

**CITY OF WAYLAND
COUNCIL PROCEEDINGS
MONDAY, DECEMBER 3, 2007**

Mayor Stein opened the meeting at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

Allegan County Commissioner Don Black led the Pledge of Allegiance.

ROLL CALL:

Present: Mayor Stein, Council Members Doug Shafer, Sheryl Hamilton, Greg Maichele, Bruce Patrick, Mark Holloway, Jennifer Antel.

Absent: None.

Also Present: City Manager Deborah Nier, City Clerk Sharon L. Baumgard, Deputy City Manager Heath Kaplan, Director of City Services Pierre Brazeau, Police Chief Dan Miller, Allegan County Commissioner Don Black, Jean Gallup, Bruce Hoekenga, Vicki Kouchnerkavich, Diane Smith, Ron Kobish, Judy Miller,

APPROVAL OF MINUTES:

Motion made by Council Member Shafer to approve the minutes of the November 19, 2007, Council Meeting with one (1) correction. Council Member Holloway seconded the motion.

Correction: Change Council Member Antel comment – delete after school hours and during the transition time. Replace with before school hours and before construction.

All yeas. Motion passed.

CITIZENS APPEARING BEFORE COUNCIL:

Ron Kobish of 115 E. Maple St. questioned Council on the finding of the curfew hours for minors. Kobish was concerned about the issue of the kids hanging around late at night, causing problems around E. Cherry St. He stated that things are escalating. Mr. Kobish had a problem with them throwing bricks at his outdoor Christmas decorations and a neighbor house being toilet papered.

City Manager Nier reported that she had talked to Police Chief about this matter and patrol would be beefed up around that area. Also residents that are having problems need to report them to the police. Police Chief Miller stated the issue of the toilet paper had been taken care of. He reiterated that the residents need to report these incidents to the Police. Miller said he has the night patrolman checking that area more often.

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COMMITTEE MINUTES:

None.

COMMUNICATION:

Allegan County Commissioner Don Black gave an update of the activities at the County level.

BILLS AND ACCOUNTS:

Motion made by Council Member Antel to approve the bills and accounts as written. Council Member Hamilton seconded the motion. All ayes. Motion passed.

OLD BUSINESS:

None.

NEW BUSINESS:

- a) **Resolution No. 56-09, articles of Incorporation of Grand Valley Metropolitan Council/ addition of Lowell.** Motion made by Council Member Hamilton to adopt Resolution No. 56-09, incorporating Lowell into the METRO Council. Council Member Shafer seconded the motion.

ROLL CALL:

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

Nays: None.

Absent: None.

RESOLUTION NO. 56-09 DECLARED ADOPTED.

- b) **Resolution No. 56-10, articles of Incorporation of Grand Valley Metropolitan Council/ addition of Belding.** Motion made by Council Member Maichele to adopt Resolution No. 56-10, incorporating Belding into the METRO Council. Council Member Shafer seconded the motion.

ROLL CALL:

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

Nays: None.

Absent: None.

RESOLUTION NO. 56-10 DECLARED ADOPTED.

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- c) **Resolution No. 56-11, Authorizing submission of a grant application to the Michigan Department of Transportation.** Motion made by Council Member Patrick to adopt resolution No. 56-11, authorizing a submission of a grant application to the Michigan Department of Transportation. Council Member Maichele seconded the motion.

ROLL CALL:

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

Nays: None.

Absent: None.

RESOLUTION NO. 56-11 DECLARED ADOPTED.

- d) **Final pay request from Ron Meyers & Associates for the 2007 Sidewalk Project.** Motion made by Council Member Holloway to approve the pay request from Ron Meyers & Associates for the sum of \$11,312.40. Council Member Hamilton seconded the motion.

DISSCUSSION:

Council Member Holloway inquired what if the seeded grass does not come up in the spring. Manager Nier stated that it is covered under warranty.

Council Member Shafer stated he has received several positive comments about the sidewalks.

Mayor Stein reported he also has had positive comments.

All ayes. Motion passed.

CITY MANAGER COMMUNICATIONS:

1. Manager Nier reported on the Cherry Street issue saying she talked to the Police staff following the November 19 Council Meeting and measures are being taken to try and halt the problem. Nier stated the residents should to contact police with any incidents, so there is a report on file. Police Chief Miller put out a memo to patrol officers to get out and walk around when in the area. Council Member Shafer inquired about the kids smoking behind Dr. Bloom's office stating maybe something could be done about that. Shafer also stated he personally contacted Ann Tatreau of Cherry St. to inform her that this matter is being looked at.

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2. Manager Nier announced that she received a letter from the DNR saying that the appraisal for the Apex property has been accepted, now the City will be able to purchase property.

COUNCIL COMMENTS:

Council Member Shafer thanked Pierre Brazeau for doing a nice job with plowing the streets and whoever cleared and salted the sidewalks did a great job. Shafer reminded everyone of the tree lighting ceremony on Friday night and the parade on Saturday.

Council Member Holloway gave compliment on how nice the cities lights and garland look.

Council Member Antel inquired why Council does not have a student representative this year. Manager Nier stated that she requested they choose not to have one.

Manager Nier stated she has been getting calls regarding the route of the parade. Council Member Hamilton explained that the parade would start at the High School and end at the Fire Station.

CITIZENS COMMENTS:

City resident Judy Miller announced that the High School Orchestra would be having a concert at the Middle School on Tuesday night.

Council went into closed session for the purpose of evaluation of City Manager at 7:27 p.m.

Council returned to regular session at 8:34 p.m.

Council Member Shafer made a motion to offer the City Manager a two-year contract as City Manager. There was no second. Motion died.

Motion made by Council Member Hamilton to offer City Manager Nier a one-year contract, with insurance, holiday and vacation time according to policy and compensation at \$73,000 with a raise to \$74,000 on July 1, 2008. Severance package to stay the same. Motion was seconded by Council Member Antel.

Mayor Stein stated he believed City Manager Nier should be offered a two-year contract and he was against the one-year offer.

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ROLL CALL:

Ayes: Council Members Patrick, Hamilton, Antel, Antel, Shafer, Holloway.

Nays: Mayor Stein.

Motion passed six to one.

Mayor Stein said he voted no because he favored a two-year contract.

Council Member Shafer inquired how he could change his no vote to a yes. Clerk Baumgard explained to Council Member Shafer that he would have to motion to rescind the first motion. Shafer stated he would not offer that, but wanted it on record that he wished he had voted no for a one-year contract for Manager Nier.

Mayor Stein adjourned the meeting at 8:36 p.m.

Respectfully submitted,

Sharon L. Baumgard, City Clerk

Burrell Stein, Mayor