

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
JUNE 4, 2007**

Mayor Stein called the regular meeting of the City Council to order at 7:15 p.m.

**PLEDGE OF ALLEGIANCE:**

City resident Larry Scheidel led the Pledge of Allegiance.

**ROLL CALL:**

Present: Mayor Stein, Council Members Shafer, Maichele, Holloway, Antel, Hamilton, Patrick.

Absent: None.

Also Present: City Manager Deborah Nier, City Clerk Sharon L. Baumgard, Deputy City Manager Heath Kaplan, City Services Director Pierre Brazeau, Police Chief Dan Miller, Fire Chief Joe Miller, Larry Scheidel, Jean Gallup, John Rugaber, Mark Wierenga, Sarah Wierenga, Don Black, Diane Smith, Vicki Kouchnerkavich, Russell Slater, Kelle Tobolic, Katie Balfort, Lucas Spoor, Pat George, Charles George, Stuart Isenhoff, Jason Makowski, Kerri Brown.

**APPROVAL OF MINUTES:**

Motion made by Council Member Shafer, and seconded by Council Member Maichele, to approve the minutes of the May 21, 2007, Council meeting with corrections. All ayes. Motion passed.

- VFW selling crosses not flags. Page 11
- Happy to be on Council, not belong to Council. Page 11
- Change \$21,477 to \$21,477. Page 10

**CITIZENS APPEARING BEFORE COUNCIL:**

None.

**COMMITTEE MINUTES:**

- a) Minutes of the April 19 Downtown Development Authority Meeting were acknowledged for file.
- b) Minutes of the April 5 Park Committee Meeting were acknowledged for file.
- c) Minutes of the April 18 Downtown Task Force Meeting were acknowledged for file.

**COMMUNICATIONS:**

Mayor Stein shared a letter he received from the Hastings City Manager and the Fire Department, thanking the Wayland Fire Department for their assistance with a fire.

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**BILLS AND ACCOUNTS:**

Motion made by Council Member Hamilton, and seconded by Council Member Antel, to approve the regular bills and accounts.

**DISCUSSION:**

Council Member Antel asked if the payment to the Chamber of Commerce is for two months and if so why do we owe them for two months. Manager Nier stated that Chamber has been billing us every two months.

Council Member Shafer addressed Mr. Kaplan inquiring why we are still seeing reimbursement payment to the Police Department. Mr. Kaplan stated that there are still bills coming in that were incurred before the contract was signed.

Council Member Holloway inquired why we owed money to Mark Upholstering. Police Chief stated that the Police and Fire Department have not found anyone in the area that does that kind of work.

Mayor Stein wanted to know what the total hours meant on page 20. Mr. Kaplan answered that they were retroactive hours owed to the Police Officers, based on collective bargaining agreement.

All ayes. Motion passed.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**a) Renewal of Agent Agreement with S. J. Wisinski.** City Manager Nier gave a brief review of the agreement with Wisinski, stating the agreement is up for renewal. She stated S. J. Wisinski represents the City by providing the following services:

- Sale of property in the City-owned industrial park.
- Marketing the property.
- Working with prospective buyers.
- Advising the City of potential sales.

Highlights of the agreement:

- Represent the City for one year.
- A brokerage fee of 10% of the sales price would be paid to the agent upon closing.

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- The representing agent will communicate with the City Manager on a regular basis on activity related to the property, including written reports, meetings, electronic messages, etc.
- Assisting with closings

Jason Makowski of S. J. Wisinski appeared before Council to relay the message that it has been a pleasure working with Wayland. He also stated that they are now moving in the right direction, just having sold a piece of property in the Industrial Park.

Council Member Holloway asked City Manager Nier when the contract would be up. Manager Nier stated it is up now.

Council Member Patrick asked Nier if she was receiving monthly reports. Nier said she keeps in contact with Mr. Makowski through email, phone and written reports on a regular basis. Mr. Makowski reports to me with updates on marketing activities and prospects.

A motion was made by Council Member Antel, and seconded by Council Member Patrick, to approve the agreement with S. J. Wisinski to represent the City's Industrial Park property. All ayes. Motion passed.

- b) **Bid for Purchase and Installation of Equipment for Squad Car.** Manager Nier explained that a new Chevrolet Impala squad car was put in the budget for the upcoming year. What we have in front of you is a request to equip it.

Council Member Holloway inquired if the equipment was budgeted. Manager Nier stated it was.

A motion made by Council Member Hamilton, and seconded by Council Member Antel, to purchase equipment from Marks Body Shop for the new Impala squad car, for the sum of \$6,164.70. All ayes. Motion passed.

- c) **Bid for Brush/Leaf Removal Service.** Motion made by Council Member Holloway, and seconded by Council Member Maichele, to award the brush/leaf removal bid to Arnsman Septic Service of Shelbyville, MI for the sum \$6,500. All ayes. Motion passed.

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- d) **Bid for Plow Truck.** Motion made by Council Member Shafer, and seconded by Council Member Antel, to award the underbody plow truck bid to Wieland International for the sum of \$98,161.74. All ayes. Motion passed.
- e) **Financing for Plow Truck Purchase.** Motion made by Council Member Holloway, and seconded by Council Member Hamilton, to award the bid for the financing of the new underbody plow truck to Bryon Bank for a 4.47% business loan. All ayes. Motion passed.
- f) **Change Order No. 2 for City Hall Exterior Renovation Project.** Motion made by Council Member Shafer, and seconded by Council Member Antel, to approve the staining of the bricks on the City Hall Facade for the sum of \$1,400.

DISCUSSION:

Mayor Stein reported to Council that the he and the City Manager met with Steve Karsten, JWK Construction. The contractor showed them where he had cleaned the brick. He said that power washing them again would loosen up the mortar. Mayor Stein stated it is his recommendation to approve the change order.

Charles George of 442 Falcon Dr. asked where did the mortar come from. Mayor Stein explained it was mortar that was left from the fieldstone that was taken off the building.

Council Member Holloway asked Mrs. Nier if she had seen the test patch on the bricks and will the company warranty the job. Mrs. Nier stated she had seen the staining and it blended in with the other brick and yes they will warranty the stain for one year.

Council Member Shafer inquired if Manager Nier had talked with architect Heather DeKorte regarding her presentation in front of Council and discussing the staining as a possibility. Manager Nier reported that she did have a conversation with Ms. DeKorte and DeKorte stated it was not included in the cost estimate.

Council Member Antel agreed with Council Member Shafer that she understood the staining to be included also.

Council Member Shafer stated that it is time to move on with this project and get it off the books.

Ayes: Antel, Patrick, Maichele, Shafer, Hamilton, Stein.

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Nayes: Holloway.

Motion passed with six to one.

- g) **Pay Request for J.W.K. Construction.** Motion made by Council Member Antel, and seconded by Council Member Shafer, to approve the pay request for J.W.K. Construction for the sum of \$10,306.80, for the City Hall Renovations. All ayes. Motion passed.
- h) **Amendment to Employees Manual. Military Leave and Merit Based Compensation.** City Manager Nier explained that the amendment she is placing in front of them is for discussion. She stated that she had researched the Uniform Services Employment and Reemployment Rights Act for more information to help with the revisions to the employee manual. After much discussion, a motion was made by Council Member Shafer, and seconded by Council Member Hamilton, to table the discussion of the amendment until the June 18 Council Meeting. All ayes. Motion passed.
- i) **Amendment to Employees Manual. Benefits and Compensation.** Motion made by Council Member Antel, and seconded by Council Member Holloway, to amend the Employee Manual, to include language that would allow compensation based on performance and merit. All ayes. Motion passed.
- j) **Appointments to Committees.** Mayor Stein made following recommendations to fill vacancies on various committees.
  - 1) Motion made by Council Member Shafer, and seconded by Council Member Maichele, to appoint Bruce Patrick as the Council Representative to the Downtown Task Force Committee. All ayes. Motion passed.
  - 2) Motion made by Council Member Antel, and seconded by Council Member Shafer, to appoint Bruce Partick to the Water/Sewer Study Committee. All ayes. Motion passed.
  - 3) Motion made by Council Member Hamilton, and seconded by Council Member Antel, to appoint Doug Shafer to the Budget Committee. All ayes. Motion passed.
- k) **Resolution No. 27-06. A Resolution to Authorize a Millage Levy for 2007-2008.** Motion made by Council Member Hamilton, seconded by Council Member Antel, to

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adopt Resolution No. 27-06, to levy the millage rate at 16.3673 for the upcoming fiscal year 2007-2008.

**ROLL CALL:**

Ayes: Antel, Patrick, Hamilton, Holloway, Maichele, Shafer, Stein.  
Nays: None.  
Absent: None.

**RESOLUTION NO. 27-06 DECLARED ADOPTED.**

**CITY MANAGER COMMUNICATION:**

City Manager Nier announced that Thursday, May 31, 2007, the City closed on a sale, for a piece of property in the Industrial Park to Magnum Plumbing. She stated that during the platting process, it was discovered that there is more wetland than anticipated, which means we need to take another look at the plats.

Manager Nier asked Council to check out the City's website; and, if they see anything that needs or would like to see changed let her know. The lag time for changes is 24 hours.

**COUNCIL COMMENTS:**

Council Member Shafer announced that the Friends of the Urban Trail Committee meeting was cancelled and the next scheduled meeting would be June 12.

Council Member Hamilton stated that she has been approached by citizens asking why the hours for City Hall are not posted on the building. Manager Nier stated that it is in the plans to have the hours posted. Hamilton also inquired as to what the progress is with Sawmill Estates. Manager Nier told Hamilton that they are tying up loose ends. Right now they are asking for comfort letters, stating everything was done that was asked of us. Nier stated that they hope to break ground in mid July.

Council Member Antel inquired now that the State Budget is passed, do we know anything about the DNR Grant and should we be applying for another Grant. Manager Nier told Antel that the Grant is all right and before we apply for another Grant we have to show ownership of the property. Council Member Antel asked that in future bids or business, she would like to see it noted what it is budgeted for and from what fund. Manager Nier stated she would.

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Mayor Stein reported that there is a smashed picnic table in the gazebo in the City Park. The Mayor stated he had noticed serious damage in the park, along with kids congregating.

**CITIZENS COMMENTS:**

Diane Smith of 309 S. Main St. addressed the issue of people complaining about their taxes being so high, stating she likes to think on a more positive note. She stated Wayland has a lot of advantages that she is thankful for. Mrs. Smith stated that she gets brush pick-up, her sidewalks and streets plowed, and the safe feeling she has with the outstanding Fire and Police Departments. Smith added in light of negative, we have to think positive.

Stuart Isenhoff of 431 W. Superior St. expressed his opinion on the amendment to the Employee Manual regarding military pay asking Council to consider the moving expense, as well as any other expensive that may occur. He asked Council to move slow on this and consider everything.

At City Manager's request, the City Council went into closed session for purpose of conducting the City Manager's evaluation.

8:50 p.m. Regular Council Session Resumed.

Mayor Stein adjourned the meeting at 8:51 p.m.

Respectfully submitted,

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Sharon L. Baumgard, City Clerk

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Burrell Stein, Mayor