

**THE CITY COUNCIL
NILES, MICHIGAN
PUBLIC HEARING**

Substantial Amendment to PY 2017 CDBG Action Plan
Monday, February 26, 2018, 6:01p.m.

At 6:01 pm, Mayor Shelton asked if anyone in the audience wished to address the council on the Affirmatively Furthering Fair Housing Plan. Hearing no response, the Public Hearing was closed at 6:02pm.

**CITY OF NILES
REGULAR CITY COUNCIL MEETING MINIUTES
MONDAY, FEBRUARY 26, 2018**

The meeting was called to order by Mayor Shelton in the City Council Chambers, 1345 East Main Street, Niles, Michigan at 6:03 p.m., February 26, 2018. The Pledge of Allegiance was led by Mayor Shelton.

PRESENT: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, William Weimer, and Mayor Nick Shelton.

ABSENT: None

STAFF: Casperson, Huff, Landgraf

CITIZEN PARTICIPATION: None

PRESENTATIONS: Berrien County Sheriff Paul Bailey and Chief Deputy Robert Boyce

Sheriff Bailey and Chief Deputy Boyce recognized City of Niles officials for an excellent job managing the flood damage caused by the rising waters of the St. Joseph River. Flood victims were advised to call the 211 hotline to report damage caused by the flood.

CONSENT AGENDA:

1. Consideration of approving the City Council Minutes of February 12, 2018.
2. Consideration of approving the Bills dated February 21, 2018.
3. Consideration of approving a request from Mainly Marathons of Sauk Rapids, MN, to conduct their Heartland Marathon series event on Riverfront Trail in South Riverfront Park on Monday, June 4, 2018 from setup at 5:00 am to cleanup by 2:00 pm and consideration of allowing the group to setup travel trailers overnight at the south end of Riverfront Park.
4. Consideration of approving a request from Big Brothers Big Sisters of Berrien & Cass Counties to hold a Run for Kids' Sake event in Riverfront Park and use of the Riverfront Park Trail on July 14, 2018 from 7am to 2pm, including setup and take-down times and consideration of waiving all fees.
5. Consideration of accepting a proposal from Wightman & Associates, Inc. of Benton Harbor, MI to perform the annual mandated Biennial Bridge Inspections on the three bridges as listed.
6. Consideration of approving the payment of \$7,998.00 from Applied Imaging (formerly Hasselbring-Clark) for DocuWare software maintenance and support renewal.
7. Consideration of approving the Emergency Purchase of a one (1) 1000kVA pad mount transformer and consideration of accepting the quote of \$12,650.00 from T&R Electric of Coleman, SD ~~at a cost~~.
8. Consideration of approving the payment of \$13,509.00 to the Michigan Municipal Electric Association (MMEA) of Lansing, MI for payment of our annual dues.
9. Consideration of approving the Emergency Expenditure of \$14,346.80 to Selge Construction of Niles, MI for the replacement of 55 feet of water main.
10. Consideration of approving the purchase of a new Caterpillar CB14B asphalt roller from Michigan Cat of Niles, MI

at a cost of \$27,086.21.

Council Member Weimer moved, **Council Member Skalla** supported, **MOTION CARRIED**, to approve Items 1-10 as submitted.

ROLL CALL:

AYE: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, and William Weimer

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

ADMINISTRATOR'S REPORT:

Introduction of Items for Discussion

Items for Council Action

11. Consideration of approving entering into Health Care Participation Agreements with Municipal Employees Retirement System (MERS) for the listed employee groups and consideration of authorizing the mayor to sign the agreements.

Council Member Skalla moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve entering into Health Care Participation Agreements with Municipal Employees Retirement System (MERS) for the listed employee groups and consideration of authorizing the mayor to sign the agreements.

ROLL CALL:

AYE: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, and William Weimer

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

12. Consideration of approving entering into telecommunication service agreements with AT&T Corporation of Wyoming, MI.

Council Member DiCostanzo moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve entering into telecommunication service agreements with AT&T Corporation of Wyoming, MI.

ROLL CALL:

AYE: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, and William Weimer

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

13. Consideration of approving a one-year extension of the Utilities Department's ground maintenance contract with Simmons Tree & Lawn of Niles, MI at a cost of \$26,000.00 and consideration of authorizing the mayor to sign the contract extension.

Council Member Weimer moved, **Council Member Skalla** supported, **MOTION CARRIED**, to approve a one-year extension of the Utilities Department's ground maintenance contract with Simmons Tree & Lawn of Niles, MI at a cost of \$26,000.00 and consideration of authorizing the mayor to sign the contract extension.

ROLL CALL:

AYE: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, and William Weimer

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

14. Consideration of approving a contract amendment as requested by Kil & Associates of South Bend, IN in the amount of \$13,900.00 to seek state & federal approvals and manage the construction portion of the porch stabilization and repair project and consideration of authorizing the mayor and city clerk to sign the Amendment Agreement.

Council Member DiCostanzo moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve a contract amendment as requested by Kil & Associates of South Bend, IN in the amount of \$13,900.00 to seek state & federal approvals and manage the construction portion of the porch stabilization and repair project and consideration of authorizing the mayor and city clerk to sign the Amendment Agreement.

ROLL CALL:

AYE: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, and William Weimer

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

15. Consideration of accepting the quote of \$226,800.00 for the purchase of two (2) 90' clarifier mechanisms from Evoqua Water Technologies, LLC of Waukesha, WI for use at the Waste Water Treatment Plant and consideration of authorizing the mayor to sign the proposal.

Council Member Bertschy moved, **Council Member Boggs** supported, **MOTION CARRIED**, to approve accepting the quote of \$226,800.00 for the purchase of two (2) 90' clarifier mechanisms from Evoqua Water Technologies, LLC of Waukesha, WI for use at the Waste Water Treatment Plant and consideration of authorizing the mayor to sign the proposal.

ROLL CALL:

AYE: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, and William Weimer

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

16. Consideration of accepting the quote of \$170,166.00 from Allied Mechanical Services of Kalamazoo, MI to install two (2) Evoqua clarifier mechanisms at the Waste Water Treatment Plant and consideration of authorizing the mayor to sign the contract.

Council Member Bertschy moved, **Council Member DiCostanzo** supported, **MOTION CARRIED**, to accept the quote of \$170,166.00 from Allied Mechanical Services of Kalamazoo, MI to install two (2) Evoqua clarifier mechanisms at the Waste Water Treatment Plant and consideration of authorizing the mayor to sign the contract.

ROLL CALL:

AYE: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, and William Weimer

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

17. Consideration of approving a change order to a contract with Selge Construction of Niles, MI so as to change the location of the 2018 Water Main Replacement project from Plym Road to Ottawa Trail to facilitate the replacement of the 1958 cast iron water main pipe at a cost of \$256,145.00.

Council Member Skalla moved, **Council Member DiCostanzo** supported, **MOTION CARRIED**, to approve a change order to a contract with Selge Construction of Niles, MI so as to change the location of the 2018 Water Main Replacement project from Plym Road to Ottawa Trail to facilitate the replacement of the 1958 cast iron water main pipe at a cost of \$256,145.00.

ROLL CALL:

AYE: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, and William Weimer

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

18. Consideration of entering into a Memorandum of Understanding with the 5th District Regional Homeland Security Planning Board as it applies to the 5th District Regional Tactical Teams and consideration of authorizing the police chief to sign the Memorandum of Understanding.

Council Member Bertschy moved, **Council Member VandenHeede** supported, **MOTION CARRIED**, to approve entering into a Memorandum of Understanding with the 5th District Regional Homeland Security Planning Board as it applies to the 5th District Regional Tactical Teams and consideration of authorizing the police chief to sign the Memorandum of Understanding.

ROLL CALL:

AYE: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, and William Weimer

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

COMMITTEE/BOARD APPOINTMENTS:

19. Consideration of approving the appointment of Alaina Elder-Correa to a five-year term on the Niles Housing Commission, effective immediately and expiring on December 31, 2022.

Council Member DiCostanzo moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve the appointment of Alaina Elder-Correa to a five-year term on the Niles Housing Commission, effective immediately and expiring on December 31, 2022. AYES: 8 NAYS: 0

20. Consideration of approving the appointment of April Gargis to the Niles Public Arts Committee to complete the unexpired term of Janice Schrader, effective immediately and expiring on December 31, 2019.

Council Member Bertschy moved, **Council Member Weimer** supported, **MOTION CARRIED**, to approve the appointment of April Gargis to the Niles Public Arts Committee to complete the unexpired term of Janice Schrader, effective immediately and expiring on December 31, 2019. AYES: 8 NAYS: 0

CITY ATTORNEY'S REPORT: None

COUNCIL MEMBER'S REPORT:

All members of the council and mayor thanked staff for their dedication and hard work during the flood.

Council Member Bertschy thanked the staff that went to area property locations to warn them of the rising water.

Council Member Durm asked that people stay out of the water and obey all barricades.

Council Member McAfee reported that the Black History Month program at Mt. Calvary Baptist Church was wonderful. Everyone had a good time and good food.

Council Member McAfee moved, **Council Member Durm, MOTION CARRIED**, supported to excuse Council Member Weimer from the February 12, 2018 council meeting. **AYES: 8 NAYS: 0**

Council Member Weimer recognized Superintendent of the Wastewater Treatment Plant Derick Gordon and staff for keeping the wastewater treatment plant operational.

MAYOR'S REPORT:

Mayor Shelton said he was proud of the exceptional job by the city staff. Flood victim should call 211 hotline.

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

Linda Casperson
Niles City Clerk

Date