

DOWAGIAC CITY COUNCIL MEETING

Monday, April 23, 2012

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, Leon D. Laylin and Bob B. Schuur.

ABSENT: None;

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

Councilmember Laylin moved and Councilmember Hunt seconded that the minutes of the April 9, 2012 meeting be approved.

Approved unanimously.

PROCLAMATIONS

1. Proclamation declaring Friday, May 11 through Saturday, May 19, 2012 as "Dogwood Fine Arts Festival" week.

Mayor Lyons read the Proclamation and presented it to the Dogwood Board Member James Benedix

COMMUNICATIONS

1. Cass County Council on Aging Ribbon Cutting Ceremony and Grand Opening, May 5, 2012.

Councilmember Dodd moved and Councilmember Laylin seconded to grant the request and give staff the opportunity to work with the Cass County Council on Aging to facilitate arrangements for this event.

Approved unanimously.

2. Buddy Poppy Sales, May 18-28, 2012.

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

Approved unanimously.

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3. WHO kNEW? Consignment Summer Jam 5th Birthday Celebration, June 8, 2012.

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

Approved unanimously.

4. Mill Pond Improvement Association Fishing Tournament, June 23, 2012.

Councilmember Burling moved and Councilmember Schuur seconded to grant the request.

Approved unanimously.

CITY MANAGER REPORT

1. 2012 LOCAL STREET PAVING PROJECT BID AWARD

Less than \$400 separates the two low bidders on the 2012 Local Street Paving Project. The Cass County Road Commission was low bid, in the amount \$58,464.53 and Michigan Paving & Materials, Inc. was next with a bid amount of \$58,861.00. As you will see in the attached correspondence from Department of Public Services Director James Bradford, the recommendation is to go with the second lowest bidder in this instance for the following reasons:

1. Wightman and Associates has reviewed the asphalt mix proposed by each vendor and would recommend the paving mix from Michigan Paving & Materials.
2. Michigan Paving & Materials is able to start the paving project sooner than the Cass County Road Commission. Therefore, we can complete the project earlier in the summer season.

We appreciate working with the Cass County Road Commission on road projects; however, in this instance the best overall quote for the 2012 Local Street Paving Project appears to be Michigan Paving & Materials.

RECOMMENDATION

I recommend that City Council award the bid to Michigan Paving & Materials in the amount of \$58,861.00.

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

ADOPTED unanimously.

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2. 2012 TRANSPORT AND LAND APPLICATION OF BIOSOLIDS CONTRACT BID AWARD

The City has received two highly competitive proposals for the removal, transport and land application of biosolids from the wastewater treatment plant. The bids are for three years (2012, 2013 and 2014). Synagro Central, LLC's bid is a fixed price for on a per-gallon basis. Bio Tech Agronomics' bid is a base price with a fuel adjustment cost for each \$.12 interest in diesel fuel cost.

Given the closeness of the bid proposals and the volatility of diesel fuel costs, Synagro Central is the best bid for the City for the next three years. The 2012 rate is identical to the rate paid in 2011.

RECOMMENDATION

I recommend that City Council award the bid to Synagro Central, LLC for the removal, transport and land application of biosolids for the years 2012, 2013 and 2014.

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

ADOPTED unanimously.

RESOLUTIONS

1. Resolution to adopt and approve Contract No. 12-5123 with the Michigan Department of Transportation for the Small urban resurfacing Project.

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

WHEREAS, the City of Dowagiac has previously submitted a grant application to the Michigan Department of Transportation to fund the street resurfacing program; and

WHEREAS, the City of Dowagiac has received previous notice that this application for funding has been approved; and

WHEREAS, the Michigan Department of Transportation has prepared the attached agreement for the project.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the attached agreement (MDOT Contract No. 12-5123).

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BE IT FURTHER RESOLVED that the Mayor be authorized and directed to execute the same on behalf of the City of Dowagiac.

ADOPTED unanimously..

2. Resolution to revise the fee schedule for reserved use of City parks and facilities.

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

WHEREAS, the City of Dowagiac seeks to provide comprehensive and diverse recreational opportunities for its citizens at appropriate rates; and

WHEREAS, upon review it is recommended that park fees be adjusted to allow the City to continue to provide affordable recreational opportunities as well as a high level of service and maintenance.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the fees as attached in the Dowagiac Park Fee Schedule.

BE IT FURTHER RESOLVED that said fee schedule shall become effective immediately upon Council action.

ADOPTED unanimously.

3. Resolution to authorize budget amendments.

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

WHEREAS, the City administration has reviewed the attached budgets for the 2011-12 fiscal year and the actual revenues and expenditures through September 30, 2012; and

WHEREAS, the City administration recommends revision of the attached budgets in accordance with the latest projections available; and

WHEREAS, the attached report for these funds indicates the current budget and the recommended budget revisions.

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NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby adopt the attached, recommended revised budgets.

ADOPTED unanimously.

4. Resolution to change the meeting time for the May 14th City Council meeting from 7:00 p.m to 6:00 p.m. due to the Dogwood Fine Arts Festival event schedule.

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

WHEREAS, in the month of May there are local festivals that fall on regularly scheduled meeting days, and;

WHEREAS, the regularly scheduled City Council meeting for May 14, 2012 falls during Dogwood Fine Arts Festival week of May 11-20, and;

WHEREAS, in an effort to eliminate a conflict for the public and elected officials who desire to attend the Dogwood Festival event on May 14th, the Mayor and Council desire to reschedule the May 14th meeting time from 7:00 p.m. to 6:00 p.m., and;

WHEREAS, the rescheduling of this Council meeting will not have an adverse effect on the conduct of City business.

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council hereby reschedules the Monday, May 14, 2012 City Council meeting from 7:00 p.m. to 6:00 p.m.

ADOPTED unanimously.

5. Resolution to declare May 12, 2012 as national Train Day.

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

WHEREAS, Amtrak provided statewide passenger rail travel to over ¾ million Michigan travelers in 2011; and

WHEREAS, for Dowagiac area residents, Amtrak represents the only major passenger transportation link to the rest of the country; and

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WHEREAS, on May 10, 1869 the "golden spike" was driven into the final tie at Promontory Summit, Utah to join the Central Pacific and the Union Pacific Railroads, ceremonially completing the first transcontinental railroad and therefore connecting both coasts of the United States; and

WHEREAS, the City of Dowagiac embraces Amtrak's invitation to Discover the Rail-Way: and

WHEREAS, we recognize and celebrate the pivotal role that a robust intercity passenger rail system can provide for better mobility for persons of all abilities.

NOW, THEREFORE, the City Council of the City of Dowagiac does hereby proclaim May 12, 2012, as National Train Day.

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the Michigan Association of Railroad Passengers, Amtrak, and the Michigan Environmental Council.

ADOPTED unanimously.

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 #15 for the period ending 4/19/12:

Invoices: 529,165.59
Payroll: 175,932.29
Total: \$705,097.88

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
\$529,165.59	\$175,932.29	\$705,097.88

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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 Schuur, and seconded by Councilmember Dodd, the Dowagiac City Council adjourned at 7:25 p.m.

Mayor Donald D. Lyons

James E. Snow, City Clerk