

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

**Monday, November 27, 2023**

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

**ABSENT:** Charlie McAfee

**STAFF:** Huff, Bergman, Landgraf, Millin, Miller, Ray

**REGULAR COUNCIL MEETING**

The regular Niles City Council meeting was called to order by Mayor Shelton at 6:00 p.m. November 27, 2023. The Pledge of Allegiance was led by Mayor Nick Shelton.

**APPROVAL OF THE AGENDA**

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

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

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

**PUBLIC HEARINGS: (PUBLIC COMMENTS)**

**PRESENTATIONS:**

**CITIZEN PARTICIPATION: (PUBLIC COMMENTS)**

**CONSENT AGENDA:**

1. Consideration of approving the minutes of November 13, 2023.
2. Consideration of approving the list of bills dated November 22, 2023.
3. Consideration of approving the emergency purchase in the amount of \$12,434.82 from H&G Services of Mishawaka, Indiana for the diagnosis and repair of Office and Lab heat/cool unit at the Wastewater Treatment Plant and charge the expense to Wastewater - Maintenance, Equipment – Old.
4. Consideration of approving the emergency purchase in the amount of \$12,399.71 from Hermann & Goetz, Inc. of Mishawaka, Indiana for repair to a station transformer located at Corewell Health Lakeland Hospital and charge the expense to the Electric Department, Maintenance – Comm Underground.
5. Consideration of approving the emergency purchase in the amount of \$4,975.00 from Peerless Midwest of Mishawaka, Indiana for the installation of a 4-inch water meter at 1951 Oak Street, Niles, and charge the expense to the Water Department – Maintenance, Services.

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

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

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

**CITY ADMINISTRATOR'S REPORT:**  
**Introduction of Items for Discussion**  
**Items for Council Action**

6. Consideration of accepting the bid of Kirk M. Proshwitz of Buchanan, Michigan in the amount of \$16,500.00 for the fireworks display for the annual Fourth of July celebration to be held July 5, 2024.

**Councilmember DiCostanzo** moved, **Councilmember Rogers** seconded to accept the bid of Kirk M. Proshwitz of Buchanan, Michigan in the amount of \$16,500.00 for the fireworks display for the annual Fourth of July celebration to be held July 5, 2024.

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

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

7. Consideration of authorizing the adoption of a resolution allowing the City of Niles to enter into a contract with the Michigan Department of Transportation, for completion of the Wayne Street project, utilizing Federal Funds of approximately \$351,000.00 with the remaining funds of approximately \$139,840.00 to be paid from the Major Street Fund, and authorize the Mayor and City Clerk to sign the contract.

**Councilmember Bertschy** moved, **Councilmember Boggs** seconded to authorize the adoption of a resolution allowing the City of Niles to enter into a contract with the Michigan Department of Transportation, for completion of the Wayne Street project, utilizing Federal Funds of approximately \$351,000.00 with the remaining funds of approximately \$139,840.00 to be paid from the Major Street Fund, and authorize the Mayor and City Clerk to sign the contract.

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

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

**RESOLUTION 2023-11/2196 DECLARED ADOPTED**

8. Consideration of authorizing the Niles History Center to enter into a historic preservation easement for the Henry A. Chapin House, authorize the Mayor to sign the easement and cause the document to be recorded in the Office of the Register of Deeds.

**Councilmember Bertschy** moved, **Councilmember Dunnem** seconded to authorize the Niles History Center to enter into a historic preservation easement for the Henry A. Chapin House, authorize the Mayor to sign the easement and cause the document to be recorded in the Office of the Register of Deeds.

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

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

9. Consideration of authorizing the purchase of three (3) full-size Transit Vans from Hoekstra Transportation, Inc. through the MiDEAL program, for use by DART, in an amount not to exceed \$317,526.00, and to use grant funds from the FY 2024 CMAQ and 5307 FTA/MDOT grants.

**Councilmember Rogers** moved, **Councilmember Dunnem** seconded to authorize the purchase of three (3) full-size Transit Vans from Hoekstra Transportation, Inc. through the MiDEAL program, for use by DART, in an amount not to exceed \$317,526.00, and to use grant funds from the FY 2024 CMAQ and 5307 FTA/MDOT grants.

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

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

10. Consideration of approving the proposed General Municipal Fee Schedule 2023, as submitted.

**Councilmember DiCostanzo** moved, **Councilmember Rogers** seconded to approve the proposed General Municipal Fee Schedule 2023, as submitted.

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

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

11. Consideration of approving the 2023-2026 ARPA projects, as submitted, and obligate ARPA funds for related expenses.

**Councilmember DiCostanzo** moved, **Councilmember Rogers** supported to approve the 2023-2026 ARPA projects, as submitted, and obligate ARPA funds for related expenses.

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

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

12. Consideration of authorizing a provisional marijuana grower license for The Gas Company at 1760 Renaissance Drive.

**Councilmember DiCostanzo** moved, **Councilmember Dunnem** supported to authorize a provisional marijuana license for the Gas Company at 1760 Renaissance Drive.

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

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

13. Consideration of authorizing the Utilities Department to contract with Corpro Waterworks of Medina, Ohio for an annual service agreement at a cost of \$4,625.00 for inspection of the Cathodic Protection System of five water tanks, charge the expense to Water Division – Maintenance, and authorize the Utilities Manager to sign the contract.

**Councilmember DiCostanzo** moved, **Councilmember Thompson** supported to authorize the Utilities Department to contract with Corpro Waterworks of Medina, Ohio for an annual service agreement at a cost of \$4,625.00 for inspection of the Cathodic Protection System of five water tanks, charge the expense to Water Division – Maintenance, and authorize the Utilities Manager to sign the contract.

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

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

14. Consideration of authorizing the purchase of new computers (15 PCs and 5 laptops) for multiple divisions within the City from Dell Marketing, LP of Round Rock, TX at a cost of \$15,703.14 with the costs to be charged to Computer Equipment and Supplies of the departments receiving computers.

**Councilmember DiCostanzo** moved, **Councilmember Bertschy** supported to authorize the purchase of new computers (15 PCs and 5 laptops) for multiple divisions within the City from Dell Marketing, LP of Round Rock, TX at a cost of \$15,703.14 with the costs to be charged to Computer Equipment and Supplies of the departments receiving computers.

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

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

15. Consideration of authorizing the purchase of new copiers and printers, including service and support, from US Business Systems of Elkhart, Indiana in the amount of \$115,335.73 and charge the expense to the City and Utility Departments, Computer Equipment and Supplies.

**Councilmember DiCostanzo** moved, **Councilmember Dunnem** supported to authorize the purchase of new copiers and printers, including service and support, from US Business Systems of Elkhart, Indiana in the amount of \$115,335.73 and charge the expense to the City and Utility Departments, Computer Equipment and Supplies.

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

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

16. Consideration of authorizing the Utilities Department to extend the Tree Trimming and Line Clearance contract with Tree Servants of Plymouth, Indiana for one year, charge the expense to the Electric Department and Department of Public Works, and authorize the Mayor to sign the contract.

**Councilmember Rogers** moved, **Councilmember Bertschy** supported to authorize the Utilities Department to extend the Tree Trimming and Line Clearance contract with Tree Servants of Plymouth, Indiana for one year, charge the expense to the Electric Department and Department of Public Works, and authorize the Mayor to sign the contract.

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

**APPOINTMENTS:**

**CITY ATTORNEY'S REPORT:**

**COUNCILMEMBER'S REPORT:**

**Councilmember Rogers** stated that he attended Small Business Saturday. He noticed that the reinforcement at the Ferry Street School facing looked pretty substantial and should withstand the winter. He reported that Santa was put on the river and thanked everyone involved for doing it.

**Councilmember Thompson** reminded the public that the Councilmembers receive the agenda packets, which are extremely detailed, so most of the questions they have are answered before the meeting. He gave props to City Administrator Huff for keeping everyone well informed and running everything smoothly.

**Councilmember Boggs** thanked Steve Gargis for all his hard work. She added how beautiful downtown looks and appreciated all the hard work put into it.

**Councilmember Bertschy** moved, **DiCostanzo** supported to excuse Councilmember Dunnem from the 2<sup>nd</sup> & 4<sup>th</sup> Monday meetings in October. **AYES:** 7 **NAYS:** 0 **MOTION CARRIED**  
Bertschy also inquired if the Thanksgiving Day Run attendance broke a record.

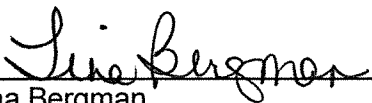
**MAYOR'S REPORT:**

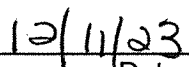
**Mayor Shelton** shared the Thanksgiving Day Run was awesome, with over 2,700 participants. He announced that Santa is on the river and encouraged everyone to check him out as he's been there for 61 years. Small Business Saturday was excellent and had a great time with his family. The Mayor also thanked Steve Gargis for the Greater Gauntlet, a fund event.

**CLOSED SESSION:**

**ADJOURNMENT**

Council Member Weimer moved to adjourn at 6:21 p.m.

  
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Tina Bergman  
Niles City Clerk

  
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Date