

**CITY OF NILES
REGULAR CITY COUNCIL MEETING MINIUTES
MONDAY, OCTOBER 24, 2016**

The meeting was called to order by Mayor Pro-Tem Durm in the City Council Chambers, 1345 East Main Street, Niles, Michigan at 6:00 p.m., October 24, 2016. The Pledge of Allegiance was led by Mayor Pro-Tem Durm.

PRESENT: Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, David Mann, Tim Skalla, Daniel VandenHeede, William Weimer

ABSENT: Mayor McCauslin

STAFF: Casperson, Dunlap, Huff, Lamb, Landgraf, Millin, Naugle, Ray, Wise,

AUDIENCE: 100 plus

Council Member DiCostanzo moved, **Council Member VandenHeede** supported, **MOTION CARRIED**, to move Item 11 to the beginning of the Agenda.

ROLL CALL: AYES: Bertschy, Boggs, Durm, VandenHeede, Mann, Weimer, DiCostanzo, Skalla

NAYS: None **ABSENT:** None **ABSTAIN:** None

CITY ATTORNEY'S REPORT:

11. **Second Reading and Enactment** of a proposed solid waste ordinance to protect the public health, safety and general welfare of persons and property within the City of Niles, Michigan by controlling and regulating the collection, removal and disposal of solid waste and optionally providing for collection, removal and disposal of recyclable materials and yard waste within the city by establishing a Solid Waste Collection, Removal and Disposal Program.

Council Member Durm moved, **Council Member VandenHeede** supported, **MOTION CARRIED**, to remind the proposed Solid Waste Collection, Removal and Disposal Ordinance back to the Ordinance Committee for further review and hold public hearings.

ROLL CALL: AYES: Bertschy, Boggs, Durm, VandenHeede, Mann, Weimer, DiCostanzo, Skalla

NAYS: None **ABSENT:** None **ABSTAIN:** None

PRESENTATION: None

CITIZEN PARTICIPATION: 24 people in the audience spoke in opposition of the Solid Waste Collection Ordinance. Citizen Participation was closed at 7:13pm.

CONSENT AGENDA:

1. Consideration of approving the City Council Minutes of October 10, 2016.
2. Consideration of approving the Bills dated October 19, 2016.
3. Consideration of accepting the proposal from Graybar of South Bend, IN for the purchase of lighting fixtures for the Street Division Building at a cost of \$5,824.29 and approval of an estimated cost of \$3,000.00 for the installation of the lights.
4. Consideration of accepting the quote of \$10,762.00 from Power Line Supply of Reed City, MI for the purchase of 7,500' of 15KV rated underground wire for use by the Electric Division.
5. Consideration of accepting the quote of \$31,515.00 from Harry Kloeppel & Associates of Lombard, IL for the purchase of laboratory casework, fume hood, and appurtenances
6. Consideration of accepting the quote of \$154,780.00 from Allied Mechanical Services of Kalamazoo, MI for the installation of two Kusters Model HBMS Clarifier Mechanisms for the Wastewater Treatment Plant.

Council Member Weimer moved, **Council Member Skalla** supported, **MOTION CARRIED**, to approve Items 1-6 as submitted.

ROLL CALL: AYES: Bertschy, Boggs, Durm, VandenHeede, Mann, Weimer, DiCostanzo, Skalla

NAYS: None **ABSENT:** None **ABSTAIN:** None

ADMINISTRATOR'S REPORT:

Introduction of Items for Discussion

Items for Council Action

7. Consideration of approving the purchase of two-way Federal Siren Weather Siren Controllers at a cost of \$12,400.00 and consideration of authorizing a budget amendment of \$5,000.00 to help cover the cost.

Council Member Bertschy moved, **Council Member Weimer** supported, **MOTION CARRIED**, to approve the purchase of two-way Federal Siren Weather Siren Controllers at a cost of \$12,400.00 and consideration of authorizing a budget amendment of \$5,000.00 to help cover the cost.

ROLL CALL: AYES: Bertschy, Boggs, Durm, VandenHeede, Mann, Weimer, DiCostanzo, Skalla

NAYS: None **ABSENT:** None **ABSTAIN:** None

8. Consideration of accepting and approving a Community Development Block Grant (CDBG) Funding Approval/Agreement with the US Department of Housing and Urban Development and consideration of authorizing Mayor McCauslin to sign the agreement.

Council Member Weimer moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve a Community Development Block Grant (CDBG) Funding Approval/Agreement with the US Department of Housing and Urban Development and consideration of authorizing Mayor McCauslin to sign the agreement.

ROLL CALL: AYES: Bertschy, Boggs, Durm, VandenHeede, Mann, Weimer, DiCostanzo, Skalla

NAYS: None **ABSENT:** None **ABSTAIN:** None

9. Consideration of entering into a three-year agreement with annual renewals for Point & Play, LLC of Oldsmar, FL to provide credit card processing services and consideration of authorizing the mayor to sign the agreement.

Council Member Mann moved, **Council Member Weimer** supported, **MOTION CARRIED**, to approve entering into a three-year agreement with annual renewals for Point & Play, LLC of Oldsmar, FL to provide credit card processing services and consideration of authorizing the mayor to sign the agreement.

ROLL CALL: AYES: Bertschy, Boggs, Durm, VandenHeede, Mann, Weimer, DiCostanzo, Skalla

NAYS: None **ABSENT:** None **ABSTAIN:** None

10. Consideration of approving the hiring of Jones Petrie Rafinski of South Bend IN to perform public utilities plan review and consulting services for the Indeck Project and consideration of authorizing the mayor to sign the agreement. VandenHeede stated that Indeck Energy will reimburse the work performed by JPR at the City's request.

Council Member Skalla moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve the hiring of Jones Petrie Rafinski of South Bend IN to perform public utilities plan review and consulting services for the Indeck Project and consideration of authorizing the mayor to sign the agreement, contingent upon the agreement to be reimbursed by Indeck Energy,

ROLL CALL: AYES: Bertschy, Boggs, Durm, VandenHeede, Mann, Weimer, DiCostanzo, Skalla

NAYS: None **ABSENT:** None **ABSTAIN:** None

CITY ATTORNEY'S REPORT:

MOVED TO BEGINNING OF THE MEETING.

~~11. **Second Reading and Enactment** of a proposed solid waste ordinance to protect the public health, safety and general welfare of persons and property within the City of Niles, Michigan by controlling and regulating the collection, removal and disposal of solid waste and optionally providing for collection, removal and disposal of recyclable materials and yard waste within the city by establishing a Solid Waste Collection, Removal and Disposal Program.~~

COUNCIL MEMBER'S REPORT:

Bertschy inquired about leaf collection.

VandenHeede reported that even though the council has been talking about the solid waste ordinance for months, transparency to the public is important. Free enterprise was also mentioned, it is still being exercised by going out for competitive bids. Concern about jobs, whoever receives the contract might have to hire more people. Good service would be monitored through the bid process by checking references. Recycling should be included. He appreciated everyone that came out.

Council Member Mann took the time to thanked Council Member Weimer, City Clerk Casperson, former Council Member Scott Clark and City Administrator Huff. He mentioned that he has taken a job outside the state.

Council Member DiCostanzo, thanked everyone that contacted him and everyone that showed up at the city council. He mentioned that there was concern that the council was trying sneak the solid waste ordinance pass them. He encouraged people to go to the city's website for information and to become more informed. He also encouraged email or phone calls. He disagreed that the bid process is free enterprise.

Council Member Skalla thanked everyone for the largest attendance in his tenure as council member. He also mentioned that Friends of Silverbrook Cemetery walk tour was a success.

Council Member Boggs also thanked everyone in attendance.

Council Member Durm thanked Council Member Mann and wished him good luck.

MAYOR'S REPORT: None

ADJOURNMENT

Council Member Weimer moved to adjourn at 7:36pm.

Linda Casperson, Niles City Clerk

Date