

DOWAGIAC CITY COUNCIL MEETING

Monday January 27, 2014

A regular meeting of the Dowagiac City Council was called to order by Mayor Donald D. Lyons at 7:05 p.m. when a quorum was established.

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 and Randall G. Gross, Sr.

ABSENT: Councilmembers Lori A. Hunt and Bob B. Schuur

STAFF: Assistant City Manager Rozanne H. Scherr and City Clerk James E. Snow.

Councilmember Laylin moved and Councilmember Burling seconded that the minutes of the January 13, 2014 meeting be approved.

Approved unanimously.

COMMENTS FROM THE AUDIENCE (NON-AGENDA)

Roger Rathburn, 17203 Navajo Trail, Three Rivers, MI 49093

COMMUNICATIONS

1. Ice Time Festival, February 1, 2014

Councilmember Laylin moved and Councilmember Dodd seconded to grant the request.

Approved unanimously.

2. Memorial Day Parade and Ceremonies, May 26, 2014

Councilmember Laylin moved and Councilmember Dodd seconded to grant the request.

Approved unanimously.

RESOLUTIONS

1. Resolution of intent to apply for funding and to approve a projected 2015 Dial-A-Ride budget in accordance with the master contract with the Michigan Department of Transportation.

DOWAGIAC CITY COUNCIL MEETING

Monday January 27, 2014
Page Two

Resolution #1
January 27, 2014

Michigan Department
Of Transportation
3078 (10/13)

FY 2015 RESOLUTION OF INTENT

The approved resolution of Intent to apply for state formula operating assistance for fiscal year 2015 under Act 51 of the Public Acts of 1951, as amended.

INSTRUCTIONS: Complete and save the form in PTMS, and attach a signed copy in PTMS

WHEREAS, pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for the Dowagiac, City of _____, (hereby known as THE APPLICANT) established under _____
Name of Applicant (legal organization name)

Act 51 _____ to provide a local transportation program for the state fiscal year of 2015 and, therefore, apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for the governing body, to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and

WHEREAS, the performance indicators have been reviewed and approved by the governing body.

WHEREAS, THE APPLICATION, has reviewed and approved the proposed balance (surplus) budget, and funding sources of estimated federal funds \$ 32,202, estimated state funds \$ 72,978, estimated local funds \$ 64,934, estimated fare box \$ 30,000, estimated other funds \$ 1,150, with total estimated expenses of \$ 201,264

NOW THEREFORE, be it resolved that THE APPLICANT hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

HEREBY, appoints Rozanne H. Scherr as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51 for 2015.

I, James E. Snow _____, City Clerk _____, of _____
(Name) (Secretary/Clerk)

THE APPLICANT, having custody of the records and proceedings of THE APPLICANT, does hereby certify that I have compared this resolution adopted by THE APPLICANT at the meeting of January 27, 2014, with the original minutes now on file and of record in the office and that this resolution is true and correct.

Moved: Burling

Seconded: Laylin

ADOPTED unanimously,

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed seal of said _____ this _____ day of _____ A.D. 20_____
SIGNATURE

DOWAGIAC CITY COUNCIL MEETING

Monday January 27, 2014

Page Three

2. Resolution of intent to sell City-owned property located at 317 Pokagon Street.

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

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

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

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

ADOPTED unanimously.

3. 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 payroll #9 for the period ending 1/23/14:

Invoices: 111,481.25
Payroll: 185,617.57
Total: \$297,098.82

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
\$111,481.25	\$185,617.57	\$297,098.82

DOWAGIAC CITY COUNCIL MEETING

Monday January 27, 2014

Page Four

ADOPTED on a roll call vote.

Ayes: Four (4) Burling, Dodd, Gross and Laylin

Nays: None (0)

Absent: Two (2) Hunt and Schuur

Abstain: None (0)

ORDINANCES

1. AN ORDINANCE TO AMEND CHAPTER 82 UTILITIES ARTICLE V "ELECTRIC PROVISIONS AND RATES" SECTION 82-279 OF THE DOWAGIAC CITY CODE BE AND IS HEREBY AMENDED BY ITS REPEAL OF THE DOWAGIAC CITY CODE.

Moved by Councilmember Burling and seconded by Councilmember Laylin for adoption at the January 13, 2014 meeting is now presented to the Council for a second reading and vote.

ADOPTED on a roll call vote.

Moved by: Burling

Seconded by: Laylin

Ayes: Four (4) Burling, Dodd, Gross and Laylin

Nays: None (0)

Absent: Two (2) Hunt and Schuur

Abstain: None (0)

2. AN ORDINANCE TO AMEND CHAPTER 82 UTILITIES ARTICLE IV "WATER AND SEWER RATES" SECTION 82-224 "SEWER RATES AND SERVICE FEES" SUBSECTION (1), (2), (4) AND (5) OF THE DOWAGIAC CITY CODE BE AND IS HEREBY AMENDED BY ITS REPEAL AND THE ADOPTION OF A NEW ARTICLE IV "WATER/SEWER PROVISIONS AND RATES" SECTION 82-224 "SEWER RATES AND SERVICE FEES" SUBSECTION (1), (2), (4) AND (5) OF THE DOWAGIAC CITY CODE.

Moved by Councilmember Schuur and seconded by Councilmember Gross for adoption at the January 13, 2014 meeting is now presented to the Council for a second reading and vote.

DOWAGIAC CITY COUNCIL MEETING

Monday January 27, 2014

Page Five

ADOPTED on a roll call vote

Moved by: Schuur

Seconded by: Gross

Ayes: Four (4) Burling, Dodd, Gross and Laylin

Nays: None (0)

Absent: Two (2) Hunt and Schuur

Abstain: None (0)

Upon motion by Councilmember Laylin and seconded by Councilmember Gross, the Dowagiac City Council adjourned at 7:20 p.m.

Donald D. Lyons, Mayor

James E. Snow, City Clerk