

DOWAGIAC CITY COUNCIL MEETING

Monday December 9, 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, Randall G. Gross Sr., Lori A. Hunt and Bob B. Schuur.

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

Councilmember Dodd moved and Councilmember Laylin seconded that the minutes of the November 25, 2013 meeting be approved.

Approved unanimously.

AWARDS-

1. Presentation of Life-Saving Award to Officers and Firefighters of the Dowagiac Police and Fire Departments.

Mayor Lyons asked the Director of Public Safety to introduce the awards and recipients.

Director Steven Grinnwald made comments, then ask the recipients to step forward. Deputy Police Chief Jarrid Bradford presented a medallion and pin to the following Police Officers: 1) James F. Kusa; 2) Matthew J. Behnke. Deputy Fire Chief Guy Evans presented a medallion and a pin to the following Fire Officers: 1) Michael W. Mattix; 2) Robert A. Nelson; 3) Robert L. Smith.

APPOINTMENT-

1. Planning Commission- Recommended by Mayor and offered by Mayor Pro-Tem: Appoint Whitney Behnke for a term expiring April 2016.

Councilmember Schuur moved and Councilmember Burling seconded to approve the Mayor's appointment.

Approved unanimously.

CITY MANAGER REPORT

1. Authorize an architectural agreement with Arkos Design for the Dowagiac Area History Museum.

From the City Manager:

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ARCHITECTURAL AGREEMENT WITH ARKOS DESIGN

The Dowagiac Area History Museum continues to be well received in the community and the Museum Advisory Committee is continuing to look at the start of a capital campaign to raise funds for renovation of the third floor of the museum, as well as considering a future expansion. To date, donations have been received in excess of \$10,000.

The first step in any fundraising project is to define space needs and develop preliminary architectural drawings with probable estimates of cost. With this information in hand, prospective donors can get a clear understanding of the scope of the project and understand the funds that are necessary to make a capital project successful.

The architectural firm of Arkos Design has provided a proposal that ranges from \$5,000-\$6,700 depending on a final scope of work that is agreed upon. A copy of the proposal is attached.

RECOMMENDATION

Authorize the City Manager to enter into an agreement with Arkos Design for architectural services for the third floor of the Dowagiac Area History Museum and a potential expansion.

Councilmember Burling moved and Councilmember Gross seconded that the recommendation of the City Manager be adopted.

ADOPTED unanimously.

RESOLUTIONS-

1. Resolution to authorize an extension of the development agreement due for Jerdon Development Company.

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

WHEREAS, the City of Dowagiac entered into a developer agreement with Thomas F. Jerdon for a municipal water system improvement at the Villamere Condominium project in 2003; and

WHEREAS, the developer has been diligent in reimbursing the City pursuant to the agreement as lots are sold; and

WHEREAS, a balance is still due at the 10-year expiration of the agreement; and

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WHEREAS, the developer has requested an extension of six months or until the sale of Unit 29 occurs; and

WHEREAS, there is no dispute in the amount that remains due; and

WHEREAS, the request for an extension is reasonable and will not negatively impair the financial condition of the water utility.

NOW, THEREFORE, BE IT RESOLVED that the City Attorney be directed to draft an extension agreement until June 15, 2014 or until the sale of Unit 29 occurs; and

BE IT FURTHER RESOLVED that the City Manager shall be authorized to execute said agreement.

ADOPTED unanimously.

2. Resolution to approve the issuance of a Special Land Use Permit to Ms. Laura Wade for establishment of a child care center at 307 First Avenue.

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

WHEREAS, Ms. Laura Wade has submitted an application for a Special Land Use Permit for establishing a child care center at 307 First Avenue; and

WHEREAS, pursuant to the compiled Dowagiac City Zoning Ordinance, the Planning Commission has held a hearing to solicit public comment on the request; and

WHEREAS, upon review of the facts and circumstances presented, the Planning Commission formally adopted a resolution recommending approval of such request, with no conditions.

NOW, THEREFORE, BE IT RESOLVED, that the City of Dowagiac, by affirmative vote of its City Council, does hereby approve and grant the issuance of a Special Land Use Permit to Ms. Laura Wade for the establishment of a child care center at 307 First Avenue, Dowagiac, Michigan 49047.

ADOPTED unanimously.

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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 #5 for the period ending 12/5/13:

Invoices: 173,783.43
Payroll: 187,253.78
Total: \$361,037.21

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
\$173,783.43	\$187,253.78	\$361,037.21

ADOPTED on a roll call vote.

Ayes: Six (6) Burling, Dodd, Hunt, Gross, Laylin and Schuur

Nays: None (0)

Absent: None (0)

Abstain: None (0)

Upon motion by Councilmember Laylin and seconded by Councilmember Dodd, the Dowagiac City Council adjourned at 7:22 p.m.

Donald D. Lyons, Mayor

James E. Snow, City Clerk