

DOWAGIAC CITY COUNCIL MEETING

Monday September 9, 2013

A regular meeting of the Dowagiac City Council was called to order by Mayor Pro-Tem Leon D. Laylin at 7:00 p.m.

Mayor Pro-Tem Laylin led the Pledge of Allegiance to the flag.

PRESENT: Mayor Pro-Tem Leon D. Laylin; Councilmembers Charles K. Burling, James B. Dodd, Randall G. Gross, Sr. and Bob B. Schuur.

ABSENT: Mayor Donald D. Lyons; Councilmember Lori A. Hunt

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

Councilmember Dodd moved and Councilmember Burling seconded that the minutes of the August 26, 2013 meeting be approved.

Approved unanimously.

COMMENTS FROM THE AUDIENCE (NON-AGENDA)-

Rev. Jerri Porter, CONNER-MAYO A.M.E. CHURCH, 505 N. Front St.

COMMUNICATIONS-

1. Under the Harvest Moon Festival, October 12, 2013

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

Approved unanimously.

PUBLIC HEARING-

1. Public hearing to receive public comment regarding funds for a downtown rental rehabilitation grant.

Marilyn Smith gave background information on the grant.

Mayor Pro-Tem Laylin opened the public hearing at 7:15 p.m.

Junior Oliver, 416 Chestnut St.

There being no further public comment, Mayor Pro-Tem Laylin closed the public hearing at 7:16 p.m.

CITY MANAGER REPORT-

DOWAGIAC CITY COUNCIL MEETING

Monday September 9, 2013

Page Two

1. Authorize a purchase order with Synagro Central LLC for cleaning the retention pond at the wastewater treatment plant.

From the City Manager:

CLEANING STORM WATER RETENTION POND-WASTEWATER TREATMENT PLANT

The City's wastewater treatment plant has large retention areas to deal with peak flows. Periodically, these areas need to be cleaned to assure that maximum storage is available should large storm water events occur. It has been nearly a decade since the ponds were last cleaned and part of the City's operating permit requires that this work be done.

It is expected that this work will be completed in the fiscal year 2013-14.

RECOMMENDATION

I recommend that City Council authorize a purchase order with Synagro Central LLC in the amount of \$37,125 to perform the above-noted work per the attached agreement.

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

ADOPTED unanimously.

RESOLUTIONS-

1. Resolution to authorize the City Manager to apply for a downtown rental rehabilitation application through the MSHDA Housing Resource Fund.

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

DRR (Downtown Rental Rehabilitation) HOUSING RESOURCE FUND

WHEREAS, the City of Dowagiac is interested in continuing its efforts to provide affordable rental housing opportunities for its low-to-moderate income residents; and

WHEREAS, the City of Dowagiac Council Members recommend that the City of Dowagiac support applications for DRR funds for rehabilitation of downtown commercial and rental buildings to promote the viability of the downtown district; and

DOWAGIAC CITY COUNCIL MEETING

Monday September 9, 2013

Page Three

WHEREAS, the City of Dowagiac Council Members are requesting the application not to exceed \$500,000.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac Council Members authorize preparation of the application for funding through the Michigan State Housing Development Authority's Housing Resource Fund.

ADOPTED unanimously.

2. Resolution to authorize the City Manager to apply for a DIG Grant with the MEDC for downtown infrastructure improvements.

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

**CITY OF DOWAGIAC
PART 1 APPLICATION FOR A
COMMUNITY DEVELOPMENT BLOCK GRANT FOR
DOWNTOWN INFRASTRUCTURE GRANT PROGRAM**

WHEREAS, the City of Dowagiac desires to improve its employment, tax base and the overall quality of life of its residents; and

WHEREAS, the Michigan Economic Development Corporation (MEDC) announced Community Development Block Grants (CDBG) through the Downtown Infrastructure Grant (DIG) Program; and

WHEREAS, the City of Dowagiac qualifies for the CDBG funding based on the City's 56.0% low and moderate income status and other factors; and

WHEREAS, the City of Dowagiac will be submitting a pre-application (Part 1 Application) for burying utilities, improvements to parking areas, pedestrian accessibility and public art as detailed in the application with an expected costs of \$_____;
and

WHEREAS, the proposed infrastructure improvements meet the goals and the grant program and are consistent with the City's Master Economic Development Plan; and

WHEREAS, the City of Dowagiac intends to request funding assistance from the CDBG Program and must designate a Certifying Officer and responsible Official; and

DOWAGIAC CITY COUNCIL MEETING

Monday September 9, 2013

Page Four

WHEREAS, the City of Dowagiac must commit local funds as a match for the proposed project funding by the CDBG-DIG program.

NOW, THEREFORE, BE IT RESOLVED that the City of Dowagiac by the affirmative vote of its City Council, hereby designates, Kevin P. Anderson, City Manager, as the Certifying Officer for the Environmental Review and the Authorized Government Official to execute the documents for the City of Dowagiac.

BE IT FURTHER RESOLVED that the City will commit local funds up to \$_____ from the Electric Utility Fund and Capital Improvement Funds as a local match if awarded CDBG grants funds, for which the amounts and availability will be available and encumbered immediately upon receipt of the grant award.

ADOPTED unanimously.

3. Resolution to authorize a Transit Dispatching Agreement between the City of Dowagiac and the Cass County Transportation Authority.

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

WHEREAS, the City of Dowagiac currently dispatches Dial-A-Ride Transit buses in-house with a full-time employee; and

WHEREAS, Dial-A-Ride Transit dispatching does not require an on-site presence in order to operate effectively and efficiently; and

WHEREAS, the City and the Cass County Transportation Authority (CCTA) have negotiated a "Transit Dispatching Agreement between the City of Dowagiac and the Cass County Transportation Authority"; and

WHEREAS, the Agreement calls for dispatching services to be provided through CCTA's qualified third party operator, Transportation Management, Inc., from September 16, 2013 through September 30, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes execution of a Transit Dispatching Agreement between the City of Dowagiac and the Cass County Transportation Authority.

ADOPTED unanimously.

DOWAGIAC CITY COUNCIL MEETING

Monday September 9, 2013

Page Five

4. Resolution to authorize budget amendments for FY 2012-13 through the period August 31, 2013.

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

WHEREAS, the City administration has reviewed the attached budgets for the 2012-13 fiscal year and the actual revenues and expenditures through August 31, 2013; 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.

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.

5. Resolution to amend and extend a six-month contract with Gary Carlile to continue his contractual employment services as Airport Manager and Park Consultant for the City.

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

WHEREAS, Gary Carlile is currently employed by the City of Dowagiac on a contract basis as Director of the Dowagiac Municipal Airport and planning and consulting services in the area of parks and open space planning; and,

WHEREAS, both the City and Mr. Carlile mutually agree that it would be beneficial for Mr. Carlile to continue those current responsibilities; and,

WHEREAS, the City and Mr. Carlile would like to extend and amend the current agreement to employ Mr. Carlile as Airport Director.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby authorizes execution of an employment agreement (Exhibit A) between the City of Dowagiac and Gary Carlile for services as Airport Director of the Dowagiac Municipal Airport and for planning and consulting services in the area of parks and open space planning.

DOWAGIAC CITY COUNCIL MEETING

Monday September 9, 2013

Page Six

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 Burling.

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 #25 for the period ending 9/5/13:

Invoices: 213,136.27
Payroll: 113,915.72
Total: \$327,051.99

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
\$213,136.27	\$113,915.72	\$327,051.99

ADOPTED on a roll call vote.

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

Nays: None (0)

Absent: One (1) Hunt

Abstain: None (0)

ORDINANCES-

1. Second reading of an ordinance to amend Chapter 38, "Environment", Nuisances, Division 7, Noise control, Section 38-112(a), be amended by its repeal and the adoption of a new Section 38-112(a).

Moved by Councilmember Dodd and seconded by Councilmember Schuur for adoption at the August 26, 2013 meeting is now presented to the Council for a second reading and vote.

ADOPTED on a roll call vote.

DOWAGIAC CITY COUNCIL MEETING

Monday September 9, 2013

Page Seven

Moved by: Dodd

Seconded by: Schuur

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

Nays: None (0)

Absent: One (1) Hunt

Abstain: None (0)

Upon motion by Councilmember Burling and seconded by Councilmember Dodd, the Dowagiac City Council adjourned at 7:34 p.m.

Leon D. Laylin, Mayor Pro-Tem

James E. Snow, City Clerk