

DOWAGIAC CITY COUNCIL MEETING

Monday February 10, 2014

A regular meeting of the Dowagiac City Council was called to order by Mayor Donald D. Lyons at 7:00 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, Randall G. Gross, Sr. and Lori A. Hunt

ABSENT: Councilmember Bob B. Schuur

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

Councilmember Laylin moved and Councilmember Dodd seconded that the minutes of the January 27, 2014 meeting be approved.

Approved unanimously.

There was a moment of silence for former Councilmember Wayne Comstock, who passed away February 8, 2014.

RESOLUTIONS

1. Resolution to approve a Project Authorization Agreement with MDOT relating to the FY 2014 operating grant for the Dial-A-Ride program.

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

WHEREAS, pursuant to a grant agreement between the Michigan Department of Transportation and the City of Dowagiac it is necessary for the City of Dowagiac to enter into a project authorization agreement for its local transportation program for the fiscal year 2014 in order to receive State and Federal financial assistance under provision of Act 51; and

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby authorize Transportation Coordinator Rozanne Scherr to execute the Project Authorization, FY 2014 Section 5311 Operating, attached hereto and by reference made a part hereof as required to receive financial assistance from the Michigan Department of Transportation, in accordance with Act 51; and

BE IT FURTHER RESOLVED that, for all public transportation matters, the Transportation Coordinator shall provide such information as deemed necessary by the State Transportation Commission or Department for its administration of Act 51 for fiscal year 2014.

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ADOPTED unanimously.

2. Resolution to adopt the Title VI Plan in compliance with MDOT and Federal Transit Administration guidelines for Dial-A-Ride.

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

WHEREAS, through the Michigan Department of Transportation, the City of Dowagiac receives financial assistance from the Federal Transit Administration for the operation of its Dial-A-Ride Transportation System; and

WHEREAS, under Federal Transit Administration guidelines all Federal financial recipients are required to comply with Title VI of the Civil Rights Act of 1964; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance; and

WHEREAS, the City of Dowagiac has written a Title VI Plan that complies with provisions of the Federal Transit Administration regulations; and

WHEREAS, the Michigan Department of Transportation has reviewed the Title VI Plan, determined it includes the required elements and needs to be adopted by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby accept the recommendation of the Michigan Department of Transportation to approve and adopt the Title VI Plan as attached hereto.

ADOPTED unanimously.

3. Resolution to authorize and direct the City Treasurer to pay the following bills and payroll due:

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

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 #10 for the period ending 2/6/14:

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Invoices: 156,318.27
Payroll: 120,187.80
Total: \$276,506.07

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
\$156,318.27	\$120,187.80	\$276,506.07

ADOPTED on a roll call vote.

Ayes: Five (5) Burling, Dodd, Gross, Hunt and Laylin

Nays: None (0)

Absent: One (1) Schuur

Abstain: None (0)

RESOLUTIONS, Continued (CLOSED SESSION)

4. Resolution to adjourn to a closed session to discuss strategies to deal with pending litigation.

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

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 discuss strategies for dealing with litigation; and

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

Nays: None (0)

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Absent: One (1) Schuur

Abstain: None (0)

TIME: 7:15 P.M.

LATER: 7:32 p.m.

Upon motion by Councilmember Laylin and seconded by Councilmember Gross, the Dowagiac City Council adjourned at 7:32 p.m.

Donald D. Lyons, Mayor

Kevin P. Anderson, City Manager