

DOWAGIAC CITY COUNCIL MEETING

Monday, September 12, 2016

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, Lori A. Hunt, Danielle E. Lucas, Bob B. Schuur and City Clerk Jane P. Wilson.

ABSENT: None

STAFF: City Manager Kevin P. Anderson; Airport Manager Oscar Azevedo.

Councilmember Dodd moved and Councilmember Hunt seconded that the minutes of the August 22, 2016 meeting be approved.

Approved unanimously.

COMMUNICATIONS

1. Park Pick-Up Day, October 1, 2016.
2. Under the Harvest Moon, October 8, 2016.
3. Airport Fly-In pancake breakfast, September 24, 2016.

Councilmember Schuur moved and Councilmember Hunt seconded that all three (3) requests be approved.

RESOLUTIONS

1. Resolution authorizing the Master Agreement No. 2017-0046 with the Michigan Department of Transportation (MDOT) relating to Dial-A-Ride Transit operations.

Councilmember Laylin offered and moved to approve the following resolution; seconded by Councilmember Burling.

WHEREAS, the City of Dowagiac has the authority to contract with the Michigan Department of Transportation for state and/or federal funds for passenger transportation related services, and;

WHEREAS, the City of Dowagiac does hereby approve Master Agreement No. 2017-0046.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Dowagiac be authorized and directed to execute said agreement for and on behalf of the City of Dowagiac.

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APPROVED unanimously.

2. Resolution authorizing Rozanne Scherr as the Transportation Coordinator to administer the Master Agreement with MDOT.

Councilmember Burling offered and moved to approve the following resolution; seconded by Councilmember Schuur.

WHEREAS, this resolution shall also approve execution of Project Authorizations for any programs designated by the City of Dowagiac and/or Project Authorizations for any amount determined by the City of Dowagiac with the Michigan Department of Transportation, which are issued under Master Agreement Number 2017-0046.

NOW, THEREFORE, BE IT RESOLVED that the Transportation Coordinator for City of Dowagiac is authorized to enter into and execute on behalf of the City of Dowagiac all such project authorizations with the Michigan Department of Transportation for passenger transportation related services for the Agreement period.

APPROVED unanimously.

3. Resolution authorizing an amendment to the Classification and Compensation System for non-union employees of the City of Dowagiac.

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

WHEREAS, Section 7.7 of the Dowagiac City Charter sets forth the duties of the City Manager, and;

WHEREAS, the City Manager shall see that all laws, ordinances, rules and regulations adopted by the City Council and provisions of the Charter are properly enforced, and;

WHEREAS, the City Manager shall recommend to the Council for consideration such measures as he may deem necessary and expedient, and;

WHEREAS, the City Manager recommends to Council the approval of an annual fiscal year adjustment of 2.0% to the Classification and Compensation System as attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby approve and adopt the annual fiscal year adjustment of 2.00% to the Classification and Compensation System attached hereto effective October 1, 2016.

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APPROVED unanimously.

4. Resolution authorizing the sale of 504 Keene Avenue, Parcel Code No. 14-160-300-727-00.

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

WHEREAS, at the July 25, 2016 City Council meeting by way of an adopted resolution introducing same, the Dowagiac City Council approved of a final-form resolution authorizing the conveyance of City-owned, real property in accordance with the provisions of Section 14.9 of the City Charter, and the specifications outlined in the City Council Policy enacted on June 21, 1993, and;

WHEREAS, having now remained on file for public inspection with the Office of the City Clerk for in-excess-of the minimum twenty-one (21) day period required by the City Charter, the City of Dowagiac wishes to formally convey and sell the parcel of surplus real property legally described in Exhibit "A", commonly known as 504 Keene Ave. in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-300-727-00, to Tony Danneffel and Toby Daneffel, for the total sale price of four thousand two hundred dollars (\$4200.00).

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council, by the affirmative roll call vote of five or more of its City Council Members, does hereby adopt and approve the sale and conveyance of City-owned real property legally described in Exhibit "A", commonly known as 504 Keene Ave. in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-300-727-00, to Tony Danneffel and Toby Daneffel, for the total sale price of four thousand two hundred dollars (\$4200.00).

BE IT FURTHER RESOLVED that the said conveyance shall be accomplished by means of the transfer of a Quit-claim Deed, as prepared by the City Attorney, signed by the Mayor and Clerk respectively of the City of Dowagiac, and executed within thirty (30) days following adoption of this resolution.

APPROVED unanimously.

5. Resolution authorizing the sale of 303 Parsonage, Parcel Code No. 14-160-200-903-00.

Councilmember Laylin offered and moved to table the following resolution; seconded by Councilmember Schuur.

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WHEREAS, at the August 8, 2016 City Council meeting by way of an adopted resolution introducing same, the Dowagiac City Council approved of a final-form resolution authorizing the conveyance of City-owned, real property in accordance with the provisions of Section 14.9 of the City Charter, and the specifications outlined in the City Council Policy enacted on June 21, 1993, and;

WHEREAS, having now remained on file for public inspection with the Office of the City Clerk for in-excess-of the minimum twenty-one (21) day period required by the City Charter, the City of Dowagiac wishes to formally convey and sell the parcel of surplus real property legally described in Exhibit "A", commonly known as 303 Parsonage, in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-200-903-00, and commonly known as 403 West Street, in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-200-904-00 to Melissa & Timothy Craig, for the total sale price of not less than eight thousand eight hundred dollars (\$8,800.00).

NOW, THEREFORE, BE IT RESOLVED that the Dowagiac City Council, by the affirmative roll call vote of five or more of its City Council Members, does hereby adopt and approve the sale and conveyance of City-owned real property legally described in Exhibit "A", commonly known as 303 Parsonage, in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-200-903-00, and commonly known as 403 West Street, in the City of Dowagiac, according to the recorded plat thereof, and more commonly referred to as Parcel Code No. 14-160-200-904-00 to Melissa & Timothy Craig, for the total sale price of not less than eight thousand eight hundred dollars (\$8,800.00).

BE IT FURTHER RESOLVED that the said conveyance shall be accomplished by means of the transfer of a Quit-claim Deed, as prepared by the City Attorney, signed by the Mayor and Clerk respectively of the City of Dowagiac, and executed within thirty (30) days following adoption of this resolution.

TABLED unanimously.

6. Resolution establishing Trick or Treat hours for October 31, 2016.

Councilmember Burling offered and moved to approve the following resolution; seconded by Councilmember Laylin.

WHEREAS, traditionally the City Council has designated a specific day and time in which Halloween Trick or Treat activities will be conducted in the City of Dowagiac, and;

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WHEREAS, this year Halloween falls on Monday, October 31, 2016, and;

WHEREAS, the Dowagiac City Administration and Police Department have recommended that the Trick or Treat hours for 2016 be established as 6:00 p.m. to 7:00 p.m. on Monday, October 31.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac, by the affirmative vote of its City Council, does hereby authorize and designate that Trick or Treat activities be conducted in the City of Dowagiac for 2015 on Monday, October 31, between the hours of 6:00 p.m. to 7:00 p.m.

BE IT FURTHER RESOLVED that those that go out on Trick or Treat activities limit their solicitations to homes with porch lights on.

APPROVED unanimously.

7. Resolution authorizing the continuation of the Tree Removal Policy for two years with a budget of \$2,000 per year.

Councilmember Schuur offered and moved to approve the following resolution; seconded by Councilmember Dodd.

WHEREAS, On October 27, 2014, City Council approved a tree removal policy to address the problem of Emerald Ash Bore within the City which has caused numerous trees to die, and;

WHEREAS, diseased trees can create a dangerous situation in the right-of-way as well as pose a significant liability to individual property owners, and;

WHEREAS, the City is responsible for and will take care of trees within the street right-of-way, and;

WHEREAS, the City recognizes that the cost to remove large Emerald Ash trees can be a barrier for property owners and wishes to modify and extend the tree removal policy that expires on September 30, 2016.

NOW, THEREFORE, BE IT RESOLVED that in an effort to assist property owners in this matter, City Council does hereby modify and extend the following policy:

1. Staff will solicit proposals from qualified, insured tree removal firms with the goal of receiving a quantity discount that will be passed directly onto homeowners.
2. The eligibility requirements of the Design Review Committee for the Housing Incentive Program will be amended to allow for a grant of 20% of the cost of tree

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removal up to a maximum of \$500 per tree removal up to a maximum of three (3) trees removed per lot.

3. If the cost to the homeowner is less than \$500, the homeowner will be eligible to voluntarily place a special assessment on their property for up to two (2) years. If the cost is greater than \$500, the homeowner shall have the opportunity to voluntarily place a special assessment on their property for up to three (3) years. An interest rate of 2% shall be placed on the special assessments.
4. The program will be available on a first come, first serve basis. Funds are available for up to a total of 10 tree removals in the city each year.
5. The program will be in place for two (2) years ending in September 2018.
6. Staff will advertise to homeowners the availability of these discounted rates and incentives via the utility billing inserts, press releases, the City's website and other appropriate means.

APPROVED unanimously.

8. 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 for period ending 8/28/16 and payroll #25:

Invoices \$454,161.84 PR #25 \$114,927.05 Total \$569,088.89

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>
\$454,161.84	\$114,927.05	\$569,088.89

ADOPTED on a roll call vote.

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

Nays: None (0)

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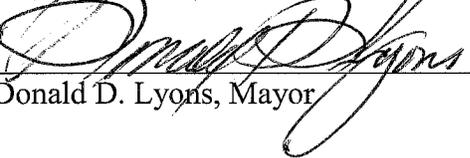
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Absent: None (0)

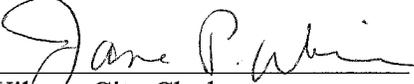
Abstain: None (0)

ADJOURNMENT

Upon motion by Councilmember Laylin and seconded by Councilmember Dodd, the Dowagiac City Council adjourned at 7:15 PM.



Donald D. Lyons, Mayor



Jane P. Wilson, City Clerk