

THE CITY COUNCIL
NILES, MICHIGAN
PUBLIC HEARING
Monday, March 14, 2016, 5:55 p.m.

The Mayor asked if anyone in the audience wished to address the council on 2016-2020 Five-Year Parks and Recreational Plan (Community Plan). Hearing no response, the Public Hearing was closed at 5:57p.m.

CITY OF NILES
REGULAR CITY COUNCIL MEETING MINIUTES
MONDAY, March 14, 2016

The meeting was called to order by Mayor McCauslin in the City Council Chambers, 1345 East Main Street, Niles, Michigan at 6:00 p.m., February 22, 2016. The Pledge of Allegiance was led by Mayor McCauslin.

PRESENT: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, David Mann, Tim Skalla, Daniel VandenHeede, William Weimer, Mayor McCauslin

ABSENT: None

STAFF: Casperson, Huff, Landgraf, Lamb, Millin, Ray, Wise

CITIZEN PARTICIPATION: Cindy Cataldo, Chairman of the Park and Recreation Board, requested that the council support the Park and Recreational Plan and presented the council with a news article from Elkhart Parks Supervisor urging Elkhart to offer pickle ball courts and a dog park.

PRESENTATION: Presentation of the City Audit

Mr. William (Bill) Tucker

Principal, Abraham & Gaffney, PC

Mr. Tucker referenced a cover letter dated, March 7, 2016, Setting the Standard for Quality Governmental Audits, Supplementary Information to Financial Statements (Federal Awards) dated September 30, 2015, and Financial Statements, dated September 30, 2015.

CONSENT AGENDA:

1. Consideration of approving the City Council Minutes of February 22, 2016.
2. Consideration of approving the Bills.
3. Consideration of approving the use of the Riverfront Park Amphitheater and surrounding park area to hold the 2016 Farmer's Market on Thursdays from May 19 to September 29, 2016 from 6:00 am to 4:00pm and consideration of approving third Thursday evenings from June to August for concerts held with the Market until 9pm and consideration of other requests as outlined.
4. Consideration of accepting a quote of \$324.00 annually for a security system monitoring agreement for Chapin Mansion and consideration of authorizing the city administrator to sign the agreement.
5. Consideration of approving the purchase of 24 tons of infield conditioner from Sports Turf Management of Zeeland, MI at a cost of \$6,480.00 to eliminate drainage issues in the infields at Tyler Sports Complex and consideration of amending the budget by \$6,480.00 for this unplanned expense.
6. Consideration of approving a commitment to order 1,000 tons of bulk rock salt for the 2016/2017 winter season through the MiDEAL program, at a price per ton which is unknown at this time, and consideration of authorizing the Public Works Director to sign the commitment.

Council Member Weimer moved, **Council Member Mann** seconded, **MOTION CARRIED**, to approve Items 1-6 as submitted.

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

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

ADMINISTRATOR’S REPORT:

Introduction of Items for Discussion

Items for Council Action

7. Consideration of adopting a resolution to approve the 2016-2020 Five-Year Parks & Recreation Plan (Community Recreation Plan) and consideration of authorizing the mayor to sign the Certification Checklist for submission of the Plan to the Michigan Department of Natural Resources (MDNR) for their consideration.

RESOLUTION #2016-03/1979

Council Member David Mann offered the following resolution and moved for its adoption, seconded by **Council Member William Weimer**.

RESOLVED BY: City Council, City of Niles, Michigan,

WHEREAS, the *City of Niles, Michigan* has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five year period covering the years 2016 through 2020, and

WHEREAS, the *City of Niles, Michigan* began the process of developing a *community recreation and natural resource conservation plan* in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the *City of Niles, Michigan* were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the *plan* for a period of at least *30 days*, and

WHEREAS, a final public hearing was held on March 14, 2016 at the Niles Fire Department to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the *2016-2020 Parks and Recreation Plan*, and

WHEREAS, the *City of Niles, Michigan* has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the *City of Niles, Michigan* and

WHEREAS, after the public hearing, the Niles City Council voted to adopt said *2016-2020 Parks and Recreation Plan*

NOW, THEREFORE BE IT RESOLVED the Niles City Council hereby adopts the 2016-2020 Parks and Recreation Plan.

AYES: Bertschy, Boggs, Durm, DiCostanzo, Mann, Skalla, VandenHeede, Weimer

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

RESOLUTION DECLARED ADOPTED.

8. Consideration of adopting a resolution to approve a Public Inspection of Assessment Records Policy for the City of Niles.

**PUBLIC INSPECTION OF ASSESSMENT RECORDS POLICY
RESOLUTION #2016-03/1980**

Council Member Weimer offered the following resolution and moved for its adoption, seconded by **Council Member Mann**.

RESOLVED BY: City Council, City of Niles, Michigan,

WHERE AS, The Michigan General Property Tax Act, MCL 211.10a, provides that all property assessment rolls and property appraisal cards shall be available for inspection and copying during the customary business hours.

WHERE AS, MCL 15.234 provides that no charge can be imposed for the inspection of public records; however, a reasonable charge may be made for copies of public records.

NOW, THEREFORE, BE IT RESOLVED, City of Niles policy for inspection and copying of assessment records is as follows:

- Property assessment rolls and property record cards are available for inspection and copying during customary business hours – weekdays from 8 am to 5 pm, with the exception of holidays.
- Customer does not have unlimited access to offices and a person may be required to inspect records at specified counter or table and in view of a city official.
- City official assisting with inspection of public records shall inform any person inspecting records that only pencils, no pen or ink, may be used to take notes. Records may not be photographed.
- No documents shall be removed from the office, except by court order, subpoena or for audit purposes.
- Any information subject to exemption on any assessment record will be redacted prior to providing a copy of that record for inspection or for copying.
- Faxed or mailed copies of property record cards may be requested by contacting the Assessor's office by phone or email.
- Property assessments requested by the public that are obtainable from the City's website will be referenced to www.nilesmi.org.
- Requests for excessive copies of assessment records may be subject to a charge based on the actual cost of providing the copies per MCL 15.234.
- Personal property statements and confidential real property statements are not available for public inspection.

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

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

RESOLUTION DECLARED ADOPTED.

9. Consideration of approving the Niles PlacePlan: Turn the Corner; to assist us in identifying, developing and implementing strategies that will grow and strengthen our community in the coming decades.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve the Niles PlacePlan: Turn the Corner; to assist us in identifying, developing and implementing strategies that will grow and strengthen our community in the coming decades.

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

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

9A. Consideration of authorizing the quote from Creative Vinyl for the repairs and updating of the two Industrial Park signs and authorize work to be completed by city staff and authorize and amendment to the Industrial Park fund 412-857-932-001 in the amount of \$9,933.72.

Council Member Bertschy moved, **Council Member Skalla** seconded, **MOTION CARRIED**, authorizing the quote from Creative Vinyl for the repairs and updating of the two Industrial Park signs and authorize work to be completed by city staff and authorize and amendment to the Industrial Park fund 412-857-932-001 in the amount of \$9,933.72.

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

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

REMOVE TABLED ITEM from February 8, 2016

Council Member Skalla moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to remove from the table:

APPOINTMENT TO BOARDS (February 8, 2016)

9. Consideration of immediately appointing Kathryn Janet and Janine Frizzo-Horrigan and re-appointing Larry Horrigan, Robert Myers, Mollie Kruck and Christina Arseneau to four-year terms ending January 31, 2019 and the re-appointments of Mary Drolet, Barbara Cook, Kristie Erickson, Robert Ahrens, Lawrence Sehy, Candace Skalla and Michael Nassaney to three-year terms ending January 31, 2018; in order to create staggered terms on the Fort St. Joseph Archaeology Committee.

Council Member Skalla moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to table the item until March 21, 2016.

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

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

Council Member Skalla moved, **Council Member Durm** seconded, **MOTION CARRIED**, to postpone appointments to boards until the Boards and Commissions Policy Handbook revisions have been made and approved.

ROLL CALL: **AYES:** Bertschy, Boggs, DiCostanzo, Durm, Mann, Skalla, VandenHeede, Weimer
 NAY: None **ABSENT:** None **ABSTAIN:** None

COUNCIL MEMBER’S REPORT:

Council Member VandenHeede commented that there are some good ideas on the PlacePlan study and the Parks and Recreational Plan. He also reported that the Ordinance Committee will be meeting on March 28 to discuss a chicken ordinance and yard sale sign.

Council Member DiCostanzo commended the Park and Recreation Board under the leadership of Sanya Phillips on the Park and Recreation Plan.

APPOINTMENT TO BOARDS: None

CITY ATTORNEY’S REPORT: None

MAYOR’S REPORT: None

CLOSED SESSION: Union Negotiations

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to go into a Closed Session to discuss Union Negotiations at 6:41pm.

ROLL CALL: **AYES:** Bertschy, Boggs, DiCostanzo, Durm, Mann, Skalla, VandenHeede, Weimer
 NAY: None **ABSENT:** None **ABSTAIN:** None

Reconvene at 6:54pm. No action taken.

ADJOURNMENT: Council Member Weimer moved to adjourn at 6:55pm.

COUNCIL MEMBER’S REPORT:

Linda Casperson

Date