

**REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS,
1345 E. Main Street
City of Niles, Michigan**

Revised

Monday, October 25, 2021

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

ABSENT: Jessica Nelson

STAFF: Richard Huff, Robert Landgraf, Linda Casperson

REGULAR COUNCIL MEETING

The regular Niles City Council meeting was called to order by Mayor Shelton at 6:00 p.m. October 25, 2021. The Pledge of Allegiance was led by Mayor Shelton.

APPROVAL OF THE AGENDA

Council Member DiCostanzo moved, **Council Member McAfee** to approve the agenda with the removal of Item 6.

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

CITIZEN PARTICIPATION: (PUBLIC COMMENTS)

Ruth Lawson, spoke in opposition of marijuana businesses and removal of the blockade to have easier direct access to City Hall.

Steve Gargis thanked the Fire Department for their presentation at Niles High School and teaching the kids about fire safety and how to use fire extinguishers.

William Lakeman, Owner of Four Flags Antique Mall, mentioned that the NODE has had an adverse effect on his business. Customers have a hard time finding his business.

Marie Weimer stated that there are other places than to closed Second Street. She has received several good comments about our police officers.

Paul Thrash, Owner of Mancino's Restaurant, requested support from the City Council to convince Oasis to allow him to stay at his present location on 11th Street.

PRESENTATIONS: Tyler Ganus, General Manager of the Southeast Berrien County Landfill

Mr. Ganus gave a brief presentation on the expansion of the Southeast Berrien County Landfill.

Currently the landfills capacity has an estimated remaining 12 years of life based upon the projected remaining disposal capacity. With the expansion the expected lifespan would extend the landfill an additional 27 years.

CONSENT AGENDA:

1. Consideration of approving the minutes of October 11, 2021.
2. Consideration of approving the list of bills dated October 20, 2021.
3. Consideration of scheduling a public hearing on Monday, November 22, 2021 at 6:00pm to hear comments on the PY 2021 CAPER.

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

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

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

4. Consideration of authorizing the donation of the Jet A Fuel farm to Lenawee County Airport. **Council Member Bertschy** moved, **Council Member Timm** seconded to authorize the donation of the Jet A Fuel farm to Lenawee County Airport. *DiCostanzo noted that the City of Niles will obtain funding from Lenawee County Airport for the Jet A Fuel.*

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

5. Consideration of approving a resolution in support of expanding landfill operations at the Southeast Berrien County Landfill.

Council Member DiCostanzo moved, **Council Member Weimer** seconded to approve a resolution in support of expanding landfill operations at the Southeast Berrien County Landfill.

ROLL CALL: YEA: Timm, McAfee, Weimer, DiCostanzo, Boggs, Bertschy, Dunnem. **NAY:** None
MOTION CARRIED - RESOLUTION 2021-10/2153

REMOVED

~~6. Consideration of approving to contract with Corpro Waterworks of Medina, Ohio for an Annual Service Agreement for inspection of the Cathodic Protection System of the City's five (5) water tanks in the amount of \$4,300.00 to be charged to the Water Division Maintenance Fund and authorizing the City Administrator to sign the Service Agreement.~~

7. Consideration of approving to accept the quote of \$9,750.00 to be charged 60/40 to the Maintenance-Service Building Electric and Maintenance-Service Building Water Fund from 4 T Door Systems of Elkhart, Indiana for the purchase and installation of the components for the electric gate upgrade and authorizing the Utilities Manager to sign the quote.

Council Member Timm moved, **Council Member DiCostanzo** seconded to approve the quote of \$9,750.00 to be charged 60/40 to the Maintenance-Service Building Electric and Maintenance-Service Building Water Fund from 4 T Door Systems of Elkhart, Indiana for the purchase and installation of the components for the electric gate upgrade and authorizing the Utilities Manager to sign the quote.

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

8. Consideration of approving to sole-source the purchase of Itron meter reading equipment from United Systems & Software, Inc. of Benton, Kentucky for the price of \$22,338.00 to be charged to the Maintenance – METERS Funds and authorizing the Utilities Manager to sign the quote.

Council Member DiCostanzo moved, **Council Member Bertschy** seconded the approval of the sole-source purchase of Itron meter reading equipment from United Systems & Software, Inc. of Benton, Kentucky for the price of \$22,338.00 to be charged to the Maintenance – METERS Funds and authorizing the Utilities Manager to sign the quote.

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

9. Consideration of approving to construct a circuit tie for redundancy at the Industrial Park Substation for the approximate cost of \$73,633.00 to be charged to the Overhead Conductors and Devices Electric Fund.

Council Member DiCostanzo moved, **Council Member Timm** seconded to approve to construct a circuit tie for redundancy at the Industrial Park Substation for the approximate cost of \$73,633.00 to be charged to the Overhead Conductors and Devices Electric Fund.

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

10. Consideration of authorizing the Mayor to execute Master Agreement 2022-0113 with MDOT and authorizing the Mayor and/or City Administrator to sign related Project Authorizations for the period from October 1, 2021 to September 30, 2025 on behalf of the City of Niles for continued operation of the DART system.

Council Member Bertschy moved, **Council Member Timm** seconded to authorize the Mayor to execute Master Agreement 2022-0113 with MDOT and authorizing the Mayor and/or City Administrator to sign related Project Authorizations for the period from October 1, 2021 to September 30, 2025 on behalf of the City of Niles for continued operation of the DART system.

ROLL CALL: YEA: Boggs, Bertschy, Dunnem, Timm, McAfee, Weimer, DiCostanzo. **NAY:** None
MOTION CARRIED - RESOLUTION 2021-10/2154 DECLARED ADOPTED

APPOINTMENTS:

11. Consideration of confirming the appointment of Jeff Dunlap to the Brownfield Redevelopment Authority for the remainder of Sanya Vitale's term ending December 31, 2022.

Council Member DiCostanzo moved, **Council Member Bertschy** seconded to confirm the appointment of Jeff Dunlap to the Brownfield Redevelopment Authority for the remainder of Sanya Vitale's term ending December 31, 2022. **MOTION CARRIED**

COUNCIL MEMBER'S REPORT:

Council Member Dunnem expressed gratitude that the Heico (former National Standard) building is nearly demolished.

Council Member McAfee thanked the Police Department for capturing a loose pit-bull dog running in the neighborhood.

Council Member DiCostanzo expressed his view on the loss of Mancino's restaurant. Oasis purchased the building some time ago and delayed in the process of getting their marijuana dispensary license from the state. It hard for the council to convince them to change from what would be in their best interest. There are project locations within the city where Mancino's may be able to relocate.

MAYOR'S REPORT:

Mayor Shelton reported that Third Thursday was a wash-out due to rain; however, Front Street Pizza stepped-up and offered their facility for Chippewa Project band to move indoors. Grand LV had a great in-door event also.

Halloween Trick-or-Treating is Sunday, 6pm to 7:30pm and downtown Safe Trick-or-Treating is Saturday, 4pm to 5pm.

There will be a Public Forum that the City of Niles will host on November 1. This forum will be to hear public input regarding new marijuana business opportunities downtown. He thanked everyone for coming to the council meeting.

ADJOURNMENT

Council Member Weimer moved to adjourn at 6:37pm.

Linda Casperson
Niles City Clerk

Date