

DOWAGIAC CITY COUNCIL MEETING

Monday, November 24, 2014

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

Mayor Lyons led the Pledge of Allegiance to the flag.

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

ABSENT: Councilmember Lori A. Hunt.

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

Councilmember Burling moved and Councilmember Dodd seconded that the minutes of the November 10, 2014 regular meeting be approved.

Approved unanimously.

COMMUNICATIONS

1. Receipt of Conflict of Interest Forms from Employees.
2. Director of Public Safety introduction of new Police Officers.

APPOINTMENTS

1. Parks and Recreation Commission – Recommended by Mayor and offered by Mayor Pro-Tem:
Appoint Jason Wilt to the unexpired term of Andrea Renee Simpson expiring May 2015
Re-appoint Tom Atkinson for a term expiring May 2017
Re-appoint Tom Zablocki for a term expiring May 2019

Councilmember Laylin moved and Councilmember Dodd seconded approval of the appointments.

RESOLUTIONS

1. Resolution to authorize a charitable gaming request from the DC Sluggers baseball team.

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

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11/13/2014 13:22

(FAX)

P.002/002



Res. #1
11-24-14

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
(Required by MCL 432.103(K)(II))

At a Regular meeting of the Dowagiac City Council
called to order by MAYOR Donald D. Lyons on November 24, 2014
at 7:00 a.m./p.m. the following resolution was offered:
Moved by Schuur and supported by Burling
that the request from DC Sluggers of Dowagiac
county of Cass, asking that they be recognized as a
nonprofit organization operating in the community for the purpose of obtaining charitable
gaming licenses, be considered for approval

	APPROVAL		DISAPPROVAL
Yeas:	<u>5</u>	Yeas:	<u> </u>
Nays:	<u>0</u>	Nays:	<u> </u>
Absent:	<u>1</u>	Absent:	<u> </u>

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Dowagiac City Council at a Regular meeting held on November 24, 2014
SIGNED: James E. Snow
James E. Snow, City Clerk
241 S. Front St., Dowagiac, MI 49047

COMPLETION: Required.
PENALTY: Possible denial of application.
BGL-CG-1153(R6/06)

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ADOPTED unanimously.

2. Resolution to cancel the regularly scheduled City Council meeting that is scheduled for December 22, 2014.

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

WHEREAS, the regularly scheduled December 22, 2014 City Council meeting falls during the Christmas holiday; and

WHEREAS, the Mayor and City Council desire to cancel the December 22, 2014 City Council meeting; and

WHEREAS, cancellation of the December 22, 2014 City Council meeting will not have an adverse effect on the conduct of City business.

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council hereby cancels the regularly scheduled City Council meeting of Monday, December 22, 2014.

ADOPTED unanimously.

3. Resolution to establish poverty exemption standards per the Michigan General Property Tax Act.

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

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council; and

WHEREAS, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, the City Assessor has drafted and recommended to City Council guidelines and policy that complies with applicable state laws.

NOW, THEREFORE, BE IT HEREBY RESOLVED that City Council does approve the attached Poverty Exemption Policy & Guidelines (Revised November 2014); and

BE IT FURTHER RESOLVED that the Assessor and Board of Review shall follow the above

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stated policy and federal guidelines in granting or denying an exemption, unless the Assessor and Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

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 Laylin.

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 #4 for the period ending 11/21/14:

Invoices FY 2014-15	\$479,043.48
Payroll	<u>\$132,223.35</u>
Total	\$611,266.83

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>
\$479,043.48	\$132,223.35	\$611,266.83

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: One (1) Hunt

Abstain: None (0)

COMMENTS FROM CITY OFFICIALS

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

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

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 of discussing litigation; and

WHEREAS, the Mayor and City Council desire to meet with the City Manager 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) Laylin, Burling, Dodd, Gross, Schuur

Nays: None (0)

Absent: One (1) Hunt

Abstain: None (0)

CLOSED SESSION

TIME: 7:23 PM

LATER: 8:02 PM

ADJOURNMENT

Upon motion by Councilmember Laylin and seconded by Councilmember Burling, the Dowagiac City Council adjourned at 8:02 PM.

Donald D. Lyons, Mayor

Rozanne H. Scherr, Assistant City Manager