

# **CITY OF NILES**

## **CITY COUNCIL MEETING AGENDA**

### **September 25, 2023**

**The meeting will be held in person at 1345 E. Main Street,  
Niles, Michigan and streamed  
via Zoom  
6:00pm**

---

**Any interested person or group may address the City Council on any agenda item when recognized by the presiding officer or upon request of any Council Member. Also, any interested person or group may address the City Council on any matter of City concern not on the Agenda during the agenda item designated Public Comment. The comment of any member of the public or any special interest group may be limited in time.**

For individuals who may wish to attend the City Council meeting it will be held at 1345 E. Main Street in the City of Niles, Michigan. You may also view the meeting from a PC, Mac, iPad, iPhone, Android device, or by telephone. Public comment will only be accepted in person.

#### **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>

#### **MEETING PARTICIPATION**

At any regular or duly called special meeting of the Niles City Council, other than those meetings not subject to the provisions of the Michigan Open Meetings Act, a person desiring to speak on any item(s) on the agenda may do so subject to the following rules:

- Prior to addressing the Council, the person must provide, for the record, his/her name, permanent address.
- The person must be recognized by the Mayor or other presiding officer at the point on the agenda entitled "Citizen Participation."

- The person will be allowed three (3) minutes to present remarks, unless the time restriction is waived by the chair.
- A person wishing to address an agenda item may reserve time to address that item immediately prior to the time that the item is discussed by the Council.
- A person may be expelled from the meeting for a breach of the peace committed at the meeting, and if during his/her presentation to the Council becomes loud or unruly, the chair may rule the person out of order and forfeit the person's opportunity to speak further.

*Resolution 92-11/1003 November 23, 1992*

If you would like to contact the City Council about any matter, on the agenda or otherwise, please do so via the email addresses below by 4:00 pm prior to the meeting:

- Mayor Nick Shelton: [mayor@nilesmi.org](mailto:mayor@nilesmi.org)
- Mayor Pro Tem & 1<sup>st</sup> Ward Councilmember Gretchen Bertschy: [gbertschy@nilesmi.net](mailto:gbertschy@nilesmi.net)
- 1<sup>st</sup> Ward Councilmember Georgia Boggs: [gboggs@nilesmi.net](mailto:gboggs@nilesmi.net)
- 2<sup>nd</sup> Ward Councilmember Amanda Dunnem: [adunnem@nilesmi.net](mailto:adunnem@nilesmi.net)
- 2<sup>nd</sup> Ward Councilmember Tim Rogers: [trogers@nilesmi.net](mailto:trogers@nilesmi.net)
- 3<sup>rd</sup> Ward Councilmember William Weimer: [wweimer@nilesmi.net](mailto:wweimer@nilesmi.net)
- 3<sup>rd</sup> Ward Councilmember Charlie McAfee: [cmcafee@nilesmi.net](mailto:cmcafee@nilesmi.net)
- 4<sup>th</sup> Ward Councilmember John DiCostanzo: [jdicostanzo@nilesmi.net](mailto:jdicostanzo@nilesmi.net)
- 4<sup>th</sup> Ward Councilmember Michael Thompson: [mthompson@nilesmi.net](mailto:mthompson@nilesmi.net)
- City Administrator Richard Huff: [cityadministrator@nilesmi.org](mailto:cityadministrator@nilesmi.org)
- City Clerk Tina Bergman: [cityclerk@nilesmi.org](mailto:cityclerk@nilesmi.org)

The City of Niles will provide necessary reasonable auxiliary aids such as Closed Captioning. If other aids and services are needed for individuals with disabilities please contact the City Clerk, at [cityclerk@nilesmi.org](mailto:cityclerk@nilesmi.org).

**6:00 P.M.**

**REGULAR COUNCIL MEETING**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL: (If attending remotely announce your location; i.e., state and city.)**

**APPROVAL OF THE AGENDA:**

**PRESENTATIONS:**

- Caryn Adler of Niles Music and More

**PUBLIC HEARING:**

- To receive public comment on the proposed Commercial Facilities Exemption Application for Wolverine Investments, LLC at 411 Fort Street.

- To receive public comment on the proposed tax abatement program district for 411 Fort Street.
- To receive public comment on the proposed Commercial Facilities Exemption Application for Round Barn/Local Libations at 501 Grant Street.
- To receive public comment on the proposed tax abatement program district for Round Barn/Local Libations, LLC at 501 Grant Street.

**CITIZEN PARTICIPATION: (PUBLIC COMMENTS)**

**CONSENT AGENDA:**

1. Consideration of approving the minutes of September 11, 2023.
2. Consideration of approving the list of bills dated September 19, 2023.
3. Consideration approving a proxy vote for the proposed slate of Michigan Municipal League Liability and Property Pool Board of Directors and authorizing the City Clerk to sign the ballot.

**CITY ADMINISTRATOR'S REPORT:**

4. Consideration of accepting the Community Development Block Grant PY23 Funding Agreement and authorizing the Mayor to sign the Agreement.
5. Consideration of authorizing the Fire Department to enter a contract with VFP Fire Systems of South Bend, Indiana for a one time inspection of the fire alarm system, authorizing the acting Public Safety Director to sign the Agreement, and charge the expense to account 101335-932001.
6. Consideration of authorizing the Utilities Department to enter into an agreement with enFocus of Niles, Michigan for documenting and analyzing our existing fiber optic infrastructure at a cost of \$34,000.00, with \$10,000.00 subsidized by a local Foundation, for a total of \$24,000.00 to the City, charged to the Utilities Department Electric Division and authorize the Mayor to sign the agreement.
7. Consideration of authorizing the Utilities Department to purchase a grapple from Alta Equipment Company of Byron Center, Michigan at a cost of \$12,175.00, charged to the Utilities Department Water Division, and authorize the Utilities Manager to sign the Purchase Order.
8. Consideration of authorizing the Utilities Department to engage Herrman & Goetz, Inc. of South Bend, Indiana to perform preventative maintenance on the transformer bank at Modineer/Pilkington at a cost of \$9,323.00, charge the expense to Utilities Department Electric Division – Maintenance Field Equipment and authorize the Mayor to sign the quote.
9. Consideration of authorizing the Utilities Department to make an emergency purchase of an arrow board from Lakeshore Signs and Safety Equipment, LLC of Holland, Michigan at an approximate cost of \$6,722.00, insurance will cover \$6,472.00 and the remaining \$250.00 will be split 60/40 between the Electric and Water Divisions.
10. Consideration of authorizing acceptance of a quote in the amount of \$4,981.00 from Utilities Instrumentation Service of Dexter, Michigan to perform service and calibrations on relays and switchgear at the Wastewater Treatment Plant, charge the expense to the Utilities Department Wastewater Division, and authorize the Utilities Manager to sign the quote.

11. Consideration of authorizing the Utilities Department to enter into an agreement with Furkis Architectural Consulting of Berrien Center, Michigan for \$2,800.00 to construct a master plan study for a 5,000 square foot steel addition at the service center, charge the expense to the Electric and Water Divisions, and authorize the Utilities Manager to sign the proposal.
12. Consideration of adopting a resolution to establish a Commercial Rehabilitation District near 411 Fort Street to facilitate the request of Wolverine Investments, LLC.
13. Consideration of adopting a resolution to approve a Commercial Rehabilitation Exemption Certificate Application near 411 Fort Street as made by Wolverine Investment, LLC, for a span of 10 years.
14. Consideration of adopting a resolution to establish a Commercial Rehabilitation District near 501 Grant Street to facilitate the request of Round Barn/Local Libations, LLC.
15. Consideration of adopting a resolution to approve a Commercial Rehabilitation Exemption Certificate Application near 501 Grant Street as made by Round Barn/Local Libations, LLC, for a span of 10 years.
16. Consideration of approving Security Information and Event Management systems training for two Information Systems staff at a cost of \$3,240.00 to be charged to the City and Utility Departments Travel, Training and Conferences budgets.
17. Consideration of confirming the appointment of James Millin as Public Safety Director effective October 1, 2023.

**Introduction of Items for Discussion**

**Items for Council Action**

**APPOINTMENTS:**

18. Consideration of confirming the appointment of Andrew J. Roberts to a remaining term on the Planning Commission to expire December 31, 2025.

**CITY ATTORNEY'S REPORT:**

**COUNCILMEMBER'S REPORT:**

Councilmember Boggs  
Councilmember Bertschy  
Councilmember Dunnem  
Councilmember Rogers

Councilmember McAfee  
Councilmember Weimer  
Councilmember DiCostanzo  
Councilmember Thompson

**MAYOR'S REPORT:**

**CLOSED SESSION:**

19. Review of City Administrator Huff's Evaluation

**ADJOURNMENT**