

PUBLIC HEARING
CDBG Substantial Amendment to the Annual Action Plan
MONDAY, OCTOBER 26, 2015, 5:55PM

Mayor McCauslin called the Public Hearing for the CDBG 2nd Substantial Amendment to the Annual Action Plan. He asked if anyone in the audience wishes to address the council on the CDBG 2nd Substantial Amendment to the Action Plan, hearing none, the public hearing was closed at 5:57 pm.

CITY OF NILES
REGULAR CITY COUNCIL MEETING
MONDAY, OCTOBER 26, 2015, 6:00PM

The meeting was called to order by Mayor Michael McCauslin in the City Council Chambers, 1345 East Main Street, at 6:00 p.m. The Pledge of Allegiance was led by Mayor Michael McCauslin.

PRESENT: Gretchen Bertschy (6:12pm), Georgia Boggs Scott Clark, Robert Durm, David Mann, Tim Skalla, Daniel VandenHeede William Weimer, Mayor Michael McCauslin

ABSENT: None

STAFF: Casperson, Dunlap, Huff, Jackson, Lamb, Millin, Ray, Wise, Phillips

AUDIENCE: 20

CITIZEN PARTICIPATION: None

PRESENTATION: None

CONSENT AGENDA:

1. Approval of the Minutes of October 12, 2015.
2. Approval of the Bills.
3. Consideration of approving a request from the Niles-Buchanan YMCA to hold the annual YMCA Thanksgiving Day Run on Thursday, November 26, 2015 beginning at 7:00 a.m. and ending at approximately 11:00 a.m. and consideration of approving various other requests including waiving all fees and providing assistance from the Police and Public Works Departments.
Council Member Weimer moved, Council Member Boggs seconded, MOTION CARRIED, to approve Items 1-3 as submitted.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

ADMINISTRATOR'S REPORT:

Introduction of Items for Discussion

Items for Council Action

4. Consideration of entering into a Sub-recipient agreement with Kinexus of Benton Harbor to administer the City's Homeowner's Assistance Program, consideration of approving the funding as outlined and consideration of authorizing the mayor to sign the agreement.

Council Member Weimer moved, Council Member Mann seconded, MOTION CARRIED, to approve of entering into a Sub-recipient agreement with Kinexus of Benton Harbor to administer the City's Homeowner's Assistance Program, consideration of approving the funding as outlined and consideration of authorizing the mayor to sign the agreement.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

5. Consideration of approving a 2nd Substantial Amendment to the 2015 Community Development Block Grant Annual Action Plan. Council Member VandenHeede asked for an explanation of changes. City Administrator explained that after several attempts to educate FSRC staff on HUD grant requirements, it was decided to focus attention on other projects that would better serve the community. The Niles Community Library has taken on many of the services that were being offered by Ferry Street Resource Center therefore, CDBG funds would be allocated to help fund the School Resource Officer with extracurricular activities that are currently being funded by the City's General Fund.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve a 2nd Substantial Amendment to the 2015 Community Development Block Grant Annual Action Plan.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

6. Consideration of adopting the proposed revisions to the Niles Dial a Ride's Drug and Alcohol Policy as outlined. **Council Member Weimer** moved, **Council Member Mann** seconded, **MOTION CARRIED**, to adopt the proposed revisions to the Niles Dial a Ride's Drug and Alcohol Policy as outlined.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

7. Consideration of entering into a Delegation of Authority Agreement with the State of Michigan to delegate authority to the Niles Fire Department for the inspection of retail fireworks facilities in the City of Niles for the year 2016 through April 2017 and consideration of authorizing the mayor to sign the agreement.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve entering into a Delegation of Authority Agreement with the State of Michigan to delegate authority to the Niles Fire Department for the inspection of retail fireworks facilities in the City of Niles for the year 2016 through April 2017 and consideration of authorizing the mayor to sign the agreement.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

8. Consideration of approving a loan of \$59,000.00 to the Niles Main Street/DDA to be used as local match money for an MEDC grant for UltraCamp, Incorporation's downtown business development.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve a loan of \$59,000.00 to the Niles Main Street/DDA to be used as local match money for an MEDC grant for UltraCamp, Incorporation's downtown business development.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** None **ABSTAIN:** None

9. Consideration of authorizing the reimbursement of \$20,000 over four years to the Niles Main Street/DDA for expenses incurred from the operation of 127 E. Main Street.

Council Member Weimer moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to approve authorizing the reimbursement of \$20,000 over four years to the Niles Main Street/DDA for expenses incurred from the operation of 127 E. Main Street.

ROLL CALL: AYES: Bertschy (6:12pm), Boggs, Durm, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** Clark, Mann **ABSTAIN:** None

10. Consideration of adopting the Boards and Commissions Policy Handbook.

Council Member Weimer moved, **Council Member Durm** seconded, to adopt the Boards and Commissions Policy Handbook.

Council Member Bertschy moved, **Council Member Clark** seconded, **MOTION CARRIED**, to table the item until the next meeting, November 9, 2015.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede

NAY: None **ABSENT:** Weimer **ABSTAIN:** None

ADDENDUM

- 10a. Consideration of approving the bids submitted by M&M Construction and authorize the disbursement of CDBG funds for the HAP rehabilitation work at 1335 Wayne Street, 515 S. 5th Street, and 1618 Broadway.

CORRECTION: Council Member Clark pointed-out that 515 S. 5th Street, Item 2. Roof – Complete replacement of Garage Roof, \$3,400 is an eligible use of CDBG funds and should be removed from the list of items to be completed. Council Member Bertschy questioned the condition of the house. Sanya Phillips, Community Development Director, explained that the house is not in condemnation at this point and other funds are being sought for additional repairs.

Council Member VandenHeede moved, Council Member Durm seconded, **MOTION CARRIED**, to approve the bids submitted by M&M Construction and authorize the disbursement of CDBG funds for the HAP rehabilitation work at 1335 Wayne Street, 515 S. 5th Street, and 1618 Broadway with the exception of \$3,400 for the garage roof repairs at 515 S. 5th Street to be allocated for other repairs.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** None **ABSTAIN:** None

**APPOINTMENT TO BOARDS:
REMOVED**

~~11. Consideration of approving the mayor's appointment of Ms. Andrea Burns to the Niles Public Arts Commission to complete the unexpired term of Ms. Elizabeth Alton, effective immediately and expiring on August 24, 2016.~~

Council Member Durm moved, Council Member VandenHeede seconded, **MOTION CARRIED**, to remove Item 11 from the agenda.

AYES: 8 NAYS: 0

ADDENDUM

11a. Consideration of approving the appointment of Dr. Dale Gadd to the Niles Utilities Board, effective immediately and expiring on December 31, 2019.

Council Member Mann moved, Council Member Skalla seconded, **MOTION CARRIED**, to appoint of Dr. Dale Gadd to the Niles Utilities Board, effective immediately and expiring on December 31, 2019. **AYES: 8 NAYS: 0**

ADDENDUM

11b. Consideration of approving the appointment of Dr. Dale Gadd to the Pension Board, effective immediately and expiring on December 31, 2016.

Council Member VandenHeede moved, Council Member Durm seconded, **MOTION CARRIED**, to appoint Dr. Dale Gadd to the Pension Board, effective immediately and expiring on December 31, 2016. **AYES: 8 NAYS: 0**

CITY ATTORNEY'S REPORT: None

COUNCIL MEMBER'S REPORT:

Council Member Boggs requested that the city council review the garage sale ordinance.

Council Member Mann concurred with Council Member Boggs and Council Member VandenHeede to review the ordinance. Thanked the police department for the apprehension of the two individuals that were robbing convenient stores.

Council Member VandenHeede suggested that the Ordinance Committee meet after the next council meeting, November 9, to review the garage sale ordinance.

Council Member Durm moved, Council Member Clark seconded, **MOTION CARRIED**, to excuse Council Member VandenHeede from the October 12, 2015 council meeting. **AYES: 8 NAYS: 0**

MAYOR'S REPORT: Reminded everyone to be cautious during Trick or Treating.

ADJOURNMENT: Council Member Weimer moved to adjourn at 6:57pm.

Linda Casperson

Date