

# CITY OF NILES

## CITY COUNCIL MEETING AGENDA

### April 26<sup>th</sup>, 2021

**The meeting will be held virtually  
via Zoom**

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**Any interested person or group may address the City Council on any agenda item when recognized by the presiding officer or upon request of any Council Member. Also, any interested person or group may address the City Council on any matter of City concern not on the Agenda during the agenda item designated Public Comment. The comment of any member of the public or any special interest group may be limited in time.**

For individuals who may wish to join the virtual City Council meeting may do so from a PC, Mac, iPad, iPhone, Android device, or by telephone.

#### **ZOOM WEBINAR CITY COUNCIL MEETING ACCESS**

Please click the link below to join the webinar:

<https://nilesmi.zoom.us/j/99669867810>

Webinar ID: 996 6986 7810

Or iPhone one-tap :

US: +13017158592,,99669867810# or +13126266799,,99669867810#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Webinar ID: 996 6986 7810

International numbers available: <https://nilesmi.zoom.us/j/99669867810>

#### **MEETING PARTICIPATION**

At any regular or duly called special meeting of the Niles City Council, other than those meetings not subject to the provisions of the Michigan Open Meetings Act, a person desiring to speak on any item(s) on the agenda may do so subject to the following rules:

- Prior to addressing the Council, the person must provide, for the record, his/her name, permanent address.
- The person must be recognized by the Mayor or other presiding officer at the point on the agenda entitled "Citizen Participation."
- The person will be allowed three (3) minutes to present remarks, unless the time restriction is waived by the chair.

- A person wishing to address an agenda item may reserve time to address that item immediately prior to the time that the item is discussed by the Council.
- A person may be expelled from the meeting for a breach of the peace committed at the meeting, and if during his/her presentation to the Council becomes loud or unruly, the chair may rule the person out of order and forfeit the person's opportunity to speak further.

*Resolution 92-11/1003 November 23, 1992*

If you would like to contact the City Council about any matter, on the agenda or otherwise, please do so via the email addresses below by 4:00 pm prior to the meeting:

- Mayor Nick Shelton: [mayor@nilesmi.org](mailto:mayor@nilesmi.org)
- Mayor Pro Tem & 1<sup>st</sup> Ward Councilmember Gretchen Bertschy: [gbertschy@nilesmi.net](mailto:gbertschy@nilesmi.net)
- 1<sup>st</sup> Ward Councilmember Georgia Boggs: [gboggs@nilesmi.net](mailto:gboggs@nilesmi.net)
- 2<sup>nd</sup> Ward Councilmember Amanda Dunnem [adunnem@nilesmi.net](mailto:adunnem@nilesmi.net)
- 2<sup>nd</sup> Ward Councilmember Travis Timm: [ttimm@nilesmi.net](mailto:ttimm@nilesmi.net)
- 3<sup>rd</sup> Ward Councilmember William Weimer: [wweimer@nilesmi.net](mailto:wweimer@nilesmi.net)
- 3<sup>rd</sup> Ward Councilmember Charlie McAfee: [cmcafee@nilesmi.net](mailto:cmcafee@nilesmi.net)
- 4<sup>th</sup> Ward Councilmember John DiCostanzo: [jdicostanzo@nilesmi.net](mailto:jdicostanzo@nilesmi.net)
- 4<sup>th</sup> Ward Councilmember Jessica Nelson: [jnelson@nilesmi.net](mailto:jnelson@nilesmi.net)
- [City Administrator Richard Huff: cityadministrator@nilesmi.org](mailto:cityadministrator@nilesmi.org)
- [City Clerk Linda Casperson: cityclerk@nilesmi.org](mailto:cityclerk@nilesmi.org)

The City of Niles will provide necessary reasonable auxiliary aids such as Closed Captioning. If other aids and services are needed for individuals with disabilities please contact the City Clerk, at [cityclerk@nilesmi.org](mailto:cityclerk@nilesmi.org).

**6:00 P.M.**

**REGULAR COUNCIL MEETING**

**CALL TO ORDER:**

**PUBLIC HEARINGS:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL: (If attending remotely announce your location; i.e., state and city.)**

**APPROVAL OF THE AGENDA:**

**CITIZEN PARTICIPATION: (PUBLIC COMMENTS)**

**PRESENTATIONS:**

**CONSENT AGENDA:**

1. Consideration of approving the Minutes of April 12, 2021.
2. Consideration of approving the list of bills dated April 21,2021.

3. Consideration of approving a 1-1/2" meter water and sewer ready-to-serve (RTS) customer rate tariff for FY2021 and FY 2022.
4. Consideration of approving the purchase of 130 LED Dusk to Dawn Lights from Border States of Grand Haven, MI for \$9613.50 being charged to the Electrical Division Fund.
5. Consideration of approving the single source purchase of two NOVA 15 kV reclosers and associated appurtenances from Cooper Power Systems of Waukesha, Wisconsin for \$43,944.52 being charged to the Electric Division Fund.

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

6. Consideration of approving the purchase of 52 S 3<sup>rd</sup> Street for \$14,000 to be expensed to the General Fund and paid for with a donation from a local foundation and authorizing the Mayor and City Clerk to sign and file the necessary documents.
7. Consideration of approving the low bid from Asphalt Restoration of Kalamazoo, MI for street joint/crack sealing of \$25,277.00 to be charged to the Major and Local Street funds and authorizing the Mayor to sign the contract.
8. Consideration of approving to continue the *Mutual Aid Memorandum of Understanding* with Consumers Energy Company and DTE Electric Company until December 31, 2021 and month-to-month thereafter, and authorizing the Utilities Manager to sign the MOU.
9. Consideration of approving to accept a city easement on Parcel ID 11-14-0013-0015-00-7 to install and maintain Dowagiac River monitoring equipment with monthly \$40 service and approximate repair costs of \$400 being charged to the Electric Division, and authorizing the City Administrator to sign the agreement.
10. Consideration of approving an emergency expenditure of \$5,350 being charged to the Utility Department Fund to CP Construction of Niles, MI for rehabilitation and repair work at City owned house on the Pucker Street farm property?
11. Consideration of approving a resolution for an Interfund Loan/Environmental Lease between the Utilities Department Electric Division *cash reserve* and the Electric Division *dam surcharge* funds in the amount of \$359,200 plus interest to offset any future liabilities with the Pucker Dam Removal and Dowagiac River Restoration Project.
12. Consideration of approving to accept bid of \$54,907.63 being charged to the Electric Division Fund from Asplundh of Fort Wayne, Indiana for installation of material for the upgrade project, and authorizing the Mayor to sign the contract.
13. Consideration of approving a Cannabis Festival contingent on staff recommendations being met.
14. Consideration of issuing provisional adult use microbusiness license to Southfield Farms.
15. Consideration of issuing provisional adult use microbusiness license to MCB Ventures.

**APPOINTMENTS:**

16. Consideration of confirming the appointment of Charles Fouche to the Niles Planning Commission.
17. Consideration of confirming the Mayor's appointment of Luigi Alberganti, Paul Klimson, and Elizabeth Keller to the Niles Main Street/Downtown Development Authority Board.

**CITY ATTORNEY'S REPORT:**

18. Consideration of approving a first reading of an ordinance to regulate fireworks.
19. Consideration of approving a first reading of an ordinance to amend Article 6 – 6 of Chapter 6 of the City of Niles, Michigan Code of Ordinances.

**COUNCIL MEMBER'S REPORT:**

Council Member Boggs  
Council Member Bertschy  
Council Member Dunnem  
Council Member Timm

Council Member McAfee  
Council Member Weimer  
Council Member DiCostanzo  
Council Member Nelson

**MAYOR'S REPORT:**

**CLOSED SESSION:**

**ADJOURNMENT**