

**THE CITY COUNCIL
NILES, MICHIGAN
PUBLIC HEARING
SUBSTANTIAL AMENDMENT TO THE CDBG
2012-2015 ANNUAL ACTION PLAN
Monday, March 13, 2017, 5:55 p.m.**

The Mayor asked if anyone in the audience wished to address the council on the Substantial Amendment to the Community Development Block Grant Program 2012-2015 Annual Action Plan. Hearing no response, the Public Hearing was closed at 5:57p.m.

**CITY OF NILES
REGULAR CITY COUNCIL MEETING MINIUTES
MONDAY, MARCH 13, 2017**

The meeting was called to order by Mayor Shelton in the City Council Chambers, 1345 East Main Street, Niles, Michigan at 6:00 p.m., March 13, 2017. The Pledge of Allegiance was led by Mayor Shelton.

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

CITIZEN PARTICIPATION:

Mechelle Celie, announced Celebrate National Happiness Day, Saturday, March 18 from 8am to 6:30pm by posting "happy acts" postcards on a bulletin board at the southwest corner of Second and Main Street. This can be tracked on Twitter by tweeting #HappyActs to @livehappy or post on Facebook or Instagram.

Bob Ahrens stated that the American Flag flying at Donovan Smith Park at the 11th Street corridor is not the appropriate flag. Mr. Ahrens said it should be the 13 star flag to be historically correct.

Michael McCauslin, current member of the Pension Board, encouraged the City Council to vote for the transfer of the pension management and investment services to Michigan Employees' Retirement System (MERS). He also thanked the city staff for their outstanding job in the handling of the tornado damage.

John Opick of Rolling Thunder returned to the city council with a sign in honor of Private First Class William Roussos who was killed in action during the Vietnam War. PFC Roussos' family is requesting that the sign be placed at the corner of 13th and Merrifield above the street sign. Policies will need to be reviewed.

PRESENTATION: Presentation of the City Audit

Mr. William (Bill) Tucker
Principal, Abraham & Gaffney, PC

Mr. Tucker referenced a cover letter dated, February 22, 2017; Performance Audit of Funds Expended Under Section 13 of PA 51 of 1951, as amended, dated September 30, 2016; Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters based on an Audit of Financial Statements Performed in Accordance with Government auditing Standards, dated February 22, 2017; and Financial Statements, dated September 30, 2016.

CONSENT AGENDA:

1. Consideration of approving the City Council Minutes of February 27, 2017.
2. Consideration of approving the Bills dated March 7, 2017.
3. Consideration of approving a request from the Department of Public Works to continue to participate in the Summer My Way community based children's summer program and consideration of contributing \$9,000.00 from the Parks & Recreation fund to the program.
4. Consideration of approving the wording of the Richard Hunt Hybrid Form II plaque and consideration of sharing in paying for the plaque, with the total cost of the plaque not to exceed \$900.00.

Council Member Weimer moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve Items 1-4 on the Consent Agenda as submitted.

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

NAYS: None **ABSENT:** None **ABSTAIN:** None

ADMINISTRATOR'S REPORT:

Introduction of Items for Discussion

Items for Council Action

5. Consideration of adopting a resolution to direct staff to formalize agreements with the six union labor groups and finalize management and investment agreements to transfer pension management and investment services to Municipal Employees' Retirement System (MERS) for the City Council's approval.

**NILES CITY COUNCIL
RESOLUTION OF INTENT
RESOLUTION #2017-03/2010**

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

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

WHEREAS, the Pension Board was created to administer, manage and operate the city's pension plans; and

WHEREAS, on January 25, 2017, the Pension Board took a vote to recommend to the City Council to consider moving the pension management, actuarial services and investment services to Michigan Employees' Retirement System (MERS); and

NOW THEREFORE, BE IT RESOLVED, that the Niles City Council authorizes directing staff to formalize agreements with the six union labor groups; and

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Niles City Council authorizes directing staff to finalize management and investment agreements to transfer pension management and investment services to MERS for the council's approval.

ROLL CALL:

AYES: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, William Weimer

NAYS: None **ABSENT:** None **ABSTAIN:** None

RESOLUTION #2017-03/2010 DECLARED ADOPTED.

6. Consideration of approving Substantial Amendments to the 2012, 2013, 2014 and 2015 CDBG Annual Action Plan. **Council Member Bertschy** moved, **Council Member Weimer** supported, **MOTION CARRIED**, to approve Substantial Amendments to the 2012, 2013, 2014 and 2015 CDBG Annual Action Plan.

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

NAYS: None **ABSENT:** None **ABSTAIN:** None

APPOINTMENT TO BOARDS:

7. Consideration of appointing Judith Racht to a three-year term on the Niles Public Arts Commission as supported by the Council's Appointment Committee, effective immediately and expiring on December 31, 2019.

Council Member Bertschy moved, **Council Member Boggs** supported, **MOTION CARRIED**, to approve the appointment of Judith Racht to a three-year term on the Niles Public Arts Commission as supported by the Council's Appointment Committee, effective immediately and expiring on December 31, 2019. **AYES: 8 NAYS: 0**

8. Consideration of approving the mayor's appointments of Daniel Ashley and Sandra Whitmyer to four-year terms on the Main Street DDA board as supported by the Council's Appointment Committee, effective immediately and expiring on December 31, 2020.

Council Member Weimer moved, **Council Member VandenHeede** supported, **MOTION CARRIED**, to approve the mayor's

appointments of Daniel Ashley and Sandra Whitmyer to four-year terms on the Main Street DDA board as supported by the Council's Appointment Committee, effective immediately and expiring on December 31, 2020. **AYES: 8 NAYS: 0**

9. Consideration of approving the reappointment of William Tim Skalla and Fredda Zeiter to the Historic District Commission as supported by the Council's Appointment Committee, effective immediately and expiring on 03/31/2019.

Council Member Bertschy moved, **Council Member Weimer** supported, **MOTION CARRIED**, to approve the reappointment of William Tim Skalla and Fredda Zeiter to the Historic District Commission as supported by the Council's Appointment Committee, effective immediately and expiring on 03/31/2019. **AYES: 8 NAYS: 0**

10. Consideration of approving the appointment of James Furkis to the joint Building & Construction Board of Appeals, as supported by the Council's Appointment Committee, effective immediately and expiring on 12/31/2018.

Council Member Weimer moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve the appointment of James Furkis to the joint Building & Construction Board of Appeals, as supported by the Council's Appointment Committee, effective immediately and expiring on 03/31/2018. **AYES: 8 NAYS: 0**

CITY ATTORNEY'S REPORT:

11. **First Reading and Introduction** of a proposed change to the Property Maintenance Code Ordinance to adopt by reference the 2015 International Property Maintenance Code, with certain insertions, amendments, additions, and deletions as the Property Maintenance Code of the City of Niles; to establish minimum standards for the maintenance and conditions of all properties, buildings, and structures; to prescribe standards for supplied utilities, facilities and equipment and for the conditions essential for safe, sanitary and fit occupancy and use; to provide for the enforcement of the provisions contained herein and for penalties and other remedies for violations hereof; and to repeal prior ordinances that are inconsistent to the provisions herein.

12. **First Reading and Introduction** of a proposed change to an ordinance to provide for the issuing of permits for the operation of Mobile Food Vendors units by Mobile Food Vendors within the City of Niles, Michigan and to provide for requirements and regulations incident thereto.

COUNCIL MEMBER'S REPORT:

Council Member VandenHeede commented on the clean audit report, a true testament to Sandy Naugle and staff. He also praised the way everyone came together during the tornado and was thankful that no one got hurt.

Council Member Durm reiterated VandenHeede's comments and was amazed how quickly staff got utilities reconnected. Council Member Weimer also sent accolades to city staff.

Council Member DiCostanzo reported that he attended the Michigan Municipal League training for newly elected officials. He encouraged all council members to take advantage of the training stating it was well worth going to.

Council Member Skalla said he was pleased with the audit. He also sympathized with pfc Roussos' family and suggested that he meet with the family.

Council Member Boggs thanked staff for a good audit. She also commented that she was glad no one got hurt during the tornado.

Council Member Bertschy wanted to also work with the council member Skalla on pfc Roussos' memorial.

MAYOR'S REPORT: Mayor Shelton requested a round of applause for the city staff on work well done during the tornado. Everyone worked well together; great job! He also mentioned that the city has text alerts (36000) to keep residents aware of what is going. He also uses Facebook to keep people up to date.

Mayor Shelton announced that the downtown façade grants are now available for businesses in the downtown development district. Businesses may apply for low-interest loans up to \$5,000 for infrastructure repairs and improvements.

The second medical marijuana public forum was conducted on March 3, 2017. He was pleased with the participation and how civilized everyone conducted themselves. There will be a Committee Meeting of the Whole after tonight's meeting to go over results of the survey and what happens next.

ADJOURNMENT

Council Member Weimer moved to adjourn at _____pm.

Linda Casperson, Niles City Clerk

Date Approved