

DOWAGIAC CITY COUNCIL MEETING

Monday, March 9, 2015

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 and Lori A. Hunt.

ABSENT: Councilmembers Bob B. Schuur and Danielle E. Lucas.

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

Councilmember Dodd moved and Councilmember Laylin seconded that the minutes of the February 23, 2015 regular meeting be approved.

Approved unanimously.

APPOINTMENTS

1. City Clerk – appointment and swearing in of Jane Phillipson Wilson to fill the vacant position of City Clerk.
2. Planning Commission - Recommended by Mayor, offered by Mayor Pro-Tem:
Re-appoint Barb Bobik for a term expiring November 2017.
Reappoint Robert Frontczak for a term expiring November 2017.

Councilmember Burling moved and Councilmember Hunt seconded all appointments.

APPROVED unanimously.

PROCLAMATIONS

1. Dowagiac United.

WHEREAS, the Dowagiac School's Chieftain Heart Club and Front Row Crew began with a small group of students with one big idea; and

WHEREAS, that one big idea, of school spirit, has grown to include more than just school students; and

WHEREAS, much like tossing a pebble into the water, the ripples of the Club have drawn-in students across the school system. Teachers, administrators, area businesses, local government and the community as a whole have united; and

WHEREAS, the heartbeat of school spirit, community pride and ownership are palpable.

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WHEREAS, the Chieftain Heart Club, Dowagiac United, and the students of Dowagiac Schools present the very best in sportsmanship, teamwork, creativity, unity and pride; and

NOW, THEREFORE BE IT PROCLAIMED; that I, Donald D. Lyons, Mayor of the City of Dowagiac, tender this Proclamation to Dowagiac Schools and urge all citizens to join me in this sincere expression of admiration and congratulations for receiving the “2015 Battle of the Fans Championship” awarded by the Michigan High school Athletic Association.

COMMUNICATIONS

1. Easter Eggstravaganza, March 28, 2015, 10:30 a.m. to 12:30 p.m.

Councilmember Dodd moved and Councilmember Laylin seconded approval for the event.

RESOLUTIONS

1. Resolution for Special Event State Liquor License for Dogwood Fine Arts Festival.

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

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Resolution #1
March 9, 2015



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Mailing Address: PO Box 30005, Lansing, MI 48909
Toll Free (866) 813-0011 www.michigan.gov/lcc

Certified Resolution of the Membership or Board of Directors Authorizing the Application for Special License
(Authorized by R436.576)

At a Regular meeting of the Dowagiac City Council
(regular or special) (membership or board of directors)

called to order by Mayor Don Lyons on March 9, 2015 at 7:00 pm
(date) (time)

the following resolution was offered.

Moved by Councilmember Burling and supported by Councilmember Laylin

that the application from Dowagiac Dogwood Fine Arts Festival
(name of organization)

for a special license to serve alcohol on Friday, May 8, 2015
(event date(s))

to be located at Lyons Building, Southwestern Michigan College

It is the consensus of this body that the application be recommended for issuance.
(recommended or not recommended)

Approval

Yeas: Four (4) Laylin, Burling, Dodd, Hunt

Nays: None (0)

Absent: Two (2) Lucas, Schuur

I hereby certify that the foregoing is true and is a complete copy of a resolution offered and adopted by the Dowagiac City Council

at a Regular meeting held on March 9, 2015
(regular or special) (date)

Name and title of authorized officer (please print): Jane P. Wilson, City Clerk

Signature and date of authorized officer: _____

Phone number and e-mail of authorized officer: (269)782-2195 x-102; cityclerk@dowagiac.org

APPROVED unanimously.

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2. Resolution authorizing the West Division Street Lighting Project that will replace 42 decorative street lights.

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

WHEREAS, the City of Dowagiac Department of Public Services (DPS) Staff has determined that the street lights on West Division Street are in need of replacement, and;

WHEREAS, funds are available in the Electric Fund to replace the lights;

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby authorize the replacement of 42 decorative street lights over the next three budget cycles.

ADOPTED unanimously.

3. Resolution authorizing the City Manager to submit a Right-of-way Application to the Bureau of Indian Affairs for water lines in the Pokagonek Edawat community..

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

WHEREAS, the City of Dowagiac has worked closely with the Pokagon Band to assure that quality and affordable drinking water and fire protection services are available at the Pokagonek Edawat community on Daily Road, and;

WHEREAS, an application for Right-of-Way to the Bureau of Indian Affairs (BIA) is necessary for the next phase of the project to be completed;

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby authorize the City Manager to be the signatory to the application for Right-of-Way, and;

BE IT FURTHER RESOLVED, that the City Manager is authorized to amend the application as necessary to meet the requirements of the BIA.

ADOPTED unanimously.

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4. 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 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 #11 for the period ending 2/19/15:

Invoices	\$176,068.43
Payroll #11	<u>\$109,553.12</u>
Total	\$285,621.55

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>
\$176,068.43	\$109,553.12	\$285,621.55

ADOPTED on a roll call vote.

Ayes: Four (4) Burling, Dodd, Laylin, Hunt

Nays: None (0)

Absent: Two (2) Schuur, Lucas

Abstain: None (0)

COMMENTS FROM CITY OFFICIALS

RESOLUTIONS (CONTINUED)

5. Resolution to go into closed session pursuant to the Michigan Open Meetings Law, Public Act 267 of the Public Acts of 1976 as amended, for the purpose of discussing litigation.

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

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

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WHEREAS, the Mayor and City Council desire to meet with the City Manager to discuss correspondence from legal counsel regarding litigation.

NOW, THEREFORE, BE IT RESOLVED the City Council will hereby adjourn to closed session to discuss litigation.

ADOPTED on a roll call vote.

Moved by: Laylin

Seconded by: Burling

Ayes: Four (4) Laylin, Burling, Dodd, Hunt

Nays: None (0)

Absent: Two (2) Lucas, Schuur

Abstain: None (0)

CLOSED SESSION

TIME: 7:27 PM

LATER: 7:52 PM

ADJOURNMENT

Upon motion by Councilmember Dodd and seconded by Councilmember Laylin, the Dowagiac City Council adjourned at 7:52 PM.

Donald D. Lyons, Mayor

Rozaanne H. Scherr, Assistant City Manager