

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

Monday, October 23, 2023

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

ABSENT: Amanda Dunnem, Charlie McAfee

STAFF: Huff, Bergman, Landgraf, J. Millin, R. Millin, Dunlap, Ray, Stump

REGULAR COUNCIL MEETING

The regular Niles City Council meeting was called to order by Mayor Shelton at 6:00 p.m. October 23, 2023. The Pledge of Allegiance was led by Mayor Nick Shelton.

APPROVAL OF THE AGENDA

Councilmember DiCostanzo moved, **Councilmember Rogers** seconded to approve the agenda as submitted with the addition of a presentation before the presentation listed.

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

NAY: None **ABSENT:** Dunnem, McAfee **MOTION CARRIED**

PUBLIC HEARINGS: (PUBLIC COMMENTS)

Ken Laurita, President of the Niles Burn Run thanked everyone and shared that over the past 2 years they have presented the Burn Camp with \$70,000.

PRESENTATIONS:

Barbara Kyles Morris received a certificate of appreciation in honor of 39 years serving the community with Bryanne's Hair Design.

Debbie Martyniuk, VP of the Niles Burn Run gave Council a recap of the event including attendance and donations raised.

CITIZEN PARTICIPATION: (PUBLIC COMMENTS)

CONSENT AGENDA:

1. Consideration of approving the minutes of October 9, 2023.
2. Consideration of approving the list of bills dated October 18, 2023.
3. Consideration of authorizing the purchase of four V300 body worn cameras, supporting hardware, and extended warranty from Motorola Solutions of Chicago, Illinois at a cost of \$5,140.00 for use by the Fire Department, with the cost of two cameras to be paid for from CDBG funds and the other two cameras to be split equally between the Building Department and Utilities Department.
4. Consideration of authorizing the emergency purchase in the amount \$7,318.99 for an ILTJ-4000 Heavy Duty Transmission Jack from Interstate Life and Equipment Company of Niles, Michigan, with the cost to be charged to the Other Equipment Capital Outlay Account.

Councilmember Bertschy moved, **Councilmember Boggs** seconded to approve the consent

agenda as submitted.

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

NAY: None **ABSENT:** Dunnem, McAfee **MOTION CARRIED**

CITY ADMINISTRATOR'S REPORT:

Introduction of Items for Discussion

Items for Council Action

5. Consideration of extending the contract with Menard Consulting, Inc. of Addison, Illinois for a two-year period ending fiscal year September 30, 2023 and 2024 for the actuarial review of the City's retiree insurance plan at a cost of \$3,400.00 for FY23 and \$500.00 for FY24, charge the expenses to the insurance fund, and authorize the Mayor to sign the contract.

Councilmember Rogers moved, **Councilmember Bertschy** seconded to extend the contract with Menard Consulting, Inc. of Addison, Illinois for a two-year period ending fiscal year September 30, 2023 and 2024 for the actuarial review of the City's retiree insurance plan at a cost of \$3,400.00 for FY23 and \$500.00 for FY24, charge the expenses to the insurance fund, and authorize the Mayor to sign the contract.

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

NAY: None **ABSENT:** Dunnem, McAfee **MOTION CARRIED**

6. Consideration of approving the Letter of Engagement with enFocus for the 3rd Street Home Repairs project and authorize the Mayor to sign the Letter of Engagement.

Councilmember Bertschy moved, **Councilmember Weimer** seconded to approve the Letter of Engagement with enFocus for the 3rd Street Home Repairs project and authorize the Mayor to sign the Letter of Engagement.

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

NAY: None **ABSENT:** Dunnem, McAfee **MOTION CARRIED**

7. Consideration of authorizing a resolution adopting the revised Investment Policy as required by PA 20 of 1943.

Councilmember DiCostanzo moved, **Councilmember Rogers** seconded to authorize a resolution adopting the revised Investment Policy as required by PA 20 of 1943.

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

NAY: None **ABSENT:** Dunnem, McAfee **MOTION CARRIED**

RESOLUTION 2023-10/2194 DECLARED ADOPTED

8. Consideration of approval to enter into an Agreement for Election Services with Berrien County and authorizing the City Clerk to sign the Agreement.

Councilmember DiCostanzo moved, **Councilmember Thompson** seconded to approve to enter into an Agreement for Election Services with Berrien County and authorizing the City Clerk to sign the Agreement.

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

NAY: None **ABSENT:** Dunnem, McAfee **MOTION CARRIED**

9. Consideration of approving stabilization of the Ferry Street School by Pearson Construction of Benton Harbor, Michigan at a cost of \$9,550.00, with costs being charged to the FY2024 Council Contingency Fund.

Councilmember Rogers moved, **Councilmember Bertschy** seconded to approve stabilization of the Ferry Street School by Pearson Construction of Benton Harbor, Michigan at a cost of \$9,550.00, with costs being charged to the FY2024 Council Contingency Fund.

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

10. Consideration of authorizing granting an easement across 1409 N. Front Street to 1335 N. Front Street and authorize the Mayor and City Clerk to sign the easement.

Councilmember Thompson moved, **Councilmember Dunnem** seconded to authorize granting an easement across 1409 N. Front Street to 1335 N. Front Street and authorize the Mayor and City Clerk to sign the easement.

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

11. Consideration of authorizing the purchase of meter reading equipment maintenance services from JPW Technologies of Audubon, New Jersey in the amount of \$3,614.44, with the cost being charged to Utilities Department - Electric and Water Divisions.

Councilmember DiCostanzo moved, **Councilmember Rogers** seconded to authorize the purchase of meter reading equipment maintenance services from JPW Technologies of Audubon, New Jersey in the amount of \$3,614.44, with the cost being charged to Utilities Department - Electric and Water Divisions.

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

12. Consideration of authorizing the acceptance of a revised Septage Receiving Operational Plan 2023 for the Wastewater Treatment Plant.

Councilmember Weimer moved, **Councilmember Bertschy** seconded to authorize the acceptance of a revised Septage Receiving Operational Plan 2023 for the Wastewater Treatment Plant.

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

13. Consideration of authorizing the Utilities Department to extend the contract with MAAC Properties of Niles, Michigan for the Mowing and Ground Maintenance for utilities owned properties at a cost of \$28,200.00, with the costs to be paid for by the respective property's building and grounds maintenance accounts, and authorize the Mayor to sign the contract extension.

Councilmember DiCostanzo moved, **Councilmember Bertschy** seconded to authorize the Utilities Department to extend the contract with MAAC Properties of Niles, Michigan for the Mowing and Ground Maintenance for utilities owned properties at a cost of \$28,200.00, with the costs to be paid for by the respective property's building and grounds maintenance accounts, and authorize the Mayor to sign the contract extension.

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

14. Consideration of authorizing the Utilities Department to enter into a contract with Herrman and Goetz Electric Services of Mishawaka, Indiana to perform infrared scanning of selected equipment at the Wastewater Treatment Plant at a cost of \$3,450.00, with the cost charged to Machinery and Machinery Equipment – Old.

Councilmember DiCostanzo moved, **Councilmember Rogers** seconded to authorize the Utilities Department to enter into a contract with Herrman and Goetz Electric Services of Mishawaka, Indiana to perform infrared scanning of selected equipment at the Wastewater Treatment Plant at a cost of \$3,450.00, with the cost charged to Machinery and Machinery Equipment – Old.

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

15. Consideration of approving the request of the Niles-Buchanan YMCA, as presented, to conduct the 43rd Annual Thanksgiving Day Run and Walk.

Councilmember DiCostanzo moved, **Councilmember Bertschy** seconded to approve the request of the Niles-Buchanan YMCA, as presented, to conduct the 43rd Annual Thanksgiving Day Run and Walk.

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

NAY: None **ABSENT:** Dunnem, McAfee **MOTION CARRIED**

APPOINTMENTS:

CITY ATTORNEY'S REPORT:

COUNCIL MEMBER'S REPORT:

Councilmember Boggs congratulated Barb for her work in the community.

Councilmember Bertschy extended her heartfelt appreciation to Tina Bergman for all the hard work already done and are about to do, as well as the other clerks.

Councilmember Rogers moved, **DiCostanzo** supported to excuse Councilmember Bertschy from the last meeting. **AYES: 6 NAYS: 0 MOTION CARRIED**

Rogers also shared that he had the opportunity to sit down with the SMCAS Board and Brad Paquette discussing the current situation with SMCAS and Cass County.

Councilmember Thompson gave a suggestion on how to increase personal wealth by leaving copies of the book "The Richest Man in Babylon" by George S. Clason to anyone interested.

MAYOR'S REPORT:

Mayor Shelton reported that he attended the Unity Day event put on by We Echo Youth Community Services; announced the Fall Festival this upcoming weekend; thanked Ms. Fox for reaching out so that Barb Kyles could be presented with the award; thanked the Burn Run for all that they do for the community and also addressed a Facebook post regarding noise in the park in which he encouraged Council to continue to stay with the current ordinance of 10:00pm.

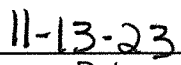
CLOSED SESSION:

ADJOURNMENT

Council Member Weimer moved to adjourn at 6:40 p.m.



Tina Bergman
Niles City Clerk



Date