

**NILES CHARTER TOWNSHIP  
AUGUST 20, 2012  
REGULAR MEETING**

Supervisor Kidwell called the meeting to order at 7:00 p.m. at the Township Hall, 320 Bell Road. Ringler led the Pledge of Allegiance.

**Roll Call:** Conover, Cooper, Durm-Hiatt, Kuehn, Noble, Ringler, Kidwell

**Public Hearing:**

**MacAllister Machinery Commercial Rehabilitation PA 210:** Shelly Klug, Leslie and Mark Wagner, representing MacAllister were present to answer questions. They plan to start with 20 employees with possibility of 40. The company rents heavy equipment to contractors and private individuals.

**Agenda Approval:** Ringler motioned to approve the agenda, Conover supported.  
All voting in favor

**MOTION CARRIED.**

**Consent Agenda:** Cooper motioned to approve consent agenda, Noble supported.

1. Expenses and Transfers for August 20, 2012

General O & M \$43,914.14	Fire O & M \$33,354.00
Water O & M \$1,902.72	Sewer O & M \$8,923.25
Special Assessment \$2,607.03	
<b>GRAND TOTAL: \$89,710.14</b>	

2. Minutes for August 6, 2012, regular meeting

ROLL CALL AYES: Ringler, Conover, Cooper, Durm-Hiatt, Kuehn, Noble, Kidwell.

NAYES: None.

**MOTION CARRIED.**

**Correspondence/Announcements:** Durm-Hiatt read a letter commending the fire department for prompt response, professionalism, and the number of responders at the fire at Holiday Inn Express. Durm-Hiatt stated to the board that Howard Township had provided Niles Charter Township amendments to their Master Plan for review, as required, by adjacent municipalities.

**Supervisor Report:** presented certificates for file: Thomas Hall, Craig Lear.

**Comments from the Public:** O. Baldwin asked about Legatt campaign signs still up throughout the township? Sgt. Campbell presented the July Police reports. J. Stover asked questions about the proposed sheriff millage language, wondering if it shouldn't be changed to 6 years.

**Unfinished Business:**

**Internet and phone service:** Cooper and Kuehn had assessed our current system and recommended, at the last meeting, to switch to Comcast. With no further discussion, Cooper motioned to contract with Comcast for internet and telephone service, Noble supported.

ROLL CALL AYES: Conover, Cooper, Durm-Hiatt, Kuehn, Noble, Ringler, Kidwell.

NAYES: None.

**MOTION CARRIED.**

**New Business:**

**Resolution 12-07 Establishing of Recreation Board:** Durm-Hiatt stated that Attorney Lohrstorfer has been reviewing the Laws' on the duties and responsibilities of park boards and recreation boards, as requested following a joint meeting of the township board and park boards. Resolution 12-07 was provided by Lohrstorfer. Following discussion, Durm-Hiatt motioned to approve Resolution 12-07 establishing a recreation board. Noble supported.

ROLL CALL AYES: Cooper, Durm-Hiatt, Noble, Ringler, Conover.

NAYES: Kuehn, Kidwell.

**MOTION CARRIED.**

**Resolution 12-08:** MacAllister Machinery, Commercial Rehabilitation Application. Kidwell motioned, supported by Conover to approve Resolution 12-08. Prior to voting, Ringler requested to abstain from voting, as he was involved with the sale of the property. The board voted to allow Ringler to abstain.

ROLL CALL AYES: Cooper, Durm-Hiatt, Kuehn, Noble, Conover, Kidwell.

NAYES: None.

ABSTAIN: Ringler.

**MOTION CARRIED.**

Set Assessment Determination Public Hearings: Kidwell motioned to set the assessment determination public hearings starting at 6:00 p.m. on September 4, 2012, Cooper supported.

All voting in favor:

**MOTION CARRIED.**

Foster, Swift, Collins & Smith Engagement Letter: Kidwell had received a letter from the legal firm Foster, Swift, Collins & Smith with an engagement letter for continued representation in the Daniel vs Niles Charter Township law suit. Durm-Hiatt and Ringler asked to be allowed to abstain from voting due to personal involvement. The board voted to allow them to abstain.

Conover motioned to authorized Kidwell to sign the engagement letter, Noble supported.

ROLL CALL AYES: Conover, Cooper, Kuehn, Noble.

NAYES: Kidwell.

**MOTION CARRIED.**

Abstain: Durm-Hiatt, Ringler.

Comments from the Public: Ron Winningham expressed his support for the sheriff millage.

B.Pasternak stated that the millage should not be limited to sheriff department.

**Committee Reports:**

Conover: reported on DPW committee meeting, still working with Jasko on water project.

Durm-Hiatt: None

Ringler: None

Kidwell: None.

Kuehn: reported on fund raising for the trail project.

Noble: Road complaints.

Cooper: reported on 11<sup>th</sup> Street Corridor. Planning approved neighbor scale office building on Niles- Buchanan Road.

Kuehn motioned to adjourn at 8:00 p.m. Conover supported the motion.

All voting in favor

**MOTION CARRIED.**

Respectfully submitted,

Marge Durm-Hiatt  
Clerk