

## DOWAGIAC CITY COUNCIL MEETING

Monday, January 12, 2015

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

Mayor Lyons led the Pledge of Allegiance to the flag.

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

ABSENT: None

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 December 8, 2014 regular meeting and the minutes of the December 19, 2014 special meeting be approved.

Approved unanimously.

### APPOINTMENTS

1. City Council Ward 1 – Recommended by Council Interview Sub-Committee to appoint Danielle Lucas to fill the Council vacancy in Ward 1.

Councilmember Hunt moved and Councilmember Gross seconded approval of the appointment.

2. DART Local Advisory Committee – Recommended by Mayor and offered by Mayor Pro-Tem: Appoint Randy Gross, Sr. to fill vacancy for Wayne Comstock with a term expiring May 2018.

Councilmember Schuur moved and Councilmember Burling seconded approval of the appointment.

### COMMUNICATIONS

1. Martin Luther King Day Celebration Walk, January 18, 2015.
2. Ice Time Festival, February 7, 2015.

### PUBLIC HEARING

1. A public hearing regarding a request to vacate the public alley running east and west between Florence Street and Louise Avenue.

Mayor Lyons opened the public hearing at 7:10 p.m. The following residents provided comment:

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(In favor of closing alley)

Pam Preis, 309 Florence Street

Sharon Fobes, 306 Florence Street

Kenneth Fobes, 306 Florence Street

(Opposed to closing alley)

Lori Collins, on behalf of her elderly Father living at 309 Louise Avenue, and her elderly Aunt living at 307 Louise Avenue.

Mayor Lyons closed the public hearing at 7:20 p.m.

### RESOLUTIONS

1. Resolution to authorize the vacation of the public alley running east and west between Florence Street and Louise Avenue.

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

WHEREAS, there is currently a public alley running east and west between Florence St. and Louise Ave, and;

WHEREAS, a request has been received by the City of Dowagiac from some of the adjacent property owners to vacate the above-described public alley, and;

WHEREAS, the City Council held a public hearing on December 9, 2014 to consider vacation of the above-described public alley, and;

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, hereby vacates the above-described public alley with reservation of a full width utility easement.

TABLED unanimously.

2. Resolution to authorize the purchase of used storage units for Dowagiac Area History Museum.

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

Resolved, that the recommended purchase of a used track-based storage unit from Intercare Community Health Network in the amount of \$3,000 be approved.

ADOPTED unanimously.

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3. Resolution to authorize a collective bargaining agreement with the IBEW for two years covering the period of January 1, 2015 through December 31, 2016.

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

**WHEREAS**, through the process of collective bargaining, the City Administration and members of the International Brotherhood of Electrical Workers Local 876, representing unionized Public Services Department workers, have agreed to terms for the adoption and implementation of a new two-year employment agreement covering the period of January 1, 2015 through December 31, 2016, and;

**WHEREAS**, the complete terms and conditions of the employment agreement as developed were formally ratified by vote of the full membership of the bargaining unit on January 7, 2015 and;

**WHEREAS**, the City Administration, having negotiated the terms and conditions of the employment agreement as set forth in the complete copy attached, does now recommend the formal adoption and approval by the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Dowagiac, by affirmative vote of its City Council, does hereby adopt and approve the following two-year employment agreement International Brotherhood of Electrical Workers Local 876 employees, for the period January 1, 2015 through December 31, 2016, as attached hereto and by reference made a part hereof, including all the terms and conditions as provided therein.

**BE IT FURTHER RESOLVED** that the Mayor and City Manager of the City of Dowagiac be authorized and directed to act as signators for the execution of same.

ADOPTED unanimously.

4. 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 #8 for the period ending 1/09/15:

Invoices 01-08-15	\$203,010.45
Invoices 12-18-14	\$450,485.74
Payroll #08	<u>\$173,373.89</u>
Total	\$826,843.08

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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:

<u>BILLS</u>	<u>PAYROLL</u>	<u>TOTAL</u>
\$653,469.19	\$173,373.89	\$826,843.08

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: None (0)

Abstain: None (0)

5. Resolution of support for Dowagiac Little League for a grant request to The Pokagon Fund for capital improvements to the baseball field.

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

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

**WHEREAS**, it is in the long-term best interest of the City and Silver Creek Township to support Dowagiac Little League in their efforts for capital improvements for the baseball field; and

**WHEREAS**, Dowagiac Little League is requesting grant funding in the amount of \$10,000 from The Pokagon Fund for new bleachers, concrete and a canopy; and

**WHEREAS**, the City would like to offer this Resolution of Support to the Dowagiac Little League for presentation to The Pokagon Fund in support of the capital improvements planned for Russom Field.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Dowagiac, by the affirmative vote of its City Council, does hereby offer their support to the Dowagiac Little League in their effort to obtain grant funding from The Pokagon Fund for capital improvements at the Russom Park Little League baseball field.

ADOPTED unanimously.

COMMENTS FROM CITY OFFICIALS

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RESOLUTIONS continued

6. Resolution to adjourn to closed session to pursuant to 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.

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

Nays: None (0)

Absent: None (0)

Abstain: None (0)

CLOSED SESSION

TIME: 7:31 PM

LATER: 8:12 PM

ADJOURNMENT

Upon motion by Councilmember Burling and seconded by Councilmember Dodd, the Dowagiac City Council adjourned at 8:12 PM.

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Donald D. Lyons, Mayor

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Rozanne H. Scherr, Assistant City Manager