

**CITY OF NILES
REGULAR CITY COUNCIL MEETING MINIUTES
MONDAY, NOVEMBER 14, 2016**

The meeting was called to order by Mayor elect Nicholas J. Shelton in the City Council Chambers, 1345 East Main Street, Niles, Michigan at 6:00 p.m., November 14, 2016.

OATH OF OFFICE: City Clerk Linda Casperson read the Oath of Office to Council Members, Georgia Boggs, Daniel VandenHeede, Charlie McAfee and John DiCostanzo. The Oath of Office was also reiterated to Mayor Nicholas J. Shelton.

The Pledge of Allegiance was led by Mayor Shelton.

PRESENT: Council Members Gretchen Bertschy, Georgia Boggs, John DiCostanzo, Robert Durm, Charlie McAfee, Wm. Tim Skalla, Daniel VandenHeede, William Weimer and Mayor Nicholas Shelton.

ABSENT: None

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

AUDIENCE: 73

CITIZEN PARTICIPATION:

Fredda Zeiter welcomed the newly elected officials. She also invited them to the help decorate downtown for the holidays on November 20 from 1-3pm.

PRESENTATION: None

CONSENT AGENDA:

1. Consideration of approving the City Council Minutes of October 24, 2016.
2. Consideration of approving the Bills dated November 8, 2016.
3. Consideration of approving the Annual Shop Small Business Saturday and the Downtown Holiday Homecoming event to be held in the downtown area on Saturday, November 26, 2016 and consideration of approving various other requests and the waiver of any fees or expenses incurred by the City.
4. Consideration of approving the Annual Hunter Ice Festival event to be held in the downtown and Riverfront Park on January 20th through January 22nd, 2017 and consideration of approving various other requests including the waiver of all fees or expenses incurred by the City.
5. Consideration of accepting the quote of \$5,871.00 form Apollo Fire Equipment Company of Romeo, MI for the purchase of three (3) sets of Janesville Commando protective firefighting gear.
6. Consideration of accepting the quote of \$50,195.00 from RESCO of Middleton, WI for the purchase of 58 ERMCO Dual voltage pole mounted transformers for use by the Electric Division.
7. Consideration of accepting the quote of \$56,294.94 from Cooper Power Systems of Waukesha, WI for the purchase of a three-phase pad mounted voltage regulator for use by the Electric Division.

MINUTES October 24, 2016

READ: 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.

CORRECTION:

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

AGENDA:

READ:

5. Consideration of accepting the quote of \$5,871.00 form Apollo Fire Equipment Company of Romeo, MI for the purchase of three (3) sets of Janesville Commando protective firefighting gear.

CORRECTION:

5. Consideration of accepting the quote of \$5,871.00 from Apollo Fire Equipment Company of Romeo, MI for the purchase of three (3) sets of Janesville Commando protective firefighting gear.

Council Member Weimer moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve Items 1-7 as corrected.

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

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

ADMINISTRATOR'S REPORT:

Introduction of Items for Discussion

Items for Council Action

8. Consideration of entering into a contract with Payne Tree Service of Niles, MI for the removal of 71 dead, dying and dangerous trees and stump removal at a cost of \$27,327.00 and consideration of authorizing the mayor to sign the contract.

Council Member Bertschy moved, **Council Member VandenHeede** supported, **MOTION CARRIED**, to approve entering into a contract with Payne Tree Service of Niles, MI for the removal of 71 dead, dying and dangerous trees and stump removal at a cost of \$27,327.00 and consideration of authorizing the mayor to sign the contract.

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

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

9. Consideration of entering into a three-year Grounds Maintenance Contract with M.A.A.C. Property Services of Niles for parks grounds maintenance at a cost of \$207,000.00 and consideration of entering into a three-year contract with Simmons Tree & Lawn for parking lot grounds maintenance at a cost of \$11,286.00 and consideration of authorizing the mayor to sign both contracts.

Council Member Weimer moved, **Council Member VandenHeede** supported, **MOTION CARRIED**, to approve entering into a three-year Grounds Maintenance Contract with M.A.A.C. Property Services of Niles for parks grounds maintenance at a cost of \$207,000.00 and consideration of entering into a three-year contract with Simmons Tree & Lawn for parking lot grounds maintenance at a cost of \$11,286.00 and consideration of authorizing the mayor to sign both contracts.

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

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

CLOSED SESSION:

Consideration of going into closed session to discuss union negotiations.

Council Member Durm moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to go into closed session to discuss union negotiations at 6:15pm.

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

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

RECONVENE: Reconvene at 6:48pm. No action taken.

10. Consideration of approving a labor agreement with the United Steel Workers (Office Workers) with the agreement covering the period of October 1, 2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

Council Member VandenHeede moved, **Council Member Durm** supported, **MOTION CARRIED**, to approve a labor agreement with the United Steel Workers (Office Workers) with the agreement covering the period of October 1, 2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

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

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

11. Consideration of approving a labor agreement with the United Steel Workers (Wastewater Division) with the agreement covering the period of October 1, 2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

Council Member Skalla moved, **Council Member DiCostanzo** supported, **MOTION CARRIED**, to approve approving a labor agreement with the United Steel Workers (Wastewater Division) with the agreement covering the period of October 1,

2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

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

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

12. Consideration of approving a labor agreement with the United Steel Workers (Field Crews) with the agreement covering the period of October 1, 2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

Council Member Weimer moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve a labor agreement with the United Steel Workers (Field Crews) with the agreement covering the period of October 1, 2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

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

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

13. Consideration of approving a labor agreement with the United Steel Workers (Cemetery and Street Divisions) with the agreement covering the period of October 1, 2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

Council Member Weimer moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve a labor agreement with the United Steel Workers (Cemetery and Street Divisions) with the agreement covering the period of October 1, 2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

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

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

14. Consideration of approving a labor agreement with the Police Officers Labor Council with the agreement covering the period of October 1, 2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

Council Member Bertschy moved, **Council Member VandenHeede** supported, **MOTION CARRIED**, to approve a labor agreement with the Police Officers Labor Council with the agreement covering the period of October 1, 2016 through September 30, 2019 and consideration of authorizing the execution of the agreement.

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

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

15. Consideration of approving a change to the healthcare, salary and benefits for non-union employees and consideration of authorizing the execution of the changes.

Council Member Bertschy moved, **Council Member VandenHeede** supported, **MOTION CARRIED**, to approve a change to the healthcare, salary and benefits for non-union employees and consideration of authorizing the execution of the changes.

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

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

APPOINTMENT TO BOARDS: None

CITY ATTORNEY'S REPORT: None

COUNCIL MEMBER'S REPORT:

All Council Members welcomed newly elected Mayor Nicholas Shelton and 3rd Ward Council Member Charlie McAfee.

Council Member McAfee thanked everyone for their support.

Council Member Bertschy announced that "Shop Small Business" Saturday will be November 26. Support local small businesses.

Council Member VandenHeede reported that the Solid Waste Ordinance has been put on hold in order to bring the newly elected officials up to speed.

Council Member DiCostanzo stated that the proposed Solid Waste Ordinance will be slowed down by offering a public hearing where people can comment. He encouraged supporters of the ordinance to speak out. He also thanked everyone who voted for him.

Council Member Durm thanked everyone that voted for him.

MAYOR’S REPORT:

Mayor Shelton read from the Niles City Charter Section 2-3 (d) Mayor Pro Tem. “At the first meeting of the council following each election the council shall elect from among its members a mayor pro tem who shall act as mayor during the absence or disability of the mayor.”

Mayor Shelton asked for a motion to elect Mayor Pro-Tem.

Council Member VandenHeede moved, **Council Member Bertschy** support, **MOTION CARRIED**, to re-elect Council Member Durm as Mayor Pro-Tem.

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

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

Mayor Shelton thanked the community for their support by electing him mayor; and that he was looking forward to working with the Niles City Council and staff in the coming years.

ADJOURNMENT:

Council Member Weimer moved to adjourn at 7:04pm.

Linda Casperson, Niles City Clerk

Date