

**CITY OF WAYLAND  
COUNCIL PROCEEDINGS  
MONDAY, MAY 21, 2007**

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

**PLEDGE OF ALLEGIANCE:**

City resident Judy Miller 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, Police Chief Dan Miller, City Services Director Pierre Brazeau, Jean Gallup, Kelle Tobolic, Sara Holcomb, Bob Coffman, Roger Morgenstern, Tammy Winkler, Darin Winkler, Judy Miller, Nick Schneider, Steven Tegrootenhuis.

**APPROVAL OF MINUTES:**

- a) Motion made by Council Member Hamilton to approve the minutes of the Public Hearing of May 7, 2007, and seconded by Council Member Shafer. All ayes. Motion passed.
- b) Motion made by Council Member Hamilton to approve the minutes of the regular meeting of May 7, 2007, with corrections, motion seconded by Council Member Holloway. All ayes. Motion passed.

**CITIZENS APPEARING BEFORE COUNCIL:**

1. Darin Winkler of 306 Sib Rumery St. presented Council with a letter to voice his concerns with the fencing and site change at 801 S. Main St., known as ITC. Mr. Winkler stated he has been a resident of the City of Wayland for 16 years and was shocked at the fencing and removal of all the trees that screened the parking lot from his and other residents property. Mr. Winkler explained that the houses adjacent to ITC sit up higher than the parking lot. Now with the metal fence, 300 trees removed and lighting of the parking lot the residents are left with a view of a unattractive fence and lights shining in their homes. After conversations with the City Manager and Planning Commission, he learned that what ITC had done was apparently within their rights, but left all of them shocked. He stated that he believed, with a little communication, maybe some of this unsightly frustration could have been prevented. Mr. Winkler said he has had meetings with Roger Morgenstern of ITC and together they are trying to work out something to soften the fence and lighting. He stated that he would like the ordinance looked into to prevent this from happening again.

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Mayor Stein remarked that he had learned that there was a meeting between Mr. Winkler and Mr. Morgenstern Friday and was glad to hear they were working on a plan to make it right.

Council Member Antel apologized in behalf of the Council for this inconvenience. She stated that she also did not know about the removal of the trees until she went past the parking lot. Antel said that this is a learning lesson for Council. She stated that the Planning Commission is addressing this issue now. Antel agreed communication was a problem and in the future we will rectify this. Antel once again apologized and said, that had Council known they would have tried to work out a more desirable plan.

Council Member Holloway added that the 300 trees that were removed are short-lived trees and would become diseased and would eventually have to be cut down anyway.

2. Roger Morganstern of ITC reported that they are working on the screening to eliminate the problem. He apologized for the hardship of the residents and said that ITC wants to be good a neighbor.

**COMMITTEE MINUTES:**

- a) Minutes of the September 11, 2007, Zoning Board of Appeals Meeting were acknowledged for file.
- b) Minutes of the April 10, 2007, Planning Commission Meeting were acknowledged for file.
- c) Minutes of the May 3, 2007, Sewer Committee Meeting were acknowledged for file.

**COMMUNICATIONS:**

- a) Mayor Stein announced that he had received a letter from the Governor, addressing Physical Fitness Week.

**BILLS AND ACCOUNTS:**

Motion made by Council Member Holloway to approve the regular Bills and Accounts, as written, seconded by Council Member Maichele.

**DISSCUSSION:**

Mayor Stein inquired about page number 19, line item 9, regarding United Bank for the amount of \$36,660.68. Finance Director Heath Kaplan explained that it is for the Midway payment.

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Council Member Hamilton inquired about page number 21, line item 1, regarding Buist Electric, Inc. City Services Director Brazeau explained it was for the changing of bulbs in the Downtown District light poles.

All ayes. Motion passed.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

a) **2007-2008 Agreement with Chamber of Commerce.**

City Manager Nier gave a brief explanation of the services Chamber provides the City. Nier stated there would be no increase cost to the City. She stated the following services would be provided by Chamber:

- Plan and implement a business interview program to engage discussion of businesses' needs and plans for expansion and improvements. Include appropriate City staff as needed.
- Maintain a listing of available downtown commercial properties.
- Plan and carryout a program to welcome new businesses to the community, including ribbon-cuttings, press releases, etc.
- Participate in the planning and implementation of downtown events as these events are identified by mutual agreement of the City, DDA/Downtown Task Force, and Chamber Board of Directors.
- Participate in the promotion of the Downtown Facade Improvement Program.
- Serve as a member of the Downtown Task Force.
- Creation and distribution of a downtown newsletter and/or inclusion of downtown related information in existing Chamber newsletter, website, and downtown information brochures.
- Provide first level economic development assistance to existing and prospective businesses on behalf of the City. This would include, but not be limited to, responding to inquiries about zoning, state and local business assistance programs, and available properties. The City should be contacted about such inquiries.

Manager Nier stated for Chamber services the City would pay the sum of \$7,140.00, to be paid in a monthly increments of \$595.00.

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Council Member Patrick inquired if there is a way to measure whether we are getting what we ask for. Manager Nier stated she receives monthly reports from the Chamber.

Motion made by Council Member Shafer to approve the Chamber agreement for the sum of \$7,140.00, seconded by Council Member Hamilton. All ayes. Motion passed.

**b) Change Order No. 2. City Hall Facade.**

City Manager Nier gave a report on the condition of the bricks on the facade of City Hall, stating several sections of the bricks did not match. The contractor tried to power wash, but that did not remove the mortar. She stated they do not want to do another power wash, since it might weaken the mortar. Nier stated the cost of the staining would be \$1,400.

Council Member Maichele inquired if there is a warranty. Nier stated one (1) year.

Council Member Hamilton inquired how long the stain would last. Nier said about 10 years.

Council Member Holloway asked Manager Nier if the mason did not know this was going to happen. Nier stated he did not.

Council Member Shafer told Manager Nier he recalls when Heather DeKorte was here to discuss the windows for the upper level of City Hall, she also brought up the subject of staining the bricks to match the rest, when the weather was better.

Council Member Hamilton inquired that when they gave us the worst-case scenario, why was this not included.

Mayor Stein and Council Member Antel said they agree with the rest of the Council regarding Ms. DeKorte talking about the staining.

Council Member Hamilton inquired if the rest of the punch list had been completed. Manager Nier stated there is a vent cover that needs to be installed and a few holes to be filled.

It was the consensus of the Council to have Manager Nier get back with JWK Construction Co to discuss the matter more.

**c) Purchase of BS&A Software Equipment.**

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City Manager Nier explained that the subject of replacing computers and the Versyss accounting software was discussed during the course of the Budget Meeting. Nier stated that the Versyss system we are now using is out dated. There is only one other

Municipality using Versyss at this time. Versyss will be out of business soon, that means that the support system will be lost.

Motion made by Council Member Holloway to purchase BS&A Software, seconded by Council Member Shafer. All ayes. Motion passed.

Council Member Holloway inquired if c) and d) are two different purchases.

Council Member Holloway motioned to amend the previous motion to purchase BS&A Software for City Hall and Police Department for the sum of \$24,565, Council Member Hamilton seconded the motion. All ayes. Motion passed.

**d) Purchase of BS&A Hardware Equipment.**

Motion made by Council Member Shafer to purchase BS&A Hardware for City Hall and the Police Department for the sum of \$21,477, Council Member Hamilton seconded the motion. All ayes. Motion passed.

- e) Motion made by Council Member Shafer to conduct a Public Hearing, June 4, 2007, at 7:00 p.m., located at City Hall for the increased operating tax levy, Council Member Holloway seconded the motion. All ayes. Motion passed.

**CITY MANAGER COMMUNICATION:**

Manager Nier thanked Council Member Antel for assisting her at the High School. Nier explained that every year she teaches local government for a day in Mr. Brian Pavey's government class. She stated this year Council Member Antel participated. She invited any of the Council to participate if they chose to, adding it is a fun day. Manager Nier reported on the Concert in the Park Series, announcing the 126<sup>th</sup> Army Band will kick off the Series August 3. She announced that June 1, there would be Michigan Downtown Conference in Kalamazoo if anyone from the Downtown Development Authority or Task Force would like to attend.

**COUNCIL COMMENTS:**

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Council Member Antel welcomed the newly elected Council Member Bruce Patrick. Antel elaborated on working with Manager Nier at the High School, stating it was a lot of fun.

Council Member Hamilton inquired if the restrooms in the park were complete. Manager Nier stated they were. Council Member Hamilton welcomed Mr. Patrick.

Council Member Patrick stated that he is happy to be on the Council and is looking forward to being involved.

Council Member Holloway asked Manager Nier if the signs in front of the Auto Body Shop are in compliance. Nier stated no and the City will be enforcing the Zoning Ordinance. He reported that he is researching the cost and feasibility of a shuffleboard in the Park.

Council Member Shafer welcomed Mr. Patrick to the Council. He also reminded everyone to support the VFW this holiday weekend in honoring our fallen soldiers.

Mayor Stein apologized to Mr. and Mrs. Winkler for what had happened. The Mayor thanked Mr. Morganstern for coming to Council and trying to work things out. Mayor Stein reminded everyone that he is available one hour before each Council Meeting to meet with residents if needed, and to please feel free to contact him.

**CITIZENS COMMENTS:**

Mr. Darin Winkler announced that the VFW Post have crosses for sale, if anyone would like to purchase one.

Mayor Stein adjourned the meeting at 7:47 p.m.

Respectfully submitted,

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Sharon L. Baumgard, City Clerk

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Burrell Stein, Mayor