

CITY OF NILES
REGULAR COUNCIL MEETING

Monday, January 26, 2015, 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, Georgia Boggs, Scott Clark Robert Durm David Mann, Tim Skalla, Daniel VandenHeede, William Weimer, Mayor Michael McCauslin

ABSENT: None

STAFF: Casperson, Dunlap, Huff, Lamb, Millin, Phillips, Ray, Smith, Wise

MEDIA: Niles Daily Star & Herald Palladium

AUDIENCE: 30

CITIZEN PARTICIPATION:

Mayor McCauslin asked if anyone in the audience would like to address the council.

Mr. Dan Cox, representative of the Bring It – Kar Club, asked how the Main Street bridge closure will affect the downtown car show. City Administrator Huff explained that MDOT detour signs cannot be altered therefore, routing traffic will be a challenge. They will look at finding a solution.

Mary Goodman asked if anything is being done about the music at Massimo's Pizzeria. City Administrator Huff explained that Massimo's Pizzeria is looking at relocating and plan to have amplified music inside the establishment.

Lucy McCauslin, Chairman of the DDA/Niles Main Street, thanked the City for a successful Hunter Ice Festival. Downtown merchants reported good sales.

Jane Lano, former Niles Housing Commissioner, thanked the City for the opportunity to serve on the commission. She expressed concerns of the Housing Urban Development's decision to hire in a management service. Within the last 9 months the Niles Housing Commission and staff have been able to achieve 100% occupancy. Lano stated that she has filed a complaint with the Attorney General's office.

Marie Weimer, former Chairman of the Niles Housing Commission, also expressed that they have achieved a lot.

Mayor McCauslin explained that the City has been ordered by the HUD to make these changes; otherwise, the city would not be eligible for additional State or Federal grants.

Shelly Casey, Executive Director of the Niles Housing Commission, stated that she was hired by Premiere (the previous management company) then retained by the Housing Commission. She mentioned that HUD has based their decisions on outdated records. Casey also expressed that the staff has been working hard to turn things around and would hate to see anyone lose their job.

Mayor McCauslin asked if anyone else would like to address the council. Hearing none, Citizen Participation was closed.

PRESENTATION: None

CONSENT AGENDA:

1. Approval of the Minutes of December 22, 2014 and January 12, 2015.
2. Approval of the Bills.

3. Consideration of approving the payment of \$3,338.32 to MPower Technologies, Inc. of Appleton, WI for GIS training in the Utilities Department.
4. Consideration of accepting the quote of \$3,725.00 from Pumps Plus, Inc. of St. Johns, MI for the purchase of a backup submersible pump for the Bertrand Crossing sewage lift station.
5. Consideration of approving the payment of \$5,667.92 for the repair of the Front Street LTC (load tap changer) by H&G Services of South Bend, IN.

REMOVED FOR FURTHER DISCUSSION

- ~~6. Consideration of approving the purchase of six (6) replacement computers and related equipment from Netrix of Bannockburn, IL for use by DART at a cost not to exceed \$7,500.00.~~
7. Consideration of accepting the quote of \$7,461.25 from the single-source contractor Solomon Corporation of Solomon, KS to recondition three (3) voltage regulators.
8. Consideration of accepting the quote of \$10,000.00 from Link Environmental Equipment, Inc. of Winamac, IN for the purchase of two (2) 20 CY roll-off containers for hauling of sludge at the Wastewater Treatment Plant.
9. Consideration of accepting the quote of \$9,270.00 from Kennedy Industries of New Hudson, MI for the purchase of a backup submersible pump for the Western Electric sewage lift station.

Council Member Weimer moved, **Council Member Mann** seconded, **MOTION CARRIED**, to approve Items 1-5 and 7-9 as submitted.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer
NAY: None **ABSENT:** None **ABSTAIN:** None

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

6. Consideration of approving the purchase of six (6) replacement computers and related equipment from Netrix of Bannockburn, IL for use by DART at a cost not to exceed \$7,500.00.
 Council Member Mann questioned if the council should consider the quote from Data Strategy of Grand Rapids, Michigan since they are a Michigan based company and \$21 difference. Evan Smith, DART Director, explained that previous service issues with Netrix warrant awarding the quote to Data Strategy of Grand Rapids, Michigan.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve the purchase of six (6) replacement computers and related equipment from Data Strategy of Grand Rapids, Michigan for use by DART at a cost not to exceed \$7,500.00.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer
NAY: None **ABSENT:** None **ABSTAIN:** None

10. Consideration of approving a Discharge of Mortgage for the property at 219 N. Front Street and consideration of authorizing the mayor to sign the discharge documents. It was explained that the city council approved a loan in the amount of \$60,000 to Niles Riverfront Café to support the development of the restaurant.

On September 8, 2003, the Niles City Council approved a loan request in the amount of \$60,000 to the Niles Riverfront Café, LLC; simultaneously, the council approved the use of tax increment (property tax) generated to defray the loan. The DDA proposed the property tax arrangement and the balance of \$20,000 remains on the loan.

A prospective buyer initiated a purchase of the property and the title company requested to discharge of mortgage in order to facilitate the sale. The DDA's commitment to the project would continue to pay \$4,000 per year for five years to satisfy the original loan.

Council Member Mann moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to approve a Discharge of Mortgage for the property at 219 N. Front Street and consideration of authorizing the mayor to sign the discharge documents.

ROLL CALL: AYES: Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer
NAY: None **ABSENT:** Bertschy **ABSTAIN:** None

11. Consideration of approving a contract with The Niles Daily Star for advertising in the amount of \$8,208.00 and consideration of authorizing the mayor to sign the advertising agreement.

Council Member Weimer moved, **Council Member Mann** seconded, **MOTION CARRIED**, to approve a contract with The Niles Daily Star for advertising in the amount of \$8,208.00 and consideration of authorizing the mayor to sign the advertising agreement.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer
NAY: None **ABSENT:** None **ABSTAIN:** None

12. Consideration of approving entering into an agreement with the Southeast Berrien County Landfill Authority for their acceptance of sludge from the Wastewater Treatment Plant for an approximate cost of \$58,000.00 annually. Mayor McCauslin mentioned that the city has part ownership of the landfill and are still being charged as if the city was a customer.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve entering into an agreement with the Southeast Berrien County Landfill Authority for their acceptance of sludge from the Wastewater Treatment Plant for an approximate cost of \$58,000.00 annually.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer
NAY: None **ABSENT:** None **ABSTAIN:** None

13. Consideration of accepting the bid of up to \$120 ~~\$380.00~~ per hour from MK Power Solutions, Inc. of Findlay, OH to provide consultation and design services as the Engineer of Record (EOR) for the Electric Division and consideration of authorizing the mayor to sign the professional services contract.

CORRECTION: READ \$380 per hour CORRECTION: up to \$120 per hour.

Council Member Weimer moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to accept the bid of up to \$120 ~~\$380.00~~ per hour from MK Power Solutions, Inc. of Findlay, OH to provide consultation and design services as the Engineer of Record (EOR) for the Electric Division and consideration of authorizing the mayor to sign the professional services contract.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer
NAY: None **ABSENT:** None **ABSTAIN:** None

14. Consideration of entering into an agreement with Plant Growth Management Services of Niles, MI to provide management services for the Electric Division's tree maintenance program at a cost not to exceed \$29,486.00 and consideration of authorizing the mayor to sign the agreement.

Council Member Weimer moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to enter into an agreement with Plant Growth Management Services of Niles, MI to provide management services for the Electric Division's tree maintenance program at a cost not to exceed \$29,486.00 and consideration of authorizing the mayor to sign the agreement.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer
NAY: None **ABSENT:** None **ABSTAIN:** None

15. Consideration of approving a sub-recipient Agreement with the Ferry Street Resource Center for the Program Year of 2014 and consideration of authorizing the mayor to sign the agreement.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve a sub-recipient Agreement with the Ferry Street Resource Center for the Program Year of 2014 and consideration of authorizing the mayor to sign the agreement.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer
NAY: None **ABSENT:** None **ABSTAIN:** None

16. Consideration of approving a grant agreement with the US Department of Housing and Urban Development for the City's Community Development Block Grant Program Year 2014 and consideration of authorizing the mayor to sign the agreement.

Council Member Bertschy moved, **Council Member Skalla** seconded, **MOTION CARRIED**, to approve a grant agreement with the US Department of Housing and Urban Development for the City's Community Development Block Grant Program Year 2014 and consideration of authorizing the mayor to sign the agreement.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, VandenHeede, Weimer
NAY: None **ABSENT:** None **ABSTAIN:** None

17. Consideration of approving entering into a Memorandum of Understanding with Mr. Jerry French for the future development of the property located at 315 W. Main Street. Vandenheede stated that he was opposed to the memorandum as written because Mr. French is asking the city to do improvements to sidewalks and lighting around the property that would likely exceed the purchase price of the property. Vandenheede proposed that the council add a stipulation saying that the city would pay for improvements not to exceed the purchase price. Further discussion followed.

Council Member Skalla moved, **Council Member Clark** seconded, **MOTION CARRIED**, to approve entering into a Memorandum of Understanding with Mr. Jerry French for the future development of the property located at 315 W. Main Street.

ROLL CALL: AYES: Bertschy, Boggs, Clark, Durm, Mann, Skalla, Weimer
NAY: VandenHeede **ABSENT:** None **ABSTAIN:** None

APPOINTMENT TO BOARDS:

18. Consideration of approving the re-appointments of Robert Coryell, Sr. and Thomas Fron to the Niles Planning Commission effective January 1, 2015 and ending on December 31, 2017.

Council Member Durm moved, **Council Member Clark** seconded, **MOTION CARRIED**, to approve the re-appointments of Robert Coryell, Sr. and Thomas Fron to the Niles Planning Commission effective January 1, 2015 and ending on December 31, 2017. Voice Vote: AYES: 8 NAYS: 0

CITY ATTORNEY'S REPORT: None

COUNCIL MEMBER'S REPORT:

Council Member Boggs thanked Lisa Croteau and the DDA for the Hunter Ice Festival. The Martin Luther King breakfast was well attended and encouraged people to attend next year.

Council Member Mann thanked the committee for a job well-done on the Hunter Ice Festival. Council Member Mann also thanked the Niles Housing Commission and staff for their hard work.

Council Member Bertschy encouraged everyone to participate in activities during Black History Month in February.

Council Member Weimer stated that there were some hard decisions made at this meeting. He wished more high school students would attend to see democracy in action.

Council Member VandenHeede reported that Hunter Ice Festival was well attended. VandenHeede also mentioned that he wished there was a better solution to the Niles Housing and HUD problem.

Council Member Clark thanked the Niles Housing Commission

Council Member Durm also congratulated the Hunter Ice Festival sponsors for a well-attended festival.

Council Member Skalla mentioned that he had a wonderful time at the Hunter Ice Festival. The parking lots were full and all restaurants had a waiting line to get in. He also mentioned that he hoped that the City can work with HUD towards a solution.

MAYOR'S REPORT: Mayor McCauslin also expressed his concerns to the Niles Housing Commission.

He thanked the DDA/Main Street for their hard work on the Hunter Ice Festival. Four of the carvers are going on the International Ice Carver's competition in Fairbanks, AK on March 3, 2015.

The Mayor wished Juan Ganum good luck as City Manager of Bridgman and thanked him for 15 years of service as Community Development Director for the City of Niles.

Hunter ice cream and cookies were served after the council meeting.

ADJOURNMENT

Weimer moved to adjourn at 7:02 pm.



Linda Casperson, Niles City Clerk