

## DOWAGIAC CITY COUNCIL MEETING

Monday, March 24, 2014

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 Bob B. Schuur, Charles K. Burling, James B. Dodd, Randall G. Gross, Sr. and Lori A. Hunt.

**ABSENT:** None.

**STAFF:** City Manager Kevin P. Anderson.

Councilmember Hunt moved and Councilmember Dodd seconded that the minutes of the March 10, 2014 meeting be approved.

Approved unanimously.

### PROCLAMATION

1. Proclamation declaring June as "Green Michiana Month".

Mayor Lyons read the proclamation.

### COMMUNICATION

1. Easter Eggstravaganza, April 12, 2014

Councilmember Laylin moved and Councilmember Gross seconded to grant the request.

### CITY MANAGER REPORTS

1. Spring Cleanup Bid Award

From the City Manager:

#### **2014 SPRING CLEANUP BID**

Attached is a summary of bids received for providing pickup and disposal services as part of the 2014 Spring Clean-Up Program. As indicated in the bid summary below, we received four bids:

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BIDDER	LABOR & EQUIPMENT HOURLY RATE	DISPOSAL CHARGE (per Ton)	20 CYD Container (per load)
Waste Management Battle Creek, MI / Indianapolis, IN	\$175.00 (1 truck w/2 men)	\$32.00	\$205.00 + \$32.00/ton (\$429.00 – based on 7 ton load)
Michiana Recycling & Disposal Services Niles, MI	\$180.00 (1 truck w/2 men)	\$35.00	\$350.00
Best Way Disposal Watervliet, MI	\$182.00 (1 truck w/2 men)	\$32.00	\$300.00
Reliable Disposal Stevensville, MI	NO BID RECEIVED		

Based on clean-up program data from the last five years, the total cost to the City for this year's service is expected to be approximately \$10,493.00. This year's program is scheduled for the week of April 21-25. A memo from DPS Director Jim Bradford summarizing the bids is attached for your information.

## **RECOMMENDATION**

I recommend that City Council authorize a contract with Waste Management of Battle Creek, Michigan for the 2014 Spring Cleanup in accordance with the bid submitted on March 18, 2014.

Councilmember Dodd moved and Councilmember Schuur seconded that the recommendation of the City Manager be adopted.

ADOPTED unanimously.

## RESOLUTIONS

1. Resolution to approve a proposed amendment to the Dowagiac-Indiana Michigan Power Full Requirements Contract.

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

**WHEREAS**, the City of Dowagiac and Indiana Michigan Power Company have an Agreement for Full Requirements Electric Service dated as of May 4, 2009; and

**WHEREAS**, the Parties mutually desire to modify certain terms and conditions of the Agreement; and

**WHEREAS**, the attorney and the City Manager recommend approval of said modifications to the agreement.

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NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dowagiac does hereby approve the attached amendment to an Agreement for Full Requirements Electric Service with the Indiana Michigan Power Company dated as of May 4, 2009.

ADOPTED unanimously.

2. Resolution to approve additional MERS credited service purchase.

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

Resolution #2  
March 24, 2014

APPLICATION FOR ADDITIONAL CREDITED SERVICE  
Member Certification and Governing Body Resolution

GOVERNING BODY RESOLUTION

As provided by the MERS Plan Document, and in accordance with the Employer's policy there under, the additional credited service described above is hereby granted this Member by Resolution of the Governing Body of Dowagiac, City of, at its meeting on 3-24-14. The Employer understands this is an estimated cost, calculated using actuarial assumptions approved by the Retirement Board. Any difference between the assumptions and actual experience will affect the true cost of the additional service. For example, changes in benefit programs through adoption or transfer of the affected employee to a division with 'better' benefits; increases in wages other than 4.5% per year; and changes to the anticipated date of termination, will affect the actual cost of the additional service (increase or decrease). Thus, actual future events and experience may result in changes different than those assumed, and liability different than that estimated. The Employer understands and agrees that it is accountable for any difference between estimated and actual costs.

  
Signature of Authorized Official from Dowagiac, City  
of Dowagiac

3-24-14  
Date

MERS Use Only

Payment Received:	Member Payment:
Service Credited:	ER Payment:
Signed:	

PAYMENT OPTIONS

The Member's share of the cost may be any amount from zero up to the total estimated actuarial cost, and is due at the time of purchase. The Employer's share is the balance of the total estimated actuarial cost not paid by the Member, and must be paid in a lump sum at the time of purchase.

STEPS FOR PROCESSING APPLICATION FOR ADDITIONAL SERVICE CREDIT

- The cost estimate (Application for Additional Service Credit) is valid for 2 months from the calculation date.
- If you are paying for the additional service by a rollover distribution from another pension plan (or traditional IRA), you must follow these steps:
  - Contact the other plan administrator (or trustee) to determine their rules for a distribution of your funds.
  - Complete the form "Certification of Qualified Rollover to MERS". After plan administrator signs form, return the completed original to MERS.
  - Send signed, approved Application for Additional Service Credit to MERS prior to sending any payment.
  - MERS' Finance Department will provide wiring instructions, if needed.
- If you have any questions, please call MERS Employee and Retiree Services at 800-767-2308, or go to [www.mersofmich.com](http://www.mersofmich.com). MERS is a tax-qualified plan under section 401(a) of the Internal Revenue Code, pursuant to IRS Letter of Favorable Determination dated June 15, 2005.

SPECIAL CONDITIONS APPLICABLE TO THIS CALCULATION

If you will be rolling-over funds from a qualified plan to complete this purchase, additional forms are required. Please visit [www.mersofmich.com](http://www.mersofmich.com), click on "forms" to download a copy of form #38, "Certification of Qualified Fund Rollover to MERS" (General) with Instructions.

Moved: Burling

Seconded: Gross

ADOPTED unanimously

  
Kevin P. Anderson, City Manager

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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 #13 for the period ending 3/20/14:

Invoices: 584,210.32  
Payroll: 168,207.47  
Total: \$752,417.79

**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
\$584,210.32	\$168,207.47	\$752,417.79

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: None (0)

Abstain: None (0)

Upon motion by Councilmember Dodd and seconded by Councilmember Hunt, the Dowagiac City Council adjourned at 7:16 p.m.

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Donald D. Lyons, Mayor

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Kevin P. Anderson, City Manager