

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

**Monday, February 13, 2023**

**PRESENT:** Council Members: Georgia Boggs, Gretchen Bertschy, Amanda Dunnem, Timothy Rogers, Charlie McAfee, William Weimer, John DiCostanzo, Michael Thompson, and Mayor Nick Shelton

**ABSENT:**

**STAFF:** Huff, Landgraf, Bergman, Nyenhuis, J. Millin, R. Millin, Ray, Coleman

**REGULAR COUNCIL MEETING**

The regular Niles City Council meeting was called to order by Mayor Shelton at 6:00 p.m. February 13, 2023. The Pledge of Allegiance was led by Mayor Nick Shelton.

**APPROVAL OF THE AGENDA**

**Council Member Rogers** moved, **Council Member Dunnem** seconded to approve the agenda as submitted with the addition of item 2a.

**ROLL CALL: YEA:** DiCostanzo, Thompson, Boggs, Bertschy, Dunnem, Rogers, McAfee, Weimer

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

**PUBLIC HEARINGS:**

**CITIZEN PARTICIPATION: (PUBLIC COMMENTS)**

**Judy Woodson** of 1001 N 2<sup>nd</sup> Street asked if there was help available with her utility bill as she and her husband are senior citizens.

**PRESENTATIONS:**

**CONSENT AGENDA:**

1. Consideration of approving the minutes of January 9, 2023.
2. Consideration of approving the list of bills dated February 8, 2023.
- 2a. Consideration of approving scheduling a Public Hearing on February 27, 2023 at 5:55 pm for a new Liquor License for Underground Laugh Lounge located at 204 North Fourth Street, Niles, Michigan.

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

**ROLL CALL: YEA:** Thompson, Boggs, Bertschy, Dunnem, Rogers, McAfee, Weimer, DiCostanzo

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

**CITY ADMINISTRATOR'S REPORT:**

**Introduction of Items for Discussion**  
**Items for Council Action**

3. Consideration of approving the bid of \$7,766.58 by Newman Signs of Jamestown, North Dakota for the purchase of street and construction signs for use by the Department of Public Works.



**Council Member Rogers** moved, **Council Member Dunnem** seconded to approve the \$7,766.58 by Newman Signs of Jamestown, North Dakota for the purchase of street and construction signs for use by the Department of Public Works.

**ROLL CALL: YEA:** Boggs, Bertschy, Dunnem, Rogers, McAfee, Weimer, DiCostanzo, Thompson

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

4. Consideration of approving the Municipal Emergency Services of Sanford, Michigan's contract price of \$212,202.00 through the NPP.gov bidding process for the purchase of Firefighter Self Contained Breathing Apparatuses including 25 masks, 5 bottles, and a RIT Rescue Pak with \$176,000 funded through donations and capital replacement funds and \$36,202.00 funded with ARPA funds.

**Council Member Rogers** moved, **Council Member Bertschy** seconded to approve the Municipal Emergency Services of Sanford, Michigan's contract price of \$212,202.00 through the NPP.gov bidding process for the purchase of Firefighter Self Contained Breathing Apparatuses including 25 masks, 5 bottles, and a RIT Rescue Pak with \$176,000 funded through donations and capital replacement funds and \$36,202.00 funded with ARPA funds.

**Council Member Thompson** asked what the difference was between a regular scuba outfit and an SCBA. **Captain Wise** explained the difference.

**ROLL CALL: YEA:** Bertschy, Dunnem, Rogers, McAfee, Weimer, DiCostanzo, Thompson, Boggs

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

5. Consideration of approving a resolution adopting the Berrien County 2022 Hazard Mitigation Plan as the City's Hazard Mitigation Plan and authorize the City Administrator to appoint a representative to attend Hazard Mitigation meetings, and authorize the Mayor to sign associated documents.

**Council Member Bertschy** moved, **Council Member Dunnem** seconded to approve a Broadway Substation system impact study by Commonwealth Associates, Inc. of Jackson, Michigan in the amount of \$25,000 to complete an electrical engineering plan for the removal of this substation and authorize the Mayor to sign the proposal.

**ROLL CALL: YEA:** Dunnem, Rogers, McAfee, Weimer, DiCostanzo, Thompson, Boggs, Bertschy

**NAY:** None      **ABSENT:**      **MOTION CARRIED RESOLUTION 2174 DECALRED ADOPTED**

6. Consideration of approving a professional services agreement with Williams & Works for planning and zoning consulting services and authorizing the Mayor and City Administrator to sign the document.

**Council Member DiCostanzo** moved, **Council Member Rogers** seconded to approve a professional services agreement with Williams & Works for planning and zoning consulting services and authorizing the Mayor and City Administrator to sign the document.

**Council Member Thompson**

**ROLL CALL: YEA:** Rogers, McAfee, Weimer, DiCostanzo, Thompson, Boggs, Bertschy, Dunnem

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

#### **APPOINTMENTS:**

7. Consideration of appointing Jennifer Scally to a five-year term on the Niles Housing Commission.

**Council Member DiCostanzo** moved, **Council Member Dunnem** seconded to appointment Jennifer Scally to a five-year term on the Niles Housing Commission.

**Council Member DiCostanzo** added that Jennifer Scally is highly qualified for the Board.

**AYES:** 8      **NAYS:** None      **MOTION CARRIED**

#### **CITY ATTORNEY'S REPORT:**



8. Consideration of approving the first reading of an ordinance to amend Ordinance 439 the City of Niles Zoning.

**COUNCIL MEMBER'S REPORT:**

**Council Member DiCostanzo** addressed Mrs. Woodson's concerns with her utility bill and explained what the charges are for and why they passed on to the rate payers.

**Council Member Thompson** stated that New York is looking into going into some kind of a lock down, for who knows what reason, and if any such vote comes here that it will be a NO vote from him.

**Council Member Boggs** shared that she would be trying to figure out a way to help senior citizens financially by talking to our legislatures.

**Council Member Bertschy** stated that she personally paid to have her lead lines replaced and that she will still have to pay for others to have theirs replaced. She asked that the citizens of Niles keep the small town in Ohio in their hearts. There was a train accident in which chemicals leached into the water and the ground, similar to the Aviox Plant in Howard Township.

**Council Member Rogers** added that Niles Utilities Electric crew and Asplundh contractors have been updating poles and infrastructure near his home and are doing a wonderful job.

**Council Member McAfee** reminded everyone to pay their taxes February 14<sup>th</sup>, Valentine's Day.

**MAYOR'S REPORT:**

**Council Member Bertschy** moved, **Council Member DiCostanzo** supported to appoint Council Member Rogers to the Pension Board as a liaison, the Parks and Recreation Board as a liaison and the Ordinance Committee. **AYES: 8 NAYS: None MOTION CARRIED**

**Mayor Shelton** stated that on December 12, 2022, during a Committee of the Whole meeting, our rate specialist Dawn Lund gave a presentation on rates and what the services represent. He encouraged everyone to find the link on the City's website to view the video.

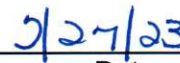
**CLOSED SESSION:**

**ADJOURNMENT**

Council Member Weimer moved to adjourn at 6:24 p.m.



Tina Bergman  
Niles City Clerk



Date