

**CITY OF NILES**  
**REGULAR CITY COUNCIL MEETING MINIUTES**  
**MONDAY, APRIL 11, 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., April 11, 2016. The Pledge of Allegiance was led by Mayor McCauslin.

**PRESENT:** Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, David Mann, Wm. Tim Skalla, Daniel VandenHeede, William Weimer, Mayor McCauslin  
**ABSENT:** None  
**STAFF:** Casperson, Huff, Atty. Landgraf, Lamb, Ray, Wise

**CITIZEN PARTICIPATION:**

Rex Carpenter requested that the council waive the fees relating to the Forever Young Car Cruisers event. The show would replace the Bring It car show which was held every Wednesday downtown. The event brings in 1500 spectators and 160 cars.

Richard McCreedy questioned the lack of progress on the demolition of the National Standard building. City Administrator Richard Huff explained that Heico Corporation (parent company) hired a company for the environmental remediation and demolition. That company walked off the job and now it's in arbitration. The city's only position is to go after them for code violations which would incur attorney costs and not necessarily speed up the process.

**PRESENTATION:** *Four Flags Garden Club 50<sup>th</sup> Anniversary*

Mayor McCauslin proclaimed, "Four Flags Garden Club Anniversary Week – May 15-21, 2016" marking their 50<sup>th</sup> Anniversary.

**CONSENT AGENDA:**

1. Consideration of approving the City Council Minutes of March 28, 2016.
2. Consideration of approving the Bills.
3. Consideration of scheduling a public hearing to receive public comments regarding placing a proposed Special Assessment on the 2016 August Election Primary Ballot for the Southwestern Michigan Community Ambulance Service (SMCAS).
4. Consideration of approving a request from the American Legion LaRue Messenger Post #26 to hold the annual Memorial Day Parade on Monday, May 30, 2016 beginning at 10:00 am and ending at approximately 11:15pm and consideration of approving various other requests as shown.
5. Consideration of approving the promotion of the "Opening Day for Trails –A Nationwide Celebration of the Pathways We Love" on Saturday, April 16, 2016 in support of the Indiana-Michigan River Valley Trail, which runs for more than two miles through Niles.
6. Consideration of approving the payment of \$5,176.00 in matching funds membership dues for the 2016 Southwestern Michigan Commission's Niles Area Transportation Study (NATS).
7. Consideration of accepting the quote of \$49,460.08 from PerkinElmer of Shelton, CT for the purchase of an Optima 8000DV ICP-OES analytical instrument for use at the Wastewater Treatment Plant Laboratory.

**Council Member Weimer** moved, **Council Member Mann** seconded, **MOTION CARRIED**, to approve Items 1-7 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

8. Consideration of adopting a resolution to approve the placing of a proposition on the 2016 August Primary Election Ballot for the renewal and continuation of the Dial A Ride millage.

**DIAL A RIDE MILLAGE RENEWAL  
RESOLUTION #2016/04-1984**

**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,

**WHEREAS**, Dial-A-Ride Transportation (DART) provides a necessary service to the citizens of the City of Niles; and

**WHEREAS**, the City of Niles has successfully offered public transportation since 1974; and

**WHEREAS**, a DART millage renewal is necessary to provide for operational expenses and local match for state and federal grants;

**NOW, THEREFORE BE IT RESOLVED** by the Niles City Council to place a proposition on the August 2, 2016 Primary Election Ballot to read:

**Shall the City of Niles be authorized to renew and levy up to .50 cents (\$.50) per thousand dollars (\$1,000.00) (.50 mills) on the taxable value on all taxable property in the City of Niles for the purpose of providing public transportation including the operation of the "Dial-A-Ride" bus system, more properly known as Dial-A-Ride Transportation, for a period of two (2) consecutive years, to be levied in 2017 and 2018 (at one-half mill, the estimated revenue collected annually would be \$97,270.37 following this election? This voted millage would not apply against the authorized (20) mill limit for assessed value of real and personal property of the City of Niles.**

YES

NO

**ROLL CALL:**

**AYES:** Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, David Mann, Wm. Tim Skalla, Daniel VandenHeede, William Weimer

**NAYES:** None

**ABSENT:** None

**RESOLUTION DECLARED ADOPTED**

9. Consideration of approving an agreement with the Police Officers Labor Council (POLC) to include a 2% wage increase retroactive to October 1, 2015 and consideration of authorizing the city administrator to sign the agreement.

**Council Member Durm** moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to approve an agreement with the Police Officers Labor Council (POLC) to include a 2% wage increase retroactive to October 1, 2015 and consideration of authorizing the city administrator to sign the agreement.

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

**NAY:** None

**ABSENT:** None

**ABSTAIN:** None

10. Consideration of approving a request from Mr. Rex Carpenter to organize an event called the Forever Young Car Cruisers, which is a car show he proposes to be held on Main Street every Wednesday between June 1st and August 24th, 2016 and consideration of approving various other requests for each Wednesday event.

Council Member Bertschy raised concern over bringing in food vendor and wanted to see written support from the downtown merchants. The city estimated costs for the 13 week event at nearly \$10,000 to close the state mandated trunk line. DPW Director, Joe Ray explained that the State has strict regulations for detouring traffic on state roads. Council Member Skalla suggested a compromise by offering to have the event in Riverfront Park where the cost of barricading is much less and then holding the event once a month downtown. Council Member Durm stated that the event is intended to be a fundraiser for the car club that is not recognized as a non-profit organization and suggested that the club help off-set the costs.

**Council Member Mann** moved, **Council Member Weimer** seconded, **MOTION DENIED**, to approve a request from Mr. Rex Carpenter to organize an event called the Forever Young Car Cruisers, which is a car show he proposes to be held on Main Street every Wednesday between June 1st and August 24th, 2016 and consideration of approving various other requests for each Wednesday event.

**ROLL CALL: AYES:** VandenHeede

**NAY:** Bertschy, Boggs, Durm, DiCostanzo, Mann, Skalla, Weimer **ABSENT:** None **ABSTAIN:** None

10A. Consideration of authorizing the closure of 2<sup>nd</sup> Street and 3<sup>rd</sup> Street from Main to Sycamore for the Third Thursdays Special Events. DDA Director Lisa Croteau explained that the downtown merchants have organized a third Thursday event. Occasionally the merchants would like permission to host a special event by closing 2<sup>nd</sup> and 3<sup>rd</sup> Streets from Main to Sycamore.

**Council Member Durm** moved, Council Member **Bertschy** supported, **MOTION CARRIED**, to authorize the occasional closure of 2<sup>nd</sup> Street and 3<sup>rd</sup> Street from Main to Sycamore for the Third Thursdays Special Events.

**APPOINTMENT TO BOARDS:** None

**CITY ATTORNEY'S REPORT:**

**First Reading and Introduction** of proposed amendments to Article VI of the Ordinance dealing with Rummage Sales to allow for a sign, clarify non-compliant locations for the sale and to amend the permit requirements for the sale.

**COUNCIL MEMBER'S REPORT:**

Council Members gave thanks to the Four Flags Garden Club for beautifying the City and for taking part in the lighting of the Amtrak Train Station.

**Council Member VandenHeede** expressed his concerns on the National Standard remediation and felt that code enforcement violation should be prosecuted. The Ordinance Committee made changes to the Rummage Sale Ordinance extended time for having a sale and signage requirements. He also stated the Forever Young Car Club should not be discouraged from resubmitting their request and that the city is willing to compromise.

**Council Member Skalla** announced that the Friends of Silverbrook Cemetery is having an Open House on April 21<sup>st</sup> from 6-8pm at the Law Enforcement Complex. Guest speaker will be Christina Arseneau, Niles History Center Director.

**MAYOR'S REPORT:**

Mayor McCauslin commemorated the Four Flags Garden Club and thanked Diane Bass for presenting the club with fresh flowers. He also announced that Saturday, April 16 is National Trail Opening Day.

**ADJOURNMENT:** Council Member Weimer moved to adjourn at 6:46pm.

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Linda Casperson

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Date