

## DOWAGIAC CITY COUNCIL MEETING

Monday, December 8, 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, Randall G. Gross, Sr., Lori A. Hunt and Bob B. Schuur.

ABSENT: Councilmember James B. Dodd

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

Councilmember Laylin moved and Councilmember Hunt seconded that the minutes of the November 24, 2014 regular meeting be approved.

Approved unanimously.

### COMMUNICATION (moved on to Agenda)

1. Letter from Randy Gross resigning his Ward 1 City Council seat effective at end of year or as determined by sale of his house.

Discussion on filling vacancy: Vacancy will be posted immediately. Committee consisting of Mayor Pro-Tem Laylin and Council members Dodd and Gross to interview candidates.

### APPOINTMENTS

1. Southwest Michigan Planning Commission – Recommend Mayor Don Lyons as Representative and Mayor Pro-Tem Leon Laylin as Alternate Representative to represent the City of Dowagiac on the SWMPC replacing Jim Snow.

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

### RESOLUTIONS

1. Resolution to schedule a Public Hearing for January 12, 2015 to receive input regarding a request to vacate the public alley running east and west between Florence St. and Louise Ave.

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

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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 adjacent property owners to vacate the above-described public alley, and;

WHEREAS, State statute requires that the City Council set a public hearing on such requested vacations.

NOW THEREFORE, BE IT RESOLVED that the Dowagiac City Council hereby sets a public hearing to consider any comments or objections concerning this proposal for its regular meeting on Monday, January 12, 2015 at 7:00 p.m. in the City Council Chambers, and;

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to publish notices of the public hearing as required by statute in the *Dowagiac Daily News*.

ADOPTED unanimously.

2. Resolution to close City Hall on December 26, 2014.

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

WHEREAS, in 2014 Christmas Day is on a Thursday, and;

WHEREAS, many businesses are choosing not to open on the Friday following Christmas Day, and;

WHEREAS, the residents of the city would not be adversely impacted if City Hall offices were closed for public business on December 26, 2014,

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the closing of City Hall offices on December 26, 2014.

ADOPTED unanimously.

3. PULLED FROM CONSIDERATION

4. Resolution to authorize a lease with Pride Care for a proposed building in the Dowagiac Industrial Park.

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

WHEREAS, the City of Dowagiac residents are provided ambulance services by Pride Care, and;

WHEREAS, Pride Care needs improved facilities and the City of Dowagiac has the means by which to construct then lease facilities to Pride Care,

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the terms of a building lease with Pride Care, and;

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized and directed to complete lease negotiations and act as signatory for the execution of a lease once the legal review is complete.

ADOPTED unanimously.

5. Resolution to authorize a contract to construct a building in the Dowagiac Industrial Park.

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

WHEREAS, the City of Dowagiac will be well served by building and leasing a building to Pride Care, and;

WHEREAS, staff has received quotes for construction and is recommending the low quote be approved,

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the quote from Fryman Construction in the amount of \$150,000 to construct a building in the City of Dowagiac Industrial Park, 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.

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6. 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 #5 for the period ending 12/05/14:

Invoices	\$283,061.57
Payroll	<u><del>\$132,223.35</del> 180,539.19</u>
Total	\$463,600.76

**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>
\$283,061.57	\$180,539.19	\$463,600.76

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: One (1) Dodd

Abstain: None (0)

AMENDED PAYROLL AMOUNT AS NOTED ABOVE

7. MOVED ON TO AGENDA: Resolution to schedule a Public Hearing for January 26, 2015 to receive comment on the draft Park and Open Space Plan.

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

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WHEREAS, staff is in the process of updating the City of Dowagiac Park & Open Space Plan, and;

WHEREAS, the Draft Park & Open Space Plan requires a minimum thirty (30) day public review period, and;

WHEREAS, after the end of the public review period the City Council will hold a public hearing on such requested plan.

NOW THEREFORE, BE IT RESOLVED that the Dowagiac City Council hereby sets a public hearing to consider any comments or objections concerning the Park & Open Space Plan for its regular meeting on Monday, January 26, 2015 at 7:00 p.m. in the City Council Chambers, and;

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to publish notices of the public hearing as required in the *Dowagiac Daily News*.

ADOPTED unanimously.

COMMENTS FROM CITY OFFICIALS

ADJOURNMENT

Upon motion by Councilmember Schuur and seconded by Councilmember Laylin, the Dowagiac City Council adjourned at 7:22 PM.

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Donald D. Lyons, Mayor

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Rozanne H. Scherr, Assistant City Manager