

CITY OF NILES

REGULAR COUNCIL MEETING

Monday, January 12, 2014, 6:00 p.m.

The meeting was called to order by Mayor Michael McCauslin in the City Council Chambers, 1345 East Main Street, at 6:00 p.m. The Pledge of Allegiance was led by Mayor Michael McCauslin.

PRESENT: Gretchen Bertschy (6:10pm), Georgia Boggs, Scott Clark Robert Durm David Mann, Tim Skalla, Daniel VandenHeede, William Weimer, Mayor Michael McCauslin

ABSENT: None

STAFF: Casperson, Dunlap, Ganum, Huff, Landgraf, Lamb, Millin, Wise

CITIZEN PARTICIPATION: Lucy McCauslin, Chairman of the DDA, announced that the Hunter Ice Festival is January 16-18, 2015. They are selling promotional buttons for \$1 to help fund the festival.

PRESENTATION:

CONSENT AGENDA:

1. Approval of the Minutes of December 15, 2014.
2. Approval of the Bills.
3. Consideration of accepting the quote of \$2,462.89 from Wolverine Electric of Niles for the upgrade of 17 parking lot lights to energy efficient LED lighting at the Niles Fire Station Complex.
4. Consideration of accepting the quote of \$3,366.75, plus shipping, from Hach Company of Loveland, CO for the purchase of a chemical analyzer for use at the Wastewater Treatment Plant.
5. Consideration of accepting the quote of \$10,014.00 from Watch Guard of Allen, TX for the purchase of two 4RE in car audio/video systems and two in car wireless transfer kits for use by the Police Department.
6. Consideration of approving the payment of a total of \$10,183.70 to three contractors for the timely extension and upgrade of the water main at the intersection of Main and State Street.
7. Consideration of approving the purchase of 210 Goodyear tires for police patrol vehicles through the State of Michigan's MiDEAL program at a cost of \$10,500.00.
8. Consideration of accepting the quote of \$12,551.26 (less \$3,000 core return) for the purchase of a replacement engine for DART Bus #2 from Eby Ford of Goshen, IN

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve Items 1-8 as submitted.

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

NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

CITY ADMINISTRATOR'S REPORT:
Introduction of Items for Discussion
Items for Council Action

9. Consideration of adopting a resolution to affirm to the Federal Transit Authority that the City intends to comply with certain regulations in consideration of receiving FTA funds and consideration of authorizing the mayor and city attorney to sign the FY 2015 FTA Certifications and Assurances for Niles Dial A Ride.

RESOLUTION #2015-1/1950

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, Niles Dial-A-Ride Transportation (DART) receives Section 5307 funds from the Federal Transit Administration (FTA) to help finance the cost of operations, preventative maintenance, and capital expenditures; and

WHEREAS, the City of Niles, as grantee of these funds, is required to affirm to the FTA on an annual basis that it intends to comply with certain regulations in consideration for receiving these funds;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Niles, Michigan does hereby authorize Michael McCauslin, Mayor, to sign the fiscal year 2015 FTA Certifications and Assurances affirming compliance with all rules and regulations governing the receipt of federal assistance to operate the DART system.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

RESOLUTION 2015-1/1950 DECLARED ADOPTED

10. Consideration of adopting a resolution to approve an amended and restated contract with Indiana Michigan Power Company for the purchase of wholesale power and consideration of authorizing the mayor and the utilities manager to sign the contract.

RESOLUTION #2015-1/1951

The following preamble and resolution was offered by Council Member Mann and supported by Council Member Weimer.

WHEREAS, on May 24, 2006, the City of Niles entered into an Agreement with Indiana Michigan Power Company for Full Requirements Electric Service; and

WHEREAS, the Indiana and Michigan Municipal Distributors Association has negotiated a proposed Amendment to the Agreement on behalf of the City of Niles and its other 10 members; and,

WHEREAS, in order to amend the terms of the Cost-Based Formula Rate Agreement for Full Requirements Electric Service, Indiana Michigan Power Company must file notice with the Federal Energy Regulatory Commission to terminate the existing agreement; and

WHEREAS, upon termination of the existing Cost-Based Formula Rate Agreement for Full Requirements Electric Service, Indiana Michigan Power Company will immediately begin serving the City under the Amended and Restated Cost-Based Formula Rate Agreement for Full Requirements Electric Service;

NOW, THEREFORE BE IT RESOLVED that the City of Niles hereby approves the Amended and Restated Cost-Based Formula Rate Agreement for Full Requirements Electric Service with Indiana Michigan Power Company and authorizes the Mayor and the Utilities Manager to execute the Amended Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City of Niles hereby authorizes Indiana Michigan Power Company to file appropriate documentation with the Federal Energy Regulatory Commission terminating the existing Cost-Based Formula Rate Agreement for Full Requirements Electric Service (FERC Rate Schedule 108) dated May 24, 2006.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage by the City Council.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

RESOLUTION 2015-1/1951 DECLARED ADOPTED

11. Consideration of approving entering into a Recovery Agreement with the Department of Housing and Urban Development and the Niles Housing Commission and consideration of authorizing the mayor to sign the agreement.

Council Member Weimer moved, Council Member Mann seconded, **MOTION CARRIED**, to approve entering into a Recovery Agreement with the Department of Housing and Urban Development and the Niles Housing Commission and consideration of authorizing the mayor to sign the agreement.

Council Member Weimer requested to be abstained from voting because his wife is a member of the Niles Housing Commission. **Council Member Durm** moved, supported by **Council Member VandenHeede**, **MOTION CARRIED** to excuse Council Member Weimer from voting.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede

NAY: None **ABSENT:** Bertschy **ABSTAIN:** Weimer

12. Consideration of approving entering into a Pole Attachment License Agreement with US Signal Company of Grand Rapids, MI and consideration of authorizing the mayor to sign the agreement.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve entering into a Pole Attachment License Agreement with US Signal Company of Grand Rapids, MI and consideration of authorizing the mayor to sign the agreement.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer

NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

13. Consideration of approving entering into a Contract for Grant Management Services with the Southwest Michigan Planning Commission to perform grant administration functions for the Pucker Street Dam Project and consideration of authorizing the mayor to sign the contract.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve entering into a Contract for Grant Management Services with the Southwest Michigan Planning Commission to perform grant administration functions for the Pucker Street Dam Project and consideration of authorizing the mayor to sign the contract.

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

NAY: None **ABSENT:** None **ABSTAIN:** None

14. Consideration of approving additions to the scope of work in the Peerless Midwest Contract for the Wastewater Plant Alarm and Monitoring Project, such approval will increase the contract by approximately \$20,900.00.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve additions to the scope of work in the Peerless Midwest Contract for the Wastewater Plant Alarm and Monitoring Project, such approval will increase the contract by approximately \$20,900.00.

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

NAY: None **ABSENT:** None **ABSTAIN:** None

APPOINTMENT TO BOARDS:

15. Consideration of approving the appointment and re-appointment of members to the Fort St. Joseph Advisory Committee as outlined in the request and with staggered dates of expiration.

Reappoint Robert Ahrens, Carol Bainbridge, Barbara Wood Cook, Mary Ellen Drolet, Larry Horrigan, David Bainbridge and Robert Myers for a two year term which expires December 31, 2016; and appoint Leona Hein to an open seat which expires December 31, 2016; and appoint Kristie Erickson to fill the unexpired term of Joseph Zdziebko, which expires December 31, 2015, to the Fort St. Joseph Archaeology Advisory Committee.

2 year terms to expire on December 31, 2015

Michael Nassaney

Lawrence Sehy

Candace Skalla

Dorilee Schieble

Ruth Writer

Kristie Erickson**

Marcus Winchester

2 year terms to expire on December 31, 2016

Robert Ahrens*

Carol Bainbridge*

Barbara Wood Cook*

Mary Ellen Drolet*

Larry Horrigan*

Leona Hein**

David Bainbridge*

Robert Myers*

* Reappointments

** New appointments

Amendment: Leona Hein withdrew her application.

Council Member Durm moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to approve the appointment and re-appointment of members to the Fort St. Joseph Advisory Committee as outlined in the request and with staggered dates of expiration with the exception of Leona Hein.

Voice Vote: AYES: 8 NAYS: 0.

CITY ATTORNEY'S REPORT: None

COUNCIL MEMBER'S REPORT: Members of the council and Mayor thanked Juan Ganum for his contributions to the community. Juan accepted a city manager's position with the City of Bridgman.

Council Member Skalla stated that the ice rink on corner of Front Street and Howard Street is ready for skaters. Volunteers are needed.

MAYOR'S REPORT: The Mayor encouraged everyone to attend the Hunter Ice Festival.

ADJOURNMENT

Weimer moved to adjourn at 6:17 pm.

Linda Casperson, Niles City Clerk