March 11, 2013
- PROCLAMATION –
1. Proclamation declaring the last day in April as “Arbor Day”.
- PRESENTATION –
1. Presentation by Deputy Police Chief Steve Grinnewald regarding Cass County Missing Child Response Team.
- QUESTIONS FROM CITY COUNCIL –
- COMMENTS FROM THE AUDIENCE (NON-AGENDA) –
- COMMENTS FROM THE AUDIENCE (AGENDA) –
- COMMUNICATIONS –
1. Arbor Day Celebration, April 27, 2013
 2. National Day of Prayer, May 2, 2013
 3. Borgess-Lee Memorial Hospital Flower Basket Sale, May 10-12, 2013
 4. Dowagiac Union High School Principal Commencement Parking/Blocking of Street, June 2, 2013

5. Mill Pond Improvement Association Fishing Tournament, June 22, 2013
6. Niles Shockers Baseball Club, April 8, 2013 to the end of July 2013

CTTY MANAGER REPORT –

1. 2013 Spring Clean-Up Bid Award

RESOLUTIONS –

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

<u>BILLS</u>	<u>PAYROLL (13)</u>	<u>TOTAL</u>
\$549,296.17	\$170,944.60	\$720,240.77

ORDINANCES –

1. Second reading of an ordinance to amend Chapter 82, Article V, "Electric Provisions and Rates ", Section 82-279, "Electric rates of the Dowagiac City Code. (Roll Call)

CITY MANAGER REPORT ON QUESTIONS FROM COUNCIL FROM PREVIOUS MEETINGS –

COMMENTS FROM CITY OFFICIALS –

RESOLUTIONS, Continued (CLOSED SESSION) -

2. Resolution to adjourn to a closed session to discuss strategies to deal with litigation. (Roll Call)

ADJOURNMENT –

Kevin P. Anderson
City Manager

Attachments

DOWAGIAC CITY COUNCIL MEETING

Monday March 11, 2013

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

Mayor Lyons led the Pledge of Allegiance to the flag.

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

ABSENT: Councilmember Randall G. Gross, Sr.

STAFF: City Manager Kevin P. Anderson and City Clerk James E. Snow.

Councilmember Laylin moved and Councilmember Burling seconded that the minutes of the February 25, 2013 meeting be approved with corrections-Appointment.

Approved unanimously.

COMMENTS FROM THE AUDIENCE (NON-AGENDA)

Ron Leatz, 402 Main Street, Dowagiac, MI 49047
Junior Oliver, 416 Chestnut Street, Dowagiac, MI 49047

COMMUNICATION

1. Community-Wide Garage Sale, May 17-18, 2013

Councilmember Dodd moved and Councilmember Hunt seconded to approve the request.

Approved unanimously.

RESOLUTIONS

1. Resolution to approve the second amendment to the Elevated Water Storage Tank Space Lease for installation of cellular antennas on the water tank located at 917 Riverside Drive.

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

WHEREAS, AT&T wishes to improve coverage and expand services to their customers in and around the City of Dowagiac; and

WHEREAS, AT&T and the City has an antenna lease at the elevated storage tank on Riverside Drive, which has operated without incident for many years; and

DOWAGIAC CITY COUNCIL MEETING

Monday March 11, 2013

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WHEREAS, Dixon Engineering has reviewed and approved the proposed antenna installation and will serve as inspector of the installation; and

WHEREAS, the additional lease funds will be used to support capital projects in the City of Dowagiac.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to execute the attached second amendment to the elevated storage tank lease.

ADOPTED unanimously.

2. Resolution to adopt membership rates, benefits and program admissions for the Dowagiac Area History Museum.

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

WHEREAS, the Finance Subcommittee of the Museum Advisory Committee has studied appropriate rates for memberships and benefits for members; and

WHEREAS, the Museum Advisory Committee has met and concurs with the Finance Subcommittee's recommendations.

NOW, THEREFORE, BE IT RESOLVED that the following rates as recommended by the Museum Advisory Committee be established for membership and program fees:

- General admission to the museum exhibits will be free of charge.
- A membership program will continue from the former Museum at Southwestern Michigan College with the rates defined in the table below:

Membership Level	Annual Membership Fee
Senior (60+)	\$15
Senior Couple/Dual	\$25
Individual	\$25
Couples/Dual	\$35
Children Under 18	Free
Sustaining Member	\$100
Patron	\$250
Benefactor	\$500

DOWAGIAC CITY COUNCIL MEETING

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- The Museum will charge \$5.00 admission per adult non-member and \$2.00 per college student for lectures and other designated events. Children under 18 years old will be admitted to lectures free of charge. Larger events and fundraising events may have other admission fees with discounts for members. The Museum Director will have the discretion to waive fees for students that attend programs as part of an assignment.
- Benefits of membership will include free admission to lectures and reduced rates for other events; subscription to the newsletter; and invitations to events and exclusive members-only events.

BE IT FURTHER RESOLVED that the resolution shall be effective upon the date of adoption.

ADOPTED unanimously.

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

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

WHEREAS, the following information has been reviewed by the City Manager and City Treasurer and is being presented to City Council with a recommendation to approve invoices and payroll #12 for the period ending 3/7/13:

Invoices: 164,032.06
Payroll: 124,161.44
Total: \$288,193.50

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
\$164,032.06	\$124,161.44	\$288,193.50

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: One (1) Gross

Abstain: None (0)

DOWAGIAC CITY COUNCIL MEETING

Monday March 11, 2013

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ORDINANCE

1. First reading of an ordinance to amend Chapter 82, Article V, "Electric Provisions and Rates", Section 82-279, "electric rates of the Dowagiac City Code.

AN ORDINANCE TO AMEND CHAPTER 82 UTILITIES ARTICLE V "ELECTRIC AND ELECTRICAL RATES" SECTION 82-280 OF THE DOWAGIAC CITY CODE BE AND IS HEREBY AMENDED BY ITS REPEAL AND THE ADOPTION OF A NEW ARTICLE V "ELECTRIC AND ELECTRICAL RATES" SECTIONS 82-280 (09) AND (10) OF THE DOWAGIAC CITY CODE.

THE CITY OF DOWAGIAC ORDAINS:

Section 1: That Chapter 82, Utilities; Article V, "Electric and Electrical Rates", Section 82-280 of the Dowagiac City Code be and hereby is amended to read as follows:

ARTICLE V. ELECTRIC PROVISIONS AND RATES.

Sec. 82-280. Electric Rates

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

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

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

Section 2: 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: Dodd

This being the first reading, the Ordinance will be brought before the Council for a second reading and vote at the regular meeting March 25, 2013.

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RESOLUTIONS, Continued (CLOSED SESSION)

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

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

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 discuss strategies for dealing with litigation; and

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

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

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: One (1) Gross

Abstain: None (0)

TIME: 7:15 P.M.

LATER

Upon motion by Councilmember Laylin and seconded by Councilmember Dodd, the Dowagiac City Council adjourned at 7:38 p.m.

Donald D. Lyons, Mayor

James E. Snow, City Clerk



OFFICIAL PROCLAMATION

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and;

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and;

Whereas, Arbor Day is now observed throughout the nation and the world, and;

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and;

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community, and;

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and;

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal, and;

Whereas, the City of Dowagiac's Arbor Day originated through the efforts of Mr. Edward Darr, and is celebrated through various festivities and the annual tree planting, and;

Whereas, the City has been annually designated as a Tree City USA, and;

Whereas, the City has forged a commitment to managing our urban forest.

Now, Therefore, I, Donald D. Lyons, Mayor of the City of Dowagiac, do hereby proclaim the last Friday in April, as

Arbor Day

in the City of Dowagiac from this date forward, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and;

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Donald D. Lyons, Mayor

Done at the City complex this 25th day of March 2013

Dogwood Tree City USA Committee

March 21, 2013

Dowagiac City Council
Dowagiac City Hall
241 South Front Street
Dowagiac, MI 49047

Dear Council Members,

We, the Dogwood Tree City USA Committee, in partnership with the National Arbor Day Foundation, will again embark on the Arbor Day Celebration in Dowagiac on Saturday, April 27, 2013.

We hereby request your permission to use Riverside Cemetery on Saturday, April 27, 2013, from 10:00 a.m. until 5:00 p.m. for the City of Dowagiac Arbor Day Celebration. The celebration will include Dowagiac School children poster and photography contest winners; chili contest; free lunch; tree planting demonstration; and live tree climbing demo and bucket truck pruning. We invite each of you to attend. We have also invited several local dignitaries to attend. We are pleased to announce our guest speaker will be Master Gardener Carole Bettig. We will be dedicating this Arbor Day and all future Arbor Days in memory of Ed Darr.

It is our hope and objective to make Dowagiac one of the most beautiful cities in the U.S.A.

Thank you for your consideration of this request.

Respectfully,

DOGWOOD TREE CITY USA COMMITTEE

Dan & Tammy Williams
Bob & Donna Schuur
John Eby

Barb Wegner
Matt Stack
Shirley Larson

Sue Watson
Brad Yazel

**CITY OF DOWAGIAC
EVENT APPROVAL FORM**

Name of Event: Arbor Day Celebration, Riverside Cemetery
Date(s) of Event: April 27, 2013
Sponsoring Organization: The Dogwood Tree City USA Committee
Contact Person(s): Dan Williams
Contact Person's Telephone: 876-2393

CITY MANAGER:

_____ Final Approval _____ Denial

Comments: _____

Signature _____ Date _____

Department Heads:

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

DEPARTMENT OF PUBLIC SAFETY:

Approval _____ Approval with conditions _____ Denial _____

Comments: _____

Signature *St. G. Hill* Date 3/21/13

DEPARTMENT OF PUBLIC SERVICES:

Approval _____ Approval with conditions _____ Denial _____

Comments: _____

Signature *James Budy* Date 3-21-13

DOWNTOWN DEVELOPMENT AUTHORITY:

_____ Approval _____ Approval with conditions _____ Denial _____

Comments: _____

Signature *V. Phillipson* Date 3-21-13

RECEIVED

MAR 19 2013

March 19, 2013

Mayor and Council

In 1775 the Continental Congress allocated a time for prayer in forming a new nation. Over the years, there have been calls for a day of prayer, including from President Abraham Lincoln in 1863. On April 17, 1952, President Harry Truman signed a bill proclaiming the National Day of Prayer into law in the United States. President Ronald Reagan amended the law in 1958, designating the first Thursday of May each year as the National Day of Prayer.

Therefore, the Area Churches Together In One Network (ACTION) request use of the south lawn of City Hall at noon, May 2, 2013 to observe the National Day of Prayer.

Thanking you at this time for your consideration.

John Kasper

Pastor, First Methodist Church of Dowagiac

326 North Lowe Street

Dowagiac, Michigan 49047

782-5107

CITY OF DOWAGIAC
EVENT APPROVAL FORM

Name of Event: National Day of Prayer
Date(s) of Event: May 2, 2013
Sponsoring Organization: Area Churches Together In One Network (A.C.T.I.O.N.)
Contact Person(s): Pastor John Kasper, First Methodist Church of Dowagiac
Contact Person's Telephone: 782-5167

CITY MANAGER:

Final Approval Denial

Comments: _____

Signature _____ Date _____

Department Heads:

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

DEPARTMENT OF PUBLIC SAFETY:

Approval Approval with conditions Denial

Comments: _____

Signature *St. L. Smith* Date 3/21/13

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature *James Bradford* Date 3-21-13

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature *W. T. Pulleyson* Date 3-21-13

420 W. High Street
Dowagiac, MI 49047
(269) 782-8681

BORGESS
Lee Memorial Hospital

March 18, 2013

Kevin Anderson
City Manager
241 S. Front St.
PO Box 430
Dowagiac MI 49047

Dear Mr. Anderson:

The Shared Nursing Governance Committee at Borgess-Lee Memorial Hospital would like to do a flower basket sale as a fundraiser during the first part of the Dogwood Festival. To do this, we would like to reserve the park area in downtown, where the gazebo is, on the corner of Front and Beeson Streets. The dates we would like are Friday May 10th through Sunday May 12th. We would like to use the gazebo as the center point of the sale.

The committee will provide a small tent and any tables and chairs that are needed. We will handle our set up and take down and will not require any assistance from the city.

Please let Nancy True, senior administrative assistant at Borgess-Lee know if we can use this area during the dates noted. She will forward that decision to me.

Thank you for your valuable time.

Sincerely,

Mary Tumbleson, RN

CITY OF DOWAGIAC
EVENT APPROVAL FORM

Name of Event: Borgess-Lee Memorial Hospital Flower Basket Sale
Date(s) of Event: May 10-12, 2013
Sponsoring Organization: Shared Nursing Governance Committee
Contact Person(s): Nancy True, Mary Tumbleson
Contact Person's Telephone: 782-8681

CITY MANAGER:

Final Approval Denial

Comments: _____

Signature _____ Date _____

Department Heads:

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

DEPARTMENT OF PUBLIC SAFETY:

Approval Approval with conditions Denial

Comments: _____

Signature *St. Hill* Date 3/21/13

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature *James Butler* Date 3-21-13

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature *V. Phillipson* Date 3-21-13

DOWAGIAC UNION SCHOOLS

"Building on a Tradition of Excellence"

Fully Accredited by the University of Michigan Since 1892 and the North Central Association Since 1906

March 12, 2013



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

Dear Mr. Anderson:

Our Commencement will be held on Sunday, June 2, 2013 at 2:00 p.m. We would like permission to park cars on Solomon Street. In addition, we would like to block off Solomon Street from 1 p.m. to 4 p.m.

Please let me know if this meets with your approval.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that appears to read "Pieter Hoekstra". The signature is fluid and cursive.

Pieter Hoekstra
Principal
Dowagiac Union High School
269-782-4428

CITY OF DOWAGIAC
EVENT APPROVAL FORM

Name of Event: Commencement Parking Request & Blocking Off Solomon Street
Date(s) of Event: June 2, 2013 (1-4 p.m.)
Sponsoring Organization: Dowagiac Union High School
Contact Person(s): Pieter Hoekstra, Principal
Contact Person's Telephone: 782-4428

CITY MANAGER:

Final Approval Denial

Comments: _____

Signature _____ Date _____

Department Heads:

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

DEPARTMENT OF PUBLIC SAFETY:

Approval Approval with conditions Denial

Comments: _____

Signature Tam O'Brien Date 3-15-13

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature James D. Bradford Date 3-15-13

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature Phillips Date 3-18-13

To the CITY OF DOWAGIAC.

I am submitting this LETTER OF REQUEST to you, For your permission to hold our MILLPOND IMPROVEMENT ASSOCIATION 3^r^d Annual Multi-Species Fundraising Fishing Tournament, at the James Heddon Park on Sat. June 22ⁿ^d from 6 am to 3:30 pm. I am also asking to be able to have a Port-O- Pit vendor on site during this event. Last year the Parks department supplied us with four barricades, Four picnic tables and eight extra trash bags so we could clean out all trash cans at the end of our event. This was very much appreciated. I was hoping the Parks Dept. could do that again this year. I have also included a copy of our Tournament Contract , That every contestant must sign to enter. Thank you from all of us at the M.I.A. for your considerations. If you have any questions or concerns please contact me .

Thank-you.

Rick O'Konski

Tournament Director /Vice Pres. of M.I.A.

(269) 262-2163

E-Mail: Bassman_ro@yahoo.com

03/18/2013

MILLPOND IMPROVEMENT ASSOCIATION 3rd ANNUAL MULTI SPECIES FUNDRAISING FISHING TOURNAMENT

When: June 22nd, 2013 7:00am – 1:00pm Rain or Shine. Sign up starts on Sat. June 1st. at Cranky Hanks.

Where: MillPond – Heddon Park

LAUNCH: MillPond – Heddon Park

PARKING: at MillPond Heddon Park &

Additional Parking: At Corner of M-62 and Colby. Will have parking signs and attendant.

ENTRY FEE: \$45.00 Non-Refundable. 40 teams max.

PAY BACK: Will Pay \$100.00 cash prize on 1st place \$50.00 on 2nd Place of all 4 categories, Which are: Bluegill, Bass, Crappie, and Carp. All Participants will receive a door prize. Grand Prize. (Mystery)

5-Teams can fish without a boat from shore at Heddon Park. Sign up early, spaces will go quick!

Starting order will be determined by the date and time entries are received.

1. All state and local laws must be observed. One team member must be 18 yrs of age.
2. Bass must be 14 inches in length with mouth closed. Heaviest Bass wins,. Longest bass breaks tie. must have live well. Bass will be released after being weighed. No limit on Carp, length, size or quantity, Can be speared, Bow or Rod & Reel. If Ties occur with Bluegill or Crappie by length, will add weight. Still tied winnings will be split.
3. All entrants must have USCG approved life jackets or vest's .
4. All boats must be in the water and the participants at the pre-tournament meeting site by 6:40am.
5. There will be a half pound penalty for dead bass.
6. Late returns will result in a penalty of one pound for Bass and Carp, and one inch for panfish per minute, after five minutes teams are automatically disqualified.
7. Any and all protests must be made during the weigh in.
8. All decisions of tournament officials are final.
9. No alcoholic beverages will be allowed during the tournament. If you smoke please keep butts contained! Not on the park grounds or in the lake. THANK-YOU.
10. Live well and compartment check will be done prior to tournament.
11. Lake is off limit to participants the day before the tournament.
12. MILLPOND is a NO WAKE lake, Violaters will be disqualified

REMEMBER: Respect other people at the ramp and on the lake. Lend each other a hand loading and unloading. No littering please. This is to be a fun tournament; so have a good time and an enjoyable day. GOOD FISHING!

PLEASE PRINT

Name: _____	Name: _____
Address: _____	Address: _____
City: _____ State: _____	City: _____ State: _____
Zip Code: _____	Zip Code: _____
Telephone: _____	Telephone: _____
Signature: _____	Signature: _____

ALL INFORMATION MUST BE COMPLETE AND ACCURATE. Date: _____

My Signature above indicates that I have acquainted myself with the rules and in signing this application, I hereby waive and release all other contestants, sponsors, MillPond Improvement Association, City of Dowagiac, and tournament officials and or volunteers from all claim or injury and/or damage incurred in connection with the tournament.

MILLPOND IMPROVEMENT ASSOCIATION 3rd ANNUAL MULTI SPECIES FUNDRAISING FISHING TOURNAMENT



**SCHEDULED TO BE HELD - SATURDAY JUNE 22nd , 2013
MILLPOND - HEDDON PARK, DOWAGIAC MICHIGAN
7:00AM - 1:00PM (Rain or Shine)**

**2 MAN TEAMS - \$45.00 ENTRY FEE PER TEAM. 40 TEAMS. Max.
5 TEAMS without boats can fish from the shore at Heddon Park,
Teams must sign up at Cranky Hanks starting June 1st.**

1st & 2nd PLACE EACH CATEGORY

BLUEGILL 1st \$100.00 / 2nd \$ 50.00 - Longest

CRAPPIE 1st \$100.00 / 2nd \$ 50.00 - Longest

BASS 1st \$100.00 / 2nd \$50.00 - Largest Bass by weight

CARP 1st \$100.00 / 2nd \$ 50.00 - Largest combined weight, no limit

Grand prize, (Mystery Gift)

DOOR PRIZES FOR ALL PARTICIPANTS

We will also be selling vouchers for Dialo's Catering ,Port-o- Pit chicken dinners for the price of \$10.00 (1/2 Chicken) during sign up ,So you can eat after the Tournament. 40% of the dinner sales will be given to our fundraiser. You can buy as many as you want but the voucher sale ends June 20th. So don't miss out!

**ALL PROCEEDS GO TO THE MILLPOND IMPROVEMENT ASSOCIATION
FOR DAM REPAIRS AND UPKEEP OF THE LAKE**

**PLEASE HELP OUR ASSOCIATION PRESERVE & MAINTAIN
THE HISTORICAL MILLPOND**

**Any questions or would like to donate or help sponsor this event
PLEASE CALL RICK at 269-262-2163**

**REGISTER/SIGN UP AT CRANKY HANKS BAIT SHOP
(269-462-9272) 24992 Marcellus Highway Dowagiac, MI
(Corner of Marcellus Hwy. & Twin Lakes Road)**

CITY OF DOWAGIAC
EVENT APPROVAL FORM

Name of Event: Mill Pond Fishing Tournament
Date(s) of Event: June 22, 2013
Sponsoring Organization: Mill Pond Improvement Association
Contact Person(s): Rick O'Konski
Contact Person's Telephone: 262-2163

CITY MANAGER:

Final Approval Denial

Comments: _____

Signature _____ Date _____

Department Heads:

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

DEPARTMENT OF PUBLIC SAFETY:

Approval Approval with conditions Denial

Comments: _____

Signature St. L. M. ell Date 3/21/13

DEPARTMENT OF PUBLIC SERVICES:

Approval Approval with conditions Denial

Comments: _____

Signature James Bradford Date 3-21-13

DOWNTOWN DEVELOPMENT AUTHORITY:

Approval Approval with conditions Denial

Comments: _____

Signature Puller Date 3-21-22

RECEIVED MAR 11 2013

Niles Shockers Baseball Club
8275 Chapel Road
Niles, MI 49120
nilesshockers@att.net

Request for Facilities Use

The Niles Shockers Baseball Club (NSBC) is starting its 5th year. NSBC proudly represents the Greater Niles and Surrounding area with 3 teams playing competitive baseball throughout Southwest Michigan, Northern Indiana, and Ohio. Our teams play as the Niles Shockers. The NSBC season began in January with winter workouts and extends through September, playing 8 to 12 tournaments and numerous other local games.

We are the 13U part of this program. Our roster consists of kids from Southwest Michigan with almost half of these players being from Dowagiac as well as three coaches. Many of our sponsors are also from the Dowagiac area.

Our goal is to prepare these young men for what we hope is a future in baseball, but more importantly for a productive life. Participation in these activities provides excellent instruction in baseball and helps keep these young men remain active and learn the importance of teamwork.

We are writing in hopes of using the facilities at Rotary Park for practice and games. The baseball field is actually too big, so we would like to use the field where the slow pitch league is played. Our teams play primarily on dirt infields and require 80 foot bases and a 54 foot pitching rubber. We have a portable mound that we can bring to the games / practices, and if the field is not pegged for 80 foot bases we have temporary bases that we can use. We would love to use the facilities in Dowagiac as they are a central location for many of our players and the teams that we would be competing against. We do have monies available to help offset any costs that are associated with the use of said facilities. However, most of our monies are earmarked for our players by providing them the best and safest equipment we can provide.

Attached to this letter is a certificate of liability insurance. This certificate would keep the city from being responsible for accidents in the event that any were to occur.

We would like to use the field beginning Monday April 8th from 5:30 to 7:30, and continue Monday nights until the end of July. We are planning to host games each Monday night in May that would bring in teams from neighboring communities. These teams would be required to provide proof of their insurance coverage. We would also like to host a tournament on the 12th and 13th of July. This could bring several overnight guests to town benefitting local businesses.

On our Monday night practices and games, we do not feel that we would need any special field preparation or light usage. If we are able to host a tournament, we would need to have some field prep as well as the possibility of lights.

We appreciate your time in considering our request and look forward to bringing additional baseball and the potential business increase to Dowagiac. Please contact one of the coaches below if you have any questions or need any additional information.

Thank you,

Niles Shocker Baseball Club

Jason Alexander (269)405-5623

Jay Brackensick (574)276-7786

Mike Behnke (269)462-0952



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/12/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Terry L Green & Associates P.O. BOX 367 Snellville GA 30078-	CONTACT NAME: Matt Gonglach	
	PHONE (A/C No. Ext): (678) 344-9994 FAX (A/C No.): (678) 205-8045 E-MAIL ADDRESS: matt@esportsinsurance.com	
INSURED American Youth Sports Athletic Assn Inc DBA Niles Shockers Baseball Club 8275 chapel Rd Niles, MI 49120	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Philadelphia Insurance Company	
	INSURER B: United States Fire Insurance Co	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Participants GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y		PHPK952660	01/13/2013	01/01/2014	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 Participants \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				/ /	/ /	COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$				/ /	/ /	EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A		/ /	/ /	WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Excess Medical Deductible \$250			US074589	01/13/2013	01/01/2014	Excess Medical Benefit 25,000 AD&D 10,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Coverage is provided under this policy for sponsored and supervised activities of the named insured for which a premium has been paid.

OBLMI131361
Youth Baseball Ages 13-15
CERTIFICATE HOLDER NAMED AS ADDITIONAL INSURED

CERTIFICATE HOLDER () - () - Niles Shockers Baseball Club 8275 chapel Rd Niles, MI 49120	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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From the City Manager:

2013 SPRING CLEANUP BID

Attached is a summary of bids received for providing pickup and disposal services as part of the 2013 Spring Clean-Up Program. As indicated in the bid summary below, we received two bids:

BIDDER	LABOR & EQUIPMENT HOURLY RATE (40 hrs. assumed)	DISPOSAL CHARGE (per Ton) (50 tons assumed)	20 CYD Container (per load) (2 containers assumed)	TOTAL
Michiana Recycling & Disposal Services Niles, MI	\$7,200.00	\$1,750.00	\$ 660.00	\$9,610.00
Reliable Disposal Stevensville, MI	\$7,200.00	\$1,600.00	\$660.00	\$9,460.00

Based on clean-up program data from the last five years, the total cost to the City for this year's service is expected to be approximately \$9,460.00. This year's program is scheduled for the week of April 22-26. A memo from DPS Director Jim Bradford summarizing the bids is attached for your information.

RECOMMENDATION

I recommend that City Council authorize a contract with Reliable Disposal of Stevensville, Michigan for the 2013 Spring Cleanup in accordance with the bid submitted on March 19, 2013.

Councilmember _____ moved and Councilmember _____ seconded that the recommendation of the City Manager be ADOPTED/REJECTED.



INTER-DEPARTMENTAL COMMUNICATION

TO: Kevin P. Anderson
City Manager

FROM: James D. Bradford 
DPS Director

DATE: March 20, 2013

RE: 2013 SPRING CLEAN-UP BID AWARD RECOMMENDATION

We recently advertised for bids for our annual Spring Clean-up Week, scheduled for April 22– April 26, 2013. The public bid opening was conducted at 3:00 p.m., Tuesday, March 19, 2013, in the City Clerk's Office. Two bids were received out of four solicitations. Below is a tabulation of the bids received.

BIDDER	LABOR & EQUIPMENT HOURLY RATE	DISPOSAL CHARGE (per Ton)	20 CYD Container (per load)
Michiana Recycling & Disposal Services Niles, MI	\$180.00 – 1 truck w/2 men	\$35.00	\$330.00
Reliable Disposal Stevensville, MI	\$180.00 – 1 truck w/2 men	\$32.00	\$330.00
Best Way Disposal Watervliet, MI	NO BID RECEIVED		
Waste Management of MI Lennon, MI	NO BID RECEIVED		

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

BIDDER	LABOR & EQUIPMENT HOURLY RATE (40 hrs. assumed)	DISPOSAL CHARGE (per Ton) (50 tons assumed)	20 CYD Container (per load) (2 containers assumed)	TOTAL
Michiana Recycling & Disposal Services Niles, MI	\$7,200.00	\$1,750.00	\$ 660.00	\$9,610.00
Reliable Disposal Stevensville, MI	\$7,200.00	\$1,600.00	\$660.00	\$9,460.00

The fiscal year 2012-13 budget includes \$9,500 for this year's program. Therefore, I am hereby recommending that we award the Spring Clean-up contract to *Reliable Disposal* of Stevensville, Michigan.

JDB:sw
Attachments

enc. Bid Advertisement Notice
Spring Clean-up Week flyer

ADVERTISEMENT FOR BIDS

Waste Disposal Services for Citywide Annual Spring Clean-Up Week

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

Bids will be received until 3:00 p.m. EST, Tuesday, March 19, 2013, at the Dowagiac City Hall, P.O. Box 430, 241 South Front Street, Dowagiac, Michigan 49047; at which time and place all bids will be publicly opened and read aloud. Bids must be clearly marked in the lower left-hand corner of the envelope as "SPRING CLEAN-UP WEEK BID".

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

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

DATED: March 4, 2013

James E. Snow
City Clerk



SPRING CLEAN-UP WEEK **APRIL 22 – APRIL 26, 2013**

CITY OF DOWAGIAC DEPARTMENT OF PUBLIC SERVICES

*******All materials must be placed curbside prior to 6:00 a.m. Monday, April 22, 2013*******

The following restrictions apply to all disposed materials:

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

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

To minimize blighting effects within our neighborhoods, **debris may not be placed curbside prior to Saturday, April 20, 2013.** Violators will be subject to penalties as prescribed by the City's Blight Ordinance.

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

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

Thank you for your cooperation.

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

WHEREAS, the following information has been reviewed by the City Manager and City
Treasurer and is being presented to City Council with a recommendation to
approve invoices and payroll #13 for the period ending 3/21/13:

Invoices: 549,296.17
Payroll: 170,944.60
Total: \$720,240.77

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
\$549,296.17	\$170,944.60	\$720,240.77

ADOPTED/REJECTED

Ayes:

Nays:

Absent:

Abstain:

James E. Snow, City Clerk

INVOICE REGISTER FOR CITY OF DOWAGIAC
POST DATES 03/19/2013 - 03/19/2013
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: GEN VENDOR CODE: 0473

Vendor	Invoice #	Description	Amount
STATE OF MICHIGAN	ME-0200312	SALES & TAX-FEBRUARY 2013	14,770.79
		Total:	<u>14,770.79</u>

Vendor	Invoice #	Description	Amount
ABSOPURE WATER COMPANY	53935300	C&C COOLER RENTAL-NUBOUR	6.00
ABSOPURE WATER COMPANY	53932299	H&C COOLER RENTAL	8.00
ABSOPURE WATER COMPANY	82706811	BOTTLED WATER/DEPOSIT	17.25
ACCOE, RICHARD & LYNN	2/28/13	TAX BILL OVERPAYMENT 14-160-100-108-00	28.01
ACCOUNTING CONSULTANTS, PC	2/28/13	CONSULTING SVC THROUGH 2/28/13	1,867.50
AIRGAS GREAT LAKES	9907992221	WELDING SUPPLIES	50.27
ALTEC INDUSTRIES, INC	10040957	#5 SYNTHETIC ROPE ASSEMBLY	181.68
ALTEC NUECO	10037633	#5 WIRE ROPE SLING	87.31
AMERAPLAN	4/13	AMERAPLAN ADMIN FEE	720.00
AMERICAN ELECTRIC POWER	CDOW_201302_01	2/13 ENERGY	358,868.47
AMERIGAS - HARTFORD 5254	3015877507	PROPANE	842.97
AT&T MOBILITY	287019289817	WIRELESS CHARGES 1/24/13-2/23/13	806.99
AUSRA, JOANN	3/12/13	MARCH BOARD OF REVIEW	75.00
AUTOZONE	2141903022	#FD221/220 VEHICLE MTCE	55.96
BALOS ENGINEERING & ELECTRIC, INC	7781	LINE RELOCATION-MUSEUM	15,160.00
BLUE CROSS/BLUE SHIELD	4/13	HEALTH INSURANCE PREMIUM-APRIL 2013	49,741.82
BURLING CONSTRUCTION	222	TOILET TISSUE HOLDERS/MIRRORS-MUSEUM	379.00
BURLING CONSTRUCTION	221	INSTALL WINDOWS-BUTLER BLDG	779.25
BURLING CONSTRUCTION	223	L&M INSTALL THRESHOLD/FASTENERS-DEPOT	98.50
BUTRICK, ENOS	03/13/2013	UB refund for account: 16-1555-15	48.09
C WIMBERLY AUTOMOTIVE GROUP	44621	#220 DART CALIPER PIN	67.20
C WIMBERLY AUTOMOTIVE GROUP	206921	LIGHT BULB	16.01
CARLILE, JANET	3/14/13	CHRISTMAS TREES	598.00
CASCADE SUBSCRIPTION SERVICE, INC	1234181	FIRE ENGINEERING SUBSCRIPTION-EVANS	142.00
CHET NICHOLS, INC	320808	WIPER BLADES	16.72
CHET NICHOLS, INC	320477	FWS AXLE NUT SOCKET	12.75
CHET NICHOLS, INC	320080	BED COATING	62.45
CHET NICHOLS, INC	322817	#128 BATTERY	95.95
CHET NICHOLS, INC	322818	#128 CORE RETURN	(14.00)
CLINE, JEAN	3/12/13	MARCH BOARD OF REVIEW	125.00
COFFEY, ROBIN	3/20/13	MILEAGE REIMBURSEMENT-16 MILES	9.04
COMCAST	8771402380127306	CABLE TV-FD	25.00
COMCAST	8771402380126332	INTERNET SERVICE-FD	66.95
CORE TECHNOLOGY CORPORATION	4/26/13	LEIN SOFTWARE RENEWAL	600.00
DOWAGIAC CLEANERS	3/1/13 DPD	UNIFORM CLEANING	93.00
DOWAGIAC UNION SCHOOLS	201213-16	FUEL EXPENSES-FEBRUARY 2013	11,507.46
DUST BUSTERS	4/13	4/13 CLEANING SERVICES	1,725.00
ELHORN ENGINEERING COMPANY	250947	CCWS-CHEMICALS	560.00
ELMER'S LOCKSMITH	6233	KEYS/LOCKS-MUSEUM	553.00
ENGINEERING SUPPLY & IMAGING CORP	51623	MTCE PARTS-VIDAR SCANNER	2,208.77
ENJOYMENT & IMAGE PUBLICATIONS	17438	SHIRTS-RUTKOWSKE/WIGGINS	88.00
FIA CARD SERVICES	0252	LUNCH MEETING	19.80
FIA CARD SERVICES	0252	ECON DEV MEETING	14.34
FIA CARD SERVICES	0252	KEY LOCK BOX	308.46
FIA CARD SERVICES	0252	SCANNER	271.99
FIA CARD SERVICES	0252	MONUMENT GLOBES	150.25
FIA CARD SERVICES	0252	PC MEMORY	59.35
FIA CARD SERVICES	0252	LIFT STATION REPORTS	59.99
FIA CARD SERVICES	0252	TRAINING COURSE	112.00
FIA CARD SERVICES	0252	KEYBOARD/MOUSE	42.39
FIA CARD SERVICES	0252	LIFT STATION ALARMS	24.99
FIA CARD SERVICES	0252	KOBALT TAMPERS	51.96
FIA CARD SERVICES	0252	CONDUIT FITTINGS	22.75
FIA CARD SERVICES	0252	CONDUIT FITTINGS	30.26
FIA CARD SERVICES	0252	KEY LOCK BOX	281.00

Vendor	Invoice #	Description	Amount
FLAGS UNLIMITED	3/7/13	FLAGS	1,337.00
FRONTIER	51700117650520115	CCWS DATA LINE 3/10/13-4/9/13	115.99
GALLARDO, LILIA	03/13/2013	UB refund for account: 15-2027-11	230.10
GALLS, INC	000464985	HOLSTER	64.49
GALLS, INC	000462292	NAME TAG-HOLMES	18.34
GARAGE DOORS PLUS MORE, INC	3379	WWTP GARAGE DOOR OPENER	598.20
GRAINGER, INC	9082806549	TOILET PAPER	205.40
GRAMES TIRE & BATTERY, INC	1860	#131 2 TIRES	300.00
GRAMES TIRE & BATTERY, INC	1855	#2 TIRE REPAIR	17.95
HACH COMPANY	8180467	WWTP LAB SUPPLIES	545.68
HALE'S HARDWARE, INC	B14924	WTP PUMP MTCE PARTS	19.37
HALE'S HARDWARE, INC	C13250	#155 TANK SPRAYER	19.39
HALE'S HARDWARE, INC	B14894	VELCRO TAPE	26.04
HALE'S HARDWARE, INC	B15427	MARKER/BATTERIES	11.63
HALE'S HARDWARE, INC	C13527	BOWL CLNR/BATH CLNR/POLISH	38.70
HALE'S HARDWARE, INC	C13249	NUTS/BOLTS/WASHERS	113.93
HALE'S HARDWARE, INC	B14911	NUTS/BOLTS/WASHERS	9.70
HALE'S HARDWARE, INC	10079226	OHMS DIGITAL METER	69.99
HALE'S HARDWARE, INC	10078649	BATTERIES	19.96
HALE'S HARDWARE, INC	C13158	OPERATING SUPPLIES	117.21
HALE'S HARDWARE, INC	D9896	OPERATING SUPPLIES	32.13
HALE'S HARDWARE, INC	C12781	#9 CABLE CLAMP	2.50
HALE'S HARDWARE, INC	B14177	KEYS	7.71
HALE'S HARDWARE, INC	B14713	MOUSE POISON/BRUSH	14.40
HALL, DONALD	3/12/13	MARCH BOARD OF REVIEW	125.00
HANSON BEVERAGE SERVICE	550164	DISTILLED WATER	40.50
HARDING'S MARKET, INC	337017	OPERATING SUPPLIES-FD	94.38
HERITAGE CRYSTAL CLEAN, LLC	12413139	30 GAL DRUM MOUNT	259.93
IMMDA	980	PROF/LEGAL SERVICES	1,995.22
JUDD LUMBER COMPANY, INC	2518652	GRAB ADHESIVE/GORILLA TAPE ROLL	13.57
JUDD LUMBER COMPANY, INC	2518562	SAFETY GLASSES	17.99
JUDD LUMBER COMPANY, INC	2518548	SAW BLADES	22.48
JUDD LUMBER COMPANY, INC	2518743	OPERATING SUPPLIES	142.12
JUDD LUMBER COMPANY, INC	3/14/13	CREDIT ON DUPLICATE INVOICE PAID	(137.49)
JUDD LUMBER COMPANY, INC	2518636	TRIM	7.76
JUDD LUMBER COMPANY, INC	2518610	DRYWALL CUTTING BIT	11.99
K M INTERNATIONAL, INC	5381	#155 TEMPERATURE PROBE	108.93
KIESLER'S POLICE SUPPLY, INC	00702149	AMMUNITION	370.88
KLUG, PATRICIA	3/7/13	MILEAGE REIMBURSEMENT-16 MILES	9.04
LAGROW, CINDY	4/13	4/13 ECONOMIC DEVELOPMENT SERVICES	2,060.00
LAKE MICHIGAN MAILERS, INC	276074	POSTAGE	5,000.00
LEXIS NEXIS RISK SOLUTIONS, INC	976022	CDL DRUG TESTING	74.50
LIVINGSTON, WILLIAM	03/13/2013	UB refund for account: 16-0979-2	87.23
M&R ELECTRIC S W, INC	4729	WIRE PULLING LUBRICANT	112.00
MATTIX, MICHAEL	3/16/13	REIMBURSEMENT-OPER SUPPLIES	20.97
MERRILL EXCAVATING	2115	DEMOLITION-228 E HIGH	2,350.00
MERRILL EXCAVATING	2116	DEMOLITION-515 S FRONT	4,350.00
MI FIRE INSPECTORS SOCIETY	3/18/13	FIRE SAFETY INSPECTORS TEST-G EVANS	300.00
MICHIANA TRUCK CENTER	44216	#103 MIRROR ASSEMBLY	297.82
MICHIGAN PUBLIC POWER AGENCY	20130315005	ENERGY EFF SVC COMM FEE-2/13	214.98
MILLER, CANFIELD, PADDOCK AND STONE	1198954	TRANSPORTATION AUTHORITY	825.00
MISSION COMMUNICATIONS, LLC	40019926	ANNUAL ALARM SERVICE FEE	1,042.20
MRWA	CV1117-13	2013 MEMBERSHIP FEE-PARTIAL	96.00
NASH SERVICES, INC	13177	#106 ALTERNATOR	410.88
NRPC-AMTRAK	LEASE ID:A A00055	GRADE XING MTCE FEE-HIGH/PARK/PR RONDE	6,912.00

Vendor	Invoice #	Description	Amount
O'BOYLE COWELL BLALOCK AND ASSOC	51010.03-8	RUSSOM PARK	702.77
PAYNE, ROY	03/08/2013	UB refund for account: 03-3165-13	100.00
PETTY CASH	3/12/13	POSTAGE	12.50
PETTY CASH	3/12/13	OPERATING SUPPLIES-PD	52.87
PETTY CASH	3/12/13	OPERATING SUPPLIES-FD	21.19
POORMAN, DAWN A	03/13/2013	UB refund for account: 12-2342-4	22.73
POWER LINE SUPPLY, INC	5714561	15KV CUTOUPS	2,550.87
POWER LINE SUPPLY, INC	5714560	BOLTS	49.00
POWER LINE SUPPLY, INC	5712866	GRIPS	164.44
POWER LINE SUPPLY, INC	5713305	TERMINATION KITS	917.14
POWER LINE SUPPLY, INC	5714562	LOADBREAK BUSHING	270.45
POWER LINE SUPPLY, INC	5712867	CABLE PREP KITS	54.50
POWER LINE SUPPLY, INC	5715869	DEADBREAK CONNECTORS	7,990.54
POWER LINE SUPPLY, INC	5715817	CONDUIT REDUCER	108.94
POWER LINE SUPPLY, INC	5716350	HARNESS/LANYARD	170.00
POWER LINE SUPPLY, INC	5716452	CROSSARMS/GUY MARKERS/COMP SLEEVES	1,862.00
POWER LINE SUPPLY, INC	5716470	BREAKOUT BOOT/CABLE	215.68
POWERNET GLOBAL COMMUNICATIONS	28837119	LONG DISTANCE SERVICE 2/12/13-3/12/13	107.84
PRECISION DATA PRODUCTS	I0000375335	PRINTER SUPPLIES	323.24
PVS TECHNOLOGIES, INC	173294	WWTP FERROUS CHLORIDE	1,858.00
REAL PRO SOLUTIONS, LLC	SP183	CCWS-SNOW PLOWING PENN PUMP HOUSES	65.00
REAL PRO SOLUTIONS, LLC	SP184	CCWS-SNOW PLOWING VANDALIA TOWER	55.00
REAL PRO SOLUTIONS, LLC	1358	BLIGHT CLEANUP-307 W TELEGRAPH	85.00
RELIABLE DISPOSAL, INC #646	0646-000712606	DUMPSTER-DPS WAREHOUSE	254.76
RHOADES MCKEE	229399	DEFENSE OF RCRA LAWSUIT	4,122.50
RURAL HOUSING SERVICE	3/7/13	DUPLICATE TAX PAYMENT 14-160-200-781-00	144.60
RUTKOWSKE, JASON	680440208-00002	CELL PHONE REIMBURSEMENT	60.00
SCHERER, JOE DBA LONELY PI	4/13	4/13 INT PMT ACCT 7508450033	6,174.53
SCHERR, ROZANNE	3/8/13	REIMBURSEMENT-SHRM MBRSHIP/HR TRAINING	265.00
SCHRAG, LEESHA B	03/13/2013	UB refund for account: 08-2230-17	52.26
SEMCO ENERGY GAS COMPANY	0147944.500	GAS SERVICE 2/1/13-3/1/13	94.34
SEMCO ENERGY GAS COMPANY	0346992.502	GAS SERVICE 1/31/13-2/28/13	18.28
SEMCO ENERGY GAS COMPANY	0149089.500	GAS SERVICE 2/4/13-3/4/13	218.90
SEMCO ENERGY GAS COMPANY	0149077.500	GAS SERVICE 2/4/13-3/4/13	665.07
SEMCO ENERGY GAS COMPANY	0146763.501	GAS SERVICE 2/1/13-3/1/13	992.41
SEMCO ENERGY GAS COMPANY	0149138.502	GAS SERVICE 2/4/13-3/4/13	236.49
SEMCO ENERGY GAS COMPANY	0148809.501	GAS SERVICE 2/4/13-3/4/13	524.33
SEMCO ENERGY GAS COMPANY	0149080.500	GAS SERVICE 2/4/13-3/4/13	951.93
SEMCO ENERGY GAS COMPANY	0148902.500	GAS SERVICE 2/4/13-3/4/13	284.18
SIMPSON, KEN	130319	ELECTRICAL INSPECTIONS	1,059.20
SMOKE VISION CARE	02032009	CDL EYE EXAM-KUJAWA	205.00
SNOW, JAMES E	3/19/13	MILEAGE REIMBURSEMENT-931 MILES	522.14
SOLLOWAY, TIMOTHY L.	03/13/2013	UB refund for account: 15-2540-20	62.28
SPARTAN DISTRIBUTORS, INC	11633348	52" TORO-SWITCH/BOOT	47.30
SPARTAN DISTRIBUTORS, INC	11633294	72" TORO-V BELT	32.40
SPRINGSTEEN, JOSHUA	03/13/2013	UB refund for account: 08-2179-10	78.48
STATE OF MICHIGAN-MDEQ	3/5/13	WATER TREATMENT OP CERT RENEWAL-GRIGGS	95.00
T&R ELECTRIC, INC	124949	150 KVA TRANSFORMER	3,500.00
T&R ELECTRIC, INC	124950	300 KVA TRANSFORMER	5,800.00
TERMINIX	322825228	EXTERMINATION-FD	35.00
THE RIDGE COMPANY	502332	#FD220 SUPPORT	23.99
THE RIDGE COMPANY	502067	#125 ROTORS TURNED	30.00
THE RIDGE COMPANY	501965	#103 MIRROR	1.18
THE RIDGE COMPANY	501866	BLOW GUN/ADAPTER/FT CHUCK/GAUGE	17.40
THE RIDGE COMPANY	503178	#111 FUEL FILTER	3.92

Vendor	Invoice #	Description	Amount
THE RIDGE COMPANY	503191	FUEL/OIL FILTERS	14.31
THE RIDGE COMPANY	502400	SPARK PLUG	9.45
THE RIDGE COMPANY	502776	#2 HEADER TAGGED	13.79
THE RIDGE COMPANY	502953	#9/102 OIL FILTERS, #1 WINDSHIELD FLUID	43.94
THE RIDGE COMPANY	502954	SLAUA-OIL/FILTERS	207.64
THE RIDGE COMPANY	502340	#FD220 SUPPORT	71.97
TOPASH, TRISHA	03/13/2013	UB refund for account: 05-0134-9	203.60
TOXOPEUS, DAVID	287248782175	CELL PHONE REIMBURSEMENT	60.00
UNEMPLOYMENT INSURANCE AGENCY	2420915	UNEMPLOYMENT COSTS	257.56
US BUSINESS SYSTEMS, INC	IN8224	UTILITIES PRINTER MTCE	856.16
US BUSINESS SYSTEMS, INC	IN8223	POLICE PRINTER MTCE	1,384.47
US BUSINESS SYSTEMS, INC	IN8222	CTY MGR/UTILITIES PRINTER MTCE	734.54
VANDERVRIES, EDWARD	4/13	4/13 ASSESSING SERVICES	1,975.00
VERIZON WIRELESS	9700495487	WIFI CARD MONTHLY SUBSCRIPTION-ELEC DIV	38.01
VERIZON WIRELESS	9700668875	WIFI CARD MONTHLY SUBSCRIPTION-CH	60.01
VOSS LIGHTING	20116207-00	FLUORESCENT LAMPS-CH	100.80
WESTRATE & THOMAS	4/13	4/13 RETAINER	2,000.00
WIGGINS, DANIEL	188028025202	CELL PHONE REIMBURSEMENT	60.00
WILSON, AARON	03/13/2013	UB refund for account: 14-2265-22	281.02
WILTSE FENCING & KENNELS, INC	3/19/13	REPAIR FENCE-SOUTH SIDE-LANDFILL	596.00
WOLVERINE ELECTRICAL CONTG INC	3/6/13	TROUBLESHOOT TRANSFER SWITCH PROBLEM	173.00
ZBATTERY.COM, INC	I163898	LAPTOP BATTERY PACK	49.95
Total:			534,525.38

CITY OF DOWAGIAC

MEMO TO: Mayor Lyons and City Council Members

FROM: Kevin P. Anderson, City Manager

DATE: March 22, 2013

SUBJECT: Electric Rate Ordinance Amendment – Second Reading

On March 11, 2013, City Council reviewed this ordinance and made a motion that would allow the ordinance to be considered for adoption on March 25, 2013. The City Council has duly noticed this ordinance pursuant to City Charter. No comments have been received to date. For your convenience, I have copied the staff report from the prior meeting below.

In October 2008 the State of Michigan mandated that each electric utility throughout the state must plan and improve energy efficiency for all customer bases and gave regulatory authority to the Michigan Public Service Commission. Each utility was required to develop an energy reduction program, document the results and place a surcharge on utility rates to pay for this program. The City had approved numerous projects to achieve this goal including the free CFL light bulb program, the old refrigerator removal program and numerous rebates to major energy savings programs at Borgess-Lee and industries in the city.

The EOP began with a requirement that electric utilities spend at least .75% of their total revenues on energy reduction programs and have been slowly ratcheting that number up until it reached at least 2% at the end of 2012.

The current City rate for residential meters is \$.001 per kilowatt hours and generates \$65,000 annually. We are now at the point where approximately \$125,000 per year must be spent on energy optimization programs so there will be a shortfall between the rate charged for energy optimization and the required spending for energy optimization of approximately \$60,000.

In August of 2009 when City Council discussed how to pay for this state mandated program, the consensus was that a separate rate for energy optimization be established and clearly delineated on customer bills with the goal periodically adjusting the rate cover the actual cost of the energy optimization program.

At the next City Council meeting I will be recommending that the energy optimization rate that is currently charged on municipal customers' bills be increased to cover the additional cost. The rates charged for the EOP will be spread proportionately across residential, commercial and industrial users. Residential customers will see an increase from approximately \$1.00 per month to \$2.00 per month.

RECOMMENDATION

Approve the second reading of the amended Electric Rate Ordinance at the March 25th Council meeting.

Support Documents:

Cover Memo-City Mgr.
Ordinance

ORDINANCE NO. _____, 2013

ORDINANCE-----

AN ORDINANCE TO AMEND CHAPTER 82 UTILITIES ARTICLE V "ELECTRIC AND ELECTRICAL RATES" SECTION 82-280 OF THE DOWAGIAC CITY CODE BE AND IS HEREBY AMENDED BY ITS REPEAL AND THE ADOPTION OF A NEW ARTICLE V "ELECTRIC AND ELECTRICAL RATES" SECTIONS 82-280 (09) AND (10) OF THE DOWAGIAC CITY CODE.

THE CITY OF DOWAGIAC ORDAINS:

Section 1: That Chapter 82, Utilities; Article V, "Electric and Electrical Rates", Section 82-280 of the Dowagiac City Code be and hereby is amended to read as follows:

ARTICLE V. ELECTRIC PROVISIONS AND RATES.

Sec. 82-280. Electric Rates

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

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

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

Section 2: 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

Resolution #2
March 25, 2013

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

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

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

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

ADOPTED/REJECTED

Moved by:

Seconded by:

Ayes:

Nays:

Absent:

Abstain:

James E. Snow, City Clerk