

PUBLIC HEARING
PARK AND RECREATION PLAN 2016-2020
MONDAY, NOVEMBER 23, 2015, 5:55PM

Mayor McCauslin called the Public Hearing for the Park and Recreation Plan 2016-2020. He asked if anyone in the audience wishes to address the council on the Park and Recreation Plan 2016-2020. Fredda Zeiter commented that the Park and Recreation Plan was a complete, well executed document and commended the Community Development Director. The Mayor asked if anyone else wished to address the council, hearing none; the public hearing was closed at 5:57 pm.

CITY OF NILES
REGULAR CITY COUNCIL MEETING
MONDAY, NOVEMBER 23, 2015, 6:00PM

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, Robert Durm, David Mann, Tim Skalla, Daniel VandenHeede William Weimer, Mayor Michael McCauslin

ABSENT: Scott Clark

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

AUDIENCE: 15

CITIZEN PARTICIPATION:

Lisa Croteau announced that November 28 is "Small Business Saturday." American Express provided reusable canvass bags. Santa Clause will also be making an appearance along with carriage rides through downtown.

PRESENTATION: Niles Fire Department presented a plaque to Mr. Mark Ganning for his bravery in extinguishing a fire that started in the hallway of the Niles Housing Apartments, 251 Cass Street on October 10, 2015. Mr. Ganning who has an amputated leg and uses a wheel chair to get around, managed to use a fire extinguisher to put out the fire.

CONSENT AGENDA:

1. Approval of the Minutes of November 9, 2015
2. Approval of the Bills.
3. Consideration of awarding the annual tree and stump removal contract to Caretaker Landscaping & Lawn Care of Michigan City, Indiana at a cost of \$35,600 and authorize the Mayor to sign the contract.
4. Consideration of approving the labor and materials by Hi-Tech/SMR Communication of Niles to move the existing VHF antenna to the newly installed antenna ring at Cherry Street water tower at a cost of \$4,096 and authorize the Utility Manager to sign the quotes.
5. Consideration of approving the purchase of one (1) 500kVA reconditioned Pad Mounted Transformer from T&R Electric of Colman, South Dakota at a cost of \$7,595.
6. Consideration of approving an amendment to the grant in order to extend the final closure date to October 12, 2016 from the Michigan Department of Natural Resources for the Pucker Street Dam Removal and River Restoration Project and authorize the Mayor to sign the agreement.

7. Consideration of entering into a pole attachment license agreement with Comcast Corporation of Philadelphia County, PA and authorize the Mayor to sign the agreement.
8. Consideration of entering into a pole attachment license agreement with Midwest Connections of Cassopolis, MI and authorize the Mayor to sign the agreement.
9. Consideration of approving the emergency purchase of materials in install electrical conduit with the Main Street Bridge at a cost of \$7,633.97.
10. Consideration of approving the emergency work for a water main extension at Main & State to Kalin Construction Company, Inc. of Benton Harbor, MI at a cost of \$41,810.84.
11. Consideration of approving the request by Niles DDA/Main Street to hold a fundraiser event located at 322 E. Main Street, Ste. 104 to benefit the DDA.

Bertschy asked about the emergency purchases of Items 9 and 10. City Administrator Huff explained that during the original engineering and construction of the Main Street Bridge, the City requested that electrical conduit be placed within the bridge for future expansion of fiber, electrical etc. on the west side. The City's request was rejected. The contractor then approached the City to allow the conduit to be placed at a moment's notice.

Item 10 was also explained by Mr. Huff that the water main was being replaced with a ten inch pipe that was fed to smaller connections that then led to a bottleneck effect. The City was given one day to complete the project and ran out of time. Again, the City was given the opportunity to complete the project at a moment's notice. With the completion of the project during the construction of the bridge, the City saved a considerable amount of money by not having to tear out newly constructed concrete.

Council Member Weimer moved, **Council Member Skalla** seconded, **MOTION CARRIED**, to approve Items 1-11 as submitted.

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

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

12. Consideration of adopting a resolutions to approve a new five-year ground lease at Jerry Tyler Memorial Airport for Warren Bolton of Niles, effective January 1, 2016 and expiring on December 31, 2020 and consideration of authorizing the Mayor to sign the lease.

WARREN BOLTON, 29093 RUNKLE ROAD, NILES, MI 49120
JERRY TYLER MEMORIAL AIRPORT GROUND LEASE
RESOLUTION #2015-11/1973

Council Member Mann offered the following resolution and moved for its adoption, supported by **Council Member Weimer**.

WHEREAS, the City of Niles does own and maintain the Jerry Tyler Memorial Airport; and
WHEREAS, the City of Niles does let and lease portions of said premises in consideration of rents; and
WHEREAS, Warren Bolton, 29093 Runkle Road, Niles, MI desires a Ground Lease for the maintenance and storage of aircraft at said premises; and

WHEREAS, the City of Niles has drawn up said lease, to be signed by its Mayor and Clerk, by which Warren Bolton may occupy said described premises for a period of five (5) years commencing on the 1st day of January 1, 2016 with renewal subject to provisions contained in said lease; and

WHEREAS, the lessee shall pay all rents and abide by all covenants and conditions of said lease for the prescribed term.

NOW, THEREFORE, BE IT RESOLVED that the City of Niles shall enter into a Ground Lease with Warren Bolton for a term of five (5) years beginning January 1, 2016; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized and directed to execute the lease on behalf of the City of Niles.

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

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

RESOLUTION 2015-11/1973 DECLARED ADOPTED.

- 13.** Consideration of adopting by resolution a new agricultural land lease agreement for Masten Farms of Niles, effective January 1, 2016 for five-years with a provision allowing one year extensions for up to three additional years provided both parties agree and authorize the Mayor and Clerk to sign the lease.

Council Member Skalla moved, **Council Member VandenHeede** supported, **MOTION CARRIED**, to set aside Item 13 in order to allow for the issuance of a new Request for Proposal (RFP).

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

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

- 14.** Consideration of approving a service contract with Aramark Uniform Service of South Bend, Indiana for uniform rental at the Wastewater Treatment Plant for 48 months and authorize the Mayor to sign the contract and the letter cancelling the automatic renewal.

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to approve a service contract with Aramark Uniform Service of South Bend, Indiana for uniform rental at the Wastewater Treatment Plant for 48 months and authorize the Mayor to sign the contract and the letter cancelling the automatic renewal.

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

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

- 15.** Consideration of approving the quote from Hach Company of Loveland, Colorado to purchase Wastewater lab equipment at a cost of \$8,810.

Council Member Weimer moved, **Council Member Skalla** seconded, **MOTION CARRIED**, to approve the quote from Hach Company of Loveland, Colorado to purchase Wastewater lab equipment at a cost of \$8,810.

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

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

- 15A.** Consideration of approving the request from the Inertia Cycleworks, 211 E. Main Street to conduct the 7th Annual Niles Frigid 5K Run on Saturday, January 16, 2016.

Council Member Mann moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to approve the request from the Inertia Cycleworks, 211 E. Main Street to conduct the 7th Annual Niles Frigid 5K Run on Saturday, January 16, 2016.

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

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

- 15B.** Consideration of approving the request from the DDA/Main Street to conduct the "Small Business Saturday & Holiday Homecoming" on November 28, 2015 from 3:30pm to 7:00pm.

Council Member Skalla moved, **Council Member Bertschy** seconded, **MOTION CARRIED**, to approve the request from the DDA/Main Street to conduct the "Small Business Saturday & Holiday Homecoming" including the horse drawn carriage rides and Santa on November 28, 2015 from 3:30pm to 7:00pm.

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

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

CITY ATTORNEY'S REPORT: No Report

COUNCIL MEMBER'S REPORT:

Council Member Boggs thanked everyone for the letter of recognition presented to her at the Mt. Olive Missionary Baptist Church.

Council Member VandenHeede reported that Jason Thorpe, East Race Paddlers, contacted him regarding the Pucker Street Dam project and asked that the city council consider incorporating a white water race course.

Council Member Mann wished everyone a "Happy Thanksgiving."

Council Member Mann moved, **Council Member Weimer** seconded, **MOTION CARRIED**, to excuse Council Member Clark from the November 23, 2015 meeting. AYES: 7 NAYS: 0

Council Member Skalla congratulated Council Member Boggs on her recognition.

MAYOR'S REPORT:

Mayor McCauslin reported that he too received the email from Mr. Thorpe and commented that he recalled an article regarding similar circumstances in Iowa where they developed a white water race course.

He recommended that everyone Shop Small Business Saturday.

Congratulations to Council Member Boggs for her recognition presented by the Mt. Olive Missionary Baptist Church.

ADJOURNMENT: Council Member Weimer moved to adjourn at 6:30pm.

Linda Casperson
Niles City Clerk

Date