

**CITY OF NILES
REGULAR CITY COUNCIL MEETING MINUTES
MONDAY, FEBRUARY 25, 2019**

The meeting was called to order by Mayor Shelton in the City Council Chambers, 1345 East Main Street, Niles, Michigan at 6:00 p.m., February 25, 2019. The Pledge of Allegiance was led by Mayor Shelton.

PRESENT: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Charlie McAfee, Jessica Nelson, Travis Timm Daniel VandenHeede, William Weimer and Mayor Nick Shelton
ABSENT: None
STAFF: Casperson, Huff, and Landgraf

CITIZEN PARTICIPATION: None

PRESENTATION: None

CONSENT AGENDA:

1. Consideration of approving the City Council Minutes of ~~January~~ February 11, 2019.
2. Consideration of approving the list of bills dated February 20, 2019.
3. Consideration of scheduling a public hearing for Monday, March 11, 2019 at 5:55 pm to solicit public comments on the Citizen Participation Plan Revision in accordance with regulations for the Community Development Block Grant.
4. Consideration of scheduling a public hearing for Monday, March 25, 2019 at 5:55 pm to solicit public comments on a substantial amendment to the PY 2018 Community Development Block Grant Annual Action Plan.
5. Consideration of approving a request from the American Gold Star Mothers, Inc., Western Michigan Chapter, to hold a Walk-a-thon for Military Suicide Awareness on May 19, 2019 from 1:00 pm to 3:00 pm beginning and ending at the Veterans' Memorial in Riverfront Park and consideration of waiving all fees and costs for traffic control.
6. Consideration of approving a request from the Police Department to purchase an extended warranty for the WatchGuard in car video system, Vista body worn systems, software maintenance system & Evidence Library from Watch Guard Video of Dallas, TX at a cost of \$3,912.00
7. Consideration of approving a request from the Utilities Department to purchase 60 substation post insulators from WESCO Distribution of Daleville, IL at a cost of \$4,315.20.
8. Consideration of approving the payment of the annual NATS Local Match Fees to the Southwest Michigan Planning Commission in the amount of \$4,722.64, with costs split between Dial A Ride Transportation and the General Fund.
9. Consideration of approving the purchase of 138 LED Dusk to Dawn Lights for use by the Electric Division from Power Line Supply of Reed City, MI at a cost of \$9,922.00.
10. Consideration of approving the payment of \$9,809.16 to Midwest Energy & Communications of Cassopolis, MI for the City's allocation of the 17th Street fiber optic system build.
11. Consideration of approving the payment of \$25,000.00 to Midwest Energy & Communications of Cassopolis, MI for the City's contribution toward the Bertrand Crossing fiber optic build.
12. Consideration of accepting the bid of \$82,088.00 from Irby Utilities of Mt. Pleasant, MI for the purchase of 72 pole mounted transformers for use by the Electric Division.

Council Member Weimer moved, **Council Member Bertschy** seconded to approve the consent agenda as amended. **MOTION CARRIED**

ROLL CALL:

YEAS: John DiCostanzo, Jessica Nelson, Georgia Boggs, Gretchen Bertschy, Daniel VandenHeede, Travis Timm, Charlie McAfee and William Weimer

NAYS: None

ABSENT: None

ABSTAIN: None

CITY ADMINISTRATOR'S REPORT:

Introduction of Items for Discussion

Items for Council Action

13. Consideration of accepting the bid of \$116, 440.00 from Kerr Pump & Supply, Inc. of Oak Park, MI for the purchase of five pumps and eight valves for use at the Waste Water Treatment Plant and consideration of authorizing the Utilities Manager to sign the bid document.

Council Member DiCostanzo moved, **Council Member Weimer** seconded to accept the bid of \$116, 440.00 from Kerr Pump & Supply, Inc. of Oak Park, MI for the purchase of five pumps and eight valves for use at the Waste Water Treatment Plant and consideration of authorizing the Utilities Manager to sign the bid document. **MOTION CARRIED**

ROLL CALL:

YEAS: Jessica Nelson, Georgia Boggs, Gretchen Bertschy, Daniel VandenHeede, Travis Timm, Charlie McAfee, William Weimer and John DiCostanzo

NAYS: None

ABSENT: None

ABSTAIN: None

14. Consideration of approving McLean Engineering of Moultrie, GA to conduct a utility pole audit at a cost of \$29,464.00 and consideration of authorizing the mayor to sign the agreement.

Council Member DiCostanzo moved, **Council Member McAfee** seconded to approve McLean Engineering of Moultrie, GA to conduct a utility pole audit at a cost of \$29,464.00 and consideration of authorizing the mayor to sign the agreement. **MOTION CARRIED**

ROLL CALL:

YEAS: Georgia Boggs, Gretchen Bertschy, Daniel VandenHeede, Travis Timm, Charlie McAfee, William Weimer, John DiCostanzo and Jessica Nelson,

NAYS: None

ABSENT: None

ABSTAIN: None

15. Consideration of approving a funding request in the amount of \$10,000 from the City's Community Development Block Grant for the Summer My Way program and consideration of authorizing the mayor to sign the sub-recipient agreement with the YMCA of Southwest Michigan.

Council Member Nelson moved, **Council Member Boggs** seconded to approve a funding request in the amount of \$10,000 from the City's Community Development Block Grant for the Summer My Way program and consideration of authorizing the mayor to sign the sub-recipient agreement with the YMCA of Southwest Michigan. **MOTION CARRIED**

ROLL CALL:

YEAS: Gretchen Bertschy, Daniel VandenHeede, Travis Timm, Charlie McAfee, William Weimer, John DiCostanzo, Jessica Nelson and Georgia Boggs,

NAYS: None

ABSENT: None

ABSTAIN: None

16. Consideration of approving the recoating of the Cherry Street water tower and consideration of accepting the bid of \$254,900.00 with the Vikings logo ~~or the bid of \$258,900.00 using the City of Niles logo~~ from L & T Painting of Shelby Township, MI and consideration of authorizing the mayor to sign the contract.

Council Member VandenHeede moved, **Council Member Nelson** seconded to approve the recoating of the Cherry Street water tower and consideration of accepting the bid of \$254,900.00 with the Vikings logo from L & T Painting of Shelby Township, MI and consideration of authorizing the mayor to sign the contract. **MOTION DENIED**

Discussion followed regarding the price difference: One color with high quality paint \$252,900; Two color with Viking logo \$254,900; Two color with City logo \$258,900. Council Member McAfee asked if the school was willing to pitch in. City Administrator Huff replied that the schools declined to chip in. Council Member DiCostanzo stated that he would be voting with the recommendation given by the Board of Public Utilities which was to put the City logo on the water tower.

ROLL CALL:

YEAS: Travis Timm, Charlie McAfee, William Weimer, Georgia Boggs

NAYS: Gretchen Bertschy, Daniel VandenHeede, John DiCostanzo, Jessica Nelson, Mayor Shelton (**TIE**)

ABSENT: None **ABSTAIN:** None

Council Member Bertschy moved, **Council Member VandenHeede** seconded to set aside this item until March 5, 2019 to be considered at the next council meeting. **MOTION CARRIED**

Mayor Shelton stated that he would be placing a survey on his Facebook to seek input.

ROLL CALL:

YEAS: Travis Timm, Charlie McAfee, William Weimer, John DiCostanzo, Jessica Nelson, Georgia Boggs, Gretchen Bertschy and Daniel VandenHeede

NAYS: None **ABSENT:** None **ABSTAIN:** None

17. Consideration of approving the revisions to the Sick Leave and the Family Medical Leave Act Policies contained in the Personnel Manual. Council Member DiCostanzo voiced concern stating that this was an unfunded mandate by the State of Michigan. He objects to voting for this but, the city has no other choice.

Council Member Timm moved, **Council Member VandenHeede** seconded to approve approving the revisions to the Sick Leave and the Family Medical Leave Act Policies contained in the Personnel Manual. **MOTION CARRIED**

ROLL CALL:

YEAS: Charlie McAfee, William Weimer, John DiCostanzo, Jessica Nelson, Georgia Boggs, Gretchen Bertschy, Daniel VandenHeede and Travis Timm,

NAYS: None **ABSENT:** None **ABSTAIN:** None

18. Consideration of approving the Completelink 2.0, Centrex and HVCP service contracts from AT&T of Wyoming, MI and consideration of authorizing the mayor to sign the agreements.

Council Member Bertschy moved, **Council Member VandenHeede** seconded approve the Completelink 2.0, Centrex and HVCP service contracts from AT&T of Wyoming, MI and consideration of authorizing the mayor to sign the agreements. **MOTION CARRIED.**

ROLL CALL:

YEAS: William Weimer, John DiCostanzo, Jessica Nelson, Georgia Boggs, Gretchen Bertschy, Daniel VandenHeede, Travis Timm and Charlie McAfee,

NAYS: None **ABSENT:** None **ABSTAIN:** None

19. Consideration of approving the adjusted bid from Selge Construction Company of Niles in the amount of \$435,237.00 for the expansion of the IN-MI River Valley Trail.

Council Member DiCostanzo moved, **Council Member VandenHeede** seconded to approve the adjusted bid from Selge Construction Company of Niles in the amount of \$435,237.00 for the expansion of the IN-MI River Valley Trail. **MOTION CARRIED.**

ROLL CALL:

YEAS: John DiCostanzo, Jessica Nelson, Georgia Boggs, Gretchen Bertschy, Daniel VandenHeede, Travis Timm and Charlie McAfee, and William Weimer

NAYS: None **ABSENT:** None **ABSTAIN:** None

APPOINTMENTS:

None

CITY ATTORNEY'S REPORT: None

COUNCIL MEMBER'S REPORT:

Council Member Weimer concurred with Council Member DiCostanzo on Family Leave Act Policies. He encouraged the public to contact their State Legislatures and speak-up.

Council Member DiCostanzo there is a Planning Commission meeting on Wednesday, February 27 at the Council Chambers to go over the first nine chapters of the Zoning Ordinance and Zoning for Recreational Marijuana Ordinance.

Council Member Nelson reported that she and Council Member Timm attended the Michigan Municipal League

Newly Elected Official training and that it was very informative. She also attended the Historic District Commission as the council liaison.

Council Member VandenHeede stated that Item 19 was a partnership venture with Lakeland Hospital to help expand the trail north west of the Broadway Bridge. He also thanked Chief Lamb who took care of a constituent's complaint of brush pick up.

Council Member Timm echoed Council Member Nelson's comments about the MML Newly Elected Official training. He is seeing encouraging signs of positive momentum around the city. For those who are new to the community, welcome!

Council Member McAfee thanked the entire community for all the support received during Black History Month. Mt. Calvary had a nice event with a diverse choir. Great time,

MAYOR'S REPORT: reported that Leon Parker Taylor turns 103rd. He received a proclamation from the city on his 100th birthday, proclaiming April 12th as "Leon Parker Taylor Day". Debbie Hegyi is retiring after 17 years of service in the finance department. The high winds took down the scaffolding at the Chapin Mansion, there was no reported damage or injuries. There was an article in the South Bend Tribune on tiny houses. He will be sharing the article on social media. He asked for some feedback.

ADJOURNMENT: Council Member Weimer moved to adjourn at 6:34pm.

Linda Casperson
Niles City Clerk

Date