

**CITY OF NILES
REGULAR CITY COUNCIL MEETING MINIUTES
MONDAY, DECEMBER 26, 2016**

The meeting was called to order by Mayor Nicholas Shelton in the City Council Chambers, 1345 East Main Street, Niles, Michigan at 6:00 p.m., December 26, 2016.

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

ABSENT: None

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

AUDIENCE: 20

CITIZEN PARTICIPATION: Lisa Croteau, DDA Director, announced that a grant, secured by Mayor Nick Shelton, will be offered to downtown businesses to be used for infrastructure repairs and façade improvements. Details have not been determined.

PRESENTATION: None

CONSENT AGENDA:

1. Consideration of approving the City Council Minutes of December 12, 2016 revised.
2. Consideration of approving the Bills dated December 19, 2016.
3. Consideration of approving the payment of \$3,641.00 to TPC Technologies, Inc. of Niles for the reprogramming of the Chapin Mansion Light Show and related services.
4. Consideration of accepting the quote of \$3,866.54, plus shipping from Time Keeping Systems, Inc. of Solon, OH for the purchase of a Guard 1 Plus cell block monitoring device and associated software for use by the Police Department.
5. Consideration of approving the emergency payment of \$5,263.00 to T & R Service Company of Colman, SD for disposal of PCB filled transformers used by the Electric Division.
6. Consideration of approving the payment of \$5,500.00 to the State of Michigan's Department of Environmental Quality for the annual National Pollution Discharge Elimination System (NPDES) Permit.
7. Consideration of accepting the quote of \$10,162.00 from Carrier and Gable of Farmington Hills, MI for the purchase of traffic signal sensor equipment.
8. Consideration of accepting the quote of \$52,620.40 for the purchase of 28 decorative street light poles from All Phase Electric Supply of South Bend, IN for use by the Electric Division.

Council Member Weimer moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to approve Items 1- 8 as submitted.

ADMINISTRATOR'S REPORT:

Introduction of Items for Discussion

Items for Council Action

9. Consideration of approving the implementation of a FY 2017 Rate Design for an average electric rate increase of 5.2 % in order to offset increased purchase power costs, to facilitate needed capital improvements, and to work towards targeted revenue requirements.

Council Member Weimer moved, **Council Member Skalla** supported, **MOTION CARRIED**, to approve the implementation of a FY 2017 Rate Design for an average electric rate increase of 5.2 % in order to offset increased purchase power costs, to facilitate needed capital improvements, and to work towards targeted revenue requirements.

City Administrator Huff explained that the increase is necessary, not only because of the cost of electricity the city purchases from AEP, but to also cover ongoing infrastructure improvements and maintenance requirements. The AEP increase was 4.5% on June 1, 2016 and the city has had to absorb the costs. Discussion followed regarding the different customer classes (i.e. Industrial, Commercial, Residential, etc.) and which class should have the lowest rates.

ROLL CALL: AYES: Bertschy, Boggs, Durm, VandenHeede, McAfee, Weimer, DiCostanzo, Skalla
NAYS: None **ABSENT:** None **ABSTAIN:** None

10. Consideration of approving a labor agreement with the International Association of Fire Fighters 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 International Association of Fire Fighters 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

10A. Consideration of authorizing an agreement with Williams and Works for planning and zoning assistance regarding the medical marijuana legislation.

Council Member Durm moved, **Council Member DiCostanzo** supported, **MOTION CARRIED**, to authorize an agreement with Williams and Works for planning and zoning assistance regarding the medical marijuana legislation.

ROLL CALL: AYES: Bertschy, Durm, VandenHeede, McAfee, Weimer, DiCostanzo, Skalla
NAYS: Boggs **ABSENT:** None **ABSTAIN:** None

10B. Consideration of authorizing a 12 month loan to Ultra Camp in the amount of \$50,000 secured by the MEDC CRP grant and authorized the City Attorney, City Clerk, and Mayor to execute the documents.

Council Member Weimer moved, **Council Member Bertschy** supported, **MOTION CARRIED**, to authorize a 12 month loan to Ultra Camp in the amount of \$50,000 secured by the MEDC CRP grant and authorized the City Attorney, City Clerk, and Mayor to execute the documents.

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:

Council Member DiCostanzo reported that the Planning Commission met to discuss the Medical Marijuana Act and their role for determining the zoning. He stated that there was a lot of uneasiness on the effects on the city. He also stated that the State has made a decision to enact the marijuana law; the unintended consequence will affect the City whether the city partakes or not. If the City chooses not to take part, we would not be eligible to gain the revenue that supports law enforcement.

Council Member Boggs voiced opposition to the medical marijuana act by comparing it to the Lottery Act that was supposed to help support the schools. She hoped that a clause for policing be added.

Council Member Bertschy reminded everyone that the Hunter Ice Festival will be January 19-21. She also praised Lisa Croteau and the DDA for the planning of the Hunter Ice Festival. She also thanked the Street Department for hard work in clearing the roads of snow.

Council Member McAfee stated that she spoke to friends and neighbors regarding the Medical Marijuana Act. Just like alcohol, prohibition is coming. Watch out for friends and neighbors.

MAYOR'S REPORT:

Mayor Shelton thanked Lisa Croteau for mentioning the grant of \$69,500 to be used downtown. He is looking forward to next year.

ADJOURNMENT

Council Member Weimer moved to adjourn at 6:30pm.

Linda Casperson, Niles City Clerk

Date