

**NILES CHARTER TOWNSHIP
SEPTEMBER 6, 2011
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, Kidwell, Noble, Ringler.

Agenda Approval: Ringler motioned to accept the agenda as printed, Conover supported.
All voting in favor

MOTION CARRIED.

Consent Agenda: Cooper motioned to approve consent agenda, Noble supported.
Expenditures and Transfers 09-06-2011:

General O & M \$63,866.75	Water O & M \$5,068.09
Fire O & M \$54,313.37	Fire Capital Imp \$1,546.00
Sewer O & M \$22,245.48	Capital Improvement \$300.00

TOTAL \$147,339.69

Minutes for August 15, 2011, regular meeting

For file: August Building Safety, Fire, and Ordinance Enforcement reports, August meeting minutes for SMCAS and Park Board.

ROLL CALL AYES: Kuehn, Noble, Ringler, Conover, Cooper, Durm-Hiatt, Kidwell.
NAYES: None.

MOTION CARRIED.

Correspondence/Announcements: Durm-Hiatt read a letter from Bank of America commending Deputies Edgerle, and Sriver for their service in an armed robbery on July 11, 2011. Also, read a letter sent to parents at Merritt School concerning the parking and student drop off safety issue. A letter of resignation from Attorney Spiegel was read.

Supervisor Report:

Kidwell presented certificates for file: Tim Jesswein, and Michael Hollis.

Kidwell presented quotes for the sidewalk construction on South 13th. Street near Fulkerson. Following discussion; Kidwell motioned to proceed with the sidewalk project, not to exceed \$8,892.20, to be taken from the Metro Fund. Kuehn supported.

ROLL CALL AYES: Noble, Ringler, Conover, Cooper, Durm-Hiatt, Kuehn, Kidwell.
NAYES: None.

MOTION CARRIED.

Comments from the Public: None.

Unfinished Business:

Animal Control Ordinance: following a lengthy discussion; with board members expressing concerned that they had just received the ordinance that day and didn't feel they had adequate time to review the changes made by Attorney Spiegel, Kidwell motioned to consider Animal Control Ordinance (revision "A") for the first reading. Kuehn supported.

ROLL CALL AYES: Kuehn, Noble, Kidwell

NAYES: Conover, Cooper, Durm-Hiatt, Ringler.

MOTION DENIED

Following the vote, a meeting was set for Monday, September 12, 2011 at 6:00 p.m. to discuss the ordinance. Sheriff Bailey and Val Grimes, from Berrien County Animal Control, will be present for input.

Resolution 11-7 Pension Retirement Age: Durm-Hiatt motioned to approve Resolution 11-07 lowering the pension retirement withdrawal age from 65 to 60, Kidwell supported.

ROLL CALL AYES: Conover, Cooper, Durm-Hiatt, Kuehn, Noble, Ringler, Kidwell.
NAYES: None.

MOTION CARRIED.

New Business:

Resolution 11-08 General Fund Assessment: Durm-Hiatt motioned to approve Resolution 11-08 which would levy .8732 mil for 2012 General Fund. Conover supported.

ROLL CALL AYES: Conover, Cooper, Durm-Hiatt, Kuehn, Noble, Ringler, Kidwell.
NAYES: None.

MOTION CARRIED.

Resolution 11-09 Fire O & M Assessment: Kuehn motioned to approve Resolution 11-09 which would levy 2.00 mills for 2012 Fire Operation and Maintenance. Cooper supported.

ROLL CALL AYES: Durm-Hiatt, Kuehn, Noble, Ringler, Conover, Cooper, Kidwell.
NAYES: None.

MOTION CARRIED.

Resolution 11-10 Fire Capital Improvement Assessment: Durm-Hiatt motioned to approve Resolution 11-10 which would levy .7500 mills for 2012 Fire Capital Improvement Fund. Noble supported.

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

NAYES: None.

MOTION CARRIED.

Resolution 11-11 Street Light District Assessment: Conover motioned to approve Resolution 11-11 which would assess \$32,872.71 across the 16 light districts. Noble supported.

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

NAYES: None.

MOTION CARRIED.

Resolution 11-12 Berrien County Sheriff Police Protection: Cooper motioned to approve Resolution 11-12 which would levy 1.00 mills for 2012 Berrien County Sheriff Department Police Protection. Noble supported.

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

NAYES: Kidwell.

MOTION CARRIED.

LaSata Law Office Resignation: Kidwell motioned, supported by Ringler, to accept the resignation of LaSata Law Office.

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

NAYES: None.

MOTION CARRIED.

Following the vote, Durm-Hiatt suggested that we contact the firms that had provided proposals last year to see if they are still interested, and publish it for other firms.

Comments from the Public: J. Flock questioned why the ladder truck is stationed at the North Station when the only 2 or 3 story buildings are in South Township.

Committee Reports:

Conover: None.

Cooper: NATS is trying to set up a seminar to address road issues and funding.

Durm-Hiatt: still waiting to hear about Republican primary in January/February, also the final word on May School elections.

Kuehn: the public facility committee is working with Jeff Dunlap and will report back to the board on roof recommendation.

Ringler: Asked for a closed session at the September 12, 2011 special meeting to discuss possible property purchase at the second county tax sale September 20, 2011.

Kidwell: None

Noble: reported on road, lights, manhole covers and speed signs.

Kuehn motioned to adjourn at 8:45 p.m., Conover supported the motion.

All voting in favor

MOTION CARRIED.

Respectfully submitted,

Marge Durm-Hiatt, Clerk