

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

Monday, May 13, 2024

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, Bergman, Dunlap, McCauslin, Millin, Ray, Young

REGULAR COUNCIL MEETING

The regular Niles City Council meeting was called to order by Mayor Shelton at 6:00 p.m. May 13, 2024. The Pledge of Allegiance was led by Rocky Shelton.

APPROVAL OF THE AGENDA

Councilmember McAfee moved, **Councilmember Rogers** seconded to approve the agenda as submitted.

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

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

PUBLIC HEARING:

CITIZEN PARTICIPATION: (PUBLIC COMMENTS)

Paul Detrisac former Niles physician, announced that on June 3rd, Trinity Episcopal Church will host a program led by Homeland Security presenting what to do in case of an active shooter. The 4 new gun laws and uniform background checks will also be discussed. Free gun locks will be given to those attending.

Jeff Rhea President and CEO of the Greater Niles Chamber of Commerce, asked for time to present on item number 5.

Carrie Nyenhuis invited the citizens of Niles to the Niles Renaissance Faire Saturday, May 18, 10am to 6pm and Sunday, May 19, 10am to 4pm.

Jess Nelson of 546 Grant St., spoke on behalf of the Niles Main Street/DDA. Justin Flagel, Lisa Croteau and themselves traveled to Birmingham AL where they were able to connect with 2,000 other main street directors and board members from across the country. They stated that they will be coming to Council with new ideas.

PRESENTATIONS:

Chief Millin introduced the new City of Niles police officers, Officer Derek Dobrzykowski and Officer Sara Wetzel. Both recently graduating from Grand Rapids College.

CONSENT AGENDA:

1. Consideration of approving the minutes of April 22, 2024.
2. Consideration of approving the list of bills dated May 8, 2024.

Councilmember Bertschy moved, **Councilmember Dunnem** seconded to approve the consent agenda as submitted.

ROLL CALL: YEA: Boggs, Bertschy, Dunnem, Rogers, McAfee, Weimer, DiCostanzo, Thompson
NAY: None **ABSENT:** **MOTION CARRIED**

CITY ADMINISTRATOR’S REPORT:

3. Consideration of approving payment to the federal government in the amount of \$4,030.00 as reimbursement for a public transportation program which was not eligible for CDBG funding due to a missing subrecipient agreement and charge the expense to the General Fund Contingency Fund.

Councilmember Bertschy moved, **Councilmember Rogers** seconded to approve payment to the federal government in the amount of \$4,030.00 as reimbursement for a public transportation program which was not eligible for CDBG funding due to a missing subrecipient agreement and charge the expense to the General Fund Contingency Fund.

ROLL CALL: YEA: Bertschy, Dunnem, Rogers, McAfee, Weimer, DiCostanzo, Thompson, Boggs
NAY: None **ABSENT:** **MOTION CARRIED**

4. Consideration of approving the true up payment to SMCAS in the amount of \$9,171.81 for FY 2022-2023 operational expenses and charge the expense to the General Fund Contingency Fund.

Councilmember DiCostanzo moved, **Councilmember McAfee** seconded to approve the true up payment to SMCAS in the amount of \$9,171.81 for FY 2022-2023 operational expenses and charge the expense to the General Fund Contingency Fund.

ROLL CALL: YEA: Dunnem, Rogers, McAfee, Weimer, DiCostanzo, Thompson, Boggs, Bertschy
NAY: None **ABSENT:** **MOTION CARRIED**

5. Consideration of authorizing payment to the Greater Niles Chamber of Commerce in the amount of \$18,229.00 for business, economic development and education services and charge the expense equally between the City’s General Funds and Utility Funds.

Jeff Rhea gave a summary of the 2024 Niles Chamber Return on Investment for the City of Niles. **Ryan Boeskool** added his involvement with the statewide program, Emerge Skilled, with the goal to connect high school students, specifically in the skills trade path, with businesses in the community. Ryan has assisted in signing up approximately 200 students between the two high schools.

Councilmember Rogers moved, **Councilmember Dunnem** seconded to authorize payment to the Greater Niles Chamber of Commerce in the amount of \$18,229.00 for business, economic development and education services and charge the expense equally between the City’s General Funds and Utility Funds.

ROLL CALL: YEA: Rogers, McAfee, Weimer, DiCostanzo, Boggs, Bertschy, Dunnem
NAY: Thompson **ABSENT:** **MOTION CARRIED**

6. Consideration of authorizing payment to enFocus in the amount of \$25,000.00 for management activities associated with the Niles Help for Homes 3rd Street Home Repair Program, said funds having been received from a foundation grant specifically for that program.

Councilmember Bertschy moved, **Councilmember Boggs** seconded to authorize payment to enFocus in the amount of \$25,000.00 for management activities associated with the Niles Help for Homes 3rd Street Home Repair Program, said funds having been received from a foundation grant specifically for that program.

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

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

7. Consideration authorizing a proxy vote for the proposed slate of Blue Cross Blue Shield directors and authorizing the Mayor and City Clerk to sign the proxy ballot.

Councilmember Thompson moved, **Councilmember Bertschy** seconded to authorize a proxy vote for the proposed slate of Blue Cross Blue Shield directors and authorizing the Mayor and City Clerk to sign the proxy ballot.

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

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

8. Consideration of authorizing the purchase of one Ford Explorer Utility police vehicle from Gorno Ford of Woodhaven, Michigan in the amount of \$49,317.00, allow the Public Safety Director to sign for the quote for purchase and pay for the vehicle with ARPA funds.

Councilmember Bertschy moved, **Councilmember Dunnem** seconded to authorize the purchase of one Ford Explorer Utility police vehicle from Gorno Ford of Woodhaven, Michigan in the amount of \$49,317.00, allow the Public Safety Director to sign for the quote for purchase and pay for the vehicle with ARPA funds.

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

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

9. Consideration of approving the flat annual rate in the amount of \$2,851.60 to CivicPlus of Manhattan, Kansas for Ordinance Codification services and charge the expense to the Clerk's budget, Professional Services.

Councilmember Rogers moved, **Councilmember Thompson** seconded to approve the flat annual rate in the amount of \$2,851.60 to CivicPlus of Manhattan, Kansas for Ordinance Codification services and charge the expense to the Clerk's budget, Professional Services.

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

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

10. Consideration of accepting Contract Modification #9 from Milbocker & Sons, Inc. of Allegan, Michigan for increasing the local match between the City of Niles and Michigan Natural Resources Trust Fund Grant by \$34,653.76 for the Niles Dam Park Development project and authorize the Utilities Manager to sign the contract modification. The project is capitalized under Land Improvements – Production Plant Electric Division.

Councilmember Thompson moved, **Councilmember Rogers** seconded to accept Contract Modification #9 from Milbocker & Sons, Inc. of Allegan, Michigan for increasing the local match between the City of Niles and Michigan Natural Resources Trust Fund Grant by \$34,653.76 for the Niles Dam Park Development project and authorize the Utilities Manager to sign the contract modification. The project is capitalized under Land Improvements – Production Plant Electric Division.

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

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

11. Consideration of approving the request of the Niles DDA to hold Homegrown Market Day 2024 on Sundays from June 9 thru August 25, 2024, as presented.

Councilmember DiCostanzo moved, **Councilmember Bertschy** seconded to approve the request of the Niles DDA to hold Homegrown Market Day 2024 on Sundays from June 9 thru August 25, 2024, as presented.

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

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

12. Consideration of approving the request of Western Michigan University and the Niles History Center to hold the annual Ft. St. Joseph Archaeology Open House on August 3 and 4, 2024 at the Riverfront Park fort site, as presented.

Councilmember Rogers moved, **Councilmember Bertschy** seconded to approve the request of Western Michigan University and the Niles History Center to hold the annual Ft. St. Joseph Archaeology Open House on August 3 and 4, 2024 at the Riverfront Park fort site, as presented.

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

NAY: Thompson **ABSENT:** **MOTION CARRIED**

APPOINTMENTS:

CITY ATTORNEY'S REPORT:

COUNCILMEMBER'S REPORT:

Councilmember Thompson feels that the City should consider ways that they can slow walk the red flag gun laws and help nullify them. Thompson then asked Joe Ray if there was something that can be done with the City's roads to help them last longer and made a comparison to roads in Canada.

Joe Ray replied that the biggest element fought here is the subgrade, specifically in the 4th Ward where there is a lot of clay and water. Next would be the difference in the freeze/thaw cycles. Canada's winters get cold and stays cold compared to Michigan's winter weather that changes drastically.

Councilmember Boggs expressed how exciting it is to see all the things that the Y does for the kids, like soccer, and how refreshing it is to see the parents and grandparents watching the kids have a good time.

Councilmember Rogers shared that the fire rate in this region has gone up quite a bit and stated where recent fires were located. Rogers added that the State has decided not to allow using state highways for events, like parades, without permission. This would include Main Street. He encouraged other to contact their State Reps.

Councilmember DiCostanzo reported that the end of Sioux Trail in Ballard Hills, has a lot of underground water and clay. There was recently a water main break in front of his neighbor's house. There is a constant stream of water coming out of the ground that is now has an odor. Test results have revealed bacteria. They residents are asking if there is some way to divert the water in the ground.

MAYOR'S REPORT:

Mayor Shelton stated that the downtown is looking awesome and thanked River Essence. He also noted the new mural on 2nd and Sycamore that's in progress. He added that the Renaissance Faire is this weekend, the Memorial Day parade is coming up. With the upcoming elections, the Mayor encouraged citizens to meet their candidates and the candidates to meet their citizens.

CLOSED SESSION:

ADJOURNMENT

Councilmember Weimer moved to adjourn at 6:41 p.m.

Tina Bergman, Niles City Clerk

Approved by City Council May 20, 2024.