

**NILES CHARTER TOWNSHIP
OCTOBER 5, 2009
REGULAR MEETING**

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

Roll Call: Bailey, Cooper, Durm-Hiatt, Goodwin, Kidwell, Noble, Ringler.

Closed Session: Durm-Hiatt motioned to go into closed session to discuss pending litigation in regard to fire contract. Ringler supported.

ROLL CALL AYES: Bailey, Cooper, Durm-Hiatt, Goodwin, Noble, Ringler, Kidwell.

NAYS: None.

Reconvened Open Session: Reconvened open session at 7:12 p.m.

Approved Agenda: Durm-Hiatt requested, for file, the September reports for the Building Safety, the Ordinance Enforcement, and the Fire departments added to the consent agenda. Kidwell asked that a presentation by Dunlap be added to the end of new business.

Goodwin motioned to approve agenda with additions, Durm-Hiatt supported.

All voting in favor

MOTION CARRIED.

Consent Agenda: Goodwin motioned, supported by Ringler, to approve the consent agenda as presented.

1. Minute approvals for September 21, 2009, regular meeting, September 22, & 28 2009 budget workshops and September 28, 2009 special meeting.
2. Expenditures and Transfers **Grand Total** \$142,962.23
 - General O & M \$29,679.57 Fire O & M \$24,436.86
 - Sewer O & M \$12,906.80 Water O & M \$3,841.84
 - Special Assessment \$363.58 City Sewer Charge \$70,565.04
 - Fire Capital Improvement \$1,168.54
3. Accept for file, the September Fire Department, Ordinance Enforcement, and Building Safety reports.
4. Accept new firefighter Brittany Molnar.
5. Approve Fireworks permit for Brandywine School for homecoming October 9, 2009.

ROLL CALL AYES: Cooper, Durm-Hiatt Goodwin, Noble, Ringler, Bailey, Kidwell.

NAYS: None.

MOTION CARRIED.

Supervisor's Report: Kidwell reported that the furnace had to be replaced at the north fire station over the weekend. Chief Brovold obtained three bids and chose the low bid from VanderWerf Inc. for \$2,784.00. Kidwell announced the next budget meeting for Thursday October 8 at 6:30. The annual meeting with the Berrien County Road Commission is tentatively set for October 29 at 11:00 a.m.

Correspondence and Announcements: Durm-Hiatt announced NIMS ICS 300 training will take place November 4 & 5, and ICS 400 will be November 18 & 19. Tuesday October 20, 2009 Siegfried Crandall PC will have their Fall Seminar in Kalamazoo, please RSVP by October 12 Durm-Hiatt has additional information and the registration form. Also available for your review is the Berrien County Master Plan.

Comments from the Public: Chad Coplen asked about the web-site. Ringler advised that it is ready and waiting for requested information from some board members.

Unfinished Business:

Labor Attorney. Kidwell motioned that action on the labor attorney be tabled for more information, Bailey supported.

All voting in favor

MOTION CARRIED.

New Business:

Bids–Painting North Fire Station: Kidwell asked to abstain from discussion and voting due to a conflict of interest. His son-in law has submitted a bid. Goodwin motioned to allow Kidwell to abstain, Bailey supported.

ROLL CALL AYES: Durm-Hiatt Goodwin, Noble, Ringler, Bailey, Cooper, Kidwell.

NAYS: None.

MOTION CARRIED.

Chief Brovold explained that he had personally contacted six painting contractors and only two had submitted bids.

Bailey motioned to accept the bid of \$6,800.00 from Mike’s Painting, Goodwin supported.

The bids were as follows:

<u>Bidder</u>	<u>Amount of Bid</u>
Larry’s Painting	\$7,500.00
Mike’s Painting	\$6,800.00

ROLL CALL AYES: Goodwin, Noble, Ringler, Bailey, Cooper, Durm-Hiatt

NAYS: None.

MOTION CARRIED.

Liquor License Transfer: Ringler motioned to approve the liquor license transfer ownership of 2009 Class C licensed business, located at 2433 N. Fifth Street Niles Charter Township, from Peter Lagalbo to J & T of Niles Inc. Noble supported.

ROLL CALL AYES: Noble, Ringler, Bailey, Cooper, Durm-Hiatt, Goodwin, Kidwell.

NAYS: None.

MOTION CARRIED.

Delinquencies Added to Winter Tax Roll: Ringler motioned to add \$222,363.91 from sewer and water, \$2,924.36 from Ordinance Department, and \$2,570.00 for noxious weeds to the 2009 winter tax roll. Durm-Hiatt supported.

ROLL CALL AYES: Ringler, Bailey, Cooper, Durm-Hiatt, Goodwin, Noble, Kidwell.

NAYS: None.

MOTION CARRIED.

Presentation by Dunlap: Jeff Dunlap, Building Official, updated the board on the ongoing property maintenance violations at 2635 East Riverside owned by William Smoke. At this point the township has court authorization clean-up order.

Dunlap has obtained bids and will proceed with the clean-up. The cost of clean-up will be assessed to the property in 2010.

Comments from the Public: None.

Committee Reports:

Bailey: None.

Goodwin: None.

Ringler: None.

Kidwell: None.

Durm-Hiatt: None.

Noble: None.

Cooper: reported that Jay Kilpatrick , from Williams and Works, will be coming down on Wednesday.

Bailey motioned to adjourn at 7:50 p.m. Goodwin supported the motion.

All voting in favor

MOTION CARRIED.

Respectfully submitted,

Marge Durm-Hiatt, Clerk