

James Stump, IS Director explained the following:

In accordance with Gov. Gretchen Whitmer and the Michigan Department of Health and Human Services' recommendations designed to help prevent the spread of Coronavirus Disease 2019 (COVID-19) and Executive Order 2020-15 declaring public bodies subject to the Open Meetings Act can use telephone or video conferencing technology to meet and conduct business, the City of Niles City Council will hold such a meeting via telephone conferencing at **6:00 p.m. on Monday, June 14, 2021**, for the purpose of adopting City of Niles policy temporarily allowing remote attendance by members of City Councilmembers and other City public boards and members of the public at public meetings due to Coronavirus outbreak.

Members of the public wishing to participate in the meeting through electronic means will have access to the meeting through the following methods:

### **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>

## **CITY COUNCIL MINUTES**

City of Niles, Michigan

Electronic Meeting

June 14, 2021

**PRESENT:** Council Members: Georgia Boggs, Gretchen Bertschy, John DiCostanzo, Amanda Dunnem, William Weimer, Charlie McAfee, Jessica Nelson, Travis Timm, and Mayor Shelton

**ABSENT:** None

**STAFF:** Richard Huff, Robert Landgraf, Linda Casperson, and James Stump

### **REGULAR COUNCIL MEETING**

The regular Niles City Council meeting was called to order by Mayor Shelton at 6:03 p.m. June 14, 2021. The Pledge of Allegiance was led by Mayor Shelton.

### **APPROVAL OF THE AGENDA**

**Council Member DiCostanzo** moved, **Council Member Timm** seconded to approve the agenda as submitted.

**ROLL CALL: YEA:** Bertschy, Dunnem, Timm, McAfee, Weimer, DiCostanzo, Nelson Boggs

**NAY:** None **MOTION CARRIED**

**CITIZEN PARTICIPATION: (PUBLIC COMMENTS) None.**

### **CONSENT AGENDA:**

1. Consideration of approving the minutes of May 24, 2021.
2. Consideration of approving the list of bills dated June 9, 2021. *Correction: Purchase of property listed as \$44,000.00 should be \$11,000.00.*
3. Consideration of approving the request by the EAA Chapter 865, Inc. to use the Jerry Tyler Memorial Airport property for the purpose of sponsoring the 34<sup>th</sup> Annual Fly-in Pancake Breakfast on Saturday, June 27, 2021.

4. Consideration of approving the request from P & J LIVE Sports to conduct the Summer Basketball League with \$500 being charged to the Parks and Recreation Fund at Plym Park basketball courts. *City Administrator Huff explained that \$500 is actually for the installation of an electric panel. Basketball nets are a nominal cost.*
5. Consideration of granting permission to Western Michigan University Anthropology Department and the Niles History Center to host the Fort St. Joseph Archaeology Open House on Saturday, August 7, 2021 and Sunday, August 8, 2021 from 10:00 am – 6:00 pm at the Riverfront Park fort site and waiving all fees.
6. Consideration of approving the request for \$2,500 to be charged to the General Fund to support the Fort St. Joseph Archaeology Open House.

**Council Member Nelson** moved, **Council Member McAfee** seconded to approve consent agenda with the clarification made by City Administrator Huff.

**ROLL CALL: YEA:** Dunnem, Timm, McAfee, Weimer, DiCostanzo, Nelson, Boggs, Bertschy

**NAY:** None **MOTION CARRIED**

**CITY ADMINISTRATOR’S REPORT:**

**Introduction of Items for Discussion**

**Items for Council Action**

7. Consideration of accepting the terms of the Berrien County City/Village Road Agreement with \$6,902.29 being charged to the Major Street – Hired Services Fund and authorizing the Mayor to sign the agreement.

**Council Member DiCostanzo** moved, **Council Member Bertschy** seconded to approve consent agenda.

**ROLL CALL: YEA:** Timm, McAfee, Weimer, DiCostanzo, Nelson, Boggs, Bertschy, Dunnem

**NAY:** None **MOTION CARRIED**

8. Consideration of granting permission to the Niles Riverfront Optimist Club to conduct the Riverfest and Carnival and the related requests including staff recommendations of \$4,690.00 being charged to various departments. *City Administrator Huff mentioned that there are requests made by the organizers relating to Law Enforcement with significant costs. Unless there is some type of issue, it is anticipated that will not be that costly. The police department will determine the level of staff necessary, not the event organizer. Council Member Bertschy pointed out that the Parks Board voiced concern with the pedestrian traffic crossing Front Street between the Riverfront Park and Plym Park. City Administrator Huff reported that an inquiry was made to MDOT about portable signage. There is no guarantee, but the city will make every effort to slow traffic for pedestrian crossing.*

**Council Member Bertschy** moved, **Council Member McAfee** seconded to approve consent agenda.

**ROLL CALL: YEA:** McAfee, Weimer, DiCostanzo, Nelson, Boggs, Bertschy, Dunnem, Timm

**NAY:** None **MOTION CARRIED**

9. Consideration of approving the fireworks display through Mad Bomber Fireworks for \$15,000.00 to be held Friday, July 2, 2021 and approving an amendment to the Council’s Community Promotions Fund of \$15,000.00 for the fireworks display.

**Council Member DiCostanzo** moved, **Council Member Bertschy** seconded to approve consent agenda.

**ROLL CALL: YEA:** Weimer, DiCostanzo, Nelson, Boggs, Bertschy, Dunnem, Timm, McAfee  
**NAY:** None **MOTION CARRIED**

10. Consideration of approving the amended Schedule of Fees by adding the Fireworks fee payment of \$50 and requiring a Certificate of Liability Insurance in the amount of \$1,000,000.

**Council Member DiCostanzo** moved, **Council Member Nelson** seconded to approve consent agenda.

**ROLL CALL: YEA:** Weimer, DiCostanzo, Nelson, Boggs, Bertschy, Dunnem, Timm, McAfee

**NAY:** None **MOTION CARRIED**

11. Consideration of approving a renewal of the Administrative Services Contract with Blue Cross Blue Shield of Michigan with \$79,531.00 being expensed to the FY 2020 and FY 2021 General Fund and Utility budgets based on employee numbers and authorizing the City Administrator to electronically sign the contract.

**Council Member DiCostanzo** moved, **Council Member McAfee** seconded to approve consent agenda.

**ROLL CALL: YEA:** DiCostanzo, Nelson, Boggs, Bertschy, Dunnem, Timm, McAfee, Weimer

**NAY:** None **MOTION CARRIED**

12. Consideration of approving the Memorandum of Understanding for the Indiana Michigan River Valley Trail Partnership and authorizing the Mayor to sign the memorandum.

**Council Member Nelson** moved, **Council Member Timm** seconded to approve consent agenda.

**ROLL CALL: YEA:** Nelson, Boggs, Bertschy, Dunnem, Timm, McAfee, Weimer, DiCostanzo

**NAY:** None **MOTION CARRIED**

13. Consideration of adopting a resolution to authorize the City Administrator or the Public Works Director to sign the grant documents for any future MDOT/FAA grants related to land acquisition at the Jerry Tyler Memorial Airport.

**Council Member DiCostanzo** moved, **Council Member Bertschy** seconded to approve consent agenda.

**ROLL CALL: YEA:** Nelson, Boggs, Bertschy, Dunnem, Timm, McAfee, Weimer, DiCostanzo

**NAY:** None **MOTION CARRIED - RESOLUTION 2147 ADOPTED**

14. Consideration of adopting a resolution to approve a project agreement including grant funds not to exceed \$100,000 with the Great Lakes Fishery Trust for the Dowagiac River restoration project.

**Council Member DiCostanzo** moved, **Council Member McAfee** seconded to approve consent agenda.

**ROLL CALL: YEA:** Boggs, Bertschy, Dunnem, Timm, McAfee, Weimer, DiCostanzo, Nelson

**NAY:** None **MOTION CARRIED - RESOLUTION 2148 ADOPTED**

**CITY ATTORNEY'S REPORT:** No report

**COUNCIL MEMBER'S REPORT:**

**Council Member Bertschy:** The City of Niles is blessed with volunteers in the last few weeks with the planting of the downtown planters and wonderful music at the Riverfront Amphitheater.

**Council Member Nelson:** Neighbors in the cul-de-sac off South Lincoln have again expressed concern with the "No Parking" signage and asked if something could be done. Council Member Nelson serves as the council liaison for the Niles Public Arts Commission and they approved the design and painting of a mural at the Public Parking Lot on Second Street. The mural is depicting historic elements of Niles.

**MOTION:**

Council Member Nelson made a motion that the council approve that the artist to begin a mural in the parking lot at Second and Sycamore based on the approval of the NPAC and DDA. Council Member Bertschy seconded the motion.

There was further discussion regarding the approval by NPAC for the design and DDA approval of the painting of the wall in the district. The NPAC agreed to provide the paint and the artist is donating his time and talent. City Administrator mentioned that NPAC has a small fund there may not be enough therefore, there may be some money coming out the of General Fund. He also stated that the wall has needed to be painted for some time and that the mural would be a great improvement. The artist has provided a rendering.

**Council Member Nelson** moved, **Council Member Timm** seconded to approve consent agenda.

**ROLL CALL: YEA:** Boggs, Bertschy, Dunnem, Timm, McAfee, Weimer, DiCostanzo, Nelson

**NAY:** None **MOTION CARRIED**

**Council Member Boggs** announced that the 1<sup>st</sup> Ward is holding a community garage sale from July 22 through July 24, 2021 from 8am to 5pm. This will allow residence in 1<sup>st</sup> Ward to clean out belongings and make some extra money and beautify the neighborhood.

#### **MAYOR'S REPORT:**

**Mayor Shelton** thanked the volunteers who helped beautify the downtown and that includes the newly formed River Essence volunteer group as well as DDA volunteers, business volunteers that came before them.

The City had a beautiful Memorial Day parade.

Niles Music and More conducted their first music event by providing a group from Detroit, Katmandu (Bob Seger tribute band). The Riverfront Park was packed. He thanked Caryn Adler.

Third Thursday will be featuring the young musical group, The Toonas live at the NODE.

There was a fire at the old National Standard property. They Mayor thanked all of the first responders and various surrounding departments for answering the call. A tremendous effort containing the fire from spreading.

#### **ADJOURNMENT**

Council Member Weimer moved to adjourn at 6:40pm.

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Linda Casperson  
Niles City Clerk

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Date