

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 3, 2012

Mayor Seibold called the meeting to order at 6:02 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Graham, Goebel, Johnson, Miller and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Works Director Feldt; Zoning Administrator Faasse; City Clerk Brower

2012-1. No public comment was received.

2012-2. Mayor Seibold wished everyone a Happy New Year!

2012-3. A zoning variance hearing was held regarding the request of All In One Builders, Inc., purchaser of 2246 Estelle, to allow the construction of a detached garage with a west side garage setback of 2.0' instead of the required 3.0.'

Zoning Administrator Faasse explained the owner wished to construct a detached garage 2.0' from the lot line to allow maximum room to maneuver a vehicle into the garage.

2012-3-A. Johnson-Graham. That the request of All In One Builders, Inc., purchaser of 2246 Estelle, to allow the construction of a detached garage be taken from the table for consideration.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6

Nays: -0-

Jeff Rettig of All In One Builders was present to explain the request and answer questions.

Mayor Seibold opened a public hearing. No other persons were present to speak on this request. The following communications were received at City Hall concerning this variance request:

- Molly Peskin, 2243 Estelle In Favor.
- Amy Knape, 2233 Estelle In Favor.

No other public comment was received. Mayor Seibold closed the public hearing.

2012-3-B. Graham-Johnson. That the request of All In One Builders, Inc., purchaser of 2246 Estelle, to allow the construction of a detached garage with a west side garage setback of 2.0' instead of the required 3.0' be approved.

Commissioner Johnson agreed that backing out of this garage would be easier with a reduced setback.

Commissioner Graham spoke in favor of the request as he felt garages were very desirable to residents.

Commissioner Dills stated he had been reluctant to support the original request with a 1' setback, but could support the new 2' request.

City Manager Donovan questioned whether overhanging eaves would be a problem. Mr. Faasse stated the city ordinance allowed overhangs up to 12" without being counted as part of the structure.

Mayor Seibold thanked Mr. Rettig for increasing the setback to 2' and for his work to improve this home and the surrounding neighborhood.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6
Nays: -0-

- 2012-4. Consider request to enter into a contract with the Kent County Drain Commission for the Silver Creek/Kreiser Pond County Drain expansion project.

Kent County Drain Commissioner Bill Byl explained the history of the Silver Creek Drain and the Kreiser Detention Pond. He stated that following a severe rain event in 2008, the Drain Commission deemed it necessary to increase the capacity of the pond by 25% to handle water from 50-year flood events. He explained the extra capacity is necessary because of additional water being directed toward the pond from stormwater projects completed by East Grand Rapids in the late 1990's. The project costs will be split between East Grand Rapids and Grand Rapids according to the land area being drained. Mr. Byl answered questions from the City Commissioners regarding downstream capacity, the safety of the site when flooded, future maintenance costs and timeline for completion of the project.

City Manager Donovan noted the first of five yearly payments would be due in approximately one year, allowing the City to place the payments into the City budget.

- 2012-4-A. Dills-Miller. That an agreement with the Kent County Drain Office to assist with funding and completion of improvement to the Kreiser Detention Basin be approved as set forth in Exhibit "A" attached hereto.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6
Nays: -0-

- 2012-5. Johnson-Graham. Motion to approve the consent agenda as follows:

- 2012-5-A. Minutes of the regular meeting held December 19, 2011.

- 2012-5-B. Payroll disbursements of \$185,272.18; county and school disbursements of \$-0- and total remaining disbursements of \$160,008.28.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6
Nays: -0-

The meeting adjourned at 6:46 p.m., subject to the call of the Mayor until January 16, 2012.

Karen K. Brower, City Clerk

Attachments: A – Agreement with Kent County Drain Commission for Silver Creek Drain project.

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Special Meeting Held January 16, 2012

Mayor Seibold called the special meeting to order at 5:02 p.m. in the City Commission Chamber at the Community Center.

Present: Commissioners Dills, Graham, Goebel, Johnson, Miller and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Faasse; City Clerk Brower

2012-6. The City Commission met to interview candidates for the vacant 1st Ward City Commissioner position.

Aubrey Sykes, Phil Skaggs and Vasiliy Gagin all introduced themselves to the City Commission, detailed their interest in the position, and answered questions from the City Commission.

Mayor Seibold thanked the three men for their interest in the position and announced the City Commission would select a new commissioner at their regular meeting at 6:00 pm.

The special meeting adjourned at 5:36 p.m.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 16, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Graham, Goebel, Johnson, Miller and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Herald; Finance Director Dood; Public Works Director Feldt; Zoning Administrator Faasse; City Clerk Brower

2012-7. Peter MacGregor, 73rd District State Representative, was present to introduce himself as the new representative for East Grand Rapids following the upcoming redistricting project.

2012-8. Commissioner Seibold announced the pond hockey tournament had been moved to February 9-12 due to the lack of ice on Reeds Lake.

2012-9. A zoning variance hearing was held regarding the request of Jason & Stephanie Doublestein of 956 Orchard to allow the construction of a detached garage with side and rear garage setbacks of 1.0' instead of the required 3.0' and to allow a separation of 7.0' between the house and garage instead of the required 10.0.'

Zoning Administrator Faasse outlined the proposal to demolish the old garage and build a new 12'x18' garage 1' from the side and rear property lines and 7' from the home.

Jason Doublestein, 956 Orchard, was present to explain the request and answer questions.

Commissioner Johnson asked whether the excess concrete would be removed when the new garage was built. Mr. Doublestein stated it would be removed and replaced with grass, landscaping and possibly a small deck or patio.

Commissioner Graham stated he usually opposed setbacks of 1' from the property line, but acknowledged the layout of the home and lot left few options for these homeowners. He stated he would support this request.

Commissioner Dills questioned whether there was any issue with the separation from the home. Mr. Faasse stated the Public Safety Department did not oppose the separation.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Rob Deaner, 957 Lakeside In Favor.

The following communications were received at City Hall concerning this variance request:

- Dianne Brady-Peters, 950 Orchard In Favor.

No other public comment was received. Mayor Seibold closed the public hearing.

2012-9-A. Graham-Johnson. That the request of Jason & Stephanie Doublestein of 956 Orchard to allow the construction of a detached garage with side and rear garage setbacks of 1.0' instead of the required 3.0' and to allow a separation of 7.0' between the house and garage instead of the required 10.0' be approved.

Commissioner Miller stated support for the request as he felt it improved the home and the neighborhood.

Commissioner Johnson felt the 26' rear yard was quite small and understood the applicant's wish to build a garage in the proposed location and regain living space in the back yard.

Mayor Seibold also spoke in support of the variance as she was familiar with the neighborhood and agreed the lots were small and hard to locate garages.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6

Nays: -0-

2012-10. Appointment of 1st Ward City Commissioner.

Mayor Seibold reported the City Commission had interviewed three candidates for the vacant 1st Ward Commissioner position in a worksession prior to the regular meeting.

2012-10-A. Miller-Graham. That Phil Skaggs of 2615 Hall Street be appointed as First Ward City Commissioner to fill the vacant seat for the remainder of the term ending December 2, 2013.

Commissioner Goebel stated it was a difficult decision as all three candidates would serve the city very well.

Mayor Seibold thanked those who applied and stated she would be working to find volunteer positions for those not appointed to the commission so that the city could benefit from their interest and enthusiasm.

Yeas: Goebel, Graham, Johnson, Miller and Seibold – 5

Nays: Dills – 1

2012-11. Dills-Miller. Motion to approve the consent agenda as follows:

2012-11-A. Minutes of the regular meeting held January 3, 2012.

2012-11-B. Payroll disbursements of \$298,122.92; county and school disbursements of \$288,393.19, and total remaining disbursements of \$154,564.11.

2012-11-C. That the City Commission assignments be approved as recommended by Mayor Seibold.

2012-11-D. A lease and maintenance agreement with Michigan Office Solutions for copier and printer maintenance in the amount of \$1,610.00 per month for 60 months.

2012-11-E. An amendment to the agreement with Moore & Bruggink to provide construction engineering services for the Wealthy Street storm water separator project in the amount of \$15,000.00.

2012-11-F. Authorization to allow staff to seek bids for the refinancing of the 2002 Wealthy Pool bonds originally issued February 1, 2002.

2012-11-G. An agreement with EMPCO, Inc. of Troy, Michigan to administer the sergeant examination process for the Public Safety Department in the amount not to exceed \$14,064.00 and a related budget amendment for the final amount from the General Fund ending balance for this expense.

2012-11-H. A three-year contract for streetscape plantings with Everlasting Blooms at a cost of \$9,407.00 for 2012, \$10,347.70 for 2013 and \$10,862.20 for 2014.

2012-11-I. The quarterly financial reports for the period ending December 31, 2011.

2012-11-J. The preliminary minutes of the Parks & Recreation Commission meeting held December 12, 2011.

2012-11-K. The Public Safety Department Report for November 2011.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6
Nays: -0-

2012-11-L. Dills-Johnson. Motion to enter into an executive session to discuss an attorney's opinion in accordance with Section 8(h) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6
Nays: -0-

The meeting adjourned at 6:16 p.m., subject to the call of the Mayor until February 6, 2012.

Karen K. Brower, City Clerk

UNOFFICIAL
Reference Only

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 16, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Graham, Goebel, Johnson, Skaggs, Miller and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Herald; Public Works Director Feldt; Finance Director Dood; Parks & Recreation Director Bunn; Zoning Administrator Faasse; City Clerk Brower

2012-12. Dr. David Hamm, 1530 Andover, thanked the City for the legal determination regarding the vacant lot next to his home. He questioned whether he and surrounding properties would be notified of any appeal of this decision. Mayor Seibold confirmed properties within 300' would be notified of any zoning-related agenda item. Dr. Hamm also inquired about city regulations regarding the clean-up of leaves because the property next to his had not been picked up since it was sold. City Manager Donovan suggested Dr. Hamm contact Public Works Director Feldt for more information.

2012-13. Commissioner Dills reminded residents that property taxes are due on February 14th.

Mayor Seibold announced the ice hockey tournament on Reeds Lake had been postponed again due to weather conditions until February 23-26.

2012-14. City Clerk Brower administered the oath of office to 1st Ward Commissioner Phil Skaggs.

2012-15. A zoning variance hearing was held regarding the request of Fifth Third Bank Drive-Up Facility at 2145 Wealthy to allow the installation of a sign in the clear vision area.

Zoning Administrator Faasse explained this was a request for a variance from provisions of the sign ordinance to replace an existing nonconforming ground sign with a pedestal-mounted sign placed in the "clear-vision triangle." Mr. Faasse noted the driveway was primarily a one-way drive because of the drive-thru configuration, but there was the possibility of employee vehicles exiting onto Wealthy.

Sara Mier of Valley City Signs was present to explain the request and answer questions. She stated the sign height had been reduced from the initial height of 7' to 5' after discussions with staff members. She noted the bank had explored other locations for the sign, but were not pleased with the visibility or the need to remove landscaping.

Mayor Seibold questioned whether the bank would be willing to place landscaping around the base of the sign. Ms. Mier stated this could be done easily.

Commissioner Johnson asked what type of lighting the sign would have. Tom VanGessel of Fifth Third Bank answered the sign would be internally illuminated, the same as the current sign.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Chad Zagel, Gaslight Village Business Assn President Expressed support on behalf of the area businesses for the updated look of the sign that fit well in the business district and the idea of landscaping around the base of the sign.

- Schroder Property – continuing Reeds Lake Trail along frontage; walking paths and a memorial from the family;
- Steketee Property – paths with quiet seating areas and a patio;
- Griffiths Park – walking paths with some boardwalks over wet areas;

Tiffany Smith of MC Smith Associates reviewed the proposal to create a destination playground for 2-12 year olds of all abilities at Manhattan Park, including new playground equipment and a splash pad area.

Mayor Seibold reminded everyone that these proposals are all in the concept phase and will require more research and design work as well as public input and securing funding sources. She noted that many of the concepts may not come to being for many years, but are included in the plan to show the planning capabilities and possibilities.

City Manager Donovan noted with current budget constraints, the City will be fortunate to be able to implement the top two priorities of Waterfront Park Phase II and the Reeds Lake Trail bridge in the next five years. Other projects will remain as future goals unless significant private or grant funding is secured.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Gordon Jones, 325 Rosewood

Urged the City to think strategically and long-term to achieve the best results for the least money. He cited the alternate bike trail bridge idea to combine the bridge with improvements to the roadway as an example of ways to make the most of the area and the available money. He asked that a kayak launch on the north or northwest side of the lake be considered and that the property lines of the Schroeder, Steketee and Griffiths properties be marked so residents could walk through the land without trespassing on neighboring properties.

- Jan Baxter, 180 Hodenpyl

Thanked the Parks & Recreation Commission for listening to neighbor's concerns on the concept plans.

No other public comment was received. Mayor Seibold closed the public hearing.

2012-17-A. Dills-Johnson. That a resolution adopting the Five-Year Community Parks and Recreation Plan as approved by the Parks & Recreation Commission be adopted as set forth in Exhibit "A" attached hereto.

Mayor Seibold thanked the Parks & Recreation Commission members and the staff and consultants who put so much time and effort into this plan. Commissioners Goebel and Graham echoed their appreciation for all who worked on the plan.

Commissioner Dills thanked all the citizens who took the initial survey about recreation in our area and those who participated in the public meetings on the preliminary plans.

Commissioner Johnson thanked the many citizens of East and the members of the Schroeder family for their input into the concept plan for the Schroeder property and the Master Plan and to the Parks and Recreation staff and commission, especially the leadership of Jim Weiss as chair.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7

Nays: -0-

2012-18. Miller-Skaggs. Motion to approve the consent agenda as follows:

- 2012-18-A. Minutes of the regular meeting and special meetings held January 16, 2012.
- 2012-18-B. Payroll disbursements of \$225,760.45; county and school disbursements of \$565,913.04, and total remaining disbursements of \$442,854.74.
- 2012-18-C. The appointment of Aaron Smith of 1645 Laurel to the Interurban Transit Partnership Board for a partial term ending December 31, 2012.
- 2012-18-D. A resolution approving the proposed City Election Ward/Precinct Redistricting Plan as set forth in Exhibit "B" attached hereto.
- 2012-18-E. A resolution approving a change to the City's Flexible Benefit Plan as set forth in Exhibit "C" attached hereto.
- 2012-18-F. The purchase of 35 two-way mobile radios and one base station for the Public Works Department from Drew Wireless of Grand Rapids in the amount of \$9,978.00.
- 2012-18-G. The purchase of a new vehicle for the Public Safety Department from Garber Chevrolet of Midland in the amount of \$17,417.00, and a related budget amendment in the same amount from the General Fund Ending Balance.
- 2012-18-H. A contract with PLM Lake and Land Management of Caledonia to monitor and analyze the quality of Reeds Lake in the amount of \$4,530.00.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

2012-18-I. Johnson-Graham. Motion to enter into an executive session to discuss a collective bargaining agreement in accordance with Section 8(c) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

The meeting adjourned at 7:05 p.m., subject to the call of the Mayor until February 20, 2012.

Karen K. Brower, City Clerk

Attachments: A – Resolution approving Parks & Recreation Master Plan
B – Resolution approving redistricting map for city wards/precincts.
C – Resolution amending the City's Flexible Benefit Plan

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 20, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Graham, Goebel, Johnson, Skaggs, Miller and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director Dood; City Clerk Brower; Attorney Wendt

2012-19. Cadence reporter Jan Holst informed the City Commission that resident Grace Poisson, widow of Bill Poisson, had recently passed away.

2012-20. Commissioner Skaggs clarified for everyone the Michigan Democratic Party would not be using the results of next week's Michigan Presidential Primary to select its candidate for President, but will hold a caucus on May 5th to select their candidate.

Mayor Seibold announced the WGRD Pond Hockey Tournament had been cancelled for this year due to the lack of ice on Reeds Lake.

2012-21. Consider request to adopt a resolution authorizing staff to proceed with refinancing the Wealthy Pool Bonds.

Finance Director Dood reported the low bid for refinancing the Wealthy Pool bonds was from PNC Bank at 1.99% with no fees. This lower interest rate will mean a lower millage rate charged to property owners, saving taxpayers \$197,000 over the remaining life of the bonds.

Mayor Seibold thanked Finance Director Dood and bond attorney Dick Wendt for their work on this refinancing project to save East Grand Rapids taxpayers money on their property tax bills.

2012-21-A. Dills-Miller. That a resolution authorizing the issuance of unlimited tax general obligation bonds for the 2002 Wealthy Pool bonds be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7

Nays: -0-

2012-22. Consider request to adopt a statement of support for the Guard and Reserve.

City Manager Donovan explained the local Army and National Guard Reserve groups were planning an Open House on March 3rd to publicize all the services provided by those who serve our Country and the support given to their families while they serve. The statement of support is being signed by all local governments.

2012-22-A. Graham-Johnson. That a statement of support for military Guard and Reserve organizations be adopted as set forth in Exhibit "B" attached hereto.

Mayor Seibold noted that Commission President Graham would be attending the open house and signing the document on behalf of East Grand Rapids.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7

Nays: -0-

2012-23. Discussion of Spring Break meeting.

2012-23-A. Goebel-Miller. That the meeting scheduled for April 2, 2012 be moved to Monday, March 26, 2012 at 6:00 pm.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

2012-24. Johnson-Dills. Motion to approve the consent agenda as follows with the correction noted for the minutes of February 6, 2012:

2012-24-A. Minutes of the regular meeting held February 6, 2012.

Commissioner Johnson asked that the following paragraph be added to Item 2012-17-A. regarding the Parks & Recreation Master Plan approval:

“Commissioner Johnson thanked the many citizens of East and the members of the Schroeder family for their input into the concept plan for the Schroeder property and the Master Plan and to the Parks and Recreation staff and commission, especially the leadership of Jim Weiss as chair.”

2012-24-B. Payroll disbursements of \$192,707.46; county and school disbursements of \$151,192.44, and total remaining disbursements of \$72,679.12.

2012-24-C. The preliminary minutes of the Parks & Recreation Commission meeting held January 9, 2012.

2012-24-D. The preliminary minutes of the Joint Facilities Committee meeting held January 24, 2012.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

The meeting adjourned at 6:10 p.m., subject to the call of the Mayor until March 5, 2012.

Karen K. Brower, City Clerk

Attachments: A – Resolution authorizing the issuance of bonds for refinancing Wealthy Pool
B – Statement of support for the Guard and Reserve

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 5, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Graham, Goebel, Johnson, Skaggs, Miller and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Zoning Administrator Faasse; City Clerk Brower

2012-25. No public comment was received.

2012-26. Commissioner Graham reported he had attended the opening ceremonies for the military assistance center in Walker on Saturday and was very impressed with the facility and the help the center offers military members and their families.

2012-27. A zoning variance hearing was held regarding the request of Mary Mulligan of 861 Bellclaire to allow the construction of an addition to the attached garage creating a south side yard setback of 2.2' instead of the required 5.4', and to allow two side yards totaling 6.9' instead of the required 13.8.'

Zoning Administrator Faasse noted the house was a legal non-conforming property and as such was subject to reduced setback requirements due to the narrow lot. The owners are seeking a variance to further reduce the setbacks to add a second garage stall to the home.

Commissioner Miller questioned if the roof would overhang past the walls of the garage. Mr. Faasse stated there was a proposed 1' overhang in addition to the wall of the garage.

Commissioner Johnson asked whether there was currently living space above the garage. The applicant answered there was not.

Jim Black, 861 Bellclaire, was present to explain the request. He stated the homes on either side of this property had been renovated in the past and he felt it was unlikely they would expand again toward this property. He also noted the properties on either side did not use the greenspace adjacent to his home as their primary outdoor living area.

Jim Karczewski, 2607 Frederick and the architect for applicant, showed a sketch of how the subject property and the property to the south would look following the garage addition. He stated the space above the garage would be used for storage only and that the garage roof had been angled away from the house next door.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

-Rick Holmes, 855 Bellclaire Supported the request.

The following communications were received at City Hall concerning this variance request:

- Jennifer & Patrick Stecco, 907 Bellclaire In Favor.
- Holly & Steve Goulet, 2602 Frederick In Favor.
- Joseph & Katy Levan, 865 Bellclaire In Favor.
- John Levings, 864 Bellclaire In Favor.
- Ed & Victoria Clark, 2615 Frederick No objection.

- Tim & Cindy Schad, 2609 Frederick In Favor.

No other public comment was received. Mayor Seibold closed the public hearing.

- 2012-27-A. Graham-Johnson. That the request of Mary Mulligan of 861 Bellclaire to allow the construction of an addition to the attached garage creating a south side yard setback of 2.2' instead of the required 5.4', and to allow two side yards totaling 6.9' instead of the required 13.8' be approved.

Commissioner Dills stated he was not originally in favor of this request, but felt there was no other way to build an attached two-car garage for this home. He noted that since all the neighbors supported the request, he would vote in favor.

Commissioner Goebel also spoke in support although he was concerned about the space between the homes.

Mayor Seibold expressed concern about overbuilding of the area, but noted there were not a lot of options for this property owner. She stated she would support since all the neighbors seemed to be in favor of the project.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

- 2012-28. Johnson-Miller. Motion to approve the consent agenda as follows:

2012-28-A. Minutes of the regular meeting held February 20, 2012.

2012-28-B. Payroll disbursements of \$393,296.90; county and school disbursements of \$224,392.46, and total remaining disbursements of \$355,766.58.

2012-28-C. Change Order #1 to the contract with Kentwood Excavating in the amount of \$33,979.40 for additional work performed on the Hall Street watermain project.

2012-28-D. The City Commission and advisory board lists for FY 2012-13.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

The meeting adjourned at 6:16 p.m., subject to the call of the Mayor until March 19, 2012.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 19, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Johnson, Skaggs and Mayor Seibold

Absent: Commissioners Graham and Miller

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Public Safety Director Herald; Parks & Recreation Director Bunn; Zoning Administrator Faasse; City Clerk Brower

2012-29. No public comment was received.

2012-30. Commissioner Dills reported the Irish Jig brought thousands of people to the Gaslight Village area on Saturday, March 17th for a well-run event with great weather.

Commissioner Johnson noted she had flown into Grand Rapids that day and felt a great deal of pride looking down from the plane at the wonderful neighborhoods, parks and business district of East Grand Rapids.

City Manager Donovan reported the City has an employee team entered in the Triple Crown Race Series. The team competed in the Irish Jig 5K race and finished 8th in the division II standings out of 28 teams. Next up will be the Diemer 5K in June.

2012-31. Johnson-Dills. Motion to add to the agenda a request to endorse the millage request of the Grand Rapids Community College. A roll call vote was taken.

Yeas: Dills, Goebel, Johnson, Skaggs and Seibold – 5
Nays: -0-

2012-32. Dr. Steven Ender, President of Grand Rapids Community College, was present to explain the GRCC's \$98 million millage request on the May 8, 2012 ballot. He reviewed the buildings that would be renovated and the college's plan for ongoing maintenance of the facilities.

Mayor Seibold and Commissioner Johnson spoke about the role that GRCC plays in the community and the families and students who rely on the education they provide.

2012-32-A. Johnson-Dills. Motion to endorse the Grand Rapids Community College bond proposal before voters on May 8, 2012.

Commissioner Skaggs announced he would be abstaining from this vote as he is a paid consultant and member of the committee supporting the bond issue.

Yeas: Dills, Goebel, Johnson and Seibold – 4
Nays: -0-
Abstain: Skaggs – 1

2012-33. A zoning variance hearing was held regarding the request of Scott Corliss of 2059 Wealthy, Eric Zanke and Melinda Decker of 2065 Wealthy (owners of 581 Greenwood), and Angela Streba, owner of 609 Greenwood to allow: 1) the continued non-conforming use of the property at 581 Greenwood, 2) the construction of a shared, three-stall detached garage with side yard setbacks of 0' on each side instead of the required 3' on each side, and 3) to allow a rear yard setback of 2' instead of the required 3.'

2012-34. Johnson-Goebel. Motion to approve the consent agenda as follows:

2012-34-A. Minutes of the regular meeting held March 5, 2012.

2012-34-B. Payroll disbursements of \$204,759.35; county and school disbursements of \$19,777.00, and total remaining disbursements of \$860,704.49.

2012-34-C. The purchase of a records management system for the Public Safety Department from Core Technology Corporation of Lansing, Michigan in the amount of \$43,176.00.

2012-34-D. A resolution defining the hours of work per month required to be eligible for MERS retirement purposes as set forth in Exhibit "A" attached hereto.

2012-34-E. To authorize staff to proceed with soliciting bids for the refinancing of the 2004 Community Center Complex.

City Manager Donovan noted the City Commission was authorizing the City Manager and the Finance Director to accept bids on its behalf during the sale. He stated the results would be reported back to the Commission after the sale, but that further approval would not be required.

2012-34-F. To authorize staff to proceed with soliciting bids for the 2012 Capital Improvement Plan road construction projects.

2012-34-G. A temporary construction agreement with Kenneth and Michele Ross for constructing the Wealthy Street/Fisk Lake Stormwater Separator as set forth in Exhibit "B" attached hereto.

2012-34-H. A METRO Act permit for Great Lakes Comnet for placement of telecommunications lines in the City's right-of-way as set forth in Exhibit "C" attached hereto.

2012-34-I. A three-year contract with Great Lakes Fireworks, LLC for the 4th of July fireworks display in the amount of \$20,000 annually, with the City reserving the right to increase or decrease the dollar amount in 2013 and 2014.

2012-34-J. The purchase of glycol for the Community Center cooling system from Enerco Corporation of Grand Ledge, Michigan in the amount of \$7,760.00

2012-34-K. The preliminary minutes of the Parks & Recreation Commission meeting held February 13, 2012.

2012-34-L. The Public Safety Department Report for January 2012.

Yeas: Dills, Goebel, Johnson, Skaggs and Seibold – 5

Nays: -0-

2012-34-M. Dills-Goebel. Motion to enter into an executive session to conduct a personnel evaluation of the City Manager in accordance with Section 8(a) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Johnson, Skaggs and Seibold – 5

Nays: -0-

The meeting adjourned at 6:38 p.m., subject to the call of the Mayor until March 26, 2012.

Karen K. Brower, City Clerk

Attachments: A – Resolution defining hours of work for MERS purposes.

- B – Temporary Construction Easement with Kenneth & Michele Ross.
- C – METRO Act Permit for Great Lakes CommNet

Attachments listed above are available for inspection at the office of the City Clerk.

UNOFFICIAL
Reference Only

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Rescheduled Regular Meeting Held March 26, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Public Safety Director Herald; Parks & Recreation Director Bunn; City Clerk Brower

2012-35. No public comment was received.

2012-36. City Manager Donovan announced the City began picking up yard waste today—one week earlier than originally scheduled due to the warm spring weather.

Mayor Seibold reminded everyone there would be no City Commission meeting on Monday, April 2nd.

2012-37. Consider request to approve a lease agreement with Labrador Partners for use of a portion of city-owned property.

City Manager Donovan explained the owners of Big Bob's Pizza wanted to expand their outdoor seating area, relocate the trash dumpster and to have a dedicated parking space for delivery vehicles. The City has agreed to lease a portion of the city-owned parking lot adjacent to their building in exchange for a yearly lease payment of \$500 and the payment of property taxes on the area being leased. Other terms of the lease include city pre-approval of materials used for the deck and dumpster enclosure and language regarding termination of the lease and removal of the outdoor deck.

Matthew McWebb and Rob Thompson of Labrador Partners, owners of Big Bob's Pizza, explained their plans for the outdoor improvements and answered questions from the City Commission on seating capacity, entertainment and the layout of the deck and surrounding property.

2012-37-A. Graham-Miller. That a lease with Labrador Partners, Inc., owners of Big Bob's Pizza, for the use of a portion of the City-owned Crosswell Avenue parking lot, be approved as set forth in Exhibit "A" attached hereto.

Commissioner Miller asked staff to ensure that maintenance of the storm drain that runs under the area being leased is addressed.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7

Nays: -0-

2012-38. Johnson-Skaggs. Motion to approve the consent agenda as follows:

2012-38-A. Minutes of the regular meeting held March 19, 2012.

2012-38-B. Payroll disbursements of \$190,816.50; county and school disbursements of \$-0-, and total remaining disbursements of \$137,370.37.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7

Nays: -0-

2012-39. The City Commission reviewed and updated the action items contained in the Strategic Plan that was developed recently. The updated plan will be distributed to all departments and Commissioners.

City Manager Donovan and the department directors then reviewed the projects that were accomplished in 2011 and highlighted the major initiatives of each department in the coming year.

The meeting adjourned at 6:55 p.m., subject to the call of the Mayor until April 16, 2012.

Karen K. Brower, City Clerk

Attachments: A – Lease Agreement with Labrador Partners.

Attachments listed above are available for inspection at the office of the City Clerk.

UNOFFICIAL
Reference Only

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held April 16, 2012

Mayor Seibold called the meeting to order at 6:02 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood;
Public Safety Director Herald; Zoning Administrator Faasse; City Clerk Brower

2012-40. No public comment was received.

2012-41. No commissioner comment was received.

2012-42. Introduction of an ordinance amendment to amend Section 7.50 of Chapter 74 of Title VII of the City Code pertaining to requirements for Tavern licenses.

City Manager Donovan explained a new business was seeking approval to serve alcohol in conjunction with art classes at a location in Gaslight Village, but that current ordinances prohibit non-restaurant uses from obtaining liquor licenses. After working with the applicant, an ordinance amendment was crafted to permit non-restaurant uses to apply for a tavern (beer and wine) license. Mr. Donovan explained the process for transferring licenses into East Grand Rapids and answered questions about the types of businesses that could qualify for a tavern license with the proposed changes. He stated the intent was to allow beer and wine as a complement to other uses, but not to allow bars or other uses where alcohol constituted the majority of sales.

The City Commission discussed many aspects of the proposed ordinance and the tavern license application from Brush Studio in particular, including approval of future applications, the requirement of serving food to promote responsible drinking, how other cities handle these types of businesses, and the ability to require financial statements to measure compliance with the ordinance.

Lisa Jabara and Heather Callahan, co-owners of Brush Studio, were present. They stated the focus of the instruction art studio would be on group entertainment, with the alcohol as a complement making up approximately 30% of revenue. They stated Gaslight Village was their preferred location, but the high rent necessitated serving alcohol to create enough revenue.

Ms. Callahan reported the tentative class schedule would include Fridays at 2 pm and 6 pm and Saturdays from 10 am until 8:30 pm, with the studio open other hours for local art sales. The bar area will be combined with the front desk, but will not have any seating area. Employees will walk around during classes offering drink and food service, or clients can approach the bar area to order a drink. Ms. Jabara announced Brush Studio was partnering with Ramona's Table to offer appetizers during classes. She stated the bar would be available any time the studio is open, regardless of whether classes are being offered, so it is possible someone would order a drink that wasn't attending a class. However, since there is no bar seating area, and alcohol cannot leave the premises, Ms. Jabara felt it was doubtful anyone not attending a class would order a drink.

Commissioner Johnson spoke in support of this unusual business venture and wished them well.

City Manager Donovan noted the tavern license ordinance would need a final reading and adoption at the next meeting, and the liquor license application would also be presented for action at the next meeting.

- 2012-42-A. Graham-Johnson. That an ordinance amendment to amend Section 7.50 of Chapter 74 of Title VII of the City Code pertaining to requirements for Tavern licenses be introduced as set forth in Exhibit "A" attached hereto.

Commissioner Dills reported the Finance Committee had worked with staff and the applicant on this proposed ordinance.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

- 2012-43. Consider request to approve a Special Use Permit for placement of cellular antennas at the East Grand Rapids High School.

Zoning Administrator Faasse explained that AT&T Mobility had applied to the city for permission to upgrade the existing antennas on the tower at the EGR High School. While processing this request, it was determined that a Special Use Permit for these antennas had not been applied for or granted for the installation of the original equipment. Therefore the applicant is seeking a Special Use Permit and approval for the upgrade in equipment. Mr. Faasse noted the proposed upgrades would replace the antennas on the tower, but not the equipment on the ground. He further noted the proposal met all the standards of the City's ordinances.

Mayor Seibold opened a public hearing.

Michael Snyder, AT&T representative, explained the upgrades would increase signal strength and data speeds and reviewed the configuration of the new antennas.

No other public comment was received. Mayor Seibold closed the public hearing.

- 2012-43-A. Johnson-Dills. That a Special Use Permit be granted to AT&T Mobility for the installation and operation of cellular antennas at the 110-foot level of the existing tower at the East Grand Rapids High School and the placement of ancillary equipment on the ground.

Commissioner Johnson felt the changes were minimal and expressed her support.

Commissioner Miller liked the fact that multiple providers used the same tower instead of having separate poles in one area.

Commissioner Skaggs questioned whether the City anticipated other wireless carriers making similar changes to upgrade their services. City Manager Donovan felt it was very likely other vendors would follow suit.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

- 2012-44. Miller-Skaggs. Motion to approve the consent agenda as follows:

2012-44-A. Minutes of the rescheduled regular meeting held March 26, 2012.

2012-44-B. Payroll disbursements of \$193,712.81; county and school disbursements of \$3,794.89, and total remaining disbursements of \$215,851.67.

2012-44-C. The quarterly financial reports for the period ending March 31, 2012.

2012-44-D. The preliminary minutes of the Parks & Recreation Commission meeting held March 12, 2012.

2012-44-E. The preliminary minutes of the Traffic Commission meeting held March 26, 2012.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

2012-45. City Manager Donovan and Finance Director Dood gave an overview of the upcoming budget process and highlighted certain areas of the budget that will be addressed in future meetings.

The meeting adjourned at 7:03 p.m., subject to the call of the Mayor until May 7, 2012.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 7.50 pertaining to tavern licenses.

Attachments listed above are available for inspection at the office of the City Clerk.

Commissioner Dills stated that as long as the parking lot was owned by the building, he was in support of the request.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

- 2012-49. A zoning variance hearing was held regarding the request of James Goebel and Linda Martin of 2330 Hall to allow the installation of a 6' privacy fence 1.0' from the north property line instead of the 20.0' required.

Zoning Administrator Faasse explained an older fence would be replaced with a new fence in essentially the same location. City Manger Donovan stated that sight distance from adjoining driveways was not a concern due to the location of the fence.

James Goebel, 2330 Hall, was present to answer questions.

Mayor Seibold opened a public hearing. The following communications were received at City Hall concerning this variance request:

- John & Janyce Huff, 2310 Anderson No objection.

No other public comment was received. Mayor Seibold closed the public hearing.

- 2012-49-A. Goebel-Johnson. That the request of James Goebel and Linda Martin of 2330 Hall to allow the installation of a 6' privacy fence 1.0' from the south property line instead of the 20.0' required be approved.

Commissioner Miller felt the new fence would look much better than the existing fence. Commissioner Goebel and Mayor Seibold spoke in favor of the request as it would not impede sight distance along the sidewalk.

Commissioner Johnson questioned whether the new fence would affect drainage toward the sidewalk. Mr. Feldt did not feel a fence would not significantly affect drainage.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

- 2012-50. Final Reading of an ordinance amendment to amend Section 7.50 of Chapter 74 of Title VII of the City Code pertaining to requirements for Tavern licenses.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Chad Zagel, GVBA President Supported the changes as a way to create a solid environment for businesses.

No other public comment was received. Mayor Seibold closed the public hearing.

- 2012-50-A. Miller-Skaggs. That an ordinance amendment to amend Section 7.50 of Chapter 74 of Title VII of the City Code pertaining to requirements for Tavern licenses be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Miller supported the progressive approach with the safeguards built in.

Mayor Seibold spoke in support of changing the ordinance while keeping the same atmosphere that currently exists in Gaslight Village.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7

Nays: -0-

- 2012-51. Consider request to adopt a resolution approving a Tavern License for the Brush! Studio to be located 2213 Wealthy.

City Manager Donovan explained the application process. He noted the East Grand Rapids School District had been notified about the application and had no objection to the issuance of this license.

Lisa Jabara and Heather Callahan, owners of Brush! Studio, were present to answer questions.

Commissioner Skaggs questioned whether the outdoor service permit would be used in Gaslight Village. The owners explained they were planning on placing a few tables and chairs in a 5'x24' area in front of the store for those waiting for their classes to begin and that while they would allow customers to take their drinks outside if they wish, they would not regularly offer beverage service outside. City Manager Donovan noted that because this sidewalk area was privately owned, the owners would have to comply with State liquor regulations, but would not need separate approval from the city.

Commissioner Skaggs asked what measures would be taken to ensure alcohol is not served to minors. Ms. Callahan stated that all employees would be required to attend the Liquor Control Commission's training classes. Ms. Callahan also noted that the license they have purchased has a "take-out" permit and an entertainment permit attached to it, but that they do not intend to use either of those at this time.

- 2012-51-A. Dills-Miller. That a resolution approving the transfer of ownership of an escrowed 2011 Class C Licensed Businesses with Dance-Entertainment permit, located at 396 Pettis in Ada Township to Brush! GR LLC as a Tavern License for a new businesses located at 2213 Wealthy, Suite 110 be adopted as set forth in Exhibit "A" attached hereto.

Commissioners Goebel and Skaggs spoke in favor of the exciting new business coming to Gaslight Village.

Commissioner Johnson stated her questions had been answered satisfactorily and she felt it was a good fit for Gaslight Village.

Mayor Seibold was concerned about the possibility of serving alcohol outside without sufficient staff or ability to monitor it. She also questioned how the City would be able to enforce the revenue requirement. City Attorney Huff noted the ordinance allowed the City to require financial receipts from the business to prove the revenues from alcohol sales. Mayor Seibold supported the business concept, but reiterated that her support was based on the representation and requirement that art classes and art sales would constitute the majority of the revenue and that alcohol would be a complement to the business.

Commissioner Dills thanked Ms. Jabara and Ms. Callahan for their patience during this process.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

- 2012-52. Johnson-Graham. Motion to approve the consent agenda as follows:

2012-52-A. Minutes of the regular meeting held April 16, 2012.

2012-52-B. Payroll disbursements of \$398,265.17; county and school disbursements of \$-0-, and total remaining disbursements of \$274,804.17.

2012-52-C. The establishment of June 4, 2012 of June 6, 2011 as the date for public hearings for the budget and delinquent account hearings, and the date for a special meeting to adopt the budget

- 2012-52-D. Ratification of the emergency repair expenses for the Gaslight Village snow melt system to River City Mechanical of Comstock Park in the amount of \$14,319.31, and approval of a corresponding budget amendment from the General Fund ending balance.
- 2012-52-E. A contract with Image Quest Screen Printing of Comstock Park in the amount of \$29,373.65 for shirts for various Parks & Recreation Department programs.
- 2012-52-F. The purchase of a miscellaneous receivables software program from BS&A Software in the amount of \$3,175 plus \$1,065 for training, and approval of a corresponding budget amendment from the General Fund ending balance.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

The meeting adjourned at 6:45 p.m., subject to the call of the Mayor until May 21, 2012.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 7.50 pertaining to tavern licenses.
B – Resolution approving a tavern license for Brush! Studio.

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 21, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller and Mayor Seibold

Absent: Commissioner Skaggs

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Public Safety Director Herald; Parks & Recreation Director Bunn; City Clerk Brower; Captain Williams; Captain Lark

2012-53. No public comment was received.

2012-54. Commissioners Goebel, Miller and Johnson commended the Public Safety Department on their handling of an incident last week and their apprehension of a subject who had fled from officers during a traffic stop.

Commissioner Dills thanked the staff members involved in preparing the budget document being reviewed by the City Commission.

2012-55. Dills-Johnson. Motion to approve the consent agenda as follows:

2012-55-A. Minutes of the regular meeting held May 7, 2012.

2012-55-B. Payroll disbursements of \$-0-; county and school disbursements of \$-0-, and total remaining disbursements of \$179,731.67.

2012-55-C. A contract with M&M Pavement Marking of Grand Blanc in the amount of \$33,296.00 to complete pavement marking services.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6

Nays: -0-

2012-56. Johnson-Graham. Motion to enter into an executive session to discuss a collective bargaining agreement in accordance with Section 8(c) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6

Nays: -0-

2012-57. The meeting recessed at 6:04 pm to conduct the Executive Session. The meeting resumed at 6:24 pm.

2012-58. Consider request to approve a collective bargaining agreement with the Public Safety Sergeant's Union.

2010-58-A. Johnson-Miller. That a two-year contract with the Public Safety Sergeants Union beginning July 1, 2012 be approved as recommended by the City Manager.

Mayor Seibold thanked the sergeants for working with the City on this contract.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6

Nays: -0-

The meeting adjourned at 6:26 p.m., subject to the call of the Mayor until June 4, 2012.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 4, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Parks & Recreation Director Bunn; City Clerk Brower; Staff Engineer Slonecki

2012-59. Peter MacGregor, 73rd District Representative, gave an update on his proposed legislation on the pension funding issue that would allow municipalities more flexibility in funding pension liabilities. Mayor Seibold thanked Mr. MacGregor for his willingness to work with this city on this important matter and his efforts on our behalf.

2012-60. Commissioner Johnson thanked City Manager Donovan and Finance Director Dood for all their work on the budget document and the worksessions.

Mayor Seibold announced that Kiplinger.com had named East Grand Rapids #5 on their list of "Top 10 Places To Raise A Family." Although she felt EGR should have been #1 on the list, she was very excited and honored at the national recognition given to the community. Other commissioners echoed her sentiments.

2012-61. Kent County Commissioner Jim Saalfeld gave an update on several issues, including the Community Collaboration Workgroup which is meeting to explore many of the issues raised last year by the One Kent Group. Mr. Saalfeld also reviewed some statistics on valuations within the county and congratulated East Grand Rapids on being one of only two jurisdictions to have an increase in taxable values in 2011.

2012-62. A public hearing was held pertaining to the General Fund budget and the property tax levy for Fiscal Year 2012-13. No public comment was received. Mayor Seibold closed the public hearing.

2012-63. A public hearing was held on the special assessment roll of delinquent accounts for placement on the July 1, 2012 tax roll. No public comment was received. Mayor Seibold closed the public hearing

2012-63-A. Johnson-Dills. That the special assessment roll of delinquent accounts totaling \$85,104.91 be certified and placed on the July 1, 2012 tax roll

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7

Nays: -0-

2012-64. Dills-Graham. Motion to approve the consent agenda as follows:

2012-64-A. Minutes of the regular meeting held May 21, 2012.

2012-64-B. Payroll disbursements of \$194,142.44; county and school disbursements of \$-0-, and total remaining disbursements of \$149,154.94.

2012-64-C. A contract with CL Trucking and Excavation, Inc. of Ionia for the 2012 capital improvement program in the amount of \$1,012,640.55, plus contingencies of \$101,264.06, and the approval of budget amendments of \$8,991.25 from the Major Street fund, \$65,107.32 from the Water/Sewer fund, and \$36,404.99 from the Local Street fund balances for this project.

- 2012-64-D. A contract with Jackson-Merkey Contractors of Muskegon in the amount of \$372,398.75, plus contingencies of \$37,239.88, and a budget amendment of \$34,217.25 from the Water/Sewer fund balance for the construction of a stormwater separator and related improvements along Wealthy Street between Plymouth and Sherman.
- 2012-64-E. A three-year contract with Civic Plus of Manhattan, Kansas for the redesign and implementation of a new website for the City in the amount of \$39,059, with contingencies of \$5,000 for additional expenses, for a total project cost not-to-exceed \$44,059, and related budget amendments as necessary.
- 2012-64-F. Approval of plans submitted by the family of Willard Schreoder for a memorial structure to be placed on the property donated to the City of East Grand Rapids.
- 2012-64-G. The purchase of a regenerative air street sweeper from Frederickson Supply of Wyoming in the amount of \$181,869.00 and a budget amendment for the same amount from the MERF fund.
- 2012-64-H. Approval of the FY 2012-13 Joint Facilities budget as recommended by the Joint Facilities Committee.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

- 2012-65. Johnson-Goebel. Motion to add to the agenda an executive session to discuss a collective bargaining agreement in accordance with Section 8(c) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

- 2012-66. Graham-Skaggs. Motion to enter into an executive session to discuss a collective bargaining agreement in accordance with Section 8(c) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

- 2012-67. The meeting recessed at 6:28 pm to conduct the Executive Session. The meeting resumed at 6:42 pm.

- 2012-68. Johnson-Miller. Motion to add to the agenda a request to approve a collective bargaining agreement with the AFSCME Public Works union. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

- 2012-69. Consider request to approve a collective bargaining agreement with the AFSCME Public Works Union.

- 2010-69-A. Graham-Johnson. That a multi-year contract with the AFSCME Public Works Union beginning June 5, 2012 and ending June 30, 2014 be approved as recommended by the City Manager.

Mayor Seibold thanked the members of the Public Works Union for their work on this issue and their partnership with the city.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs, Miller and Seibold – 7
Nays: -0-

The meeting adjourned at 6:46 p.m., subject to the call of the Mayor until June 18, 2012.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Special Meeting Held June 4, 2012

Mayor Seibold called the meeting to order at 6:47 p.m. in the City Commission Chamber at the Community Center.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood;
Public Safety Director Herald; Parks & Recreation Director Bunn; City Clerk Brower

2012-70. Consider request to adopt a resolution adopting the FY 2012-13 budget and setting a millage rate for FY 2012-13.

2012-70-A. Miller-Graham. That a resolution adopting the FY 2012-13 budget as amended during the budget worksession and setting millage rate for FY 2012-13 be adopted as set forth in Exhibit "A" attached hereto.

Mayor Seibold expressed appreciation to the many staff members who spent time on the budget document and were involved in the worksessions with the City Commission. She felt the budget was one of the most important things the City Commission did each year, and she appreciated all the time and effort involved.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7

Nays: -0-

2012-71. Consider request to adopt a resolution establishing water/sewer rates for FY 2012-13.

2012-71-A. Johnson-Miller. That a resolution setting water/sewer rates for the upcoming fiscal year be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7

Nays: -0-

Commissioner Dills stated he was happy the water/sewer rates had not increased again because this was a concern to many residents he spoke with.

The special meeting was adjourned at 6:50 p.m.

Karen K. Brower, City Clerk

Attachments: A – Resolution adopting FY 2012-13 budget.
B – Resolution establishing water/sewer rates for FY 2012-13.

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 18, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Graham, Johnson, Miller and Mayor Seibold

Absent: Commissioners Goebel and Skaggs

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Public Safety Director Herald; City Clerk Brower

2012-72. No public comment was received.

2012-73. Commissioner Miller asked everyone to vote for the EGR Community Foundation's proposed project in the Erhardt Construction "Building Our Community" \$50,000 building contest. There are details at www.egrcef.org.

Mayor Seibold reminded everyone the Reeds Lake Run is on Saturday, June 30th and the Reeds Lake Trail Blazer is on Wednesday, July 4th.

Mayor Seibold also asked everyone to be vigilant about locking their homes and vehicles to prevent theft, as there have been several break ins recently.

2012-74. KDL Director Lance Werner, KDL Board Member Charles Fry and EGR Branch Manager Dawn Lewis were present to give an update on KDL operations and statistics for 2011.

Mayor Seibold thanked the KDL for the many programs they put on during the year and for making the Community Center a true centerpiece and gathering spot for the community.

2012-75. Introduction of an ordinance amendment to amend Section 9.57E of Chapter 93 of Title IX of the City Code pertaining to the sale or possession of fireworks.

City manager Donovan reported the current city ordinance referenced a State law that has now been repealed. The ordinance amendment would reference the new law and stipulate on which days fireworks will be allowed on private property and reiterating the prohibition on city, school and church property. He noted that with the dense suburban neighborhoods, fireworks could be very dangerous and the city wished to prohibit them for the safety of the public.

2012-75-A. Miller-Johnson. That an ordinance amendment to amend Section 9.57E of Chapter 93 of Title IX of the City Code pertaining to the sale or possession of fireworks be introduced as set forth in Exhibit "A" attached hereto.

Commissioner Dills reported many residents are concerned about noise and safety in their neighborhoods.

Commissioner Johnson questioned whether fireworks would be allowed on the sidewalk or outlawn or in the street. City Manager Donovan felt these areas were not safe because of overhead utility lines and obstruction of pedestrian and vehicle traffic. Public Safety Director Herald suggested residents contact the Public Safety Department if there are problems in their neighborhood and the officers will address the issues.

Commissioner Dills asked that the new rules be publicized on the city's website and in the waterbill insert.

Yeas: Dills, Graham, Johnson, Miller and Seibold – 5

Nays: -0-

2012-76. Consider request to approve a collective bargaining agreement with the Public Safety Officers Union.

2010-76-A.Graham-Johnson. That a two-year contract with the Public Safety Officers Union beginning July 1, 2012 and ending June 30, 2014 be approved as recommended by the City Manager.

Commissioner Miller thanked the members of the Public Safety Union for their work on this issue and their partnership with the city.

Yeas: Dills, Graham, Johnson, Miller and Seibold – 5

Nays: -0-

2012-77. Johnson-Miller. Motion to approve the consent agenda as follows:

2012-77-A. Minutes of the regular and special meetings held June 4, 2012.

2012-77-B. Payroll disbursements of \$193,973.97; county and school disbursements of \$-0-, and total remaining disbursements of \$ 247,359.13.

2012-77-C. The following changes to the City Commission approved fee schedule effective June 18, 2012:

Administrative Site Plan Review:	\$200.00
Intermediate Site Plan Review:	\$300.00
Complete Site Plan Review:	\$500.00 (current fee)

2012-77-D. The selection of Huntington Bank to provide banking services to the City of East Grand Rapids.

2012-77-E. A resolution approving year-end budget amendments for FY 2011-12 as set forth in Exhibit "B" attached hereto.

2012-77-F. A resolution approving a "Pre-Hazard Mitigation Plan" for the City of East Grand Rapids as set forth in Exhibit "C" attached hereto.

2012-77-G. The reclassification of the Human Resource Administrator and the Utility Billing Clerk as recommended by the Personnel Committee.

2012-77-H. Ratification of a contract with West Michigan Tree Services in the amount of \$14,152.00 for tree removal as needed by the Public Works Department.

2012-77-I. The preliminary minutes of the Parks & Recreation Commission meeting held May 14, 2012.

2012-77-J. The preliminary minutes of the Joint Facilities Committee meeting held May 24, 2012.

Yeas: Dills, Graham, Johnson, Miller and Seibold – 5

Nays: -0-

The meeting adjourned at 6:37 p.m., subject to the call of the Mayor until July 2, 2012.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 9.57E of Chapter 93 pertaining to fireworks.
B – Resolution approving year-end budget amendments
C – Resolution adopting a Hazard Mitigation Plan

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held July 2, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller and Mayor Seibold

Absent: Commissioners Skaggs

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Zoning Administrator Faasse; City Clerk Brower

2012-78. Peter MacGregor, 73rd District Representative, reported the House of Representatives would be taking testimony in July on proposed new laws concerning pension funding. He hoped the legislation would be voted on later this summer.

2012-79. Commissioner Dills reminded everyone to vote for the EGR Community Foundation's cupola project in the Erhardt Construction contest.

Commissioner Miller urged everyone to participate in the 3rd Annual Reeds Lake Trail Blazer on Wednesday, July 4th.

Commissioner Graham spoke of all the family-friendly activities in East Grand Rapids on the 4th of July.

Mayor Seibold congratulated the entire staff of the Parks & Recreation Department on a well run Reeds Lake Run on June 30th and for all their work on the upcoming 4th of July activities.

2012-80. Election of President for FY 2012-13.

2012-80-A. Johnson-Goebel. That Commissioner Graham be elected President of the East Grand Rapids City Commission to assume leadership duties in the absence of the Mayor for FY 2012-13.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6

Nays: -0-

2012-81. Consider request to approve the division of land at 2801 Lake Drive.

Zoning Administrator Faasse explained the request and noted that once the existing home was relocated, the resulting three lots would conform to ordinance standards. He recommended any approval given be subject to the conditions contained in his report.

Commissioner Graham questioned the size and shape of the drainage easement proposed in the drawings. Public Works Director Feldt explained the applicants would be filling in an existing pond and then creating contours in the land and storm drains to direct excess water into the city's storm drain system. Mr. Feldt noted the drainage area would allow the water into the system slowly instead of all at once, and that the plans called for a secondary route to the street if the pump to the storm sewer lost power. He stated a maintenance agreement would be worked out between the owners and the city so that future property owners know what they are responsible for and what can and cannot be built in the drainage area.

Commissioner Johnson questioned how close to the street new homes would be built. Mr. Faasse stated the front of new homes would likely be between 55' and 65' from the street depending on which lot was developed first. He noted that the curve of the street would make it difficult to perfectly align homes.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Joel Peterson of Insignia Homes Representing Fritz Kruer. Stated the existing pond was 12-18" deep, so it would not be a drastic change to eliminate. Noted all requirements of the A-1 district were met by the proposal.
- Gail Nowak, 2831 Woodcliff Circle Opposed because of the change it would create in the neighborhood. She stated the pond currently retains water for long periods of time. Felt moving the existing home and adding two more houses was too much for the neighborhood; asked that the homes on Hall Street not be considered for this request as they were not the same size. She questioned whether staff was representing the developers and was suspicious of the hearing being scheduled during a holiday week when many people were gone.
- Richard Raubolt, 2735 Woodcliff Circle Opposed to the change in the character of the neighborhood. Questioned whether Mr. Kruer actually owns the property, whether such a large home could be successfully moved without damage, and what would happen if the project were stopped before completion or left to sit for months. Concerned about drainage questions. Felt city measurements for many properties in the area were incorrect and questioned the Kruer property lines. Asked that these questions be answered before the proposal was voted upon.
- John Marvin, 2841 Woodcliff Circle Also felt homes on Hall should not be considered; concerned about setting precedent with spot-zoning decisions in small areas.
- Kevin Wilson, 2814 Woodcliff Circle Opposed. May meet standards, but don't want to see this type of thing start. New homes don't usually fit into established areas.
- Joel Mitchell, 2830 Woodcliff Circle Bought his home because of large lots in the area; wants to see subjective factors considered. Upset information was not made available earlier and wanted time to review plans.
- John Nowak, 2831 Woodcliff Circle Stated the current owner had made this property one of the signature homes in EGR and doesn't want to see it changed. Felt the neighborhood was being short changed for the addition of property taxes. Unconvinced the drainage plan would work correctly. Asked whether there were any deed restrictions on the property that would prohibit division or development.
- Linda Raubolt, 2735 Woodcliff Circle Very worried about drainage as they had to install their own drainage system years ago to prevent damage. Did not want to see neighborhood changed; don't set precedent.
- Joel Peterson, Insignia Homes Stated Mr. Kruer owns the property on land contract and that deeded owners are aware of the proposal and have signed papers acknowledging the application.

The following communications were received at City Hall concerning this variance request:

- Kevin & Betsy Wilson, 2814 Woodcliff Circle Opposed.
- Anita Carter, 2856 Woodcliff Circle Opposed.
- Joel & Melissa Mitchell, 2830 Woodcliff Circle Opposed.

relocation be completed to the City's satisfaction prior to the sale of the other two lots. Commissioner Johnson agreed and suggested the applicant be required to submit a bond for the completion of the relocation.

Commissioner Dills suggested waiting to vote on this issue until Mr. Kruer could be present and to give staff time to address the questions raised. Commissioner Johnson agreed this would give neighbors time to research the issues and look at the submitted materials.

Mayor Seibold stated she was a resident on this street, and as much as she loved the large home and surrounding green space, she was compelled to try to balance the rights of the owners with the ordinances and the concerns of the neighbors. She agreed there were issues to be addressed, and that additional conditions may need to be placed on the split.

- 2012-81-B. Dills-Johnson. That the request of Frederick Kruer, 2801 Lake Drive, to divide the property into three parcels as outlined on the submitted applications materials, be tabled until a future meeting when the above issues can be addressed. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6
Nays: -0-

Mayor Seibold asked staff to send notices to everyone within the 500' radius when this request is scheduled for an upcoming agenda.

- 2012-82. Final Reading of an ordinance amendment to amend Section 9.57E of Chapter 93 of Title IX of the City Code pertaining to the sale or possession of fireworks.

Commissioner Miller questioned whether the city could enact temporary bans on fireworks if dry conditions create elevated fire danger. City Attorney Huff reported the State law specifically prohibit any local regulation of fireworks during the three days around each national holiday.

- 2012-82-A. Graham-Miller. That an ordinance amendment to amend Section 9.57E of Chapter 93 of Title IX of the City Code pertaining to the sale or possession of fireworks be adopted introduced as set forth in Exhibit "A" attached hereto.

Commissioner Graham stated he did not understand why State legislators put the safety of residents and the peace of local neighborhoods in jeopardy by enacting the law allowing larger fireworks in Michigan in exchange for the sales tax revenue.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6
Nays: -0-

- 2012-83. Johnson-Miller. Motion to approve the consent agenda as follows:

2012-83-A. Minutes of the regular meeting held June 18, 2012.

2012-83-B. Payroll disbursements of \$200,728.90; county and school disbursements of \$-0-, and total remaining disbursements of \$211,342.08.

2012-83-C. Advisory board appointments as follows:

Planning Commission	Dan DeVol, 1045 Conlon Becky Touchett, 1507 Pinecrest	Three-year terms ending 6/30/15
Parks & Recreation Comm.	Brad Andrzejewski, 3105 Bonnell Judith Baxter, 3060 Hall Dirk Buth, 1900 San Lu Rae Richard Sprague, Jr., 2332 Burchard	One-year terms ending 6/30/13

Jim Weiss, 2127 Wilshire
Pam Witting, 1019 Floral
Stacey Wykoski, 2311 El Dorado

Library Commission

Carol Donovan, 2944 Hall
Micki Benz, 817 Gladstone
Jennifer Khorey, 2656 Boston
Ellen Schendel, 429 Briarwood
Joel Schultze, 933 Pinecrest
Mark Tourek, 1705 Oxford

One-year terms ending 6/30/2013

Board of Review

Patsy Dodgson, 1045 Conlon
Martin Green, 2463 Oakwood
Sam Helmrick, 984 Gladstone
Paul Howland, 2809 Woodcliff Circle

One-year terms ending 6/30/2013

Traffic Commission

Janyce Huff, 2310 Anderson
Bob Saltsman, 2905 Reeds Lake Blvd
Todd Avis, 532 Gladstone
Camille Donnelly, 854 Lakeside
Hunter Meriwether, 526 Lovett
Laura Roy, 1119 Lakeside

One-year terms ending 6/30/2013

Construction Board of Appeals

Nick Nicola, 2721 Darby

Three-year terms ending 6/30/2015

- 2012-83-D. The disposal of decommissioned equipment through Miedema Auctioneers.
- 2012-83-E. The purchase of two 2012 Chevrolet Impalas from Garber Chevrolet of Midland in the amount of \$34,834.00.
- 2012-83-F. The purchase of a Caterpillar Backhoe Loader from Michigan Cat of Byron Center in the amount of \$114,341.00.
- 2012-83-G. The replacement of the flag pole at Lakeside and Wealthy through City Sign Erectors of Grand Rapids in the amount of \$7,990.00.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6

Nays: -0-

The meeting adjourned at 7:31 p.m., subject to the call of the Mayor until July 16, 2012.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 9.57E of Chapter 93 pertaining to fireworks.

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held July 16, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Johnson, Miller, Skaggs and Mayor Seibold

Absent: Commissioner Graham

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Public Safety Director Dood; Zoning Administrator Faasse; City Clerk Brower

2012-84. No public comment was received.

2012-85. Commissioner Skaggs thanked his fellow commissioners for “holding down the fort” while he was on an extended vacation recently.

Mayor Seibold thanked all employees and volunteers for the fabulous Reeds Lake Run on June 30th, the Trail Blazer on July 4th and the parade and events at John Collins Park on July 4th. She felt the fireworks were awesome and she has had many compliments on the events.

2012-86. A zoning variance hearing was held regarding the request of Legend Wonders LLC, owner of 2172 Wealthy, to allow the construction of a dumpster enclosure on the west and south property lines instead of three feet from each property line.

Dave Alkema, development manager for Starbucks properties, explained the proposed location would prevent debris behind the enclosure and would maximize parking and turning areas in the parking lot.

Mayor Seibold opened a public hearing. No other public comment was received. Mayor Seibold closed the public hearing.

2012-86-A. Dills-Johnson. That the request of Legend Wonders LLC, owner of 2172 Wealthy, to allow the construction of a dumpster enclosure on the west and south property lines instead of three feet from each property line be approved.

Mayor Seibold suggested Starbucks shovel areas of the rear parking lot where the snow accumulates from the plow trucks to make sure parking spaces are not crowded.

Yeas: Dills, Goebel, Johnson, Miller, Skaggs and Seibold – 6

Nays: -0-

2012-87. A zoning variance hearing was held regarding the request of David & Mary Jablonski, prospective buyers of 1516 Andover, to allow the use and occupation of the property as a single-family residence, to allow a lot area of 7,078.33 square feet instead of the 7,200 square feet required in the first 100’ of dept, to allow a lot width of 71.92 feet instead of the required 72’, and to allow a side yard setback of 4.4’ instead of the required 6.9.’

Zoning Administrator Faasse stated this property had been a conforming use until the parcel containing the home had been separated from an adjacent undersized vacant lot at 1526 Andover in a tax sale in 2011. With the vacant lot now under separate ownership, the property containing the home is no longer conforming and requires variances in order to be occupied.

David Jablonski, prospective buyer of 1516 Andover, stated he was not aware of the issues with the property until he submitted his offer to purchase the home. He stated he has offered to purchase the vacant lot next door to combine the properties, but has not been able to do so.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Dr. Dave Hamm, 1530 Andover Stated many neighbors were opposed to cramming a home onto the small vacant lot and wished the two parcels could be recombined and the home occupied and improved. Felt the city was complicit with the bank to create the non-conformity. Read portions of an internal city memo suggesting the city purchase the vacant land. Felt the city should do the right thing.
- Jim Rabaut, Warner Norcross Representing owners of 1526 Andover who oppose the variance request for 1516 Andover and want the parcels combined. Felt the split was illegal since variance was not granted prior to division and that the parcels remain one for zoning purposes. Owners will seek a variance to build on the vacant lot to achieve a return their investment if lots cannot be recombined.

The following communications were received at City Hall concerning this variance request:

- James Raubaut, Warner Norcross Opposed to variance and presenting several arguments and potential side effects of granting approval.
- Phyllis & Scott Kladder, 2742 Richards Opposed.

No other public comment was received. Mayor Seibold closed the public hearing.

2012-87-A. Dills-Johnson. That the request of David & Mary Jablonski, prospective buyers of 1516 Andover, to allow the use and occupation of the property as a single-family residence, to allow a lot area of 7,078.33 square feet instead of the 7,200 square feet required in the first 100' of dept, to allow a lot width of 71.92 feet instead of the required 72', and to allow a side yard setback of 4.4' instead of the required 6.9' be approved.

Commissioner Dills felt the best outcome would be to recombine the properties and favored allowing the parties to continue working on this.

Commissioner Johnson questioned who currently owned 1516 Andover and what would happen to the property if the variance request were denied. City Manager Donovan stated the property was owned by a bank that has consented to the application for the variance. City Attorney Huff stated the city would not allow the property to be occupied without the variance, but that current or future owners could reapply for the same or a different variance at a future date if there were a change in circumstances.

Commissioners Johnson and Goebel favored recombining the parcels and felt additional time would allow the parties to attempt to work together and would allow the city to research the issues surrounding this matter. Commissioner Johnson suggested contacting the bank to determine their willingness to work toward a solution of the issue.

Commissioner Dills stated he was not opposed to granting a variance for the home at 1516 Andover, but was concerned about the effect such a variance and the resulting possibilities the vacant lot would have on the surrounding area. He favored taking additional time to research the issue. Mr. Dills asked Mr. Jablonski if there were time restrictions on his offer to purchase the property. Mr. Jablonski answered there were specific dates contained in his purchase order and he was not sure if those would or could be changed.

2012-87-B. Dills-Johnson. That the request of David & Mary Jablonski, prospective buyers of 1516 Andover, to allow the use and occupation of the property as a single-family residence, to allow a lot area of 7,078.33 square feet instead of the 7,200 square feet required in the first 100' of dept, to allow a lot width of 71.92 feet instead of the required 72', and to allow a side yard setback of 4.4' instead of the required 6.9' be tabled until the next City Commission meeting. A roll call vote was taken.

Yeas: Dills, Goebel, Johnson, Miller, Skaggs and Seibold – 6
Nays: -0-

2012-88. Public Safety Director Herald presented the Public Safety Department's 2011 Annual Report.

Mayor Seibold congratulated Mr. Herald and all the members of his department for the safety and security of the East Grand Rapids community. She felt one of the main reasons families choose to move to East Grand Rapids is the safe neighborhoods. Mayor Seibold reminded residents to lock their homes and vehicles to assist the public safety department in reducing theft occurrences.

2012-89. City Assessor Mesik summarized a report on the consolidation of parcels for tax and zoning purposes and answered questions from the City Commission. She stated she would be sending notices to property owners and working to combine undersized, non-conforming lots into a single parcel number over the next several months to clear up confusion and to avoid future problems. She stated owners would be given the opportunity to appeal any decision to combine parcels to the City Commission.

Commissioner Dills suggested the City Commission waive the variance application fee for property owners who apply for variances due to this combination project.

2012-90. Johnson-Miller. Motion to approve the consent agenda as follows:

2012-90-A. Minutes of the regular meeting held July 2, 2012.

2012-90-B. Payroll disbursements of \$430,085.15; county and school disbursements of \$-0-, and total remaining disbursements of \$111,921.59.

2012-90-C. The preliminary minutes of the Parks & Recreation Commission meeting held June 11, 2012.

Yeas: Dills, Goebel, Johnson, Miller, Skaggs and Seibold – 6
Nays: -0-

The meeting adjourned at 7:15 p.m., subject to the call of the Mayor until August 6, 2012.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 6, 2012

Mayor Seibold called the meeting to order at 5:03 p.m. in the City Commission Chamber at the Community Center.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Public Safety Director Dood;
Zoning Administrator Faasse; City Clerk Brower

2012-91. Skaggs-Dills. Motion to enter into an executive session to discuss an attorney's opinion in accordance with Section 8(h) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Skaggs and Seibold – 6

Nays: -0-

2012-92. The meeting recessed at 5:04 p.m. to conduct the Executive Session.

2012-93. Commissioner Miller arrived.

2012-94. The meeting resumed at 6:00 p.m.

Mayor Seibold led the audience in the Pledge of Allegiance.

2012-95. No public comment was received.

2012-96. Commissioner Skaggs encouraged everyone to vote in the primary election on August 7, 2012.

2012-97. Public Safety Director Herald officially promoted PSO Eric Smith to the rank of Sergeant. City Clerk Brower administered the Oath of Office to Public Safety Officers John Corrigan and Scott Grams.

2012-98. A zoning variance hearing was held regarding the request of Vincent & Jenie Altruda of 405 Cambridge to allow the construction of an addition to the rear of the home creating a setback of 25.3' from the west property line instead of the required 44.'

Zoning Administrator Faasse explained the request and the issue of a double frontage lot.

Joel Peterson of Insignia Homes and Vin Altruda of 405 Cambridge were present to answer questions.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Gordon Jones, 325 Rosewood

Felt the owners should have received permission for the addition before cutting down a healthy evergreen tree.

- Steve Ratliff, 435 Cambridge

In favor of granting the variance.

No other public comment was received. Mayor Seibold closed the public hearing.

- 2012-98-A. Dills-Miller. That the request of Vincent & Jenie Altruda of 405 Cambridge to allow the construction of an addition to the rear of the home creating a setback of 25.3' from the west property line instead of the required 44' be approved.

Commissioner Dills noted there are many homes similar to the applicant's on this street and expressed his support for the variance request.

Commissioner Graham noted many surrounding homes have made similar changes to accommodate vehicles. He felt removing the unsightly carport and replacing with a garage addition would benefit the entire area.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

- 2012-99. Mayor Seibold announced the zoning variance request of David & Mary Jablonski, prospective buyers of 1516 Andover, had been withdrawn by the applicants.

- 2012-100. Consider request to approve the division of land at 2801 Lake Drive.

- 2012-100-A. Johnson-Graham. Motion to take this request from the table for consideration.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

Zoning Administrator Faasse reviewed the proposal to divide the property into three separate parcels. He noted the receipt of a letter from King & MacGregor giving their opinion that the retention area was not a regulated wetland. Mr. Faasse recommended any approval given to this request be subject to the conditions suggested in his staff report.

Frederick Kruer, 2801 Lake Drive, stated his ultimate goal was to sell the entire property as one parcel, but needed the flexibility to sell as separate parcels if absolutely necessary. He asked for approval of the lot split with sufficient time to attempt to market the entire property.

Mayor Seibold reopened the public hearing. The following people were present to express their opinions:

- Richard Raubolt, 2735 Woodcliff Circle

Confused about how the applicant was currently trying to market the property and/or lots. Believed ownership question should be answered.

- Linda Raubolt, 2735 Woodcliff Circle

Had researched deeds and was still uncertain who owned the property and whether Mr. Kruer had authority to apply for the variance or to sell the property. City Attorney Huff stated the property was owned by a Limited Liability Corporation and that Mr. Kruer was purchasing the property on land contract. He stated the officers of the LLC had consented to Mr. Kruer's land division application request to the City; therefore the City recognized Mr. Kruer as having standing to apply for the lot split. Mrs. Raubolt was very concerned about this situation and possible future implications.

No new communications were received at City Hall concerning this variance request. No other public comment was received. Mayor Seibold closed the public hearing.

- 2012-100-B. Graham-Dills. That the request of Frederick Krueer, 2801 Lake Drive, to divide the property into three parcels as outlined on the submitted applications materials, be approved with the following conditions:
1. Approval of the land division is not effective until the existing house on Parcel A is repositioned on a new foundation parallel to Lake Drive as illustrated in the application, and the certificate of occupancy is issued, which must be accomplished on or before August 5, 2013;
 2. The Commission's approval of this land division application expires in its entirety on August 5, 2013. Transfer and recording of the relevant deeds or land contracts(s) with the Kent County Register of deeds must be accomplished on or before that date;
 3. Relocation of utility services for the home on Parcel A or recorded easements for the same, as appropriate, must be completed before the City will issue a certificate of occupancy for the home relocation;
 4. Construction of the proposed storm water management and drainage facility must be complete before the City will issue a certificate of occupancy for the relocated home on Parcel A, or new homes on Parcels B or C;
 5. The split complies with the surveys presented in the land division application;
 6. Any and all easements that are proposed as a part of this land division must be created and recorded before or at the time of any property transfer.

Commissioner Graham questioned how long the relocation and restoration of the home would take. Mr. Krueer stated the majority of the moving and restoration process was estimated to take six weeks with the rear addition proceeding after that. He intended to wait to move the house until someone put a substantial deposit on one of the lots to allow the most time possible to sell the entire property.

Commissioner Graham asked Mr. Krueer to clarify that he intended to list the entire parcel as one unit and then hold off doing anything with moving the home until necessary to complete the project by the end of the one-year window. Mr. Krueer stated he already listed the property as a whole and would not do any moving until one of the lots was under contract. He stated it was not his intention to wait until the last possible moment because he would be out a substantial amount of money if the project were not completed in time. He hoped to be able to sell the lots by the end of the year, giving him enough time to complete the moving of the home before the one-year deadline.

Commissioner Graham was not inclined to give approval of the lot split prior to the moving of the home.

Commissioner Dills felt all of the items requested by Mr. Krueer—marketing the house/lots and moving the house—could take place right now without the lot split. He stated because the house had not been moved, he was considering the merits of the lot split request as the home stood right now, oriented toward the other properties. He did not feel this met Section 5.406(3) of the Code. He could not support approving the lot split without the relocation taking place first.

Commissioner Johnson also expressed concern about meeting Section 5.406(3)d regarding the relationship of the home to other parcels. She worried all of these proposed events would take longer than 12 months and that it would be in the best interest of the City for the applicant to move the home first and then approve the lot split. She agreed there was sufficient land to divide, but felt the possibility existed to create a situation not harmonious with other properties if all events did not happen as proposed. She stated she would look at the request differently if the home were already moved.

Commissioner Skaggs agreed with Commissioners Dills and Johnson. He also agreed with the neighbor's assertion that this situation should be viewed as affecting a much narrower area than the ordinance's 500 foot rule and that Parcel C would be much smaller than lots in the immediate vicinity.

Commissioner Miller agreed it was difficult to approve the lot split with assurances of how things would look in the future when the home is moved. He felt it would not be harmonious with the house as it is currently located and that he would be more comfortable looking at this proposal after the home was moved.

Commissioner Goebel agreed the ordinance standards were not currently met and he did not have confidence the house can and would be moved. He stated there were many things that could fall apart and he could not support without the building being moved first.

Commissioner Graham questioned whether the land could be divided without the moving of the home. City Attorney Huff indicated the City Commission could still consider the orientation of the home as creating disharmony in the neighborhood and deny a lot split based on such a proposal not meeting the requirements of Section 5.406(3). Commissioner Graham stated he would be inclined to approve the request as long as the many conditions enumerated by City staff were met. He felt the first condition stating the land division is not effective until the existing home is repositioned was sufficient to assure the home was moved and restored before any new lots would be created and sold. With this condition in place, he would vote to approve. Mayor Seibold stated she had reviewed each provision of the ordinance in regards to this proposal. She stated several items in subsection 3 were bothersome, including harmony with parcels, the floodplain issues, and relationships of front/side/rear yards. She noted Mr. Kruer has agreed the position of the home is not conducive for the lot split. She stated this is a very complex proposal with many possible pitfalls. Mayor Seibold stated it would be hard to deny once the home were moved, but she was very hesitant to approve because she was not sure everything could be accomplished as proposed. She stated she would not be voting in favor of the motion.

Commissioner Dills asked if it would be legal to use a buyer's deposit on one parcel to move the home on the other parcel. Mr. Huff noted Mr. Kruer has not represented that he would be using the deposit as funding for the move of the home. Mr. Huff believed he could use the deposit/contract to leverage other financing. Mr. Huff also noted financing ability is not normally considered by the Commission when making decisions on these types of requests.

Commissioner Johnson felt there were many different links in this proposed chain that take longer than anticipated or fall through entirely to derail the entire project. She preferred to look at the proposal after the home is moved.

Yeas: Graham – 1

Nays: Dills, Goebel, Johnson, Miller, Skaggs and Seibold – 6

2012-101. Consider request to adopt a resolution supporting new legislation for pension flexibility.

City Manager Donovan asked the City Commission to formally support proposed legislation that would give municipalities like East Grand Rapids options currently unavailable in structuring and funding pension plans. He felt the legislation would allow East Grand Rapids to avoid jeopardizing other operations because of unnecessarily short timeframes for funding the former defined benefit plan.

2012-101-A. Miller-Johnson. That a resolution supporting Senate Bills 1129 and 1171 and House Bills 5725 and 5726 giving additional options for municipal pensions be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Johnson agreed the current mandated funding schedule was a financial burden and this legislation would ease that burden.

Commissioner Skaggs felt the new legislation would save taxpayer dollars for needed services while keeping the promises made the employees.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7

Nays: -0-

2012-102. Johnson-Goebel. Motion to approve the consent agenda as follows:

2012-102-A. Minutes of the regular meeting held July 16, 2012.

2012-102-B. Payroll disbursements of \$203,871.85; county and school disbursements of \$2,270,999.83, and total remaining disbursements of \$284,836.39.

2012-102-C. The purchase of soil conditioning equipment for the grounds maintenance operations from Carleton Equipment in the amount of \$5,620.20.

2012-102-D. The purchase of five patrol rifles and accessories for the Public Safety Department from Michigan Police Equipment in Lansing at a cost of \$10,333.50.

2012-102-E. The quarterly financial report for the period ending June 30, 2012.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7

Nays: -0-

The meeting adjourned at 7:16 p.m., subject to the call of the Mayor until August 20, 2012.

Karen K. Brower, City Clerk

Attachments: A – Resolution supporting Senate Bills 1129 and 1171 and House Bills 5725 and 5726.

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 20, 2012

Mayor Seibold called the meeting to order at 6:03 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Public Safety Director Dood; City Clerk Brower

2012-103. No public comment was received.

2012-104. Commissioner Graham noted the new flag pole at Lakeside and Wealthy looks great. He reported the "Taste of East" event on August 16th was well attended, and the repaved portion of the Reeds Lake Trail between the Public Works Building and the Schroder property would be much appreciated by those using the trail.

Commissioner Johnson complimented the Schroder family on the completed memorial on the property donated to the City by Willard Schroder.

Mayor Seibold commended the Gaslight Village Business Association family-friendly "Taste of East" event on August 16th and the organizers of the Gaslight Village Criterium cycling event on August 19th. Mayor Seibold also reminded everyone the Reeds Lake Triathlon could use additional volunteers on September 8th.

2012-105. Miller-Graham. Motion to approve the consent agenda as follows:

2012-105-A. Minutes of the regular meeting held August 6, 2012.

2012-105-B. Payroll disbursements of \$213,508.53; county and school disbursements of \$7,971,973.87, and total remaining disbursements of \$ 258,940.31.

2012-105-C. An agreement with Grand Valley State University to provide marketing and communications services through an internship program at a cost not-t-exceed \$14,000.00.

2012-105-D. A five-year proposal from Miller Johnson Attorneys and Counselors to provide labor attorney services at a cost of \$190 for FY 2012-13, \$195 per hour for FY 2013-14, \$200 per hour for FY 2014-15, \$205 for FY 2015-16 and \$210 for FY 2016-17.

2012-105-E. A change order to the contract with CL Trucking & Excavating LLC for the construction of an asphalt path on the Schroder property at a cost of \$2,683.00 and a budget amendment of \$863.00 for this project.

2012-105-F. The payment of \$25,000 from the Designated Turf Replacement Account for the replacement of the artificial turf at Memorial Field.

2012-105-G. The minutes of the Library Commission meeting held January 23, 2012.

2012-105-H. The minutes of the Parks & Recreation Commission meeting held July 9, 2012.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7

Nays: -0-

The meeting adjourned at 6:06 p.m., subject to the call of the Mayor until September 4, 2012.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 4, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: Commissioner Dills

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Public Safety Director Dood; Public Safety Director Herald; City Clerk Brower

2012-106. No public comment was received.

2012-107. City Manager Donovan reported all city catch basins and detention areas had been treated with pesticides to reduce the mosquito population in an attempt to stop the spread of the West Nile Virus.

Mayor Seibold noted the Reeds Lake Triathlon was taking place on Saturday, September 8th and volunteers were still needed if anyone was able to help.

2012-108. Tom Zook, Executive Director of the Children's Assessment Center, was present to update the City Commission on the operations of the Center and thank the City for their ongoing commitment.

Public Safety Director Herald reported the Grand Rapids Children's Assessment Center has become a national model and our area is very fortunate to have such a comprehensive program.

2012-109. Consider request to adopt a resolution authorizing the refinancing of bonds issued for the Community Center.

Finance Director Dood explained the refinancing of the Community Center bonds issued in 2004 would likely save taxpayers in excess of \$1 million dollars during the remaining term on the bonds.

2012-110. Johnson-Graham. That a resolution authorizing the issuance of general obligation bonds for the purpose of refinancing the Community Center project be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 6

Nays: -0-

2012-111. Miller-Johnson. Motion to approve the consent agenda as follows:

2012-111-A. Minutes of the regular meeting held August 20, 2012.

2012-111-B. Payroll disbursements of \$206,510.37; county and school disbursements of \$4,983,805.79, and total remaining disbursements of \$434,658.83.

2012-111-C. The following appointments to advisory boards:

<u>Name</u>	<u>Commission</u>	<u>Term Ending</u>
Judy Freeman, 425 Cambridge	Library Commission	June 30, 2013
Azizah Hines, 2244 Hall	Library Commission	June 30, 2013
Kurt Lacks, 3105 Bonnell	Construction Board of Appeals	June 30, 2015

- 2012-111-D. The purchase of three pickup trucks from Red Holman GMC of Westland Michigan in the amount of \$92,205.00.
- 2012-111-E. The purchase and installation of two stainless-steel dump boxes from Truck and Trailer Specialties of Dutton Michigan in the amount of \$16,172.00.
- 2012-111-F. The purchase of 24 handheld radios for the Public Safety Department from Motorola in the amount of \$40,359.60, and a budget amendment of \$360.00 from the General Fund ending balance for this purchase.

Yeas: Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 6
Nays: -0-

The meeting adjourned at 6:10 p.m., subject to the call of the Mayor until September 17, 2012.

Karen K. Brower, City Clerk

Attachments: A – Resolution authorizing the issuance of bonds to refinance the Community Center project.

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 17, 2012

Mayor Seibold called the meeting to order at 6:03 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: Commissioner Dills

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Public Safety Director Dood; Public Safety Director Herald; Zoning Administrator Faasse; City Clerk Brower

2012-112. No public comment was received.

2012-113. Commissioner Skaggs thanked his fellow volunteers for the Reeds Lake Triathlon on the well run event.

Commissioner Graham congratulated City Manager Donovan for being featured on the cover of the Michigan Municipal League's "The Review" magazine after testifying at a legislative hearing on pension reform.

Commissioner Johnson commended Susan Perry and the Parks & Recreation Department for all the effort put into the Reeds Lake Triathlon on September 8th.

Mayor Seibold also thanked everyone involved in the Reeds Lake Triathlon and shared a story of sportsmanship she witnessed at her volunteer post.

2012-114. A zoning variance hearing was held regarding the request of Ted & Deborah Cox of 912 Maxwell to allow the construction of a new home with a front yard setback of 32.5' instead of the required 37.1'.

Zoning Administrator Faasse explained the old home would be demolished and a new home constructed with a front yard setback of 32.5' to allow adequate maneuvering room for the detached garage behind the home.

Joel Peterson of Insignia Homes, Ted Cox and Rob Sears were present to explain the request and answer questions. Mr. Sears explained the 15' separation between the garage and home would allow vehicles to enter and exit the garage.

Mayor Seibold opened a public hearing. The following communications were received at City Hall concerning this variance request:

- Colleen Kanaan, 922 Maxwell	In Favor.
- Karla Hansen, 917 Maxwell	In Favor.
- John Schneider & Kathy Bego, 928 Maxwell	In Favor.
- Nicole & Henry Prins, 915 Maxwell	In Favor.
- Steve Rutherford, 909 Maxwell	In Favor.
- Brian Peceny, 932 Maxwell	In Favor.
- Larry VandeVoren, 918 Maxwell	In Favor.
- Art & Mary Koets, 857 Maxwell	In Favor.
- Lorraine Boer, 849 Maxwell	In Favor.

No other public comment was received. Mayor Seibold closed the public hearing.

- 2012-114-A. Miller-Graham. That the request of Ted & Deborah Cox of 912 Maxwell to allow the construction of a new home with a front yard setback of 32.5' instead of the required 37.1' be approved.

Commissioner Miller stated he would be voting in favor of the variance as he felt the setbacks were better than the existing home. Commissioner Goebel agreed the new home would be an improvement to the area.

Commissioner Johnson was concerned about the turning radius into the garage, but liked the covered porch and the appeal of the home from the street.

Commissioner Graham thanked Mr. and Mrs. Cox for their willingness to meet the challenges of building on a small lot in an established neighborhood and welcomed them to East Grand Rapids.

Mayor Seibold stated this type of situation met the requirements for granting a variance and she was happy to support this great project.

Yeas: Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 6
Nays: -0-

- 2012-115. Aaron Smith, EGR Representative to The Rapid Board of Directors, and Nick Monoyios, Long Range Planner for The Rapid, were present to update the City Commission on the operations and future projects of the transit service. New connections, routes and facility improvements are underway, as well as technology improvements to assist riders with routes and real-time route information.

- 2012-116. Johnson-Miller. Motion to approve the consent agenda as follows:

2012-116-A. Minutes of the regular meeting held September 4, 2012.

2012-116-B. Payroll disbursements of \$200,202.06; county and school disbursements of \$129,576.08, and total remaining disbursements of \$818,356.91.

2012-116-C. The purchase of diving equipment for the Public Safety Department from Moby's Dive Shop at a cost of \$5,937.37.

2012-116-D. The purchase of Microsoft Office 2010 software suites for various city departments in the amount of \$8,343.78 from Global Gov/Ed.

2012-116-E. A contract with D.E. Development, Inc. of Grand Rapids in the amount of \$59,250.00 with project contingencies of an additional \$5,925.00 for the 2012 Sidewalk and Curb Replacement program.

2012-116-F. A contract with Pavement Restoration of Kalamazoo in the amount of \$10,000.00 for crack sealing work of city streets.

2012-116-G. The preliminary minutes of the Parks & Recreation Commission meeting held August 13, 2012.

Yeas: Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 6
Nays: -0-

The meeting adjourned at 6:37 p.m., subject to the call of the Mayor until October 1, 2012.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held October 1, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller and Mayor Seibold

Absent: Commissioner Skaggs

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood;
City Clerk Brower

2012-117. No public comment was received.

2012-118. Commissioner Goebel congratulated the City on being named to the "Top 10 Best Suburban Places To Live" in the nation by Coldwell Banker Real Estate. He noted this was an incredible award that was well deserved.

2012-119. Finance Director Dood reported the bond sale on September 24th to refinance the bonds for the Community Center went exceptionally well with a savings of \$1,351,094 after expenses. He noted the City's excellent reputation and bond rating made the bonds very attractive to bidders and resulted in lower rates than anticipated and a shortening of the total bond payment schedule. He stated the taxpayers of East Grand Rapids will save over \$86,000 each year, an average of \$418 per household over the life of the bonds.

2012-120. Graham-Miller. Motion to approve the consent agenda as follows:

2012-120-A. Minutes of the regular meeting held September 17, 2012.

2012-120-B. Payroll disbursements of \$203,403.45; county and school disbursements of \$177,097.10, and total remaining disbursements of \$246,760.78.

2012-120-C. A report on the online sale of used equipment which netted \$87,450.83.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6

Nays: -0-

2012-121. Johnson-Miller. Motion to enter into an executive session to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Seibold – 6

Nays: -0-

The meeting adjourned at 6:06 p.m., subject to the call of the Mayor until October 15, 2012.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held October 15, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; City Clerk Brower

2012-122. Sally Scripps, 1601 Alexander, spoke on behalf of Consumers Energy and urged residents to vote NO on Proposal 3 on the November ballot.

Peter MacGregor, 73rd State House Representative, reported the pension flexibility legislation had passed the State House and would be considered in the Senate next. He asked for continued support of EGR representatives as the Senate considered the bill.

2012-123. Mayor Seibold announced the Public Works Department had received the "Pride of the Fleet" award in the annual American Public Works Association's Snowplow Rodeo recently. Public Works Director Feldt explained the event allowed driver's to compete against other municipalities for awards.

Commissioner Dills reported the parade and community spirit at last week's homecoming festivities made the event enjoyable for the whole family.

Commissioner Miller reminded everyone to vote both sides of the ballot in November as local school board candidates and proposals were on the back side of the ballot.

2012-124. Steve Early of Inspired Business Development informed the City Commission about the energy audit program being offered to East Grand Rapids residents by DTE Energy. Representatives will be going door-to-door in East over the next several weeks telling residents about the program and potential savings.

2012-125. A zoning variance hearing was held regarding the request of Prevo's Family Markets on behalf of D&W of 2181 Wealthy, to allow the construction of a fenced enclosure at the northwest corner of the store instead of the enclosure required by ordinance.

Zoning Administrator Faasse explained the ordinance regulations enacted in 2010 and the variances requested by the D&W store for a taller fence than normally allowed, and to permit use of the store building walls to provide part of the screening. He asked the Commission to limit any approval on the current configuration of the service drive and trash collection areas, and to place a deadline on the completion of the work.

Commissioner Skaggs questioned whether fire equipment would have sufficient access to needed water and shut-off controls for the building. Mr. Faasse stated the valves were located outside the enclosure area.

Dave Hendershot of Paradigm Design, was present to explain the request and answer questions.

Commissioner Dills questioned why compliance had taken over two years to achieve. Mr. Hendershot stated it took considerable time for the store and owners to understand the regulations and work with the City on a proposed solution given the constraints of the site.

Mayor Seibold opened a public hearing. No other public comment was received. The following communications were received at City Hall concerning this variance request:

- Tim Strickler, 550 Lovett

Supported improving the area.

- Judy Strickler, 550 Lovett

Concerned about odor from dumpsters.

No other public comment was received. Mayor Seibold closed the public hearing.

- 2012-125-A. Dills-Miller. That the request of Prevo's Family Markets on behalf of D&W of 2181 Wealthy, to allow the construction of a fenced enclosure at the northwest corner of the store instead of the enclosure required by ordinance be approved subject to the following conditions:
- A. The approvals granted are for a limited duration and will expire if there is substantial alternation of the current site that makes greater compliance with ordinance requirements feasible; and
 - B. The fenced enclosure as outlined in the plans submitted to the City Commission on October 15, 2012 be completed by December 1, 2012.

Commissioner Dills thanked D&W for submitting the revised plan.

Commissioner Graham expressed concern about gates being left open to impede traffic and asked D&W to monitor these gates to make sure they were kept closed.

Mayor Seibold relayed the concern of the neighbors about odor from the dumpsters. Mr. Faasse agreed it is occasionally a problem, but noted D&W has been very responsive to complaints when notified of issues.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

- 2012-126. Doug Vredeveld of Vredeveld-Haefner presented the audited financial statements for the year ending June 30, 2012 and answered questions from the City Commission.

Mayor Seibold congratulated Finance Director Dood, City Manager Donovan and the rest of the staff for their efforts in controlling costs while maintaining city services. Commissioners Goebel and Johnson also thanked staff members for their hard work on the budget and audit processes.

- 2012-127. Johnson-Skaggs. Motion to approve the consent agenda as follows:

2012-127-A. Minutes of the regular meeting held October 1, 2012.

2012-127-B. Payroll disbursements of \$195,934.16; county and school disbursements of \$62,090.73, and total remaining disbursements of \$523,343.08.

2012-127-C. The reappointment of Aaron Smith to the ITP Board of Directors for a two-year term ending December 31, 2014.

2012-127-D. The purchase of two tamps for the Public Works Department from Frederickson Supply of Wyoming in the amount of \$6,090.62.

2012-127-E. Approval of an extended maintenance agreement with L3 Communications/Mobile-Vision, Inc. for the Public Safety Department's in-car video systems in the amount of \$3,730.00 for the period of September 7, 2011 through September 7, 2013.

2012-127-F. A contract with CenterPoint Energy for the purchase of natural gas for various city facilities.

Yeas: Dills, Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 7
Nays: -0-

The meeting adjourned at 6:40 p.m., subject to the call of the Mayor until November 5, 2012.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 5, 2012

Mayor Seibold called the meeting to order at 6:01 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Skaggs and Mayor Seibold

Absent: Commissioners Johnson and Miller

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Public Safety Director Herald, Parks & Recreation Director Bunn; Zoning Administrator Faasse; City Clerk Brower

2012-128. No public comment was received.

2012-129. Commissioner Dills thanked Public Works Director Feldt, his staff and the engineers and contractors who completed this year's construction projects.

Commissioner Skaggs reminded everyone to vote on November 6th and to allow plenty of time to wait in line if necessary and time to complete both sides of the long ballot.

City Manager Donovan thanked the residents of Bonnell for their patience during the construction on their street.

Mayor Seibold thanked the city staff members and the election workers who work so hard on Election Day at the precincts and processing the 1,700 absentee ballots received for this election.

2012-130. A zoning variance hearing was held regarding the request of Terrance O'Rourke of 1064 Pinecrest to allow the construction of a roof over an open porch, creating a front yard setback of 20.3' instead of the required 46.0'.

Terrance O'Rourke, 1064 Pinecrest, explained the new porch would be 14' long to accommodate two chairs, but would be the same depth as the existing porch.

Commissioner Graham expressed concern about adding such a wide porch so close to the street.

Mayor Seibold opened a public hearing. The following communications were received at City Hall concerning this variance request:

- Sharon Barkwell, 1051 Pinecrest	In Favor.
- Timothy Ward, 1056 Pinecrest	In Favor.
- Meridith Argyropoulos, 2135 Burchard	In Favor.

No other public comment was received. Mayor Seibold closed the public hearing.

2012-130-A. Dills-Skaggs. That the request of Terrance O'Rourke of 1064 Pinecrest to allow the construction of a roof over an open porch, creating a front yard setback of 20.3' instead of the required 46.0' be approved.

Commissioner Dills noted there were no sight distance problems with the porch as he would support the request if the porch was not being made any deeper.

Mayor Seibold agreed the porch was closer to the street than others on this street, but noted that several neighbors were in favor of the request. She felt it would improve the look and functionality of the home.

Yeas: Dills, Goebel, Skaggs and Seibold – 4

Nays: Graham – 1

2012-131. A zoning variance hearing was held regarding the request of Todd and Lori Terpstra, prospective buyers of 917 Princeton, to allow the construction of a new home with a building height at the rear walkout of 30' instead of the allowed 25', and to construct a detached garage in the front yard instead of in the rear or side yard as required.

Zoning Administrator Faasse explained the applicants wished to tear down the existing home and build a new house with a walkout level. He noted a variance was required because this was a legal nonconforming lot because of the narrow road frontage. The applicants also wished to build a detached garage in the front yard, which is not allowed by ordinance. Mr. Faasse requested that any variance granted be conditional upon the successful completion of the sale by Mr. and Mrs. Terpstra.

Mayor Seibold questioned whether a variance would be needed if the extra garage stalls were attached to the home. Mr. Faasse answered no variance would be required.

Commissioner Goebel questioned which area was the front yard. Mr. Faasse stated the City did not provide a different definition for front yard on a lakefront lot, therefore the area between the street and the home was considered the front yard. Commissioner Dills questioned whether the detached garage would be permitted in the rear yard. Mr. Faasse confirmed it would be permitted in the side or rear yard.

John Boyko, attorney, was present to explain the request and answer questions on behalf of Mr. and Mrs. Terpstra. He asked the City Commission to consider the building height request separate from the detached garage request. The City Commission agreed to this request.

Mr. Boyko addressed the height of the new home by stating the new home would be built in essentially the same location. He reiterated that the narrow street frontage was the only reason this new home was subject to a reduced height allowance.

Mayor Seibold opened a public hearing on the height variance request. No public comment was received. Mayor Seibold closed the public hearing.

2012-131-A. Graham-Goebel. That the request of Todd and Lori Terpstra, prospective buyers of 917 Princeton, to allow the construction of a new home with a building height at the rear walkout of 30' instead of the allowed 25' be approved.

Commissioner Dills gave his support to the variance from the height restriction because the narrow frontage was the only reason this was required for a lot this size. Commissioner Skaggs and Mayor Seibold agreed.

Yeas: Dills, Goebel, Graham, Skaggs and Seibold – 5
Nays: -0-

Mr. Boyko addressed the request to place a detached garage in the front yard of the home by stating the applicants had looked at many different scenarios and decided a detached garage would be better than having all five garage stalls attached to the house. He stated Michigan law does not recognize a neighbor's right to have a view from their property and this garage would be a small building compared to the size of the front yard. Mr. Boyko argued there would be no negative impact on property values according to the appraiser the applicants consulted. He listed several lakefront properties in East that have similar structures.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Marilyn Lankfer, 933 Princeton

Objected to the proposed placement of the garage because it would sit directly in front of the porch where their family spends a lot of time. Stated the applicants had many other options for storage than placing a garage in this location.

- Jeff Schad, 933 Princeton

Objected because of increased noise, activity and lighting than a normal front yard use. Would not object to adding additional stalls to home because that is where noise and lighting belong.

- | | |
|--------------------------------|---|
| - Matt Borgula, 910 Bellclaire | Opposed because a building would block enjoyment from his back yard deck, not landscaping or trees as with other properties. Felt there were other options for storage. |
| - Kevin Einfeld, BDR Builders | Has worked with the new owners and stated the grade of the land does not allow very many places to locate garage. |

The following communications were received at City Hall concerning this variance request:

- | | |
|---|-----------|
| - Jeffrey Schad/ Marilyn Lankfer, 933 Princeton | Opposed |
| - R.H. Seidell, 927 Princeton | In Favor. |
| - Peter & Patricia Marks, 942 Princeton | Opposed. |
| - Ted & Gabriela Vecchio, 920 Princeton | In Favor. |
| - Phil & Cherie Schaafsma, 934 Princeton | Opposed. |
| - Charles Winslow, 949 Princeton | Opposed. |
| - Matt Borgula/Jennifer McManus, 910 Bellclaire | Opposed. |
| - Thomas & Julie Williams, 916 Bellclaire | Opposed |
| - David & Janice Mann, 956 Princeton | Opposed. |
| - George Cares, 2633 Frederick | In Favor. |
| - Nelson Levins, 864 Bellclaire | In Favor. |
| - Shirley & Lawrence Manning, 928 Princeton | In Favor. |

No other public comment was received. Mayor Seibold closed the public hearing.

- 2012-131-B. Dills-Skaggs. That the request of Todd and Lori Terpstra, prospective buyers of 917 Princeton, to allow the construction of a detached garage in the front yard instead of in the rear or side yard as required be approved.

Commissioner Skaggs agreed this was a large structure to place in the front yard so close to neighboring properties, especially given that vehicles and yard equipment will be in and out of the area frequently.

Mayor Seibold inquired whether approving this request would set a precedent for other requests. City Attorney Huff stated that this lot, while different from many in East Grand Rapids, was very similar to others on this street and would likely be referenced for other requests.

Commissioner Skaggs stated he has looked at other homes on this street and feels this would be detrimental to the neighbors.

Commissioner Goebel stated there seemed to be other options for storage on this property. He felt this would be allowing storage of vehicles and equipment in the front yard, which is against city ordinances.

Commissioner Dills noted that all variance requests are considered individually, regardless of situations with other homes. He felt those who objected to this variance were the ones that would be most affected by the new garage and since the existing home would be demolished and rebuilt, there were even more options available to the new owners in placing the home and extraneous storage.

Mayor Seibold felt that granted variances create precedents and each must be looked at carefully to determine what differences exist. She stated that although the proposed location would be best for the Terpstas, it was not necessarily the best location for surrounding properties. She stated she would not support the variance because other options exist on this property.

Yeas: -0-

Nays: Dills, Goebel, Graham, Skaggs and Seibold – 5

- 2012-132. Consider request to approve the division of land at 1950 Robinson Road.

Zoning Administrator Faasse outlined the 2011 lot split that resulted in two separate parcels and ownership of the main home by Aquinas College. Mr. Cummings now wished to transfer additional property to Aquinas to allow access to an accessory structure.

Todd Hendricks, attorney for Mr. Cummings, was present to explain the request and answer questions.

Mayor Seibold opened a public hearing. No other public comment was received. Mayor Seibold closed the public hearing.

2012-132-A. Skaggs-Goebel. That the request of Samuel and Janene Cummings, owners of 1950 Robinson Road, and Aquinas College, owner of 250 Plymouth, to transfer a small triangular parcel approximately 5,900 square feet from 1950 Robinson Road to 250 Plymouth as outlined on the submitted applications materials, be approved with the following conditions:

1. The relevant deed(s) or land contract(s) be recorded with the Kent County Registrar of Deeds within 90 days of approval; and
2. The split complies with the surveys presented in the land division application;

Yeas: Dills, Goebel, Graham, Miller and Seibold – 5

Nays: -0-

2012-133. Dills-Skaggs. Motion to approve the consent agenda as follows:

2012-133-A. Minutes of the regular meeting held October 15, 2012.

2012-133-B. Payroll disbursements of \$476,727.79; county and school disbursements of \$122,551.99, and total remaining disbursements of \$903,225.93.

2012-133-C. The quarterly financial reports for the period ending September 30, 2012.

2012-133-D. An extension of the contract with Professional Lake Management for three seasons of evaluation and treatment for Reeds Lake on a time and material basis not to exceed \$76,000.00.

2012-133-E. A contract for property and liability insurance with Berends-Hendricks-Stuit Insurance Agency representing Travelers Insurance in the amount of \$178,679.00.

2012-133-F. The preliminary minutes of the Traffic Commission meeting held September 24, 2012.

The City Commission discussed the internal traffic study recommended by the Traffic Commission for the Rosewood/Alexander/Cambridge area and agreed to this course of action. The Commission also reviewed the Traffic Commission's motion to remove No Parking signs on Belvedere and to remove all on-street parking spaces in front of the Community Center. The motions will take effect automatically.

Yeas: Dills, Goebel, Graham, Skaggs and Seibold – 5

Nays: -0-

2012-133-G. Dills-Graham. Motion to enter into an executive session to discuss an attorney's opinion and to discuss pending litigation in accordance with Sections 8(h) and 8(e) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Skaggs and Seibold – 5

Nays: -0-

The meeting adjourned at 7:23 p.m., subject to the call of the Mayor until November 19, 2012.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 19, 2012

Commission President Graham called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Graham, Johnson, Miller, and Skaggs

Absent: Mayor Seibold

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood;
Zoning Administrator Faasse; City Clerk Brower

2012-134. No public comment was received.

2012-135. Commissioner Skaggs congratulated City Clerk Brower and all of the election workers on a very well run Presidential Election on November 6th.

Commissioner Johnson invited all residents to attend the Tree Lighting Ceremony in Gaslight Village on Friday, November 23rd beginning at 6:30 pm. President Graham agreed it was a wonderful community event.

2012-136. A zoning variance hearing was held regarding the request of Joe & Leisa Gallagher, owners of 2511 and 2517 Richards, to allow the two nonconforming lots to remain as separate parcels and to be permitted to use and occupy each of the lots as permitted in a single family residential zoning district, instead of considering them to be an undivided parcel for zoning purposes.

Zoning Administrator Faasse explained the ordinance required the lots be combined for zoning purposes unless a variance was granted.

Joe and Leisa Gallagher, 2517 Richards, were present to explain the request and answer questions. Mr. Gallagher stated the lots are very similar in size to many others on the street and in the 500' radius and asked that they be kept as separate lots.

President Graham opened a public hearing. The following people were present to express their opinions:

- Don Lawless, 2539 Albert

Stated he owned two very similar parcels and has always considered them one property due to the zoning district requirements. Noted the Gallagher properties did not meet size requirements and asked the Commission to deny the variance request.

The following communications were received at City Hall concerning this variance request:

- Bruce Courtade

In Favor.

-Mimi Fuger, 1521 Lake Grove

In Favor.

- Bruce Sherpenisse, 2505 Richards

In Favor.

- Bill & Astrida Molenaar, 1453 Lake Grove

In Favor.

No other public comment was received. President Graham closed the public hearing.

- 2012-136-A. Dills-Goebel. That the request of Joe & Leisa Gallagher, owners of 2511 and 2517 Richards, to allow the two nonconforming lots to remain as separate parcels and to be permitted to use and occupy each of the lots as permitted in a single family residential zoning district, instead of considering them to be an undivided parcel for zoning purposes be approved.

City Manager Donovan added the zoning district requirements are the core of the city's zoning ordinances and the goal of the commission has always been to meet or exceed the requirements of the district. He noted these two lots did not individually meet the requirements of the A-2 District and granting a variance to allow them to remain separate would set a dangerous precedent.

Commissioner Johnson agreed the minimum lot sizes were not met and the vacant lot was actually smaller than the median and the average of other lots in the area. She was also concerned about setting a precedent.

Commissioner Skaggs questioned whether combining the two lots into one would create a parcel that conformed to the zone district requirements. Zoning Administrator Faasse confirmed the combined lot would meet the A-2 district requirements of 7,200 sq. ft. in the first 100' of depth and a width of 72.'

Commissioner Dills noted the lot containing the home was only roughly 75% of what was allowed in this zoning district, and the vacant lot was smaller yet. He respected that there were many small lots in this area, but felt the ordinance had been in effect for many years and this property should be brought into compliance with the standards of the zoning district. He stated he would not be supporting the request.

Commissioner Goebel stated he originally was inclined to grant the variance, but upon further review agreed the lots were too small to be kept as separate parcels.

Commissioner Graham noted the City was working to standardize many similar situations throughout the City. He felt the parcel with the house on it was already non-conforming and granting a variance to keep the two lots separate would further compound the original problem and likely create more issues.

Yeas: -0-

Nays: Dills, Goebel, Graham, Johnson, Miller and Skaggs – 6

- 2012-137. Miller-Johnson. Motion to approve the consent agenda as follows:

2012-137-A. Minutes of the regular meeting held November 5, 2012.

2012-137-B. Payroll disbursements of \$-0-; county and school disbursements of \$-0-, and total remaining disbursements of \$229,807.06.

2012-137-C. A contract with Blue Water Pools of Grand Rapids to repair tile at Wealthy Pool in the amount of \$5,100.00 plus contingencies of \$510.00 for a total not-to-exceed \$5,610.00.

2012-137-D. The purchase of two claw buckets from Hoekstra Truck Equipment Company in the amount of \$18,692.00.

2012-137-E. Ratification of traffic signal work performed by the City of Grand Rapids at Plymouth and Lake Drive in the amount of \$5,365.50.

2012-137-F. The purchase of an A/C Refrigerant Handling System from NAPA Auto Parts in the amount of \$4,279.96.

2012-137-G. The requisition of road salt for winter maintenance operations in the amount of \$63.20 per ton from the North American Salt Company through the MIDEAL purchasing program.

2012-137-H. The purchase of computer equipment for various departments from Civitas-IT in the amount of \$4,854.00 and from Ocean Inc. in the amount of \$1,777.00 for a total of \$6,631.00.

2012-137-I. The preliminary minutes of the Parks & Recreation Commission meeting held September 10, 2012.

2012-137-J. The preliminary minutes of the Library Commission meeting held September 24, 2012.

2012-137-K. The preliminary minutes of the Parks & Recreation Commission meeting held October 8, 2012.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Skaggs – 6

Nays: -0-

2012-137-L. Johnson-Dills. Motion to enter into an executive session to discuss to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Graham, Johnson, Miller and Skaggs – 6

Nays: -0-

The meeting adjourned at 6:26 p.m., subject to the call of the Mayor until December 3, 2012.

Karen K. Brower, City Clerk