

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

Monday, July 28, 2025

PRESENT: Council Members: Georgia Boggs, Gretchen Bertschy, Sheila Koebel, Timothy Rogers, Charlie McAfee, William Weimer, Jessica Nelson, Michael Thompson, and Mayor Nick Shelton

ABSENT: None **STAFF:** Huff, Bergman, Ray, Young, Arseneau, McCauslin

REGULAR COUNCIL MEETING

The regular Niles City Council meeting was called to order by Mayor Shelton at 6:00 p.m., July 28, 2025. The Pledge of Allegiance was led by Mayor Nick Shelton.

APPROVAL OF THE AGENDA

Councilmember Thompson moved, **Councilmember Nelson** seconded to approve the agenda as submitted.

ROLL CALL: YEA: Weimer, Nelson, Thompson, Boggs, Bertschy, Koebel, Rogers, McAfee

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

PUBLIC HEARING:

CITIZEN PARTICIPATION: (PUBLIC COMMENTS)

Christina Arseneau director of the Niles History Center, reminded everyone that the Fort St. Joseph Archaeology Open House with an opening ceremony Saturday at 10:00am.

Mary Ellen Drolet, a member of the Historic District Commission residing at 13 N 14th St., expressed her support for item #6, which proposes appointing the HDC as a Study Committee for the 4th St. Historic District. She requested clarification on item #7 regarding the location of the wall in question. City Administrator Huff responded that it is situated on the north wall at the southeast corner of 2nd and Sycamore. Mary Ellen noted that this location falls within the historic district and should have required a Certificate of Appropriateness. In conclusion, she reiterated points made in Christina's report.

PRESENTATIONS:

- **Margaret Hunerjager Day**

Mayor Shelton presented a Proclamation to Margaret Hunerjager honoring her 100th birthday.

CONSENT AGENDA:

1. Consideration of approving the minutes of July 14, 2025.
2. Consideration of approving the minutes of the Closed Session of July 14, 2025.
3. Consideration of approving the lists of bills dated July 23, 2025.
4. Consideration of scheduling a public hearing on Monday, August 11, 2025 at 6:00 pm to garner public input on proposed FY 2026 City of Niles Budget.

Councilmember Nelson moved, **Councilmember Bertschy** seconded to approve the consent agenda as submitted with a correction to a date in the Closed Session minutes.

ROLL CALL: YEA: Nelson, Thompson, Boggs, Bertschy, Koebel, Rogers, McAfee, Weimer

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

CITY ADMINISTRATOR'S REPORT:

5. Consideration of directing City staff to begin the process of amending the ordinances to reflect marihuana business hours from 5a – 12a.

Councilmember Thompson moved, **Councilmember Nelson** seconded to approve directing City staff to begin the process of amending the ordinances to allow marihuana business owners to determine their operating hours.

After a lengthy discussion about the advantages and disadvantages of having no restriction on the hours for marijuana businesses, a roll call vote was taken.

ROLL CALL: YEA: Thompson

NAY: Boggs, Bertschy, Koebel, Rogers, McAfee, Weimer, Nelson **ABSENT:** None **MOTION DENIED**

Councilmember Nelson moved, **Councilmember Bertschy** seconded to amend the motion to approve directing City staff to begin the process of amending the ordinances to reflect marihuana business hours from 5 a.m. – 12 a.m.

ROLL CALL: YEA: Boggs, Bertschy, Koebel, Rogers, McAfee, Weimer, Nelson, Thompson

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

6. Consideration of appointing the Historic District Commission as the Study Committee to evaluate the 4th Street Historic District.

Councilmember Bertschy moved, **Councilmember Nelson** seconded to appoint the Historic District Commission as the Study Committee to evaluate the 4th Street Historic District.

ROLL CALL: YEA: Bertschy, Koebel, Rogers, McAfee, Weimer, Nelson, Thompson, Boggs

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

7. Consideration of authorizing Ruth Slater of the Niles Public Arts Commission to paint the wall on the north side of the 2nd Street parking lot with no expense to the City.

Councilmember Nelson moved, **Councilmember Bertschy** seconded to authorize Ruth Slater of the Niles Public Arts Commission to paint the wall on the north side of the 2nd Street parking lot with no expense to the City.

Councilmember Nelson moved, **Councilmember Bertschy** seconded to amend the previous motion to authorize Ruth Slater of the Public Arts Commission to paint the wall on the north side of the 2nd Street parking lot with no expense to the City, pending the Historic District Commission approval.

Councilmember Nelson moved, **Councilmember Bertschy** seconded to amend the previous motion to authorize Ruth Slater of the Public Arts Commission to paint the wall on the north side of the 2nd Street parking lot with no expense to the City, pending approval of the Historic District Commission and the Downtown Development Authority.

ROLL CALL: YEA: Koebel, Rogers, McAfee, Weimer, Nelson, Thompson, Boggs, Bertschy

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

8. Consideration of authorizing the Niles History Center to apply for a grant from the Michigan Gateway Community in the amount of \$10,000.00 to assist with the construction of the Ferry Street School Memorial Park and authorize the Mayor to sign the application.

Councilmember Rogers moved, **Councilmember Nelson** seconded to authorize the Niles History Center to apply for a grant from the Michigan Gateway Community in the amount of \$10,000.00 to

assist with the construction of the Ferry Street School Memorial Park and authorize the Mayor to sign the application.

ROLL CALL: YEA: Rogers, McAfee, Weimer, Nelson, Thompson, Boggs, Bertschy, Koebel

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

9. Consideration of approving a Location Shoot Agreement with Manitou Films, LLC for production of a video, Frontier to Freedom, at 508 E. Main Street and 1415 Bond Street and authorize the Mayor to sign the agreement.

Councilmember Bertschy moved, **Councilmember Rogers** seconded to approve a Location Shoot Agreement with Manitou Films, LLC for production of a video, Frontier to Freedom, at 508 E. Main Street and 1415 Bond Street and authorize the Mayor to sign the agreement.

ROLL CALL: YEA: McAfee, Weimer, Nelson, Thompson, Boggs, Bertschy, Koebel, Rogers

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

10. Consideration of approving Addendum No. 3 to the Lot Purchase Agreement between the City of Niles and Green Development Ventures, LLC and authorize the Mayor to sign the addendum.

Councilmember Thompson moved, **Councilmember Rogers** seconded to approve Addendum No. 3 to the Lot Purchase Agreement between the City of Niles and Green Development Ventures, LLC and authorize the Mayor to sign the addendum.

ROLL CALL: YEA: Weimer, Nelson, Thompson, Boggs, Bertschy, Koebel, Rogers, McAfee

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

11. Consideration of approving a resolution authorizing the sale of the southern 16 acres of 275 N. 19th Street to ALAK, LLC of Niles, Michigan in the amount of \$168,000.00 and authorize the Mayor, City Administrator, and City Clerk to execute the required documents.

Councilmember Bertschy moved, **Councilmember Thompson** seconded to approve a resolution authorizing the sale of the southern 16 acres of 275 N. 19th Street to ALAK, LLC of Niles, Michigan in the amount of \$168,000.00 and authorize the Mayor, City Administrator, and City Clerk to execute the required documents.

ROLL CALL: YEA: Nelson, Thompson, Boggs, Bertschy, Koebel, Rogers, McAfee, Weimer

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

RESOLUTION # 2025-07/2239 DECLARED ADOPTED

12. Consideration of authorizing the emergency purchase by the Utilities Department – Electric Division from American Electric Power for a 167kVA overhead transformer in the amount of \$7,967.34 and charge the expense to the Electric Division – Transformers budget.

Councilmember Nelson moved, **Councilmember Thompson** seconded to authorize the emergency purchase by the Utilities Department – Electric Division from American Electric Power for a 167kVA overhead transformer in the amount of \$7,967.34 and charge the expense to the Electric Division – Transformers budget.

ROLL CALL: YEA: Thompson, Boggs, Bertschy, Koebel, Rogers, McAfee, Weimer, Nelson

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

13. Consideration of authorizing the emergency purchase by the Utilities Department – Electric Division from T&R Electric of Colman, South Dakota for a reconditioned 500 kVA pole mount transformer in the amount of \$9,990.00 and charge the expense to the Electric Division – Transformers budget.

Councilmember Thompson moved, **Councilmember Rogers** seconded to authorize the emergency purchase by the Utilities Department – Electric Division from T&R Electric of Colman, South Dakota for a reconditioned 500 kVA pole mount transformer in the amount of \$9,990.00 and charge the expense to the Electric Division – Transformers budget.

ROLL CALL: YEA: Boggs, Bertschy, Koebel, Rogers, McAfee, Weimer, Nelson

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

14. Consideration of authorizing the emergency purchase by the Utilities Department – Wastewater Division from USABlueBook for a Biochemical Oxygen Demand (BOD) incubator in the amount of \$6,977.75 and charge the expense to their Machinery and Equipment budget.

Councilmember Thompson moved, **Councilmember Nelson** seconded to authorize the emergency purchase by the Utilities Department – Wastewater Division from USABlueBook for a Biochemical Oxygen Demand (BOD) incubator in the amount of \$6,977.75 and charge the expense to their Machinery and Equipment budget.

ROLL CALL: YEA: Bertschy, Koebel, Rogers, McAfee, Weimer, Nelson, Thompson, Boggs

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

15. Consideration of authorizing the Utilities Department – Electric Division to accept the quote from T&R Electric of Colman, South Dakota in the amount of \$3,651.00 to rebuild a 167 kVA Voltage Regulator, charge the expense to the Maintenance Equipment – Brandywine Substation, and authorize the Utilities Manager to sign the purchase order.

Councilmember Thompson moved, **Councilmember Bertschy** seconded to authorize the Utilities Department – Electric Division to accept the quote from T&R Electric of Colman, South Dakota in the amount of \$3,651.00 to rebuild a 167 kVA Voltage Regulator, charge the expense to the Maintenance Equipment – Brandywine Substation, and authorize the Utilities Manager to sign the purchase order.

ROLL CALL: YEA: Koebel, Rogers, McAfee, Weimer, Nelson, Thompson, Boggs, Bertschy

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

16. Consideration of authorizing the emergency purchase by the Utilities Department – Electric Division from Power Line Supply of Reed City, Michigan in the amount of \$31,725.00 for 7,500 feet of underground wire and charge the expense to the Electric Division – Wire & Cable budget.

Councilmember Bertschy moved, **Councilmember Rogers** seconded to authorize the emergency purchase by the Utilities Department – Electric Division from Power Line Supply of Reed City, Michigan in the amount of \$31,725.00 for 7,500 feet of underground wire and charge the expense to the Electric Division – Wire & Cable budget.

ROLL CALL: YEA: Rogers, McAfee, Weimer, Nelson, Thompson, Boggs, Bertschy, Koebel

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

17. Consideration of authorizing the Utilities Department – Electric Division to enter into a professional services agreement with Osmose Utilities Services, Inc. of Atlanta, Georgia for consultation and design services, name the Utilities Manager and Assistant Utilities Manager as authorized representatives, charge the expense to the Utilities Department – Electric Division Professional Services budget, and authorize the Mayor to sign the agreement.

Councilmember Nelson moved, **Councilmember Thompson** seconded to authorize the Utilities Department – Electric Division to enter into a professional services agreement with Osmose Utilities Services, Inc. of Atlanta, Georgia for consultation and design services, name the Utilities Manager and Assistant Utilities Manager as authorized representatives, charge the expense to the Utilities

Department – Electric Division Professional Services budget, and authorize the Mayor to sign the agreement.

ROLL CALL: YEA: McAfee, Weimer, Nelson, Thompson, Boggs, Bertschy, Koebel, Rogers

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

18. Consideration of authorizing the granting of a right-of-way and an easement to I&M Power of Fort Wayne, Indiana on three separate parcels of city property and authorize the Mayor to sign the agreements *with the removal of easement three*.

Councilmember Bertschy moved, **Councilmember Nelson** seconded to authorize the granting of a right-of-way and an easement to I&M Power of Fort Wayne, Indiana on three separate parcels of city property and authorize the Mayor to sign the agreements with removal of easement three, leaving easements one and two.

ROLL CALL: YEA: Weimer, Nelson, Thompson, Boggs, Bertschy, Koebel, Rogers, McAfee

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

19. Consideration of authorizing the IS Department to accept the quote from e-ImageData of Hartford, Wisconsin in the amount of \$6,465.65 for the purchase of a microfilm scanner, charge the expense to the management services budget, and authorize the Mayor to sign the documents.

Councilmember Nelson moved, **Councilmember Rogers** seconded to authorize the IS Department to accept the quote from e-ImageData of Hartford, Wisconsin in the amount of \$6,465.65 for the purchase of a microfilm scanner, charge the expense to the management services budget, and authorize the Mayor to sign the documents.

ROLL CALL: YEA: Nelson, Thompson, Boggs, Bertschy, Koebel, Rogers, McAfee, Weimer

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

APPOINTMENTS:

CITY ATTORNEY'S REPORT:

20. Second reading and adoption of an Amended City of Niles Zoning Ordinance and Zoning Map.

Councilmember Nelson moved, **Councilmember Rogers** seconded the second reading and adoption of an Amended City of Niles Zoning Ordinance and Zoning Map.

ROLL CALL: YEA: Thompson, Boggs, Bertschy, Koebel, Rogers, McAfee, Weimer, Nelson

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

ORDINANCE #516 ENACTED

COUNCILMEMBER'S REPORT:

Councilmember Nelson shared that the NODExNODEwest event was well attended. She thanked the volunteers, participants, bands and the City for investing in a space that brings people together.

Councilmember Thompson stated that he went to the Burn Run last weekend. Councilmember Koebel confirmed there were 515 bikes in attendance.

Councilmember Bertschy expressed her gratitude for all the fun things there were to do in the City of Niles over the past few days. She enjoyed NODExNODEwest and the Burn Run.

Councilmember Rogers moved, **Councilmember Koebel** seconded to excuse Councilmember Bertschy from the July 14, 2025 meeting.

AYES: 8 NAYS: 0 MOTION CARRIED

MAYOR'S REPORT:

Mayor Shelton attended the Burn Run on Main St. where he watched as 515 bikes passed by with his sons. NODExNODEwest highlights the importance of this space to our community. At one point, nearly 200 people gathered there, followed by a market the next day. It is wonderful to see this area utilized in the heart of downtown, as it brings people to local businesses. He expressed gratitude to the Council for allocating some funding for this project.

ADJOURNMENT:

Councilmember Weimer moved to adjourn 6:58 p.m.

Tina Bergman, Niles City Clerk

Approved by City Council 8/11/25