

**City of Hastings**  
COUNTY OF BARRY, STATE OF MICHIGAN

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**City Council Minutes**  
**June 25, 2018**

1. Regular meeting called to order at 7:00 PM by Mayor Tossava in Council Chambers at City Hall.
2. Present at roll call were Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Motion by Redman, with support by Resseguie to excuse Smith.  
All ayes. Motion carried.

City Staff and Appointees Present: Mansfield, Czarnecki, Pratt, Caris, Hays, King, Hemerling, and Fekkes.

3. Pledge to the flag.
4. Approval of the agenda.  
  
Motion by Redman, with support by Jarvis, to approve the agenda.  
  
All ayes. Motion carried.
5. Approval of the minutes of the regular and closed session meetings of June 11, 2018.  
  
Motion by Cusack, with support by Redman, to approve minutes as presented.  
  
All ayes. Motion carried.

6. Open public discussion regarding matters not on the agenda.

None

7. Proclamations: (None).
8. Public Hearings: (None).

## 9. Formal presentations and requests:

- A. Tom Thompson, Professional Code Inspections (PCI), to discuss residential rental unit inspections.

Tom Thompson gave the current status of rental inspections for the City. This included changes in the law, which states that renters do not have to allow inspectors into residence unless it is specifically stated in lease agreement. Many of the current lease agreements do not have this provision.

Motion by McNabb-Stange, with support by Redman to have staff work with PCI to revise residential rental unit inspection requirements.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Nays: None.

Absent: Smith.

Motion carried.

- B. Consider request from Sarah Geukes, Principal Central Elementary School, to hold the PTO Walk-a-thon STOMP on Friday, September 28, 2018 from 8:30 AM to 2:30 PM.

Motion by Redman, with support by Maupin-Moore to approve under coordination with staff.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Nays: None.

Absent: Smith.

Motion carried.

- C. Consider request from Great Start Collaborative and Parent Coalition of Barry County to place mini lending libraries on City owned property.

Motion by Redman, with support by Maupin-Moore to approve placement with recommendation of location by staff.

Ayes: Jarvis, Maupin-Moore, Redman, Resseguie, and Tossava.

Nays: Bowers, Cusack, and McNabb-Stange.

Absent: Smith.

Motion carried.

- D. Consider request from Hastings Downtown Business Team to hold sidewalk sales on July 13-14, 2018 and to stay the necessary ordinances.

Consider **Resolution 2018-20** to stay the necessary ordinances for Sidewalk Sales July 13-14, 2018.

Motion by McNabb-Stange, with support by Redman to approve Sidewalk Sales and stay of necessary ordinances for July 13-14.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Nays: None.

Absent: Smith.

Motion carried.

- E. Consider request from Shannon Rybiski to block their street on July 3, 2018 from 6:00 PM to 12:00 AM on July 4, 2018.

Motion by Jarvis, with support by Redman to approve closing the requested block under direction of staff.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Nays: None.

Absent: Smith.

Motion carried.

10. Recommendations from other Boards:

- A. First reading of **Ordinance No. 557** to amend Riverside Cemetery Regulation.

Council reviewed and requested that staff bring back the ordinance for second reading with references replaced and updated that were removed in the recommended changes.

- B. Consider award of 3 year contract to Wickham Cemetery Care for maintenance and burial services at Riverside Cemetery in the amount of \$83,500 per year with associated fees, as recommended by the Cemetery Preservation Advisory Board.

Motion by McNabb-Stange, with support by Cusack to award 3 year contract to Wickham Cemetery Care.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, and Redman.

Nays: Resseguie and Tossava.

Absent: Smith.

Motion carried.

## 11. Ordinances:

Second Reading and consider adoption of **Ordinance No. 556** Entertainment Venue Ordinance.

Motion by Redman, with support by Resseguie to adopt Ordinance No. 556.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.  
 Nays: None.  
 Absent: Smith.

Motion carried.

Consider approval of Application, Policies, and Fee Schedule for Entertainment Venues.

Consider **Resolution 2018-21** to amend the fee schedule FY 2018/2019.

Motion by Jarvis, with support by Bowers to approve Application, Policies, and Resolution 2018-21 amending fee schedule.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.  
 Nays: None.  
 Absent: Smith.

Motion carried.

## 12. Resolutions:

- A. Consider **Resolution 2018-22** (Budget Amendment #10) FY 2017/2018.

Motion by McNabb-Stange, with support by Redman to approve Resolution 2018-22.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.  
 Nays: None.  
 Absent: Smith.

Motion carried.

- B. Consider **Resolution 2018-23** (Budget Amendment #1) FY 2018/2019.

Motion by Bowers, with support by McNabb-Stange to approve Resolution 2018-23.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.  
 Nays: None.  
 Absent: Smith.

Motion carried.

## 13. Appointments:

## A. Consider Mayor's appointments of the following members to the Ad Hoc Dog Park Advisory Committee:

- Vickie Butler
- Kay McNeill
- Denna Smith
- Terry Stenzelbarton

Motion by McNabb-Stange, with support by Resseguie to appoint members to Ad Hoc Dog Park Advisory Committee.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Nays: None.

Absent: Smith.

Motion carried.

## 14. Bids, Contracts, Agreements, and Sales:

## A. Consider award of contract to Ryan Excavating for \$54,262 for 2018/2019 Concrete Sidewalk, Curb, and Gutter, as recommended by Director of Public Services Hays.

Motion by McNabb-Stange, with support by Redman to award contract to Ryan Excavating.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Nays: None.

Absent: Smith.

Motion carried.

## B. Consider YMCA Contract Renewal.

Motion by Redman, with support by Resseguie to approve YMCA contract renewal.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Nays: None.

Absent: Smith.

Motion carried.

- C. Consider and authorize Mayor to sign METRO Act Right-of-Way Permit Extension.

Motion by McNabb-Stange, with support by Redman authorize Mayor to sign METRO Act Right-of-Way Permit Extension.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.  
 Nays: None.  
 Absent: Smith.

Motion carried.

- D. Consider Williams & Works Construction Services request for an increase for \$10,650 for the construction engineering services budget for Safe Routes to School.

Motion by McNabb-Stange, with support by Redman to increase the construction engineering services budget for Safe Routes to School.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, and Resseguie.  
 Nays: Tossava.  
 Absent: Smith.

Motion carried.

- E. Consider award of purchase of a two Volute Thickener to PW Tech in the amount of \$395,000 as recommended by Director of Public Services Hays.

Motion by Jarvis, with support by Maupin-Moore to award the purchase of two Volute Thickeners to PW Tech.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.  
 Nays: None.  
 Absent: Smith.

Motion carried.

- F. Consider MMLLPP proposal for continued liability and property insurance for the coming fiscal year.

Motion by McNabb-Stange, with support by Cusack to accept proposal of MMLLPP liability and property insurance.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.  
 Nays: None.  
 Absent: Smith.

Motion carried.

## 15. City Manager's report:

- A. Police Chief Pratt monthly report.
- B. Clerk/Treasurer Czarnecki monthly report.
- C. Community Development Director King monthly report.
- D. Wastewater Treatment Plant Laboratory HVAC System Replacement.

Mansfield and Hays reported on the emergency purchase of HVAC System for the Wastewater treatment plant.

- E. Consider AT&T proposal for amendment of Cell Site Lease Agreement.

Czarnecki reported that after consultation with Jeff Sluggett, it was recommended that the City consult a third party to evaluate the usage of the tower to see if AT&T would truly be willing to cancel the lease. This would give the City information for negotiating the lease. City Council gave direction to consult third-party and gather information before moving forward.

- F. Discuss U-Verse Availability Report.

Mansfield shared that it was not easy to figure out where U-Verse is available in the City. Czarnecki to check if the Franchise Fee is being paid by AT&T.

- G. Consider Waste Water Treatment Plant Project Scope of Work and initiation of design process.

Hays shared the scope of work for the WWTP and requested that Council approve moving forward with requesting design proposals.

Motion by McNabb-Stange, with support by Maupin-Moore to approve moving forward with gathering design proposals.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Nays: None.

Absent: Smith.

Motion carried.

## 16. Consent items without individual discussion:

- A. Invoices:

Hubbell, Roth, and Clark \$48,456.58 (Perceptive Services – Sewers).

Midwest Sculpture Initiative, LLC \$6,800.00 (Sculpture Purchase).

DuBois-Cooper \$28,364.00 (Wemco Pump).

State of Michigan \$13,431.57 (Resurfacing Project).

Wade Trim \$9,970.67 (Ops Management).

Kamminga & Roodvoets \$10,559.34 (Pavers and Street Repairs).

County Line Nurseries \$31,650.00 (Tree Planting).

B & L Outdoor Services \$14,276.25 (Mowing & Maintaining).

Hallifax \$7,750.00 (Sexton Operations).

Williams & Works \$9,469.73 (Safe Routes 2 School).

- B. Draft Minutes Barry County Board of Commissioners June 12, 2018.
- C. Draft Minutes Rutland Charter Township / City of Hastings Joint Planning Commission June 20, 2018.
- D. Event Calendar June & July 2018.

Motion by Redman, with support by Jarvis, to receive and place on file Items #16.A. through Items 16.D. inclusive.

All ayes. Motion carried.

17. City Attorney's Report:

No Report.

18. Legislative Director's Report:

GVMC – Transportation budget needs to be approved, does not involve City of Hastings

19. Open Public Discussion from the Floor:

Hoot Gibson – Gave report on committees that he serves.

Joan VanHouten – Wanted to make sure Council is careful when addressing burial questions, especially when it comes to cremains.

20. Mayor and Council comment:

- A. Consider City Manager Transition Plan.

Mayor Tossava gave background on the proposed City Manager Transition Plan.

- B. Consider setting a workshop at 6:00 PM on Monday, July 9, 2018 to interview Jerry Czarnecki for the position of Hastings City Manager commencing July 1, 2019.

Motion by Resseguie, with support by Redman to set workshop to interview Jerry Czarnecki.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.

Nays: None.

Absent: Smith.

Motion carried.



21. Consider Closed Session as permitted by PA 267 of 1976, Section 15.268-8(e) to consult with attorney regarding trial or settlement strategy in connection with specific pending litigation.

Motion by Redman, with support by Cusack to enter into closed session to discuss information pertaining to Brown litigation at 8:58pm.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, and Tossava.  
Nays: None.  
Absent: Smith.

Motion carried.

22. Adjourn.

Motion by McNabb-Stange, with support by Bowers, to adjourn at 9:32pm

All ayes. Motion carried.

Read and Approved:

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David J. Tossava, Mayor

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Jerald L. Czarnecki, City Clerk