

## DOWAGIAC CITY COUNCIL MEETING

Monday April 8, 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, Lori A. Hunt, Randall G. Gross, Sr. and Bob B. Schuur.

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

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

Approved unanimously.

### COMMUNICATIONS

1. Area Churches Together In One Network (A.C.T.I.O.N.) Mobile Food Pantry, Walter Ward Park, June 20, 2013; Rotary Park, July 19, 2013

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

Approved unanimously.

2. Steve's Run, July 27, 2013

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

Approved unanimously.

### CITY MANAGER REPORT

1. Interlocal Agreement for the Administration of a Drug Enforcement Team in the County of Cass and the City of Dowagiac.

From the City Manager:

#### INTERLOCAL AGREEMENT FOR THE ADMINISTRATION OF A DRUG ENFORCEMENT TEAM

The Interlocal Agreement for the Administration of a Drug Enforcement Team is in need of renewal. In August 2012, Cass County voters approved a renewal of Drug Enforcement Millage to support county-wide anti-drug efforts. The proposed agreement mirrors the way in which the County Drug Enforcement Team (CCDET) has been operating since the voters first approved millage in 2004.

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This agreement assures that a coordinated effort to deal with illegal drug activity remains in place. Director of Public Safety Atkinson has reviewed the terms and recommends approval.

### RECOMMENDATION

I recommend Council approve the Interlocal Agreement for the Administration of a Drug Enforcement Team in the County of Cass and the City of Dowagiac.

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

ADOPTED unanimously.

### 2. 2013 Local Street Paving Project Bid Award

From the City Manager:

### 2012 PAVING PROJECT BID AWARD

Bids for the 2013 Local Street Paving Projects have been received. The low bidder is J. Allen & Company, Inc., who is located in Galesburg, MI. The attached memo from Public Services Director James Bradford specifies the projects slated for resurfacing. The good news is that projects came in under estimated costs so additional paving can be accomplished this year than originally anticipated.

### RECOMMENDATION

I recommend that City Council award the bid to J. Allen & Company, Inc. in the amount of \$65,357.76.

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

ADOPTED unanimously.

### RESOLUTIONS

1. Resolution to adopt and approve a revised Drug and Alcohol Testing Policy for transit employees.

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

**WHEREAS**, an essential part of our mission is to ensure service to the public is delivered safely, efficiently, and effectively by the continuance of a drug and alcohol free

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work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public; and

**WHEREAS**, guidelines are maintained to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the motor carrier industry including the Federal Motor Carrier Safety Administration and the U.S. Department of Transportation and in compliance with the Drug-Free Workplace Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991; and

**WHEREAS**, it is the requirement of the Michigan Department of Transportation that the attached updated written policy relating to drug and alcohol testing be approved and adopted by resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Dowagiac, by the affirmative vote of its City Council, in complete compliance with Federal law, does hereby adopt and approve the attached Drug and Alcohol Testing Policy for the purposes detailed therein.

ADOPTED unanimously.

2. Resolution authorizing the sale of land to Eric Haas in the City of Dowagiac Industrial Park.

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

**WHEREAS**, the City of Dowagiac owns property in the Dowagiac Industrial Park; and

**WHEREAS**, A & E Properties, LLC has made an offer to purchase 4.84 acres in the Dowagiac Industrial Park at a price of \$6,050.00 so that Haas Systems can build a new facility.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Dowagiac, by affirmative vote of its City Council, authorizes the Mayor and City Clerk to execute and sign a sales agreement on behalf of the City. The agreement provides for the sale of 4.84 acres at price of \$6,050 to A & E Properties.

ADOPTED unanimously.

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

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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 #14 for the period ending 4/4/13:

Invoices: 78,139.93  
Payroll: 120,756.87  
Total: \$198,896.80

**BE IT RESOLVED** that the City Manager and City Treasurer are hereby authorized and directed to pay the following bills and payroll due:

<u>Invoices</u>	<u>Payroll</u>	<u>Total</u>
\$78,139.93	\$120,756.87	\$198,896.80

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 Laylin, and seconded by Councilmember Burling, the Dowagiac City Council adjourned at 7:15 p.m.

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Donald D. Lyons, Mayor

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James E. Snow, City Clerk