

## DOWAGIAC CITY COUNCIL MEETING

Monday, June 9, 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, Lori A. Hunt, James B. Dodd, and Randall G. Gross, Sr.

**ABSENT:** None.

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

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

Approved unanimously.

### RESOLUTIONS

1. Resolution to authorize an agreement with Fleiss and Vanderbrink to design necessary improvements to the Wastewater Treatment Plant.

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

**WHEREAS,** the City of Dowagiac operates a wastewater treatment system which requires updates to equipment and systems to continue to operate efficiently, and;

**WHEREAS,** the City has applied for and received preliminary approval for a Storm water, Asset management, and Wastewater (SAW) Grant and State Revolving Funding through the Michigan Department of Environmental Quality, and;

**WHEREAS,** the attached Professional Services Agreement with Fleis & Vandenbrink Engineering, Inc. for preliminary and final design will aid in utilizing the grant funding effectively.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the Professional Services Agreement with Fleis & Vandenbrink Engineering, Inc. for preliminary and final design.

**BE IT FURTHER RESOLVED,** that the Mayor and City Manager are hereby authorized and directed to act as signatories for the execution of same.

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ADOPTED unanimously.

2. Resolution to authorize the purchase of Itron's remote meter reader services pursuant to agreement with CAUA.

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

**WHEREAS**, the City of Dowagiac provides management and meter reading services to the Cassopolis Area Utility Authority (CAUA), and;

**WHEREAS**, the City and CAUA wish to provide remote meter reading services to the Donnell Lake and Diamond Lake as part of this contract, and;

**WHEREAS**, the attached purchase orders for Itron, Inc., and HD Supply, Inc., has been prepared for the purchase of professional services and remote read meters.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the purchase of professional services and remote read meters.

**BE IT FURTHER RESOLVED**, that the City Manager are hereby authorized and directed to act as signatories for the execution of same.

ADOPTED unanimously.

3. Resolution to authorize the purchase of a new DART bus using grant funds.

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

**WHEREAS**, the City of Dowagiac operates a Dial-A-Ride Transportation (DART) System, and;

**WHEREAS**, the City has applied for and received approval for state and federal funding through the Michigan Department of Transportation for Congestion Mitigation and Air Quality improvement (CMAQ) capital funding assistance for the purchase of a DART bus, and;

**WHEREAS**, the attached purchase order and vehicle order form has been prepared for the purchase of a new Dial-A-Ride Transit bus.

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**NOW, THEREFORE, BE IT RESOLVED** that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve the purchase of a new Dial-A-Ride Transit bus.

**BE IT FURTHER RESOLVED**, that the Mayor and Transportation Coordinator are hereby authorized and directed to act as signatories for the execution of same.

4. Resolution to authorize the finalization of Revolving Loan Agreement and repayment schedule with Forrest Finn LLC for improvements at 115/117 Front Street.

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

**WHEREAS**, the City of Dowagiac has developed a Revolving Loan Fund (RLF) to assist in economic development projects; and

**WHEREAS**, the City of Dowagiac determines that it is in the best interest of the community to facilitate improvements to 115/117 Front Street; and

**WHEREAS**, the developer, Forrest Finn LLC has demonstrated experience in operating a theater and meets the eligibility criteria for RLF applicants; and

**NOW, THEREFORE, BE IT RESOLVED** the City Council authorizes the City Manager to complete and execute final RLF agreement and amortization schedule with Forrest Finn LLC with the following terms and conditions:

- The loan will be for \$65,000.
- The rate of interest will be 5%.
- The term of the loan is 5 years (60 months).
- The City loan will be secured by a lien on the real estate.

ADOPTED unanimously.

5. 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.

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**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 #18 for the period ending 6/5/14:

Invoices: 289,816.10  
Payroll: 194,077.15  
Total: \$483,893.25

**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
\$289,816.10	\$194,077.15	\$483,823.25

ADOPTED on a Roll Call vote.

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

Nays: One (1) Burling

Absent: None (0)

Abstain: None (0)

**Amended Total Amount:**

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

Invoices	Payroll	Total
\$289,816.10	\$194,077.15	\$483,893.25

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)

COMMENTS FROM CITY OFFICIALS –

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RESOLUTIONS, Continued (CLOSED SESSION)

1. Resolution to adjourn to a closed session to consider the purchase or lease of real property.

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

**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 consider the purchase or lease of real property up to the time an option to purchase or lease that property is obtained; and

**WHEREAS**, the Mayor and City Council desire to meet with the City Manager and the City Attorney to discuss the purchase of real property.

**NOW, THEREFORE, BE IT RESOLVED** the City Council will hereby adjourn to closed session to discuss the purchase of real property.

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)

CLOSED SESSION

TIME: 7:20 PM

LATER: 7:33 PM

Upon motion by Councilmember Schuur and seconded by Councilmember Laylin, the Dowagiac City Council adjourned at 7:33 p.m.

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Donald D. Lyons, Mayor

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Kevin P. Anderson, City Manager