

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
JUNE 18, 2007**

Mayor Stein called the regular meeting of the City Council to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE:**

Neil Richards, Eddie Seymour and Rafael Nelson, members of the Youth Volunteer Organization, led the Pledge of Allegiance.

**ROLL CALL:**

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

Absent: None.

Also Present: City Manager Deborah Nier, City Clerk Sharon Baumgard, Deputy City Manager/Finance Director Heath Kaplan, City Services Director Pierre Brazeau, Police Chief Dan Miller, Fire Chief Joe Miller, City Engineer Mike Oezer, Vicki Kouchnerkavich, Diane Smith, John Rugaber, Neil Richards, Eddie Seymour, Rafael Nelson, Ron Kobish, Phil Seybert.

**APPROVAL OF MINUTES:**

- a) Motion made by Council Member Shafer, and seconded by Council Member Holloway, to approve the minutes of the June 4, 2007, Public Hearing. All ayes. Motion passed,
- b) Motion made by Council Member Hamilton, and seconded by Council Member Antel, to approve the minutes of the June 4, 2007, regular council meeting, with the following corrections:
  - Pg 6, line item Change Order No. 2 for City Hall Exterior Renovation Project, change to say Council Member Holloway voted no.
  - Pg 7, line item Pay Request for J.W. Construction, to J.W.K. Construction.
  - Pg. 8, line item City Manager Communication add “the platting” to line 2.

All ayes. Motion passed.

**CITIZENS APPEARING BEFORE COUNCIL:**

- a) City resident John Rugaber of 134 E. Superior St. wanted to commend whoever put the baskets and planters together. He stated that this year the flower assortment and color combinations are outstanding.

**COMMITTEE MINUTES:**

- a) Minutes of the May 8, 2007, Planning Commission Meeting were acknowledged for file.

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
JUNE 18, 2007  
PAGE TWO**

**COMMUNICATIONS:**

- a) Eddie Seymour and Rafael Nelson, Wayland High School students and members of the Youth Volunteer Organization, appeared before Council to help start off their Volunteer Community Service Organization. The boys gave a brief report of their status as a first time organization. They explained they would like to do community work, or work for elderly citizens on a volunteer basis. They explained that there are about 20 students involved.

Mayor Stein inquired as to what type of support they wanted from the City.

- The boys stated they would like support such as a press release; also, materials provided for the projects they would need for the City, paint and other work related items. They stated that they need to get the word out.

Council Member Shafer asked if there would be adult supervision.

- The boys stated that Mrs. Black, a high school teacher, would be the advisor.

Mayor Stein inquired if they are seeking financial support.

- They stated they are not seeking financial support. It was also explained that they had tried to get affiliated with the YVCA, Youth Volunteer Corp of America, an organization that assists with first time organizations. Because of the \$400 fee, it was not possible to join.

Council Member Patrick inquired as to the benefits of belonging to the YVCA.

- It was explained that the YVCA would supply insurance and guidelines to follow. But being that this is only for the summer season it is not necessary to affiliate with them.

Mayor Stein commended the boys for their efforts and stated that he would like to see the Council support the Volunteer Youth Organization

Council Member Antel inquired where they would hold their meeting.

- They stated that the meetings are held at the high school by the track field.

Manager Nier suggested that they submit in writing what the Volunteer Youth Organization is all about and get to her before Friday, June 22. The City would put it in the next edition of the City Lites.

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
JUNE 18, 2007  
PAGE THREE**

- b) Mayor Stein read a letter from the Thornapple Township Supervisor Donald E. Boyesen, thanking the Wayland Fire Department for their assistance with a recent fire.

**BILLS AND ACCOUNTS:**

- a) Motion made by Council Member Maichele, and seconded by Council Member Patrick, to approve the regular bills and accounts, as written. All ayes. Motion passed.

**OLD BUSINESS:**

- a) **Military Pay.** Council continued the discussion of differential pay for full time employees who are members of the uniformed services. City Manager Nier supplied a form that displayed earnings and allowances. The subject arose if the pay period was once a month or twice a month. It was decided that more information was needed on this subject. Council had discussed a fourteen (14) day limit per year for each employee. If an employee is deployed overseas, the differential pay should begin immediately. Council discussed the possibility of receiving a statement showing earnings and allowances every month to use for record keeping.

A motion was made by Council Member Antel, and seconded by Council Member Shafer, to table the discussion of Military Pay and place it on the July 2 Council Agenda. All ayes. Motion passed.

**NEW BUSINESS:**

- a) **Request from P.S. Equities to install Sign in Right-of-Way.** Phil Seybert representing Sawmill Estates Development appeared before Council to ask for a permit to place a 1' x 1'6" permanent directional sign on the south side of Eagle Drive. Mr. Seybert stated that this is a requirement of the Michigan State Housing Development Authority before finalizing the financial closing for the Senior and Family Housing Project. Seybert stated that he would get in contact with Mr. Schwartz of the Wayland Hardware to work out the signage placement, stating initially MSHDA asked for a 4'x 8' sign. They agreed on the 1'x 1'6" as to not to be intrusive. The question was brought up that this is against the City's ordinance. He also asked if this is going to set a precedent? Manager Nier stated that possibly this could set a precedent, but we have to abide by State agency's requirements. Manager Nier stated that there is a sign on a pole that says road ends. Possibly the directional sign could be placed on the same pole.

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
JUNE 18, 2007  
PAGE FOUR**

Motion made by Council Member Antel, and seconded by Council Member Hamilton, to approve a permit for a 1'x 1'6" directional sign in the south right-of way of Eagle Drive for Sawmill Estates Family & Senior Housing Development. All ayes. Motion passed.

- b) **Proposal for Engineering Services-Sidewalk Project.** City Manager Nier placed before Council a proposal of \$16,900 from Progressive AE for engineering and construction administration services for the 2007/08 Sidewalk Project. She stated the following streets are on the project list: W. Sycamore St, Commerce St., Hickory Dr. and S. Main St.

Council Member Antel reported that in the spring, kindergarteners walk to McDonald's and have to walk on the road. For safety issues we need a sidewalk placed on W Sycamore St.

Mayor Stein stated that children from Windsor Woods and the new Family Housing Development would benefit from the Commerce St. and W. Sycamore St. sidewalk

Council Member Shafer expressed a concern of the cars coming around the curve from Commerce St. to W. Sycamore St. He felt that the sidewalk should be on the east side of Commerce St. and continuing on the north side of W. Sycamore St.

Council Member Antel stated that she would like to see this engineering service go out for bid. She believes that all road and sidewalk projects should go out to several engineering firms for bidding purposes.

Council Member Hamilton agreed with Council Member Antel.

Manager Nier stated she would like to see some kind of threshold to go by. She stated that Progressive AE does a good job for the City.

Motion made by Council Member Hamilton, and seconded by Council Member Antel, to put the engineering services of the 2007/08, sidewalk project out for bid. All ayes. Motion passed.

- c) **Pay Request No. 2 from VanderKodde Construction Company.** City Manager Nier gave a brief report on the completion of the City Park Restrooms.

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
JUNE 18, 2007  
PAGE FIVE**

Council Member Hamilton stated she did not see a detailed report on the status of this request. Manager Nier told Hamilton that it would be added to the Thursday report.

Motion made by Council Member Antel, and seconded by Council Member Shafer, to approve Pay Request for VanderKodde Construction Company for the sum of \$40,991. All ayes. Motion passed.

- d) **Mutual Aid Agreement for Police Services.** City Manager Nier explained to Council that what they have before them is a renewal of a mutual aid agreement between Allegan County and other municipalities located in the County. This agreement was entered into in 1997 between entities to assist each other in emergency situations. She stated that this agreement would be good for ten years. Mrs. Nier asked Police Chief Dan Miller if this requires the Police Department to respond. Chief Miller stated it does not; if it leaves our City without support, we do not have to respond. He also added that the City does not pay for this mutual agreement.

Motion made by Council Member Antel, and seconded by Council Member Shafer, to approve the Police Mutual Aid Agreement with the various government entities in Allegan County. All ayes. Motion passed.

- e) **Budget Amendment – 2006-07 Budget.** Mayor Stein explained to the Council that it is a law that governmental entities have a balanced budget.

Finance Director Heath Kaplan related to the Council that to be in compliance with Public Act 2 of 1968, he is requesting an amendment to adjust the budget for the fiscal year closing of 2006-07. Mr. Kaplan requested the following adjustments:

	Original Budget	Amended Budget
General Fund (101)	\$2,107,742.75	\$2,695,247.37
Major Street Fund (202)	\$374,700	\$469,906.15
Special Road Millage Fund (204)	\$63,250	\$67,512.20
Police Training Fund (265)	\$500	\$749.39
WHIF Fund (297)	\$1,950	\$26,160.51
DDA Fund (298)	\$510,993	\$561,860.97
Sewer Fund (590)	\$728,885	\$746,719.86
Water Fund (591)	\$460,275	\$484,776.64
Equipment Fund (661)	\$215,000	\$228,278.02

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
JUNE 18, 2007  
PAGE SIX**

Mayor Stein inquired if the additional money shown is from a money market that was cashed. Mr. Kaplan stated it was and it was a recommendation from the City Auditors to cash in the money market. Mayor Stein also inquired about the location of the negative funds.

Mr. Kaplan stated they are from the Water and Sewer Departments.

Council Member Patrick asked Mr. Kaplan where the additional dollars are coming from. Mr. Kaplan explained that it is the difference in the amount at the end of the year from what was budgeted for in the beginning of the fiscal year.

City Manager Nier stated that in the past, money was used from the Dora Weaver Bequest to balance the budget. That Fund is no longer accessible.

Motion made by Council Member Shafer, and seconded by Council Member Hamilton, to approve the amending of the 2006-07 fiscal year budget. All ayes. Motion passed.

- f) **Appointment to Library Board.** Motion made by Council Member Shafer, and seconded by Council Member Antel, to reappoint Carrie Sue Marchesotti to the Library Board for a four-year term to expire in 2011. All ayes. Motion passed.
- g) **Nomination of Mayor Pro Tem.** Motion made by Council Member Antel, and seconded by Council Member Maichele, to appoint Doug Shafer as Mayor Pro Tem. All ayes. Motion passed.

**CITY MANAGER COMMUNICATION:**

Manager Nier had the following communications:

1. Manager Nier produced a letter from House Family Chiropractic P.C. regarding donating \$4,227.90, for playground equipment for the City Park.

Motion made by Council Member Antel, and seconded by Council Member Patrick, to approve the donation request of House Family Chiropractic P.C. for the sum of \$4,227.90 for playground equipment for the City Park. All ayes. Motion passed.

2. Manager Nier reported that the Cost Recovery Committee would be meeting again.
3. Manager Nier gave an update on the Henika Library expansion, stating the Library did agree to get out a press release of the feasibility study. She stated that the City would be working on a lease agreement with the Library.

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
JUNE 18, 2007  
PAGE SEVEN**

**COUNCIL COMMENTS:**

Council Member Shafer wished the Youth Volunteer Organization much success.

Council Member Holloway reported on the shuffleboard in the park, stating the surface of the court and amount of traffic would not be conducive to staining. Mr. Holloway also reported on the emerald ash bore sightings in Allegan County. He stated there is a State Grant that the City could apply for. City Manager Nier stated she would research the grant.

Council Member Maichele relayed that he had company from Plymouth, MI last weekend, and they were very impressed with the look of our City.

Council Member Patrick brought up the subject of the misuse of the ordinance regarding stored cars. Mr. Patrick inquired what the procedure was for having vehicles that were not licensed. Manager Nier explained that unlicensed vehicles would be cited. Nier explained that she is aware of the vehicles Council Member Patrick is referring to. Police Chief Miller stated the vehicles that are in question are inoperable, and the people have been cited for an ordinance violation. He stated that citations are our only recourse. Council Member Patrick asked who collects the citation fees. Police Chief Miller told Patrick the Violation Bureau collects the fees. Manager Nier told Council Member Patrick that if residents ask what is being done, the answer is that the violators are being cited.

Council Member Hamilton inquired about the Planning Commission minutes, stating that she wanted to know if there was a mistake in the minutes referring to Mr. Darin Winkler stating that the Council was rude to him. Hamilton stated that she has had several conversations with Mr. Winkler and she finds that hard to believe he would say that. Manager Nier stated that the minutes were read and approved by the Planning Commission. Council Member Hamilton announced that there would be a Downtown Task Force meeting Wednesday, June 20, at noon, located at City Hall.

Council Member Antel praised the Volunteer Youth Organization for their commitment. Antel asked Council and City Manager to meet her after the Council meeting at the City Park by the new restrooms.

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
JUNE 18, 2007  
PAGE EIGHT**

**CITIZENS COMMENTS:**

Diane Smith of 309 S. Main St. invited the Volunteer Youth Organization to the next Education Foundation meeting.

Mayor Stein adjourned the meeting at 8:25 p.m.

Respectfully submitted,

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Sharon L. Baumgard, City Clerk

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Burrell Stein, Mayor