

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held January 7, 2013**

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, 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; Zoning Administrator Faasse; City Clerk Brower

2013-1. No public comment was received.

2013-2. Commissioners Dills, Miller, Goebel, Skaggs, Graham and Johnson all thanked the members of the EGR Public Safety Department and the officers of the Grand Rapids Police Department for a peaceful resolution to the incident earlier in the day.

Commissioner Skaggs wished Finance Director Dood well in his new position with the City of Grand Rapids.

Commissioner Johnson invited everyone to the Community Pancake Breakfast being held on January 19<sup>th</sup> from 8:30 to 10:30 am at the Middle School. The event is hosted by the EGR Community Foundation and features pancakes and sausage for \$5 per person.

Mayor Seibold also thanked the members of the Public Safety Department for their professional handling of the issue on Breton Road early in the morning. She also thanked the Public Works crews who worked around the clock this weekend to repair a watermain break. She thanked Finance Director Dood for all his work over the last year and wished him well in his new endeavors. She also reminded everyone to be vigilant about hand washing to prevent the spread of the flu virus this season.

2013-3. A zoning variance hearing was held regarding the request of Steven Tazelaar, owner of 2864 Pioneer Club, to allow the construction of a new home with a front setback of 51.0' from the front property line instead of the required 62.6'.

Zoning Administrator Faasse explained the applicant wished to demolish the current house and rebuild. The new home would conform with side yard setbacks where the current house did not, and would reduce the front yard nonconformity by sitting farther from the street than the existing home.

Joel Peterson of Insignia Homes noted there are a variety of front yard setbacks on this street and the new home will not be out of character with the area. He stated the old home is in poor shape and the new home will improve on setbacks and will look nice in the neighborhood.

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

- |   |                                    |
|---|------------------------------------|
| - William & Cecile Fehsenfeld, 2912 Pioneer Club  | In Favor.                          |
| - Monica & Michael Sekulich, 2900 Reeds Lake Blvd | In Favor.                          |
| - Sue & Jim McClain, 2920 Pioneer Club            | Concerned about scale of new home. |
| - Dr. & Mrs. Vincent Turcotte, 2860 Pioneer Club  | In Favor.                          |

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

2013-3-A. Dills-Skaggs. That the request of Steven Tazelaar of 2864 Pioneer Club, to allow construction of a new home with a front setback of 51.0' from the front property line instead of the required 62.6' be approved.

Commissioner Johnson supported the request as it improved the side yard setbacks and the proximity to neighboring homes.

Commissioner Graham noted this was a very challenging site on which to build a home and he felt the proposed home would fit well and would not be out of proportion to the rest of the street.

Commissioner Dills agreed this was a unique and challenging site and the home would fit the area well. He asked the builder to attempt to save as many of the mature trees as possible.

Commissioner Miller expressed his support for the project and appreciated the builder fitting the home within the required side yards.

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

2013-4. A zoning variance hearing was held regarding the request of St. Stephen Church and School of 750 Gladstone to recognize the current dumpster location as reasonably inconspicuous and to allow the dumpsters to remain in their current location without constructing an enclosure as required by ordinance.

Zoning Administrator Faasse explained the layout of the buildings and parking areas did not leave the church a lot of options to locate dumpsters or enclosures without blocking entrances or eliminating parking spaces.

Commissioner Graham questioned whether four dumpsters could be reduced to two, thereby reducing the required enclosure. Mr. Faasse felt it would be difficult to locate a permanent enclosure anywhere near the current location. He explained some of the various options explored by the church before seeking a variance.

Tom Curran, 1705 Pontiac, was present to explain the request and answer questions on behalf of St. Stephen's. He explained the location of the kitchens and the configuration of the parking lot made the current location the best spot for the dumpsters but did not allow for a permanent enclosure. He answered questions from the commission, but did not feel any of the suggestions would work for the church.

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

- |                            |  |
|----------------------------|--|
| - Lee Weber, 648 Rosewood  | Favored an enclosure to the current unsightly situation and asked the church to continue looking for a way to comply with the ordinance. |
| - Andy Weber, 726 Rosewood | Wanted to find a way to enclose the dumpsters and eliminate dumping by others and children playing in the dumpsters.                     |

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

- |  |           |
|--|-----------|
| - Matt Feyen, 630 Rosewood               | In Favor. |
| - Larry & Lee Nelson Weber, 648 Rosewood | Opposed.  |
| - Andy Weber, 726 Rosewood               | Opposed.  |

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

Commissioner Dills questioned why the church had waited so long past the implementation of the ordinance to seek relief from the enclosure provisions. Mr. Curran noted they had just received the citation notice.

Commissioner Goebel felt there were other options for the situation, including a swinging fence enclosure.

Mayor Seibold suggested tabling the matter to allow the church to work with its trash hauler and the city to come up with a plan acceptable to all.

2013-4-A. Johnson-Gobel. That the request of St. Stephen Church and School of 750 Gladstone to allow the existing dumpsters to remain in their current location without constructing an enclosure as required by ordinance be tabled until a future meeting to allow St. Stephen to research other options. A roll call vote was taken.

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

2013-5. Consider request to adopt a resolution approving an amendment to the Kent County Solid Waste Management Plan.

City Manager Donovan explained the proposed five-year Solid Waste Management Plan perpetuated an existing inequality governing where waste collected in the cities of Grand Rapids, Wyoming, Kentwood, Walker and East Grand Rapids was sent for disposal. The “flow control” regulations result in higher costs for residents of the core cities than for those in outlying townships. He recommended rejecting the amendment to allow the cities to continue working with Kent County on a more equitable system.

2013-5-A. Johnson-Graham. That a resolution approving an amendment to the Kent County Solid Waste Management Plan be rejected as recommended by the City Manager.

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

2013-6. Consider request to name an Interim Treasurer.

2013-6-A. Graham-Miller. That Deputy Treasurer Charlene Veenstra be named as Interim Treasurer effective January 18, 2013 until a new Finance Director/Treasurer is hired.

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

2013-7. Finance Director Dood reviewed the report from Fitch Ratings renewing the AAA bond rating for the City of East Grand Rapids.

The City Commission congratulated City Manager Donovan and Finance Director Dood for all their work with Fitch Ratings to present updated information on the city’s financial position. Mayor Seibold also thanked all the employees who are careful in their spending and who work so hard on making East Grand Rapids such a stable and desirable place to live and work.

2013-8. Dills-Miller. Motion to approve the consent agenda as follows:

2013-8-A. Minutes of the regular meeting held December 17, 2012.

2013-8-B. Payroll disbursements of \$195,701.00; county and school disbursements of \$180,821.06, and total remaining disbursements of \$452,494.60.

2013-8-C. An analysis of water sewer rates for FY 2013-14 from the City of Grand Rapids.

2013-8-D. Ratification of the tree removal services contract with Summit Tree Service in the amount of \$14,245.00.

2013-8-E. A contract with M.C. Smith Associates and Architectural Group, Inc. not to exceed \$3,840.00 plus minor related expenses for the preparation of a grant application for the Waterfront Park Phase II project.

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

The meeting adjourned at 7:00 p.m., subject to the call of the Mayor until January 21, 2012.

---

Karen K. Brower, City Clerk

Attachments: A – Resolution approving an amendment to the Kent County Solid Waste Management Plan.

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 January 21, 2013**

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; Public Safety Director Herald; City Clerk Brower

2013-9. No public comment was received.

2013-10. Commissioner Miller thanked the community members who attended the pancake breakfast on Saturday, January 19<sup>th</sup>, and thanked all of the volunteers from the EGR Community Foundation who staffed the event.

Commissioners Graham and Johnson congratulated the Community Foundation on a very successful event that was well received by the public.

Mayor Seibold thanked Foundation President Nancy Connor and City Clerk Karen Brower for all their organization and work on this well-run event.

2013-11. Dills-Goebel. Motion to approve the consent agenda as follows:

2013-11-A. Minutes of the regular meeting held January 7, 2013.

2013-11-B. Payroll disbursements of \$193,071.03; county and school disbursements of \$603,349.06, and total remaining disbursements of \$167,026.37.

2013-11-C. A contract extension with Yellow Rose Transport for annual spoils removal and roadway materials procurement with annual expenditures of up to \$19,000.00 for FY 2012-13.

2013-11-D. Ratification of expenses relating to the emergency repair of a loader unit in the amount of \$13,296.49 to AIS Construction Equipment.

2013-11-E. A contract with The Judson Group to provide an executive search for the vacant Finance Director position at a cost of up to \$20,000.00.

2013-11-F. The preliminary minutes of the Joint Facilities Committee meeting held November 29, 2012.

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

Nays: -0-

2013-12. Graham-Johnson. 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, Skaggs and Seibold – 7

Nays: -0-

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

---

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held February 4, 2013**

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, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

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

2013-13. No public comment was received.

2013-14. Commissioner Dills reported the pond hockey tournament on January 26-27 was well attended and enjoyed good weather for the event. He questioned whether any further action was needed on the St. Stephen's dumpster issue. City Manager Donovan indicated the Public Works Department was still working on finalizing the issue and would report to the City Commission soon.

Commissioner Johnson thanked the Public Works Department for keeping the sidewalks and streets clear during the recent snowy weather. She also congratulated the Kent District Library on its designation as a "Star Library" by the Library Journal Index of Public Library Service for the third year in a row.

Mayor Seibold also thanked the Public Works Department for their work over the last week plowing and salting the roads. She noted the roads in East Grand Rapids were always noticeably better than other areas.

2013-15. City Clerk Brower demonstrated the features of the City's new website and answered questions from the City Commission. The Commissioners thanked the employees who worked on the new site for all their work in making the site so user friendly and appealing.

2013-16. Johnson-Graham. Motion to approve the consent agenda as follows:

2013-16-A. Minutes of the regular meeting held January 21, 2013.

2013-16-B. Payroll disbursements of \$235,833.76; county and school disbursements of \$112,880.20, and total remaining disbursements of \$128,093.84.

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

Nays: -0-

The meeting adjourned at 6:23 p.m., subject to the call of the Mayor until February 18, 2012.

---

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held February 18, 2013**

Mayor Seibold called the meeting to order at 6:04 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 Safety Director Herald; Public Works Director Feldt; City Clerk Brower

2013-17. No public comment was received.

2013-18. Commissioner Skaggs announced the passing of EGR resident Henry Pestka last week and offered condolences to the family.

Commissioner Dills thanked the Public Works Department for their work keeping the streets and sidewalks clear during the snowy weather of the last few weeks.

Mayor Seibold echoed the appreciation for the Public Works crews and stated roads are always better in East!

2013-19. City Manager Donovan reviewed the quarterly financial report for the period ending December 31, 2012. He noted the General Fund ending balance is projected to be nearly 24% of annual expenses, which is a very good level. The Water/Sewer Fund is meeting projections, while revenue is declining in the Major/Local Street fund due to lower revenues from the State.

2013-20. Consider request to approve a consent judgment settling the pending litigation regarding the land division at 2801 Lake Drive.

City Attorney Huff outlined the terms of the agreement, including provisions that the house is moved by September 1, 2013, that the stormwater plan be implemented by October 1, 2013, that all local ordinances are met, and that easements will be recorded and sent to the City before a Certificate of Occupancy is issued. Mr. Huff stated that if the plaintiff defaulted on the agreement, the City could step in. He also noted if requirements were not met, the lot split would be nullified and a new land division would be needed in the future.

Mayor Seibold opened the meeting for public comment. The following comments were made:

- Linda Raubolt, 2735 Woodcliff Circle

Voiced a list of complaints about Mr. Kruer's character and the current situation and vowed to call the City complaining of any inconvenience caused to her by the relocation of the Kruer house or the construction of the new homes.

- Larry Robson, 2765 Woodcliff Circle

Felt it was odd that a 6-1 vote denying the variance was now being overturned by a lawsuit and felt the City should have anticipated this. Stated it would be detrimental to the neighborhood if spec homes were constructed on these lots.

- Jeff Olsen, 1112 Eastwood

Overall a positive thing for East Grand Rapids.

2013-20-A. Graham-Johnson. That a consent judgment settling the pending litigation regarding the division of land at 2801 Lake Drive be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Graham stated the agreement was the best solution for the neighbors and for the City. He noted the court was supportive of the concerns raised by the City regarding the completion of the project and the agreement spelled out the requirements and the consequences for not meeting those requirements.

Commissioner Dills also felt the agreement was the best solution. He stated he voted against the original land division request because of the lack of control over the moving of the house, but was more comfortable now that the court had spelled out the solutions. He reiterated earlier comments that once the house was relocated, the parent parcel and resulting lots would meet all local zoning ordinances.

Commissioner Skaggs stated he respected the process and the comments of his fellow commissioners, but concurred with the concerns of the neighbors about the impact to the neighborhood. He noted Section 5.406 gives the City Commission discretion regarding the consistency and harmony of the area, and the proposed Lot C was only 57% of the average lot size. He further noted that if you exclude the south side of Hall Street, Lot C was even more undersized. He understood there were risks in proceeding with the lawsuit, but felt it would be worth it to get the clarity of a legal decision. He encouraged the City Commission to look into ways to defend the unique character of East Grand Rapids neighborhoods.

Commissioner Miller supported the consent judgment, but shared the concerns of the neighbors. He stated he could not in good conscience vote against something he was not sure could be defended in a court. He agreed with Commissioner Skaggs that the character of the neighborhoods should be preserved.

Mayor Seibold stated prior court decisions have influenced the decision to work out the consent judgment. She noted that neighborhoods are more than one block, so when the surrounding area was considered, the only argument that could be used against this land division was the way the house was situated on the lot. The consent judgment will oversee the relocation of the house, and once this is completed, it would be difficult to say the criteria of the ordinances are not met. She stated this decision was a balance of private property rights and the rights of the city and the citizens. She also noted that in many cases, the majority of the land belonging to each home was in the rear yard behind landscaping and fencing where it was not seen, and sometimes the smaller lots were not any more noticeable than the larger lots, and these two new lots may not be noticeably smaller when viewed from the street in relationship to other homes. She felt the agreement addressed the concerns of the commission in denying the original land division.

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

Nays: Skaggs – 1

2013-21. A zoning variance hearing was held regarding the request of Paul Tate of 1635 Wealthy to allow the construction of a detached garage with a side yard setback of 1.1' instead of the required 3.0,' and a rear yard setback of 1.2' instead of the required 3.0'.

Public Works Director Feldt outlined the request to replace a dilapidated garage with a slightly larger structure with the same setbacks on the side and rear.

Mayor Seibold questioned whether shared driveways and garages so close together created problems between neighbors or for the City. Mr. Feldt stated there were very few problems that he was aware of because most neighbors understood the situation when they purchased their home.

Paul Tate, 1635 Wealthy, was present to explain the request. He noted wished to build the garage with the same side and rear setbacks as the old garage to maintain as much of the small back yard as possible.

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

- Tom Laureto, 365 Rosewood Fully supported the request.

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

- Andrea & Peter Claus, 344 Gladstone In Favor.  
- Jim & Barb Davis, 338 Gladstone In Favor.  
- Kelly O'Hara, 1654 Wealthy In Favor.  
- Robert & Marilyn McCoin, 1631 Wealthy In Favor.  
- Matt Feyen, 1577 Wealthy In Favor.

- Petition signed by 22 residents of the area      In Favor.
- Tom Laureto, 365 Rosewood                              In Favor.

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

2013-21-A. Dills-Skaggs. That the request of Paul Tate of 1635 Wealthy to allow the construction of a detached garage with a side yard setback of 1.1' instead of the required 3.0,' and a rear yard setback of 1.2' instead of the required 3.0' be approved.

Commissioner Dills stated he understood the limitations of the small lots and was not opposed to the variance.

Commissioner Skaggs agreed and commended the applicant for taking the time to speak with so many of his neighbors about the project.

Commissioner Graham stated he had looked at the present configuration and felt there was sufficient room between the two structures to allow future maintenance.

Commissioner Johnson supported the request as it would be difficult to have any rear yard with a 40' wide lot.

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

2013-22. Decision on Spring Break meeting

2013-22-A. Miller-Goebel. That the meeting currently scheduled for Monday, April 1, 2013 be rescheduled for Monday, March 25, 2013 at 6:00 pm to avoid conflict with Spring Break.

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

2013-23. Johnson-Skaggs. Motion to approve the consent agenda as follows:

2013-23-A. Minutes of the regular meeting held February 4, 2013.

2013-23-B. Payroll disbursements of \$197,263.85; county and school disbursements of \$84,674.46, and total remaining disbursements of \$142,017.48.

2013-23-C. The payment of additional costs for the Public Safety records management system consisting of licensing and maintenance from Core Technology of Lansing in the amount of \$10,150.00 and from Iyetek Law Enforcement Software Solutions of Kalamazoo in the amount of \$5,700.00, and approval of a related budget amendment of \$15,850.00 from the General Fund Ending Balance.

2013-23-D. The preliminary minutes of the Parks & Recreation Commission minutes held December 10, 2012.

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

The meeting adjourned at 6:46 p.m., subject to the call of the Mayor until March 4, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Consent Judgment regarding 2801 Lake Drive.

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 4, 2013**

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; Zoning Administrator Faasse; City Clerk Brower

- 2013-24. Robert Swain, 514 Lakeside, urged the City to stop using road salt to clear streets in the winter and return to plowing the streets instead. He also advocated a return to the seal coating program in the summer to stop the deterioration of the streets.
- 2013-25. Commissioner Dills noted the annual Polar Plunge for Special Olympics a few weeks ago was well attended and everyone jumping in the frigid waters of Reeds Lake seemed to be having a good time for a good cause.
- 2013-26. County Commissioner Jim Saalfeld, 205 Morningside Drive, reported East Grand Rapids is now represented by two County commissioners because of the reapportionment that took place last year. He represents Precinct 1, while 19<sup>th</sup> District Commissioner Shana Shroll represents Precincts 2-6. He reported on the new County budget, the upcoming collaboration opportunities report, and zoo and airport operations.
- 2013-27. City Manager Donovan updated the City Commission on the plans for a new roadway and pedestrian bridge over the channel between Reeds Lake and Fisk Lake on Reeds Lake Blvd proposed for 2015. He will be working with the EGR Community Foundation to raise funds for the City's matching funds requirements.
- 2013-28. Zoning Administrator Faasse gave a report on the compliance with the dumpster enclosure ordinance adopted in 2010 and answered questions from the City Commission.
- 2013-29. Johnson-Goebel. Motion to approve the consent agenda as follows:
- 2013-29-A. Minutes of the regular meeting held February 18, 2013.
- 2013-29-B. Payroll disbursements of \$196,387.43; county and school disbursements of \$-0-, and total remaining disbursements of \$382,284.55.
- 2013-29-C. A METRO Act Telecommunications permit with US Signal Company, LLC for the placement of telecommunication lines in the City of East Grand Rapids as set forth in Exhibit "A" attached hereto.
- 2013-29-D. The ratification of emergency repair expenses for the Community Center's library elevator in the amount of \$2,864.00 to Otis Elevator Company.

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

Nays: -0-

The meeting adjourned at 6:33 p.m., subject to the call of the Mayor until March 18, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – METRO Act permit for US Signal Company, LLC.

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 18, 2013**

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; Public Safety Director Herald; Parks & Recreation Director Bunn; City Assessor Mesik; Zoning Administrator Faasse; City Clerk Brower

2013-30. No public comment was received.

2013-31. Commissioner Miller thanked the Public Safety Department and other staff members for their work on the successful Irish Jig event held March 18<sup>th</sup>.

Commissioner Skaggs congratulated the girls swimming/diving team on their Division 3 State Championship and the Waves 12/Under and the 13/Over teams for their awesome finishes at their recent State tournament. Mr. Skaggs also thanked the organizers of the Irish Jig event for the postcard sent out to residents along the race route letting people know about the event and road closures. He also expressed thanks to the hundreds of EGR residents that show their community spirit and civic commitment by volunteering for the meetings, events, plays and advisory boards that are such a part of the area.

Mayor Seibold also thanked the Irish Jig for letting residents know the times and locations of the closures surrounding their race. She also thanked the Board of Review members for the time and effort they put in at the Board of Review meetings each year.

2013-32. Jason Broekstra of PLM Lake & Land Management Corporation reviewed the 2012 Reeds Lake Water Quality Monitoring and Analysis Report. He reported that while Reeds Lake does have some elevated levels of nutrients and chemicals, overall it is a very productive and healthy urban lake. He offered assistance with public education efforts to improve the quality of the lake.

2013-33. A zoning variance hearing was held regarding the request of Rebecca Sitterly of 1114 Keneberry to allow the construction of an addition to the rear of the home creating a rear yard setback of 21.0' instead of the required 25.0'.

Zoning Administrator Faasse outlined the variance request for a 12x12' addition to the rear of the home.

Dan McWilliams, 2485 Hayes, Marne, explained the neighbors seemed to have no issues with the request and that drainage concerns would be taken care of during construction.

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

- Diane Cisler, 1062 Keneberry Way                      In Favor.  
- Michael Walker, 1102 Keneberry Way                      In Favor.

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

- 2013-33-A. Graham-Johnson. That the request of Rebecca Sitterly of 1114 Keneberry to allow the construction of an addition to the rear of the home creating a rear yard setback of 21.0' instead of the required 25.0' be approved.

Commissioner Johnson stated this request seems reasonable given the non-conforming lot.

Commissioner Graham noted this was an area of smaller homes and the effort to gain extra room makes sense.

Commissioner Skaggs felt garages and sheds of neighboring properties would create any screening needed.

Commissioner Dills stated this was a very close-knit neighborhood and the porch would be a nice addition.

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

Nays: -0-

- 2013-34. Consider request to adopt a resolution approving a grant application for the Waterfront Park Phase II project.

Parks & Recreation Director Bunn gave a brief history of the City's ownership of Waterfront Park and the process that resulted in completion of Phase I in May 2011 and the current plans for Phase II. Mr. Bunn also summarized the cost projections for the project. Jim DeWilde of MC Smith Associates outlined the proposed plans for improvements and natural area restorations.

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

- 2013-34-A. Miller-Skaggs. That a resolution authorizing the application for funding of Waterfront Park Phase II through the DNR Natural Resources Trust Fund be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Miller thanked the Parks & Recreation Commission members and the many staff members and consultants who have spent so much time on this project over the years to develop such an impressive project.

Commissioner Johnson stated this project had been part of recent Master Plan updates and was well received by the public in attendance at those meetings.

Commissioner Goebel remembered the condos originally proposed for this property in the late 1980's and stated he felt this was much better for the community.

Mayor Seibold felt this proposed project was a great example of how the City and its residents invest in the future of the community. She expressed support and excitement for the project.

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

Nays: -0-

- 2013-35. Introduction of an ordinance amendment to amend Section 10.1 of Chapter 101 of Title X of the City Code adopting portions of the Michigan Vehicle Code by reference.

City Attorney Huff noted this change will allow the City to issue citations and prosecute drunk driving arrests with high blood alcohol levels instead of turning these over to the Kent County Prosecutor.

- 2013-35-A. Johnson-Goebel. That an ordinance amendment to amend Section 10.1 of Chapter 101 of Title X of the City Code adopting portions of the Michigan Vehicle Code by reference be introduced as set forth in Exhibit "B" attached hereto.

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

Nays: -0-

2013-36. Introduction of an ordinance amendment to amend Section 10.3 of Chapter 101 of Title X of the City Code pertaining to penalties of the Michigan Vehicle Code.

2013-36-A. Graham-Miller. That an ordinance amendment to amend Section 10.3 of Chapter 101 of Title X of the City Code pertaining to penalties of the Michigan Vehicle Code be introduced as set forth in Exhibit "C" attached hereto.

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

2013-37. Skaggs-Miller. Motion to approve the consent agenda as follows:

2013-37-A. Minutes of the regular meeting held March 4, 2013.

2013-37-B. Payroll disbursements of \$189,413.72; county and school disbursements of \$336,226.28, and total remaining disbursements of \$725,074.41.

2013-37-C. The list of City Commission and Advisory Board meetings for FY 2013-14.

2013-37-D. The preliminary minutes of the Joint Facilities Committee meeting held January 23, 2013.

2013-37-E. The preliminary minutes of the Library Commission meeting held January 28, 2013.

2013-37-F. A contract with LC United Painting for the refurbishment of the City's elevated water tank in the amount of \$345,000; a contract with Dixon Engineering for construction supervision of the project in the amount of \$20,418.00, and project contingencies for both contracts of \$36,442.00.

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

The meeting adjourned at 7:08 p.m., subject to the call of the Mayor until March 25, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Resolution approving a grant application for Waterfront Park Phase II.  
B – Ordinance Amendment to Section 10.1 adopting portions of the Michigan Vehicle Code.  
C – Ordinance Amendment to Section 10.3 pertaining to penalties of the Michigan Vehicle Code.

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 25, 2013**

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 Attorney Huff; Public Works Director Feldt; Public Safety Director Herald; Parks & Recreation Director Bunn; City Assessor Mesik; City Clerk Brower

2013-38. No public comment was received.

2013-39. Mayor Seibold congratulated Commissioner Dills and Commissioner Miller on their finishes in the Barry-Roubaix bike race on March 23<sup>rd</sup>. She reported one of the City's employees had collapsed with a medical issue during the same race and was taken to the hospital. All Commissioners wished him a quick recovery.

2013-40. Consider request to confirm a new Finance Director/Treasurer.

Mayor Seibold introduced Karen Mushong as the candidate chosen as the new Finance Director/Treasurer. Ms. Mushong gave an overview of her government finance experience and looked forward to working with the City of East Grand Rapids.

2013-40-A. Johnson-Goebel. That Karen Mushong be appointed as the Finance Director/Treasurer for the City of East Grand Rapids.

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

Nays: -0-

2013-41. Final Reading of an ordinance amendment to Section 10.1 of Chapter 101 of Title X of the City Code adopting portions of the Michigan Vehicle Code by reference.

City Attorney Huff explained that recent changes in State law now allow local jurisdictions to write tickets under local law instead of turning these cases over to the County prosecutors. He noted the City will be able to recover the additional costs of prosecuting these cases through its cost recovery ordinance and court cost systems.

2013-41-A. Miller-Graham. That an ordinance amendment to Section 10.1 of Chapter 101 of Title X of the City Code adopting portions of the Michigan Vehicle Code by reference be adopted as set forth in Exhibit "A" attached hereto.

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

Nays: -0-

2013-42. Final Reading of an ordinance amendment to Section 10.3 of Chapter 101 of Title X of the City Code pertaining to penalties of the Michigan Vehicle Code.

2013-42-A. Johnson-Miller. That an ordinance amendment to Section 10.3 of Chapter 101 of Title X of the City Code pertaining to penalties of the Michigan Vehicle Code be adopted as set forth in Exhibit "B" attached hereto.

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

2013-43. Dills-Goebel. Motion to approve the consent agenda as follows:

2013-43-A. Minutes of the regular meeting held March 18, 2013.

2013-43-B. Payroll disbursements of \$190,025.67; county and school disbursements of \$-0-, and total remaining disbursements of \$215,199.24.

2013-43-C. An extension of the agreement with Pleune Service Company in the amount of \$6,696.00 per year for the maintenance of the Community Center cooling system through calendar year 2015.

2013-43-D. Authorization for the Public Works Department to proceed with final design and solicitation of bids for the proposed 2013 Capital Improvement Projects as outlined in the Public Works Director memo of March 18, 2013.

2013-43-E. A final change order to the contract with CL Trucking and Excavation in the amount of \$80,055.88 for the 2012 capital improvement projects, and to approve a budget amendment in the amount of \$13,600.00 from the Major Street Fund for this change order.

2013-43-F. Ratification of a contract with HA Irish Tree Service of Byron Center in the amount of \$2,900.00 for tree removal services as requested by the Public Works Department.

2013-43-G. The preliminary minutes of the Traffic Commission meeting held March October 22, 2012. The City Commission took no action on the Traffic Commission's motion to install "No Parking" signs along the west side of Lake Grove from Lake Drive to Hall Street. The motion will take effect immediately.

2013-43-H. The preliminary minutes of the Traffic Commission meeting held January 28, 2013. The City Commission took no action on the Traffic Commission's motion to adjust flashing traffic light schedules at all intersections to begin at 6:30 am daily. The motion will take effect immediately.

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

The meeting adjourned at 6:12 p.m., subject to the call of the Mayor until April 15, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 10.1 adopting portions of the Michigan Vehicle Code.  
B – Ordinance Amendment to Section 10.3 pertaining to penalties of the Michigan Vehicle Code.

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 April 15, 2013**

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; Public Safety Director Herald; City Assessor Mesik; Zoning Administrator Faasse; City Clerk Brower

2013-44. Linda Williams, 2125 Lake Drive, stated her home had been severely damaged from the work going on at the Bagley Townhomes project and asked the City Commission who is responsible for this damage. City Manager Donovan answered this would be a private matter between the property owners and she should contact the owner and/or developer about the damage.

2013-45. Commissioners Miller and Skaggs noted the thoughts and prayers of all residents of East Grand Rapids go out to those affected by the attack on the Boston Marathon.

City Manager Donovan reported he had attended the annual meeting of the ICMA Retirement Corporation advisory board in Washington DC in early April and gathered information on their plans and services as well as updates on the economy and pending legislation.

Mayor Seibold announced City Manager Brian Donovan had been presented with an Outstanding Achievement Award from the Michigan Municipal League last week in appreciation of his assistance with legislative efforts that would benefit many municipalities. The City Commission congratulated Mr. Donovan on this award and thanked him for his efforts.

2013-46. A zoning variance hearing was held regarding the request of Richard Sprague of 2332 Burchard to allow the construction of a two-story addition to the rear of the home creating an side yard setback of 3.1' instead of the required 6.1,' combined side yard setbacks of 11.9' instead of the required 15.7,' and a rear yard setback of 18.7' instead of the required 25.0'.

Zoning Administrator Faasse explained this was a non-conforming lot with reduced setbacks proportional to the lot size.

Richard and Deb Sprague, 2332 Burchard, were 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.

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

- Terry & Rebecca Stockton, 2355 Burchard	In Favor.
- Allen & Samantha Greeson, 2337 Burchard	In Favor.
- Howard & Gloria Stuit, 2326 Burchard	In Favor.

2013-46-A. Miller-Graham. That the request of Richard Sprague of 2332 Burchard to allow the construction of a two-story addition to the rear of the home creating an side yard setback of 3.1' instead of the required 6.1,' combined side yard setbacks of 11.9' instead of the required 15.7,' and a rear yard setback of 18.7' instead of the required 25.0' be approved.

Commissioner Graham expressed support for the variance as this property backed up to the school and the addition would not affect any neighbors to the rear. Commissioner Goebel agreed.

Commissioner Miller noted variances have to be tolerated on these smaller lots and felt this was an acceptable request given the circumstances. Commissioner Skaggs concurred.

Commissioner Johnson felt there was sufficient greenspace behind the property and stated she would support the variance.

Commissioner Dills noted the house would triple in size and push the house too close to the lot lines in several areas. He felt this was just too much for an already undersized lot and stated he could not support this request.

Yeas: Goebel, Graham, Johnson, Miller, Skaggs and Seibold – 6  
Nays: Dills – 1

2013-47. Johnson-Skaggs. Motion to approve the consent agenda as follows:

2013-47-A. Minutes of the regular meeting held March 25, 2013.

2013-47-B. Payroll disbursements of \$185,694.47; county and school disbursements of \$-0-, and total remaining disbursements of \$231,355.77.

2013-47-C. A permit for a fireworks show on July 4, 2013 provided by Great Lakes Fireworks.

2013-47-D. Ratification of a contract with SonSeeker Pool Masonry of Grand Rapids to complete repairs to Wealthy Pool in the amount of \$5,100.00.

2013-47-E. The preliminary minutes of the Traffic Commission meeting held February 25, 2013. The City Commission took no action on the Traffic Commission's motion to adjust traffic signal flash schedules from 10 pm to 6:00 am each day. The motion will take effect immediately

2013-47-F. The preliminary minutes of the Parks & Recreation Commission meeting held February 11, 2013.

2013-47-G. The preliminary minutes of the Parks & Recreation Commission meeting held March 11, 2013.

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

2013-48. City Manager Donovan and City Assessor Mesik 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 6:53 p.m., subject to the call of the Mayor until May 6, 2013.

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held May 6, 2013**

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, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

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

2013-49. Brian Ellis, 45 Brooktree Lane, was present on behalf of the EGRNow! Campaign to announce the launch of their 2013 campaign to raise funds to offset the \$1.5 million budget shortfall for the EGR Schools. Mayor Seibold thanked the EGR Schools Foundation for their willingness to assist with improving the quality of life for those in East Grand Rapids.

2013-50. Commissioners Dills, Miller, Goebel, Johnson and Skaggs complimented members of the city staff who worked to contain the flood waters and the damage to private property during the historic flooding in April. Many noted stories from residents who were very grateful for the assistance and the periodic updates provided by the City on the situation.

Commissioner Skaggs thanked the Swaney family for their contribution to the renovations at the Remington softball field. Mr. Skaggs voiced his support for the EGRNow campaign and encouraged citizens to educate themselves on the school funding situations and get involved in the solution. Commissioner Skaggs announced he would be running for election in November.

Mayor Seibold thanked the Public Safety Department, the Public Works Department and other employees who worked tirelessly during the recent flooding to help residents deal with flood waters, power outages and other issues. Mayor Seibold welcomed Finance Director Karen Mushong to the city, and announced that Gary Veldhof had returned to work following his medical leave.

2013-51. A zoning variance hearing was held regarding the request of Todd & Lori Terpstra of 917 Princeton to allow the construction of a new home with a building height at the rear walkout of 27' instead of the allowed 25.'

Zoning Administrator Faasse explained this request was being presented to the City Commission because of substantial changes from the plans presented in December 2012. The new plans propose a building height of 27' at the walkout level. Mr. Faasse noted this building height required City Commission approval because the lot did not meet street frontage requirements.

Lori Terpstra, 917 Princeton, explained the differences between the prior request and the current proposal. She noted the rear elevation had been changed to include only a partial walkout due to their engineer's recommendations. She further noted the attached garage was enlarged to avoid having a separate accessory building.

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

- Lawrence & Shirley Manning, 928 Princeton

No objection.

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

2013-51-A. Graham-Skaggs. That the request of Todd & Lori Terpstra of 917 Princeton to allow the construction of a new home with a building height at the rear walkout of 27' instead of the allowed 25' be approved.

Commissioner Dills thanked the applicants for purchasing and improving the property and expressed his support for the request.

Commissioner Miller expressed appreciation for the change to include a partial walkout to preserve the slopes behind the home. Commissioner Johnson agreed.

Commissioner Skaggs stated he supported the variance because this was a large lot and only required the variance due to the frontage issue.

Mayor Seibold thanked Mr. and Mrs. Terpstra for reconfiguring the plans for their new home.

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

2013-52. Johnson-Miller. Motion to approve the consent agenda as follows:

2013-52-A. Minutes of the regular meeting held April 15, 2013.

2013-52-B. Payroll disbursements of \$187,883.03; county and school disbursements of \$-0-, and total remaining disbursements of \$379,598.01.

2013-52-C. A hearing date of June 3, 2013 for public hearings on the proposed FY 2013-14 budget and the placement of delinquent accounts on the summer property tax bill.

2013-52-D. A contract with Video TechTronics of Comstock Park to install card access security and release buttons at the Community Center in the amount of \$5,590.00.

2013-52-E. A contract with Med 1 of Grand Rapids in the amount of \$12,320.00 for the completion of physical exams for sworn personnel of the Public Safety Department.

2013-52-F. A report on the Public Safety Department's decision to eliminate the paid-on-call firefighter program.

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

The meeting adjourned at 6:22 p.m., subject to the call of the Mayor until May 20, 2013.

---

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held May 20, 2013**

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 Mushong; Zoning Administrator Faasse; Captain Lark; Captain Williams; Assistant Parks & Recreation Director Perry; Public Works Superintendent Stehouwer; Account Clerk Ritzke; City Clerk Brower

2013-53. No public comment was received.

2013-54. Commissioner Johnson welcomed Claudine Duncan as a candidate for the 2<sup>nd</sup> Ward City Commission seat and noted what a great experience it will be for her.

Mayor Seibold also noted the three candidates that filed last week for the November election: Phil Skaggs in the 1<sup>st</sup> Ward, Claudine Duncan in the 2<sup>nd</sup> Ward, and Jeff Dills in the 3<sup>rd</sup> Ward. She noted that Commissioner Johnson's experience and insight will be missed on the City Commission when her term ends.

2013-55. Assistant Parks & Recreation Director Perry announced that Huntington Bank was the new title sponsor of the Reeds Lake Run in June. John Irwin, President of Huntington Bank, stated that Huntington was excited to be a part of the race and part of the East Grand Rapids community and looked forward to continuing the traditions of the area.

2013-56. A zoning variance hearing was held regarding the request of Mark and Lisa Saur, owners of 2727 Darby to allow the construction of a new home with a west side yard setback of 12' instead of the required 24', and to allow a front yard setback of 71.6' from the front property line instead of the established front yard setback of 73.6.'

Zoning Administrator Faasse explained the request to build a new home slightly off center on the lot to allow more space between the new home and the home to the east.

Rob Sears of Sears Architects noted the house could be placed on the lot to comply with the zoning requirements, but the applicants wished to shift the home to the west to fit better with the slope of the land and to allow as much space as possible between the new home and the home to the east. He stated the front yard setback variance was required because the home was angled slightly to match the curve of the road and this resulted in a corner of the home being closer to the street than allowed.

Scott Blauw of Scott Christopher Homes stated the proposed placement of the home would help with the drainage on the slope toward the lake and in the placement of the swimming pool.

Mayor Seibold opened a public hearing. No further public comment was received.

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

- Peter & Joan Secchia, 2833 Bonnell	In Favor
- Ted & Barb Etheridge, 2737 Darby	In Favor.
- J. Paul Janes, 2647 Lake Drive	In Favor.
- Melissa & J. Paul Janes, 2747 Lake Drive	In Favor.
- Pete & Anne Eardley, 2737 Bonnell	In Favor.

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

2013-56-A. Dills-Johnson. That the request of Mark and Lisa Saur, owners of 2727 Darby to allow the construction of a new home with a west side yard setback of 12' instead of the required 24', and to allow a front yard setback of 71.6' from the front property line instead of the established front yard setback of 73.6' be approved.

Commissioner Graham supported the variance requests and noted the air conditioning units would have less effect on the neighbors with the proposed placement of the home.

Commissioner Skaggs noted he was usually hesitant to approve a variance on new construction, but felt the applicant had compelling reasons for the proposed location. He further noted Reeds Lake Blvd is a one-way seasonal road with little traffic that would not be affected by the placement of the home. He appreciated the effort to keep the trees along Reeds Lake Blvd to screen the garage from the roadway.

Commissioner Johnson felt the variance made sense given the topography of the lot and the effort to leave space between the homes.

Mayor Seibold noted that building a new home allowed applicants to start anew and to meet zoning district requirements that could not always be met with remodeling and additions. She asked whether, once the variance for a west side yard setback was granted, the architects could build closer to the east side yard setback than currently proposed. City Attorney Huff stated that unless conditioned by the City Commission with the variance approval, the home could be built as close as 12.0' to the east lot line.

2013-56-B. Skaggs-Miller. To amend 2013-56-A. to add a condition that the new home be no closer than 22.0' from the east side property line.

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

Commissioner Dills stated he was not in favor of granting a request for a reduced side yard when this was new construction and could comply with the ordinances. He felt this was different than requests for additions on smaller lots or established neighborhoods where space was tight.

Mayor Seibold agreed with Commissioner Dills and felt there was not a compelling reason to grant the variance when there was enough room to locate the home without a variance.

Vote on 2013-56-A., as amended:

Yeas: Goebel, Graham, Johnson, Miller and Skaggs – 5  
Nays: Dills and Seibold – 2

2013-57. A zoning variance hearing was held regarding the request of Diane and Damien Maher, owners of 2929 Bonnell, to allow the enlargement of a nonconforming detached accessory building.

Zoning Administrator Faasse noted the applicants had applied for two variances for separate projects near the Reeds Lake shoreline. The first request is to enlarge and improve an existing non-conforming building near the shore, and the second to build a new storage building in the platted road right-of-way. Mr. Faasse noted the applicants have agreed to meet the requirements of a new ordinance that will be brought to the City Commission soon adding requirements for improvements along the shore.

Mayor Seibold questioned whether the proposed projects would impact the drainage and erosion of the slope above the area. Public Works Director Feldt reported the situation would be reviewed extensively during the building permit process, but he did not think the slope or the drainage would be affected.

Commissioner Skaggs questioned whether the accessory building could be used as living quarters. City Attorney Huff noted the plans do not show any sleeping areas and it would be illegal to have a second home on the property. Mr. Faasse reported the plans did not show a kitchen or sleeping facilities.



- 2013-59-A. Miller-Goebel. That the request of Devon Norman, owner of both parcels, to transfer approximately 800 square feet of land from 1140 Cambridge to the adjoining parcel at 1125 Plymouth Road, consistent with the application materials and legal descriptions submitted, be approved with the following conditions:
1. The split complies with the surveys presented in the land division application; and
  2. The relevant deed(s) or land contract(s) be recorded with the Kent County Registrar of Deeds within 90 days of approval.
  3. Prior to any property transfer, the applicant must record an easement with the Kent County Register of Deeds granting the right for the property at 1125 Plymouth to discharge storm water drainage onto and across the property at 1140 Cambridge.

Commissioner Dills noted that this court is virtually invisible from the street and will not affect any of the adjoining property owners.

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

- 2013-60. Consider request to adopt a resolution regarding transportation funding.

City Manager Donovan noted that while the City transfers over \$1 million each year from the General Fund to the Street Fund for operations and improvements to our local roads, the funding is not sufficient to keep pace with the deterioration of the roads and infrastructure.

- 2013-60-A. Johnson-Graham. That a resolution supporting the need for additional state funding for the repair of Michigan's roads and transportation systems be adopted as set forth in Exhibit "A" attached hereto.

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

- 2013-61. Johnson-Graham. Motion to approve the consent agenda as follows:

- 2013-61-A. Minutes of the regular meeting held May 6, 2013.
- 2013-61-B. Payroll disbursements of \$424,398.09; county and school disbursements of \$-0-, and total remaining disbursements of \$95,916.95.
- 2013-61-C. The renaming of the baseball field at Remington Park as "Rusty Swaney Field at Remington Park" to honor the donation of the Swaney family to the improvement project.
- 2013-61-D. The announcement of a Class 5 rating from the Insurance Service Office (ISO) for East Grand Rapids.
- 2013-61-E. The preliminary minutes of the Planning Commission meeting held April 9, 2013.
- 2013-61-F. The preliminary minutes of the Joint Facilities Committee meeting held May 2, 2013.
- 2013-61-G. The Joint Facilities Committee budget for FY 2013-14.

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

The meeting adjourned at 7:00 p.m., subject to the call of the Mayor until June 3, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Resolution supporting transportation funding.

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 3, 2013**

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 Mushong;  
City Clerk Brower

2013-62. No public comment was received.

2013-63. Commissioner Skaggs thanked Mayor Seibold and City Manager Donovan for their work on the new ambulance consortium and looked forward to the efforts to standardize and improve emergency medical response.

Commissioner Johnson thanked the Public Safety Department for bringing a fire truck and personnel to the Lakeside Fun Day. She felt the positive interaction between officers and the students was very important and much appreciated.

2013-64. A public hearing was held pertaining to the General Fund budget and the property tax levy for Fiscal Year 2013-14. No public comment was received. President Graham closed the public hearing.

2013-65. A public hearing was held on the special assessment roll of delinquent accounts for placement on the July 1, 2013 tax roll. No public comment was received. President Graham closed the public hearing

2013-65-A. ~~Miller-Goebel~~. That the special assessment roll of delinquent accounts totaling \$51,015.12 be certified and placed on the July 1, 2013 tax roll

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

Nays: -0-

2013-66. Skaggs-Johnson. Motion to approve the consent agenda as follows:

2013-66-A. Minutes of the regular meeting held May 20, 2013.

2013-66-B. Payroll disbursements of \$-0-; county and school disbursements of \$-0-, and total remaining disbursements of \$89,616.02.

2013-66-C. Adoption of a resolution agreeing that the City of East Grand Rapids will participate as a partner with area municipalities in the development of the Kent County Ambulance Consortium Governance documents as set forth in Exhibit "A" attached hereto.

2013-66-D. A consulting contract with Watkins Ross to provide retirement plan and actuarial advice to the City for the defined benefit retirement plan at a cost of \$200 per hour.

2013-66-E. The quarterly financial report for the period ended March 31, 2013 was received.

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

The meeting adjourned at 6:07 p.m., subject to the call of the Mayor until June 17, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Resolution regarding the Kent County Ambulance Consortium.

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

**Special Meeting Held June 3, 2013**

Commission President Graham called the meeting to order at 6:08 p.m. in the City Commission Chamber at the Community Center.

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 Mushong; City Clerk Brower

2013-67. Consider request to adopt a resolution adopting the FY 2013-14 budget and setting a millage rate for FY 2013-14.

2013-67-A. Dills-Miller. That a resolution adopting the FY 2013-14 budget as amended during the budget worksession and setting millage rate for FY 2013-14 be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Dills noted the lack of public comment on the proposed budget and millage rate indicates the residents are satisfied with the way the budget is administered and have trust in the staff and elected officials to review revenues and expenditures carefully.

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

2013-68. Consider request to adopt a resolution establishing water/sewer rates for FY 2013-14.

2013-68-A. Miller-Johnson. 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 and Skaggs – 6  
Nays: -0-

Commissioner Johnson thanked the staff for their careful analysis of the water and sewer rates and for preparing a balanced budget.

The special meeting was adjourned at 6:12 p.m.

---

Karen K. Brower, City Clerk

Attachments: A – Resolution adopting FY 2013-14 budget.  
B – Resolution establishing water/sewer rates for FY 2013-14.

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 17, 2013**

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; Assistant City Attorney Tobias; Public Works Director Feldt; Public Safety Director Herald; Parks & Recreation Director Bunn; Finance Director Mushong; City Clerk Brower

2013-69. No public comment was received.

2013-70. Commissioner Dills commented that the Reeds Lake Art Fair and the Friends of the Library Book Sale were both well organized and well attended over the weekend.

Commissioner Skaggs stated he was looking forward to the 4<sup>th</sup> of July fireworks and festivities and reminded everyone that donations toward the cost of the fireworks could still be dropped off at the Parks & Rec. offices.

Commissioner Graham noted the flower baskets look beautiful. He also reported the bike patrol officers are making rounds of neighborhoods on a regular basis.

Commissioner Johnson thanked Macatawa Bank, United Bank and Spectrum Health for their sponsorships of the summer movies, concerts and 4<sup>th</sup> of July events. She noted that these events were made much better with the assistance of the sponsors. She also encouraged children to get involved with the Reeds Lake Trail Blazer for a chance to win a free bike from Grand Rapids Bicycle Company.

City Manager Donovan reported the State law regulating fireworks has been amended to allow local communities to prohibit the discharge of fireworks within certain hours. The City Commission will review an ordinance amendment to match the State law at its next meeting. Mr. Donovan reiterated that the launching of fireworks is not permitted from public, school or church property.

Mayor Seibold noted there are many programs and events taking place over the summer months and thanked the organizations that assist with the planning, implementation and funding of these great events. She also thanked the Public Safety Department for the presence of officers during the Reeds Lake Art Fair to interact with the shoppers and vendors.

2013-71. Consider request to adopt a resolution approving year-end budget amendments for FY 2-12-13.

Finance Director Mushong noted the year-end budget numbers had been developed using actual spending figures and changes made during the recent budget process.

2013-71-A. Graham-Goebel. That a resolution approving year-end budget amendments be adopted as set forth in Exhibit "A" attached hereto.

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

Nays: -0-

2013-72. Johnson-Goebel. Motion to approve the consent agenda as follows:

- 2013-72-A. Minutes of the regular and special meetings held June 3, 2013.
- 2013-72-B. Payroll disbursements of \$392,874.09; county and school disbursements of \$4,412.75, and total remaining disbursements of \$92,543.52.
- 2013-72-C. A contract with Marathon Sportswear of Blue Island, Illinois, in the amount of \$43,538.64 for t-shirts for Parks & Recreation programs and events.
- 2013-72-D. A three-year agreement with Spurt Industries LLC to provide yard waste disposal services at an estimated annual cost of \$58,650.00.
- 2013-72-E. Ratification of the work performed by Pennock Masonry of Byron Center for the repair of a damaged brick landscape wall in Gaslight Village at a cost of \$2,836.00.
- 2013-72-F. A contract with Lodestar Construction, Inc. in the amount of \$311,201.15 plus contingencies of \$31,120.00 for the 2013 road construction and sewer repair projects, and to approve budget amendments of \$5,746 from the Major Streets Fund, \$19,586.00 from the Local Streets Fund, and \$3,289.00 from the Water/Sewer Fund.
- 2013-72-G. The preliminary minutes of the Parks & Recreation Commission meeting held April 8, 2013.
- 2013-72-H. The preliminary minutes of the Planning Commission meeting held May 14, 2013.

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

2013-72-I. Miller-Skaggs. 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, Skaggs and Seibold – 7  
Nays: -0-

The meeting adjourned at 6:08 p.m., subject to the call of the Mayor until July 1, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Resolution approving year-end budget amendments.

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 1, 2013**

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, Miller, Skaggs and Mayor Seibold

Absent: Commissioner Johnson

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

2013-73. No public comment was received.

2013-74. Commissioner Skaggs expressed condolences to the families of the firefighters killed in the Arizona wildfires and reminded everyone of the sacrifices the men and women in the public safety profession make every day. Mr. Skaggs also thanked those who serve on advisory boards for their service and commitment.

Commissioner Graham looked forward to a great 4<sup>th</sup> of July with all the events and fireworks planned by the City and the Community Foundation.

Commissioner Dills thanked the volunteers and staff who made the Reeds Lake Run such a fantastic event last Saturday, and thanked Kevin Philips at the school district for working on the Mehney Field turf replacement.

Commissioner Miller reminded everyone of the Reeds Lake Trail Blazer on July 4<sup>th</sup> and urged the community to sign up and walk around the lake to support the Reeds Lake Trail.

Commissioner Goebel thanked the staff members and volunteers who make all the wonderful summer events possible with their hours of hard work.

Mayor Seibold noted the Huntington Reeds Lake Run brought athletes from all over the world to East Grand Rapids, and the first ever Doggie Dash 5K was well received and a lot of fun for everyone.

2013-75. A zoning variance hearing was held regarding the request of Jennifer Beckett of 855 Bellclaire to allow:  
A. the expansion of a nonconforming structure;  
B. the construction of an addition creating a side yard setback of 7.0' instead of the required 20';  
C. a front yard setback of 25.0' instead of the required 29.3'; and  
D. a lot coverage of 39% instead of the allowed 35%.

Public Works Director Feldt explained the property owner had requested this application be postponed to a future meeting.

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

- Jennifer Beckett

Explained she would be revising her request to address some of the concerns voiced by neighbors and would resubmit for a future meeting.

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

- |   |   |
|---|---|
| - Don & Sue Condit, 2555 Frederick      | Opposed.  |
| - James Black, 861 Bellclaire           | Opposed.  |
| - Ray Loeschner, 2565 Frederick         | Opposed.  |
| - Holly Goulet, 2602 Frederick          | Opposed.  |
| - Julie & Brad VanHoose, 2545 Frederick | Opposed.  |
| - Jennifer Beckett, 855 Bellclaire      | Request to postpone hearing until future meeting. |

No other public comment was received. Mayor Seibold adjourned the public hearing until a revised request is received. She asked staff to make sure new notices were sent to surrounding homeowners when the request is scheduled for a hearing.

- 2013-76. Adoption of an emergency ordinance amendment to Section 9.57E of Chapter 93 of Title IX of the City Code pertaining to fireworks regulations.

City Attorney Huff explained State law had recently been revised to allow local governments to prohibit the discharge of fireworks between the hours of 1:00 am and 8:00 am; therefore, the City is updating its ordinance to incorporate these hours. He recommended the City adopt this as an emergency ordinance amendment due to the 4<sup>th</sup> of July holiday this week being the biggest time of the year for fireworks.

- 2013-76-A. Graham-Skaggs. That an emergency ordinance amendment to Section 9.57E of Chapter 93 of Title IX of the City Code prohibiting the discharge of fireworks between the hours of 1:00 am and 8:00 am on the days allowed by State law be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Miller questioned why other communities were enacting ordinances prohibiting fireworks beginning at midnight. Mr. Huff noted the State law only allowed large communities over a certain size to use the midnight prohibition and all others were restricted to 1:00 am.

City Manager Donovan reminded the public that fireworks were still illegal at all times on City property, school property and church property.

Public Safety Director Herald suggested the following safety procedures for those using fireworks: discharge by adults only, having a water supply close at hand in case of fire, keeping a safe distance from structures and bystanders, and keeping all fireworks out of the reach of children. He asked people to call the Public Safety Department with any problems that may occur.

Commissioner Graham expressed his support for the amendment as a way to allow residents to avoid being disturbed at all hours by loud fireworks.

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

- 2013-77. Consider request to approve a payment plan for pension liabilities.

Christian Veenstra from Watkins Ross Consulting explained the options available for funding the City's unfunded pension liabilities and the methodology used for the various scenarios. He recommended the MERS Alternate DB Cost option and suggested the City ask MERS for a plan to address what adjustments would be needed if the investment income projections are not met.

City Manager Donovan also recommended the MERS Alternate DB Cost option plan and stated this schedule would put the City in a good financial position for budgeting future defined benefit pension costs.

2013-77-A. Miller-Graham. That the “MERS Alternate DB Costs” plan for payment of liabilities relating to the City’s closed defined benefit plan be approved as outlined in the Finance Director’s memo dated June 20, 2013.

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

2013-78. Consider request to approve the placement of a statue of President Gerald R. Ford at the Community Center.

City Manager Donovan announced that residents Marty & Susan Allen wished to donate a 23” statue of President Ford for display at the Community Center. After walking around the site with the donor and the artist, the circular area at the north end of the Community Center was selected as a good site for the statue. The City will work with the artist to design a base and signage for the statue.

2013-78-A. Goebel-Miller. That a bronze statue of President Ford be placed on the circular plaza in front of the north end of the Community Center.

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

2013-79. Election of President for FY 2013-14.

2013-79-A. Skaggs-Dills. 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 2013-14.

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

2013-80. Dills-Goebel. Motion to approve the consent agenda as follows:

2013-80-A. Minutes of the regular meeting held June 17, 2013.

2013-80-B. Payroll disbursements of \$231.92; county and school disbursements of \$-0-, and total remaining disbursements of \$585,675.32.

2013-80-C. Advisory board appointments as follows:

<b>Planning Commission</b>	Kevin Brant, 721 Croswell Tom Getz, 655 Plymouth Mary Mapes, 2405 Elmwood	Three-year terms ending 6/30/16
----------------------------	---	---------------------------------

<b>Parks &amp; Recreation Comm.</b>	Brad Andrzejewski, 3105 Bonnell Judith Baxter, 3060 Hall Dirk Buth, 1900 San Lu Rae Richard Sprague, Jr., 2332 Burchard Pam Witting, 1019 Floral Stacey Wykoski, 2311 El Dorado	One-year terms ending 6/30/14
-------------------------------------	--	-------------------------------

<b>Library Commission</b>	Carol Donovan, 2944 Hall Micki Benz, 817 Gladstone Jennifer Khorey, 2656 Boston Ellen Schendel, 429 Briarwood Joel Schultze, 933 Pinecrest Azizah Hines, 2244 Hall Judy Freeman, 425 Cambridge	One-year terms ending 6/30/2014
---------------------------	--	---------------------------------

<b>Board of Review</b>	Patsy Dodgson, 1045 Conlon Martin Green, 2463 Oakwood Sam Helmrick, 984 Gladstone Paul Howland, 2809 Woodcliff Circle	One-year terms ending 6/30/2014
------------------------	--	---------------------------------

**Traffic Commission**

Janyce Huff, 2310 Anderson  
Bob Saltsman, 2905 Reeds Lake Blvd  
Camille Donnelly, 2153 Wealthy  
Hunter Meriwether, 526 Lovett  
Laura Roy, 1119 Lakeside

One-year terms ending 6/30/2014

2013-80-D. Reclassifications of the four department directors with a five percent increase in their salary range as outlined in the City Manager's memo of June 17, 2013.

City Manager Donovan noted he had studied other West Michigan communities and found EGR department director salary ranges should be adjusted by 5% to keep pace with other cities. He noted the department directors would not receive an automatic increase but would be eligible for up to 2% increases per year depending on their performance evaluations until they reach the top of the new pay scale.

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

The meeting adjourned at 7:48 p.m., subject to the call of the Mayor until July 15, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 9.57E regarding fireworks regulations.

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 15, 2013**

Mayor Seibold called the meeting to order at 6:02 p.m. in the City Commission Chamber at the Community Center. The members of Boy Scout Troop 271 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; Finance Director Mushong; Zoning Administrator Faasse; City Clerk Brower

2013-81. No public comment was received.

2013-82. Commissioner Miller congratulated all those who worked to make the 4<sup>th</sup> of July celebration such a success. He reported many positive comments and crowds of people throughout the day.

Commissioner Johnson gave a special thank you to Parks & Recreation Supervisor Leigha Oberle for organizing all the events at Collins Park and the parade on the 4<sup>th</sup> of July.

Mayor Seibold noted the wonderful weather and great events at the park helped make the entire day a special event for everyone. She also noted how nice all the flower baskets and parks properties look right now.

City Manager Donovan reported the Reeds Lake Trail Blazer had over 500 people registered again this year and everyone had a great time.

2013-83. Consider request to approve the division of land at 3131 Manhattan Lane.

Zoning Administrator Faasse outlined the request to split off a separate lot with frontage on Reeds Lake Blvd. that meets all the standards set forth in the ordinance. He requested the City Commission consider conditions on the lot split, including an easement for utilities and storm sewer placement. Mr. Faasse noted the new lot is in the floodplain and may need a permit or additional engineering work for any construction.

Andrew Weise, 3131 Manhattan Lane, noted the original platting for this area contemplated future splits exactly as now proposed. He agreed the property would likely be challenging to build on and stated he will be contacting the MDEQ to find out what is involved in getting permits.

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

2013-83-A. Miller-Goebel. That the request of Andrew and Pamela Weise to divide 3131 Manhattan Lane creating a new Parcel A consisting of 0.34 acres with 125.51 feet of frontage on Reeds Lake Blvd, and Parcel B containing 0.57 acres with 118 feet of frontage on Manhattan Lane with the existing house and garage, 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;
3. An easement, approved by the Director of Public Works, granting the right for Parcel A to discharge storm water drainage across Parcel B, and the right to access public utilities located in Manhattan Lane, be recorded with the Kent County Register of Deeds prior to the transfer of any property.



Mayor Seibold agreed and noted there would be no difference to the neighborhood after the split.

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

Nays: -0-

Abstain: Miller – 1

2013-85. Johnson-Goebel. Motion to approve the consent agenda as follows:

2013-85-A. Minutes of the regular meeting held July 1, 2013.

2013-85-B. Payroll disbursements of \$208,135.39; county and school disbursements of \$-0-, and total remaining disbursements of \$108,304.20.

2013-85-C. A report from Finance Director Mushong recommending the City not consolidate the winter tax bills totaling \$100 or less as allowed by Public Acts 184 and 185 of 2012.

2013-85-D. A report from City Manager Donovan outlining the process for handling claims made to the City of East Grand Rapids.

2013-85-E. The preliminary minutes of the Parks & Recreation Commission meeting held June 10, 2013.

2013-85-F. The preliminary minutes of the Planning Commission meeting held June 11, 2013.

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

Nays: -0-

2013-85-G. Miller-Skaggs. Motion to enter into an executive session to conduct a periodic personnel evaluation of the City Manager, as requested by City Manager Donovan, in accordance with Section 8(a) of the Open Meetings Act. A roll call vote was taken.

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

Nays: -0-

The meeting adjourned at 6:42 p.m., subject to the call of the Mayor until August 5, 2013.

---

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held August 5, 2013**

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, Skaggs and Mayor Seibold

Absent: Commissioners Dills and Miller

Also Present: City Manager Donovan; Assistant City Attorney O'Dowd; Public Works Director Feldt; Finance Director Mushong; City Clerk Brower

2013-86. No public comment was received.

2013-87. Commissioner Skaggs thanked the four residents being appointed to advisory boards for their willingness to serve the City.

City Manager Donovan reported that catch basins and ponds have been treated to kill mosquitos to prevent the spread of the West Nile virus.

Mayor Seibold announced the City Commission had conducted the annual performance evaluation for City Manager Donovan at the last meeting. She commended Mr. Donovan on his service to the city and his management of all areas of the city government. She reported the following changes would be made to the City Manager's salary and benefit package as a result of the evaluation: an increase to the current salary range of 5% as of June 30, 2013, a 1.5% pay increase within that range, an increase of \$100 per month to his car allowance, and an increase of vacation accrual from four weeks to five weeks per year beginning November 1, 2013.

2013-88. Kent District Library Director Lance Werner, KDL Board Member Craig Wilson and EGR Branch Manager Dawn Lewis were present to give an update on KDL operations and statistics for 2012.

Mayor Seibold noted the library was an integral part of the East Grand Rapids community that served so many citizens and has become a destination for people from around the area. She thanked the staff members for their work to serve the residents and the Kent District Library for their innovations and excellence.

2013-89. Goebel-Graham. Motion to approve the consent agenda as follows:

2013-89-A. Minutes of the regular meeting held July 15, 2013.

2013-89-B. Payroll disbursements of \$203,748.24; county and school disbursements of \$3,228,498.85, and total remaining disbursements of \$661,292.35.

2013-89-C. The following appointments to advisory boards:

<u>Name</u>	<u>Commission</u>	<u>Term Ending</u>
Christopher Smith, 461 Lakeside	Library Commission	June 30, 2014
Frank Spies, 2122 Tenway	Traffic Commission	June 30, 2014
Carol Campbell, 2109 Elmwood	Parks & Recreation Commission	June 30, 2014
Stephen MacGuidwin, 2559 Lake Dr.	Board of Review	June 30, 2014

- 2013-89-D. Rejection of the bid received for the sidewalk replacement program and approval to carryover budgeted funding to the next fiscal year.
- 2013-89-E. A contract extension of Pavement Restoration of Kalamazoo in an amount not-to-exceed \$10,000.00 to perform pavement crack sealing on city streets and parking lots.
- 2013-89-F. An extension of the contract with M&M Pavement Marking of Grand Blanc in the amount of \$33,296.00 for the marking lane striping and marking of city streets.
- 2013-89-G. Ratification of emergency repairs to the city's sewer cleaning truck in the amount of \$4,524.28 by Jack Doheny Company.
- 2013-89-H. Renewal of the Metro Act Permit with AT&T Michigan for a five-year term ending December 31, 2018 as set forth in Exhibit "A" attached hereto.
- 2013-89-I. A contract with M.C. Smith and Associates in the amount of \$4,500.00 for landscape design work to accommodate the statue of President Ford, and a related budget amendment from the General Fund ending balance.
- 2013-89-J. The purchase of chain link fencing materials from Lowe's of Kentwood in the amount of \$3,461.85 for fencing along the Reeds Lake Trail near Hodenpyl Rock, and a budget amendment in the same amount from the Local Street Fund ending balance.

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

The meeting adjourned at 6:16 p.m., subject to the call of the Mayor until August 19, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Metro Act permit extension with AT&T.

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 19, 2013**

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, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

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

2013-90. Dennis McKee, Communications Director with Consumers Energy, was present to announce the utility company was implementing a new program to install residential smart meters. He explained the new meters would allow remote reading and outage awareness as well as allow customers to monitor their electricity usage. The program will likely begin in East Grand Rapids sometime in 2014.

2013-91. Commissioner Dills reported the Gaslight Village Criterium on Sunday, August 18<sup>th</sup> was a fun event to watch. He also noted the Taste of East Grand Rapids event would take place on Thursday, August 22<sup>nd</sup> in Gaslight Village with food and fun for the community.

Commissioner Miller announced the Reeds Lake Triathlon was still in need of volunteers and participants. Those interested should contact the Parks & Recreation Department.

Commissioner Goebel also noted the bike race was a great event.

Commissioners Skaggs, Johnson and Mayor Seibold extended their sympathies to the Johns family on the death of their family member in an auto accident over the weekend.

Commissioner Graham thanked the bike patrol officers for the great job they did over the summer working with residents on safety and assisting with community events.

2013-92. A zoning variance hearing was held regarding the request of Jennifer Beckett of 855 Bellclaire to allow the expansion of a nonconforming structure.

Public Works Director Feldt explained the updated request to replace the existing detached garage with a new two-stall attached garage, a rear-yard addition and a second story to the home. He noted the only variance required was to allow the upward expansion of a non-conforming structure.

Jennifer Beckett, 855 Bellclaire, was present to explain the request and answer questions. She stated she had spoken with many neighbors about her revised plans and had resolved the objections from the earlier plans.

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

- James & Mary Black, 861 Bellclaire                      In Favor.

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

- 2013-92-A. Graham-Johnson. That the request of Jennifer Beckett of 855 Bellclaire to allow the expansion of a nonconforming structure by adding an attached garage, a second story and an addition on the south side of the home be approved.

Commissioner Graham noted the small lot made expansion difficult, but he felt the proposal would be an improvement for the home and the neighborhood.

Commissioner Dills thanked Ms. Beckett for working with the neighbors to gain support for the revisions.

Commissioner Johnson expressed support for the proposal because of the additional greenspace that would be provided.

Mayor Seibold also thanked the applicant for taking the neighbors' concerns into account and adjusting her expansion plans accordingly.

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

- 2013-93. A zoning variance hearing was held regarding the request of Richard & Vivian Minnema of 3037 Mary to allow the construction of an accessory building not in the rear or side yard as required, and which is to be set back approximately 17' from the gravel road and 50' north of the Reeds Lake Blvd right-of-way instead of the 60' required.

Public Works Director Feldt explained the proposal to build an outbuilding near Reeds Lake. He noted the wording of the variance request was due to the difference between the platted location and right-of-way for Reeds Lake Blvd and the actual location of roadway. He stated the applicants would be in compliance with the proposed regulations for lakefront properties and outlined a requested condition that the variance be contingent on the construction of a vegetation strip along the shore to filter runoff.

Commissioner Skaggs questioned how the City would make sure that sleeping facilities were not constructed in the structure. Mr. Feldt noted a preliminary zoning review would look for this and that the building permit process and final inspection would make sure the facility was not intended for sleeping.

Rick Minnema, 3037 Mary, explained the structure was meant for daytime use while down near the water and not for sleeping quarters. He stated he had no objection to the requirement of installing the vegetative strip along the water.

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

- 2013-93-A. Johnson-Miller. That the request of Richard & Vivian Minnema of 3037 Mary to allow the construction of an accessory building not in the rear or side yard as required, and which is to be set back approximately 17' from the gravel road and 50' north of the Reeds Lake Blvd right-of-way instead of the 60' required be approved.

Commissioner Miller expressed his support for the request an appreciation for compliance with the proposed ordinance regulations.

Mayor Seibold thanked Mr. and Mrs. Minnema for agreeing to put in the vegetation buffer as a way to filter rainwater and runoff that would normally enter the lake.

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

2013-94. Consider request to approve the division of land at 1728 Breton.

Public Works Director Feldt outlined the request to divide the land at 1728 Breton into two parcels that both meet all the ordinance requirements. He explained the staff's recommended conditions of a drainage easement and the immediate removal of the accessory building that sits on the new parcel.

Commissioner Dills questioned what would be required of the drainage system. Mr. Feldt explained the current home drained eastward over the vacant area to the street behind the home. He stated the drainage could be either in underground tiles or by sloping the surface of the new parcel.

Michael Ellis, owner of 1728 Breton, was present to explain he has a buyer for the new parcel who will be building a new home on the site. He stated the drainage easement was not a problem, but asked the condition regarding removal of the second accessory building be waived or extended to 90 days because the new owner would be starting construction of their new home immediately and could remove the garage at that point. He stated the property closing was already scheduled for next week and there was not time to remove the building prior to the transfer of the land.

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

- George England, 2438 Berwyck

Welcomed the change to the neighborhood and the idea of only having one new home built instead of two on this large piece of vacant land. He thanked both parties for addressing the drainage easement, questioned where the new driveway will be placed, and hoped the mature foliage will be kept where possible.

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

2013-94-A. Miller-Graham. That the request of the Michael Ellis Trust, owner of 1728 Breton, to divide the property into two conforming parcels with Parcel A consisting of 0.30 acres with 119 feet of frontage on Breton Road and containing the existing house and garage, and Parcel B containing 0.30 acres and 155 feet of frontage on Arundel and Berwyck, 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;
3. An easement, approved by the Director of Public Works, granting the right for Parcel A to discharge storm water drainage across Parcel B, be recorded with the Kent County Register of Deeds prior to or in conjunction with the transfer of any property.
4. The removal of the accessory building from Parcel B prior to any property transfer.

City Attorney Huff stated that the ordinance prohibits an accessory building on any property where there is not a primary dwelling, so all accessory buildings must be removed prior to the creation of a new lot or the new owner would be in immediate violation of the City's ordinances. He stated the City did have enforcement measures to ensure the removal of any structure if it violated ordinances.

Commissioner Dills did not favor granting an extension on the removal of the accessory structure because he did not like putting the new owners in hardship with an immediate zoning violation. Commissioner Miller agreed and felt the responsibility should be held by the person that creates the situation.

Commissioner Graham asked City Attorney Huff if the current motion requiring the removal of the structure prior to the transfer protected the new buyer. Mr. Huff responded that motion protected the buyer since the condition prohibits the lot split from taking effect until the building is removed.

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

Nays: -0-

2013-95. Johnson-Skaggs. Motion to approve the consent agenda as follows:

- 2013-95-A. Minutes of the regular meeting held August 5, 2013.
- 2013-95-B. Payroll disbursements of \$198,662.60; county and school disbursements of \$8,014,137.42, and total remaining disbursements of \$209,856.48.
- 2013-95-C. Adoption of a resolution approving Amendment #36 to the Grand Valley Metro Council Articles of Incorporation as set forth in Exhibit "A" attached hereto.
- 2013-95-D. The appointment of Parks & Recreation Director Fred Bunn as the officer delegate to the 2013 annual meeting of the Michigan Employee Retirement System.
- 2013-95-E. A new sign for Manhattan Park from Postema Sign & Graphics in the amount of \$7,375.00.
- 2013-95-F. New posts for the city's entrance signs from Bedford Technology in the amount of \$2,678.82.
- 2013-95-G. The preliminary minutes of the Traffic Commission meeting held June 24, 2013. The City Commission took no action on the Traffic Commission's motion to install "No Parking" signs on Lake Drive from Laurel to Locust. The motion will take effect automatically.
- 2013-95-H. The preliminary minutes of the Parks & Recreation Commission meeting held July 8, 2013.
- 2013-95-I. The preliminary minutes of the Planning Commission meeting held July 9, 2013.

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

Nays: -0-

The meeting adjourned at 6:50 p.m., subject to the call of the Mayor until September 3, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Resolution approving Amendment #36 to the GVMC Articles of Incorporation.

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 3, 2013**

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, Skaggs and Mayor Seibold

Absent: Commissioner Goebel

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

2013-96. No public comment was received.

2013-97. Commissioner Dills noted that schools were back in session and reminded everyone to drive carefully.

In honor of Labor Day, Commissioner Skaggs thanked all City employees for their service to the residents of East Grand Rapids. Commissioners Graham and Johnson also thanked the City employees for their work.

2013-98. A zoning variance hearing was held regarding the request of Thomas Northway and Diane St. Claire of 1923 Wealthy to allow the expansion of a nonconforming structure.

Zoning Administrator Faasse explained the request to expand the non-conforming portion of the structure by adding a second story over the garage. He noted the kitchen expansion on the lower level did not require a variance.

Bill Bowie, 3611 Reeds Lake Blvd, was present to represent the owners and answer questions. He noted the owners have spoken with surrounding neighbors and gained their support for the project.

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

- Steve & Nancy Steketee, 1919 Wealthy In Favor.

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

2013-98-A. Miller-Graham. That the request of Thomas Northway and Diane St. Claire of 1923 Wealthy to allow the expansion of a nonconforming structure be approved.

Commissioner Miller supported the proposal as it was set back from the front and side walls of the garage and the neighbors would not be adversely affected by this addition.

Commissioner Dills noted the roofline changed very little and would blend in very well.

Commissioner Graham felt the addition would look nice with the variety of architectural styles in the area.

Commissioner Skaggs felt the variance granted in 1987 was a very drastic deviation from the established setbacks and wondered if it was necessary to place any conditions or limit the variance to the current home or owner. City Attorney Huff stated it was not necessary because if the home was torn down and rebuilt, a new variance would be needed if setbacks were not met.

Commissioner Johnson thanked the applicants for talking with their neighbors about the addition prior to bringing the request to the commission.

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

2013-99. Johnson-Miller. Motion to approve the consent agenda as follows:

- 2013-99-A. Minutes of the regular meeting held August 19, 2013.
- 2013-99-B. Payroll disbursements of \$196,396.30; county and school disbursements of \$4,773,622.28, and total remaining disbursements of \$281,917.74.
- 2013-99-C. Ratification of a tree removal contract with HA Irish Tree Service of Byron Center at a cost of \$7,495.00.
- 2013-99-D. The purchase of a hose management system for the Public Safety Department from RollINRack LLC of Mukwonago, Wisconsin at a cost of \$8,195.00.
- 2013-99-E. A site plan, materials and installation of the statue of President Gerald Ford at an estimated cost of \$15,895, and a budget amendment from the General Fund Ending Balance in the same amount.

Mayor Seibold announced the costs associated with the installation of the statue would be covered by Mr. and Mrs. Allen. The City Commission thanked Mr. and Mrs. Allen for their generosity in the donation of the statue and related costs.

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

The meeting adjourned at 6:16 p.m., subject to the call of the Mayor until September 16, 2013.

---

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held September 16, 2013**

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, Miller, Skaggs and Mayor Seibold

Absent: Commissioner Johnson

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

2013-100. No public comment was received.

2013-101. Commissioner Dills congratulated all the athletes that participated in the Reeds Lake Triathlon on Saturday, September 7<sup>th</sup> and commended the staff and volunteers who spent so much time and effort to make the event a success. Commissioner Skaggs agreed the event went very well and thanked all those involved.

Commissioners Miller and Goebel noted the shooting at the Navy facility in Washington DC and offered condolences for the families of those killed.

Commissioner Graham noted he had volunteered for the Reeds Lake Triathlon and enjoyed watching athletes and spectators.

2013-102. Mayor Seibold presented a plaque dedicating the Public Works Complex to former Mayor Cindy Bartman. She stated the Public Works Complex was a very fitting tribute because of Mayor Bartman's commitment to the employees and to the infrastructure needs of the citizens.

Commissioner Graham thanked Ms. Bartman for her dedication and noted the plaque was a very fitting honor because she was a constant champion for the renovation project.

2013-103. Consider request to approve the purchase of patrol rifles and accessories for the Public Safety Department.

Public Safety Director Herald stated the two new rifles would be used as spares in case other rifles were out of service due to maintenance or training. The new rifles will have noise suppressors to protect the hearing of officers firing the weapon. He noted additional suppressors may be requested for the other patrol rifles in the future. Chief Herald offered to speak with anyone who has questions or concerns about this purchase.

2013-103-A. Miller-Skaggs. To approve the purchase of two patrol rifles and related accessories from Michigan Police Equipment in the amount of \$5,073.90.

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

Nays: -0-

2013-104. Graham-Miller. Motion to approve the consent agenda as follows:

2013-104-A. Minutes of the regular meeting held September 3, 2013.

2013-104-B. Payroll disbursements of \$204,662.42; county and school disbursements of \$79,022.51, and total remaining disbursements of \$208,907.63.

- 2013-104-C. The refurbishment of the City's entry signs from Alberda Signs Inc. in the amount of \$4,475.00.
- 2013-104-D. The services of Genzink Appraisal Company in the amount of \$4,950.00 for an appraisal of 638, 644 and 652 Lovett for an upcoming Michigan Tax Tribunal hearing.
- 2013-104-E. A requisition for road salt through the Kent County Road Commission in the amount of \$52.07 per ton from Detroit Salt Company for pre-winter supply and from North American Salt Company for \$64.77 per ton for the remaining supply.
- 2013-104-F. A contract with Owen Ames and Kimball in the amount of \$224,194.00 for improvements to the Remington Park baseball complex to be paid for with Joint Facilities Funding and private donations.

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

The meeting adjourned at 6:13 p.m., subject to the call of the Mayor until October 7, 2013.

---

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held October 7, 2013**

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, Skaggs and Mayor Seibold

Absent: Commissioner Goebel

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

2013-105. No public comment was received.

2013-106. Commissioner Johnson thanked the Public Works Department for their recent work repairing a broken water main near the Middle School and for providing bottled drinking water for those affected by the resulting boil water advisory.

Mayor Seibold thanked all the crew members who worked to repair the broken main. She noted there were several residences in the area that were under boil water advisories twice within a few weeks of each other and thanked those citizens for their patience.

City Manager Donovan reported the roadway surface on Lake Drive would be closed for a few days to replace the temporary patching with a permanent repair. At that time, crews will also need to repair a nearby valve that was damaged during the incident.

Mayor Seibold congratulated the EGR High School on their homecoming parade and events last weekend.

Commissioner Skaggs left the commission table to participate in the meeting as an applicant.

2013-107. A zoning variance hearing was held regarding the request of Phil & Elizabeth Skaggs of 2615 Hall Street to allow the construction of a covered front porch creating a front yard setback of 35.4' from the front property line instead of the required 40.1.'

Zoning Administrator Faasse explained the request to add a new covered front porch to the home that required a front yard setback variance.

Phil Skaggs, 2615 Hall, explained they would be upgrading the home's exterior and wanted to improve the aesthetics of the front of the home and provide shelter from the weather.

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

- Petition signed by 13Hall Street residents                      In Favor

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

2013-107-A. Dills-Miller. That the request of Phil & Elizabeth Skaggs of 2615 Hall Street to allow the construction of a covered front porch creating a front yard setback of 35.4' from the front property line instead of the required 40.1' be approved.

Commissioner Johnson supported the variance as it would provide shelter for those visiting the home without reducing the front yard significantly.

Commissioner Graham agreed the new porch would improve the home and would fit in with others in the immediate area.

Mayor Seibold thanked Mr. Skaggs for checking with the neighbors. She noted that while this would seem to be a very small change, it was necessary to consider each request for a zoning variance individually to make sure projects fit well within each neighborhood.

Yeas: Dills, Graham, Johnson, Miller and Seibold – 5  
Nays: -0-  
Abstain: Skaggs – 1

Commissioner Skaggs resumed his seat at the table.

2013-108. Johnson-Miller. Motion to approve the consent agenda as follows:

2013-108-A. Minutes of the regular meeting held September 16, 2013.

2013-108-B. Payroll disbursements of \$197,581.85; county and school disbursements of \$145,172.81, and total remaining disbursements of \$481,395.06.

2013-108-C. Adoption of a resolution approving Amendment #36 to the Grand Valley Metro Council Articles of Incorporation as set forth in Exhibit "A" attached hereto.

2013-108-D. Purchase of computer software and training from BS&A Software in the amount of \$7,765.00 to update the Building Department module.

2013-108-E. The purchase of firewall software and support from Trivalent Group in the amount of \$2,932.00.

2013-108-F. A contract with Katerberg Verhage in the amount of \$9,936.00 for site work and installation of the statue of President Ford in front of the Community Center.

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

2013-109. Dills-Graham. 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, Graham, Johnson, Miller, Skaggs and Seibold – 6  
Nays: -0-

The meeting adjourned at 6:16 p.m., subject to the call of the Mayor until October 21, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Resolution approving Amendment #36 to the GVMC Articles of Incorporation.

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 October 21, 2013**

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 Attorney Huff; City Manager Donovan; Public Works Director Feldt; Finance Director Mushong; Public Safety Director Herald; City Clerk Brower; Zoning Administrator Faasse; Captain Lark

2013-110. No public comment was received.

2013-111. Commissioner Skaggs commended the Public Works Department for their work fixing the pavement on Lake Drive following the water main break and working with residents on the detour route during the work.

Commissioner Johnson thanked the Public Safety Department for taking members of the commission to the shooting range for a demonstration of the various weapons used in the department.

2013-112. A zoning variance hearing was held regarding the request of William & Hilda Pearl of 2912 Beechwood to allow the construction of an addition to the home creating combined side yard setbacks of 14.3' instead of the required 18.0.'

Zoning Administrator Faasse explained the unusual shape lot with easements along one side limiting the options of adding on to the home.

David Kwekel of Kwekel Construction in Cedar Springs, was present to explain the request and answer questions.

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

- Richard & Mary Stevens, 2920 Beechwood In Favor.

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

2013-112-A. Miller-Skaggs. That the request of William & Hilda Pearl of 2912 Beechwood to allow the construction of an addition to the home creating combined side yard setbacks of 14.3' instead of the required 18.0' be approved.

Commissioner Miller supported the variance as it was a very small difference from what already existed. Commissioner Johnson agreed that extending the side of the home made sense and did not create problems for the neighbors.

Commissioner Dills felt these improvements would be a nice addition to the neighborhood.

President Graham agreed the addition would fit well with neighboring homes in spite of the odd-shaped lot.

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

Nays: -0-

- 2013-113. Doug Vredeveld of Vredeveld-Haefner presented the audited financial statements for the year ending June 30, 2013 and answered questions from the City Commission.
- 2013-114. Public Safety Director Herald presented the Public Safety Department's 2012 Annual Report. He noted the local and nationwide downward trend in crime rates and the major technology changes made within the department over the last year.
- 2013-115. Introduction of an ordinance amendment to amend Chapter 23 of Title II of the City Code pertaining to the City Sewer Service.

Public Works Director Feldt explained East Grand Rapids is a wholesale customer of the City of Grand Rapids and is required to mirror their policies and requirements. City Attorney Huff noted that while the new ordinance mostly deals with industrial and commercial sewer use, there are several areas that are specific to East Grand Rapids definitions and policies regarding residential sewer service.

- 2013-115-A. Johnson-Goebel. That an ordinance amendment to amend Chapter 23 of Title II of the City Code pertaining to the City Sewer Service be introduced as set forth in Exhibit "A" attached hereto.

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

- 2013-116. Introduction of an ordinance amendment to amend Section 1.211 and 1.212 of Chapter 5 of Title I of the City Code regarding purchases and contracts.

City Manager Donovan reported the \$2,500 purchasing authority for the City Manager had not been changed in over 20 years. He requested the limit be raised to \$5,000 to allow for inflation and to reduce the number of small capital items or basic services that need to wait for City Commission approval.

- 2013-116-A. Miller-Goebel. That an ordinance amendment to amend Section 1.211 and 1.212 of Chapter 5 of Title I of the City Code regarding purchases and contracts be introduced as set forth in Exhibit "B" attached hereto.

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

- 2013-117. Goebel-Johnson. Motion to approve the consent agenda as follows:

2013-117-A. Minutes of the regular meeting held October 7, 2013.

2013-117-B. Payroll disbursements of \$405,390.24; county and school disbursements of \$130,936.92, and total remaining disbursements of \$442,244.94.

2013-117-C. Approval of a debit card and related procedures as outlined in the Finance Director's memo of October 10, 2013.

2013-117-D. A contract with Kushner & Company to evaluate and make recommendations concerning the City's health plan and employee benefits at a cost not-to-exceed \$35,000.

2013-117-E. A five-year extension of the Water and Sanitary Sewer Service Agreement with the City of Grand Rapids until December 31, 2043.

2013-117-F. A resolution approving to the Grand Valley Metro Council's Articles of Incorporation adding the Village of Sand Lake as set forth in Exhibit "C" attached hereto.

- 2013-117-G. A resolution endorsing the Grand Valley Metropolitan Council's application on behalf of the West Michigan Prosperity Alliance for a Regional Prosperity Initiative grant as set forth in Exhibit "D" attached hereto.
- 2013-117-H. Quarterly financial reports for the period ended June 30, 2013.
- 2013-117-I. Preliminary minutes of the Planning Commission meeting held August 13, 2013.
- 2013-117-J. Preliminary minutes of the Joint Facilities Committee meeting held September 9, 2013.
- 2013-117-K. Preliminary minutes of the Parks & Recreation Commission meeting held September 9, 2013.
- 2013-117-L. Preliminary minutes of the Library Commission meeting held September 23, 2013.

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

The meeting adjourned at 6:39 p.m., subject to the call of the Mayor until November 4, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Chapter 23 regarding City Sewer Service.  
B – Ordinance Amendment to Section 1.211 and 1.212 pertaining to purchases and contracts.  
C – Contract extension with the City of Grand Rapids for Water and Sewer Service  
D – Resolution approving Amendment #37 to the GVMC Articles of Incorporation.  
E – Resolution supporting GVMC Regional Prosperity Initiative grant application

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 November 4, 2013**

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 Attorney Huff; City Manager Donovan; Public Works Director Feldt; Finance Director Mushong; Public Safety Director Herald; Parks & Recreation Director Bunn; City Clerk Brower; Zoning Administrator Faasse; Planning Consultant LeBlanc

2013-118. No public comment was received.

2013-119. Commissioner Graham reported the GVMC meeting earlier in the day with Senator Carl Levin was very informative.

Commissioner Johnson thanked the Public Safety Department for their work keeping everyone safe on Halloween. She also thanked Grounds Maintenance Assistant Phil Weber for preparing the booklet explaining invasive plant species in the area.

Commissioner Dills and Mayor Seibold reminded everyone to vote in tomorrow's City Commission election.

Mayor Seibold announced that City Manager Donovan was celebrating 20 years as the City Manager of East Grand Rapids this week. She presented a slide show reviewing Brian's history of the city and the many accomplishments and projects completed over the years. She also presented Mr. Donovan with a desk clock and lapel pin in honor of his twenty years of service.

City Manager Donovan introduced his wife and daughter and thanked them for enduring the late-night meetings and early morning emergencies of the last twenty years. He also thanked the citizens for making East such a great place to live and work, and thanked the commissioners and staff for the teamwork and perseverance through good times and bad.

2013-120. A zoning variance hearing was held regarding the request of Richard and Evelyn Largent of 2406 Maplewood to allow the construction of a covered front porch with a front yard setback of 15.9' instead of the average setback of 42.2'.

Zoning Administrator Faasse explained the applicants wished to extend the roof of the home over the existing unroofed deck to create a covered front porch.

Richard Largent, 2406 Maplewood, was present to explain the request.

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

Commissioner Miller questioned whether the porch could be enclosed to create living space once the variance was granted. Mr. Faasse stated the area could be enclosed as part of the home after a variance was granted.

2013-120-A. Dills-Johnson. That the request of Richard and Evelyn Largent of 2406 Maplewood to allow the construction of a covered front porch with a front yard setback of 15.9' instead of the average setback of 42.2' be approved.

Mayor Seibold noted she would not be in favor of granting a variance for a new home this close to the street, but realized the existing home was grandfathered in and did not feel the roof addition would be an issue in the neighborhood.

Commissioner Johnson stated this section of the home is already noticeably closer to the street than other homes and has the look of a front entrance. She expressed concern about adding a roof over the deck that would bring the home even closer to the street and the possibility of enclosing the space someday. She stated she would not be supporting the variance.

Commissioner Dills agreed, adding that the home already 17' closer to the street than current standards would allow. He felt reducing the setback by 9' was too much of a variance and he could not support this request.

A roll call vote was taken.

Yeas: Goebel, Skaggs and Seibold – 3  
Nays: Dills, Graham, Johnson and Miller – 4

2013-121. A zoning variance hearing was held regarding the request of Alan Davis of 919 Ogden to allow the construction of a detached garage with a side yard setback of 2.2' instead of the required 3.0' and a rear yard setback of 1.4' instead of the required 3.0.'

Zoning Administrator Faasse outlined the proposal to replace an existing garage with a slightly smaller garage in the same location. The new garage would feature a pitched roof to allow storage above the vehicles.

Commissioner Graham questioned how close the new garage was to the other structures.

Alan Davis, 919 Ogden, was present to explain the request and answer questions. He noted the existing garage was approximately 3-4' from the adjacent garages. He preferred to build in the same spot to allow adequate room to pull a vehicle into the second stall and to keep as much greenspace in the back yard as possible.

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

- Kelly Emery, 942 Ogden	In Favor.
- Maggie Mielczarek, 911 Ogden	In Favor.
- Greg Mielczarek, 911 Ogden	In Favor.
- Averil Crowley, 950 Ogden	In Favor.
- David Kirchgessner, 946 Ogden	In Favor.
- Pam McKinney, 939 Ogden	In Favor.
- Mary Kaneti, 954 Ogden	In Favor.
- Steve Dirksen, 941 Ogden	In Favor.
- Thomas Sarb & Ruth Ann Brevitz, 923 Ogden	In Favor.

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

2013-121-A. Graham-Goebel. That the request of Alan Davis of 919 Ogden to allow the construction of a detached garage with a side yard setback of 2.2' instead of the required 3.0' and a rear yard setback of 1.4' instead of the required 3.0' be approved.

Commissioner Dills thanked Mr. Davis for his efforts in informing his neighbors of his plans and garnering their support for this project.

Commissioner Miller expressed support for the variance given that the lot was narrow and the new garage would not be any closer than the existing garage.

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

2013-122. Appeal of sewer back up claim.

Jennifer Lannon of 2310 Elmwood was present to appeal the Finance Committee's denial of a claim for damages that occurred on April 18, 2013. She stated the home sustained over \$15,000 in damage from the sewage-tainted water that flooded her home. Mrs. Lannon reported this home had experienced a backup prior to their ownership. She stated their home did not have footing drains connected to the sanitary sewer system and should not be penalized if others are connected. She asked the City to cover these damages and to make sure this did not happen to any homes in the future.

2013-122-A. Dills-Goebel. To deny the claim of Jennifer & Kevin Lannon of 2310 Elmwood in the amount of \$9,333.00.

Mayor Seibold noted City officials and staff have reviewed this claim many times and feel the City acted appropriately and could not be held responsible for the damages. She agreed it was a difficult situation for Mr. and Mrs. Lannon and urged them to work with a plumber to take measures to prevent further backups into their home.

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

2013-123. Introduction of an ordinance amendment to Chapter 50 of Title V of the City Code pertaining to the zoning ordinance.

Planning Consultant Paul LeBlanc of LSL Planning reviewed the history of the current zoning chapter and the year-long project to rewrite the ordinances to make them more cohesive and user-friendly. He highlighted several sections that were revised, including the front yard setback requirements, waterfront zoning regulations and density of residential developments.

City Manager Donovan noted that many past practices had been incorporated and several clarifications made to confusing or outdated sections.

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

- Dennis Jones, 2750 Reeds Lake Blvd.

Opposed to the 35' waterfront setback requirement of Section 5.71 and asked the commission to exclude this section from adoption until changes can be made. He felt the setback and buffer requirements took away his property rights for no compelling reason and did not solve any environmental issues. Questioned the definition of the high water level and suggested a conflict with DEQ regulations.

- Gordon Jones, 325 Rosewood

Felt the waterfront requirements were a step in the right direction but questioned whether the rules would withstand legal challenge. Wondered if there were any conflicts with state law. Suggested better definition were needed for the buffer area and the high water mark. Wondered how sea-walls would affect the high water mark. Felt buildings of all sizes should be subject to the requirements, and questioned if the City would be making any changes to public property in light of the ordinance to set a good example. Questioned enforcement of non-phosphorus fertilizer regulations. Also asked the City to consider stricter requirements for new houses being built on narrow lots to avoid overly tall buildings with reduced setbacks.

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

City Manager Donovan noted that lakefront property owners had not been separately noticed as planned and suggested the City Commission accept public comment at the next meeting to allow staff time to send notices.

Commissioner Dills reported the Planning Commission had reviewed the proposed ordinance several times and taken public comment during the process. He felt the overall document was well written and would be very helpful to city staff and residents.

Mayor Seibold agreed the new ordinance would be much easier to navigate and understand. She thanked the staff members, consultants and Planning Commissioners who had worked on this project and the residents who had taken the time to review the proposals and make their feelings heard.

Commissioner Skaggs asked staff for a list of changes made between the committee review and the Planning Commission hearings. He also asked for the minutes of the Planning Commission hearings so he could review the public comments made.

2013-123-A. Johnson-Skaggs. That an ordinance amendment to amend Chapter 50 of Title V of the City Code pertaining to the zoning ordinance be introduced as set forth in Exhibit "A" attached hereto.

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

2013-124. Final Reading of an ordinance amendment to amend Chapter 23 of Title II of the City Code pertaining to the City Sewer Service.

Public Works Director Feldt explained the new ordinance was necessary to match the City of Grand Rapids ordinances and to comply with State regulations.

2013-124-A. Miller-Johnson. That an ordinance amendment to amend Chapter 23 of Title II of the City Code pertaining to the City Sewer Service be adopted as set forth in Exhibit "B" attached hereto.

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

2013-125. Final Reading of an ordinance amendment to amend Section 1.211 and 1.212 of Chapter 5 of Title I of the City Code regarding purchases and contracts.

2013-125-A. Graham-Miller. That an ordinance amendment to amend Section 1.211 and 1.212 of Chapter 5 of Title I of the City Code regarding purchases and contracts be adopted as set forth in Exhibit "C" attached hereto.

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

2013-126. Johnson-Miller. Motion to approve the consent agenda as follows:

2013-126-A. Minutes of the regular meeting held October 21, 2013.

2013-126-B. Payroll disbursements of \$278,930.65; county and school disbursements of \$56,449.28, and total remaining disbursements of \$168,651.21.

2013-126-C. A contract with Katerberg-Verhage Inc. in the amount of \$11,886.00 plus contingencies of \$1,200.00 for the City's annual tree planting program.

2013-126-D. Ratification of payment to Drew Wireless in the amount of \$5,595.00 for emergency repairs of radio equipment located at the City's elevated water tank and a budget amendment in the same amount from the General Fund ending balance.

- 2013-126-E. Additional zoning consulting services in the amount of \$6,000.00 with LSL Planning Inc. for assistance with rewriting the City's zoning ordinances, and a corresponding budget amendment from the General Fund ending balance for the same amount.
- 2013-126-F. Approval of additional crack sealing work performed by Pavement Restoration in the amount of \$5,000.00, with budget amendments from the Local Street Fund balance of \$2,100.00 and from the Major Street Fund balance of \$2,900.00.
- 2013-126-G. The purchase of computer hardware from CDW-G in the amount of \$9,070.00.
- 2013-126-H. A contract with Berends Hendricks Stuit Insurance Agency in the amount of \$199,862.00 for property and liability insurance for city assets, and a related budget amendment of \$23,862 from the General Fund ending balance.

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

The meeting adjourned at 7:30 p.m., subject to the call of the Mayor until November 18, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Chapter 50 Chapter 23 regarding City Sewer Service.  
B – Ordinance Amendment to Chapter 23 regarding City Sewer Service.  
C – Ordinance Amendment to Section 1.211 and 1.212 pertaining to purchases and contracts.

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 November 18, 2013**

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 Attorney Huff; City Manager Donovan; Public Works Director Feldt; Finance Director Mushong; Public Safety Director Herald; City Clerk Brower; Zoning Administrator Faasse; Planning Consultant LeBlanc

2013-127. No public comment was received.

2013-128. Commissioner Dills thanked all who voted for him in the recent election and looked forward to serving residents for a second term as commissioner.

Commissioner Miller thanked the Public Works employees for their work cleaning up after the recent windstorms.

Mayor Seibold also thanked the crews who worked during the storm. She noted there was very little damage and only a few remaining homes without power.

2013-129. Appeal of sewer back up claim.

Andrea Scott of 1145 Plymouth was present to appeal the Finance Committee's denial of a claim for damages that occurred on April 18, 2013. She stated the home sustained over \$46,000 in damage from the sewage-tainted water that flooded her home and they had been unable to use the basement of their home since the flooding. She argued the flooding was not an Act of God alone as there had been a history of sewer backups in this area even after the City's sewer improvements. She stated the City was aware that many footing drains were connected to the sanitary sewer system and had done nothing to require those homes to disconnect the drains to lessen the flooding.

2013-129-A. Dills-Goebel. To deny the claim of Zachary and Andrea Scott of 1145 Plymouth in the amount of \$47,298.76.

City Attorney Huff stated the definition of an "Act of God" was a natural event with limited frequency and that case law supported this definition.

Mayor Seibold stated that while the historic rainfall in April caused widespread flooding, there were very few reports of sewage backups in East Grand Rapids. She attributed this to the improvements the City made in many areas of the city in the 1990's. Mayor Seibold stated the City has investigated the situation and concluded there is no known exception to the governmental immunity statutes. She agreed the situation was extremely unfortunate, but it was not due to a defect in the city's sewer system and was out of the City's control. She supported the motion to deny the claim.

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

Nays: -0-

2013-130. Final Reading of an ordinance amendment to Chapter 50 of Title V of the City Code pertaining to the zoning ordinance.

City Manager Donovan explained all the provisions of the city's zoning ordinances had been reviewed and revised over the last year and were now in front of the City Commission for final approval.

Because of the public interest in the proposed waterfront regulations, Public Works Director Feldt gave an overview of these provisions and how they would affect existing structures and new construction. He stated a vegetative buffer would be required if new buildings or impervious surface over 100 square feet were constructed within 50' of the ordinary high water mark. An exception is included for walkways along the shore. He showed a geographic map and explained the measurement lines. The goal of the new language is to protect water quality by reducing runoff from structures and filtering remaining runoff through vegetation.

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

- AJ Birkbeck, 2093 Robinson (GR Twp) Representing his parents. Draconian ordinance interferes with property rights and goes too far. Submitted petition with 35 signatures in opposition of the waterfront regulations. Dirt road portion of Reeds Lake Blvd subject to two sets of setbacks, high water mark is too restrictive, Planning Commission added too many restrictions. No allowances for handicap accessibility. Required vegetation would block views and be expensive. Not aligned with DNR recommendations. Would prevent beaching of small boats, storage of docks and placement of furniture and firepits. Stated the largest contributor of polluted stormwater is the city storm sewer and City should concentrate efforts on this problem instead of unduly burdening lakefront owners. Suggested making everyone in the city construct a buffer to filter water before it enters the street. Asked for scientific information on runoff from decks. Cited Supreme Court cases and suggested new regulations created a taking of property requiring compensation.
- Tom Vacchiano, 2951 Bonnell Asked for better language spelling out how existing seawalls, barns, boat launches and fencing can be maintained and/or replaced over time.
- Don Condit, 2555 Frederick Felt restrictions were well intentioned but onerous and heavy handed. Upset about late notice of hearing and asked for more discussion. Regulations were ineffective because of other pollution.
- Chris Muller, 1950 & 1990 Robinson Felt homeowners can proactively embrace water quality efforts without restrictions such as the buffer zone. Stated city would have to revise its logo to eliminate the view of the lake if lakefront owners have to put in buffer strip.
- Janet Chism, 330 Plymouth Has been told many times that Fisk Lake is a private lake and as such the city has no jurisdiction. Has made improvements on her own and doesn't need laws to tell her what she should be doing. Wants to rebuild historic gazebo on her property. What about tennis courts and hockey rinks?
- Katie Karczewski, 2607 Frederick Her home sits very close to the water and this would significantly affect her. New rules will devalue property and prevent people from wanting to buy lakefront. Will eventually impact city revenue.
- John Loeks, 652 Manhattan Felt the many seawalls make buffer zones ineffective. Overly restrictive ordinance displays lack of confidence in residents and is unnecessary.

- Mike Mraz, 333 & 518 Lakeside  
Part of the Fisk Lake Homeowners Association and feels people take excellent care of their properties and do not need additional regulations. Buffer requirement will impact future values and create a restrictive covenant that equates to a taking of property.
- Mike Meiresonne, 2096 Robinson  
Stated overland runoff of rainwater from roads was a much larger problem than runoff from small lakefront buildings. Showed drawings of watershed area, standing water on his driveway and pollution statistics from outboard motors.
- Eileen DeVries, 325 Lakeside  
Asked if she could replace an existing garden shed. Feared adding more vegetation would increase breeding areas for mosquitos which spread West Nile disease.
- Dave Mehney, 3049 Mary  
Felt pollution was coming from other sources. Offended that regulations have been tightened since early drafts and lakefront owners were not notified of meetings. Wanted to be compensated if city assumed control of his property rights. Felt city should look elsewhere to control pollution.
- Ray Loeschner, 2565 Frederick  
Is considering some plantings along the water but feels these rules are too much. Ordinance came about too quickly; slow down and spend time with the people involved. Upset about lack of notice to owners. Table the issue and rewrite; don't adopt now and deal with problems later.
- Katie Karczewski, 2607 Frederick  
Felt lake traffic and outside visitors should be regulated and charged a fee to enjoy the lake. Lots of lawsuits waiting to happen for unmarked obstacles in the lake and outside boaters being negligent.
- Dave Mehney, 3049 Mary  
Process should have been more open to residents and not secretive.
- Janet Chism, 330 Plymouth  
Asked Commission to vote no and defeat the ordinance. Stated city spent more time and money to mail trash violation notices than something this important.
- Gordon Jones, 325 Rosewood  
In favor of the proposed lakefront regulations as a small step in improving lake quality. Stated the buffer does not have to be 6' wall of trees; low plants would suffice. Felt City did a good job of this with Hodenpyl and Waterfront Park and urged continuation of efforts at Collins Park to filter runoff and repel geese. Remains concerned about large homes being rebuilt on small lots with reduced setbacks and tall pitched roofs. Asked Commission to tighten restrictions on smaller side yards and eliminate percentage reduction formula for nonconforming lots.

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

Mayor Seibold questioned which changes have been made since the initial public open house on this issue. Planning Consultant Paul LeBlanc stated small wording changes were made for clarity, an allowance for walkways was added, but nothing was made more restrictive.

City Attorney Huff stated Fisk Lake was considered a private lake because there was no public land or public access. As such, public funding for treatment was limited. He further noted that East Grand Rapids does not regulate access to or traffic on Reeds Lake and that Kent County patrols the lake and enforces boating regulations. City Manager Donovan added that the Reeds Lake boat ramp was funded by the State of Michigan, but the city operates the ramp.

2013-130-A. Johnson-Dills. That an ordinance amendment to amend Chapter 50 of Title V of the City Code pertaining to the zoning ordinance be adopted as set forth in Exhibit "A" attached hereto.

Public Works Director Feldt answered several questions from the City Commission:

- \* The ordinance contained provisions for maintenance and repair of any nonconforming structure in the city, allowing for damage repair if less than 60% of the structure did not need to be replaced. If more than 60% is replaced, new regulations would apply.
- \* The high water mark was established at 732.2' above sea level (2' below the April flooding level) and would not be revised year to year unless the ordinance definition was changed by the City Commission.
- \* Docks were regulated under separate regulations and would not be affected by this ordinance.

Commissioner Skaggs questioned what other steps are taken to reduce pollution from stormwater runoff. City Manager Donovan reported the City has installed three underground chambers to separate pollutants from rainwater, has used porous pavers and woodchips for the boat launch and paths in Waterfront Park, planted a rain garden at Collins Park, and educates property owners on steps to reduce pollution from fertilizer, vehicles and household refuse.

Commissioner Graham commended residents for the work they've done to maintain their properties and improve the health of the lake, but noted the City enacts ordinances to ensure these efforts are continued by everyone if necessary. He expressed frustration that very few people attended the earlier meetings scheduled to receive input and then show up in mass at the last meeting to protest. He agreed there were many valid points presented and wished they had been voiced sooner to allow time for discussion before the scheduled final reading.

City Attorney Huff stated the commission could table the entire 100-page ordinance amendment or could remove the sections in question and adopt the remainder of the ordinance.

Commissioner Dills clarified to those in attendance that the vegetation buffer does not have to be 6' tall and block the view of the lake. He stated low growing plants or even groundcover could be planted that would allow the view of the lake to remain unobstructed.

City Attorney Huff gave his opinion that the regulations would not constitute a "taking" of the property as they do not restrict all use of the land.

Commissioner Dills asked whether the setback and height allowances referenced by Mr. Jones had been part of the review process. Mr. LeBlanc stated they were briefly discussed, but ultimately left the same as the prior ordinances. He cautioned against changing setback or height requirements without considering the resulting creation of many nonconforming structures.

Mayor Seibold assured the residents the City Commission was trying to be good stewards of the lake, not to anger property owners. She felt the City needed to address all areas where lake quality can be improved, not just the big things. She noted that all residential properties are subject to front yard setbacks and these are similar to those setbacks. She also stated that while there have been several public meetings on this issue, she understood the resident's need for more information about the impact of the new rules. She asked those in attendance to be part of the solution by meeting with her soon to discuss the issue further.

2013-130-B. Commissioner Johnson amended her motion to remove Section 5.28(D) in its entirety and to remove the language addressing shoreline setbacks from Section 5.70(7)A of the amendments under consideration to Chapter 50, including any references to these sections. Commissioner Dills agreed to this amendment.

Commissioner Johnson noted the best management practices addressing the shoreline are important to the health of the lake, but agreed property rights and the concerns voiced tonight were important as well. She felt some type of regulations should be adopted in the future after meeting with residents.

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

2013-131. Johnson-Miller. Motion to approve the consent agenda as follows:

- 2013-131-A. Minutes of the regular meeting held November 4, 2013.
- 2013-131-B. Payroll disbursements of \$203,170.66; county and school disbursements of \$48,872.97, and total remaining disbursements of \$156,375.33.
- 2013-131-C. The purchase of a speed/radar trailer in the amount of \$8,585.00 from Kustom Signals of Leneka, Kansas.
- 2013-131-D. A resolution adopting the emergency Medical Services Consortium Partnership Agreement as set forth in Exhibit "B" attached hereto.
- 2013-131-E. A resolution agreeing to enter into a grant agreement with the State of Michigan for a "Stormwater Asset Management Wastewater (SAW) grant in the amount of \$402,900.00 to develop a storm and sanitary sewer asset management plan as set forth in Exhibit "C" attached hereto.
- 2013-131-F. Contracts for the following employee benefit coverages: Health care coverage with Symetra as the Stop Loss Carrier, Physicians care as the PPO provider, and ASR Corporation as administrations, and to fund \$1,000 in a Health Reimbursement Account for each eligible employee and retiree as outlined in the Finance Director's memo of November 13, 2013.
- 2013-131-G. Quarterly financial reports for the period ended September 30, 2013.
- 2013-131-H. Preliminary minutes of the Traffic Commission meeting held September 23, 2013.
- 2013-131-I. Preliminary minutes of the Planning Commission meeting held October 8, 2013.
- 2013-131-J. Preliminary minutes of the Parks & Recreation Commission meeting held October 14, 2013.
- 2013-131-K. Preliminary minutes of the Traffic Commission meeting held October 28, 2013. The City Commission took no action on the Traffic Commission's motions to install "No Parking" signs on Lakeside Drive from Greenwood to Lakeside Apartments and to remove parking restrictions along the east side of Lovett. The motions will take effect immediately.

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

Nays: -0-

The meeting adjourned at 7:47 p.m., subject to the call of the Mayor until December 2, 2013.

---

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Chapter 50 Chapter 23 regarding the zoning requirements.  
B – Resolution adopting agreement for ambulance service consortium.  
C – Resolution authorizing a Stormwater Asset Management Wastewater grant application.

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 December 2, 2013**

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, Duncan, Goebel, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Works Director Feldt; Finance Director Mushong; Public Safety Director Herald; City Clerk Brower; Zoning Administrator Faasse; Planning Consultant LeBlanc; Captain Williams; Captain Lark; Staff Sgt. Schweitzer; Sgt. Metternich; Sgt. Davis; Sgt. Kolster; PSO Brown; PSO Moore; PSO Gruzin; PSO DeJonge; PSO Karnes; PSO Conklin

2013-132. No public comment was received.

2013-133. Commissioner Dills and Commissioner Skaggs congratulated the High School Swim Team and the Volleyball Team on their State Championships over the weekend.

Commissioner Graham reported the Tree Lighting Ceremony on November 29<sup>th</sup> was very well attended and a fun event for all. He commended Mayor Seibold for her role in the event.

Commissioner Johnson thanked the residents of the second ward for their trust in her, and thanked her fellow commissioners for all the thoughtful discussions over the last four years. She also thanked many of the staff members she has worked closely with over the years.

Mayor Seibold thanked those who planned the Tree Lighting Ceremony and those who attended from all over the metro area.

2013-134. Consider request to approve the minutes of the regular meeting held November 18, 2013.

2013-134-A. Johnson-Miller. To approve the minutes of the regular meeting held November 18, 2013.

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

2013-135. Consider request to approve disbursements.

2013-135-A. Johnson-Graham. To approve payroll disbursements of \$198,203.05; county and school disbursements of \$42,972.22, and total remaining disbursements of \$278,979.56.

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

2013-136. Mayor Seibold presented Commissioner Johnson with gifts commemorating her time as City Commissioner and thanked her for such dedicated service to the residents of the second ward during her tenure.

2013-137. City Clerk Brower administered the oath of office to 1st Ward City Commissioner Phil Skaggs, 2nd Ward City Commissioner Claudine Duncan and 3rd Ward City Commissioner Jeff Dills. The new officials then took their seats on the City Commission.

2013-138. Public Safety Director Herald presented “Unit Citation Awards” to Staff Sergeant Tim Schweitzer, Sergeant Brian Davis, Detective Pete Guizin, Officer Beth Moore, Officer Troy Brown and Officer Jeff DeJong for their work surrounding a home invasion report and subsequent investigation that led to the arrest of several individuals on theft and drug charges. Mayor Seibold congratulated the officers and thanked them for their incredible service to the residents of East Grand Rapids.

2013-139. Overview of Crosswell Mews planned unit development proposal.

Brad Rottschafer of Mosaic Properties and Andrew von Maur, architect, reviewed the proposal for a mixed-use development with twelve residential units and 3,200 square feet of commercial space. They shared their research on Gaslight Village and surrounding neighborhoods and explained the various setbacks and architectural components that would be used. They answered questions on stormwater drainage, window placement and air conditioning units. Mr. Rotschaffer noted that the plan presented to the City Commission varied slightly from the plan approved by the Planning Commission. He asked that the City Commission consider the version of the plans approved by the Planning Commission.

Commissioner Dills reported the Planning Commission had looked very closely at the details of the plans, including exterior materials, roof lines, overhanging balconies and parking spaces.

Planning Consultant LeBlanc noted the plans had been through many revisions during the meetings with staff and the Planning Commission. He stated the plans under consideration were generally consistent with the Master Plan and the PUD ordinance and was sure that the minor variations could be worked out during the site plan approval process. He recommended approval of the plans approved by the Planning Commission with the condition that the narrative portion of the plans be revised to address phasing and any inconsistencies between the earlier and final versions.

City Manager Donovan stated a public hearing and introduction of the ordinance amendment to rezone the properties would take place on December 16, 2013, followed by a final reading on January 6, 2014. If approved, the project will then return to the Planning Commission for final site plan review before being brought back to the City Commission for final approval.

Mayor Seibold stated it was exciting prospect to be able to offer more housing options to those looking for other than single-family homes and looked forward to the remainder of the process.

2013-140. Graham-Miller. Motion to approve the consent agenda as follows:

- 2013-140-A. Assignments to advisory boards and committees as recommended by Mayor Seibold.
- 2013-140-B. The purchase of a dump box trailer for grounds maintenance operations from Grandville Trailer in the amount of \$6,500.00.
- 2013-140-C. An amendment to an earlier authorization for winter road salt to add Morton Salt Company at a cost of \$54.05 per ton for amounts over the initial contracted requisition of 630 tons made to North American Salt Company.
- 2013-140-D. Ratification of expenses and purchases totaling \$41,072.29 made during the emergency repairs during the watermain break on Lake Drive near Breton Road, and approval of a budget amendment in the same amount from the Water/Sewer Fund ending balance to cover these expenses
- 2013-140-E. Contracts for life insurance and long-term disability coverage for eligible employees and retirees from National Insurance Services as recommended by the Finance Director.
- 2013-140-F. The reappointment of Mayor Amna Seibold to the Interurban Transit Partnership Board for a two-year term ending December 31, 2014.

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

Nays: -0-

The meeting adjourned at 7:25 p.m., subject to the call of the Mayor until December 16, 2013.

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held December 16, 2013**

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, Duncan, Goebel, Graham, Miller, Skaggs and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Works Director Feldt; Finance Director Mushong; City Clerk Brower; Zoning Administrator Faasse; Planning Consultant LeBlanc

2013-141. No public comment was received.

2013-142. Commissioner Skaggs congratulated Jason Madden and David DeVelder on being chosen to serve on the Planning Commission and thanked them for their willingness to serve the community.

Commissioner Miller thanked the Public Works Department for their work during the recent snowy weather.

Mayor Seibold wished everyone Happy Holidays and reminded everyone to drive safely.

2013-143. Introduction of an ordinance amendment to Section 5.20 of Chapter 50 of Title V of the City Code to rezone properties at 664, 700, 706, and 708 Croswell from B-1 Apartment District to PUD for the Croswell Mews development project.

City Manager Donovan stated there would be a public hearing and first reading of the ordinance amendment. The City Commission will then consider a final vote on January 6<sup>th</sup>. If approved, the development will begin the site plan review process which will involve additional Planning and City Commission hearings.

Brad Rottschafer of Mosaic Properties and Jesse Hibler of Hibler Design reviewed the proposed mixed-use development that will replace four single-family homes with twelve residential units and a small retail/office space along Croswell Avenue. Mr. Hibler reviewed the site plan, materials and transition from commercial to single-family residential. Mr. Rottschafer noted the plans were exactly as approved by the Planning Commission with the exception of his intention to build the development in one phase instead of two.

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

- Barry Miller, 711 Croswell

Concerned about the density of condo building. Felt 10 units with 20 vehicles was too much added to one-block area that receives a lot of cut-through traffic, garbage trucks, delivery trucks, etc. Asked the density be kept to the current density allowed by ordinance. Stated 38' flat-roofed building is too tall and out of place in a residential area. Asked that these issues be worked out now before approval.

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

- Steve Parks, 2172 Wealthy

In Favor.

- Barry & Lance Miller, 711/713 Croswell

Concerns noted above.

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

2013-143-A. Dills-Miller. That an ordinance amendment to Section 5.20 of Chapter 50 of Title V of the City Code to rezone properties at 664, 700, 706, and 708 Croswell from B-1 Apartment District to PUD for the Croswell Mews development project be introduced as set forth in Exhibit "A" attached hereto.

Mayor Seibold asked if traffic counts were available for this area. Public Works Director Feldt stated traffic studies were conducted when more than 50 vehicles were added at peak hours. Since this development was thought to be under that threshold, traffic counts have not been taken on this street.

City Manager Donovan noted the Comprehensive Master Plan and Gaslight Village SubArea Plan had recommended future infill development along Bagley and Croswell. He further noted the proposed development meets the current height ordinance and is very close to the residential density allowed in the new zoning ordinance. He stated mixed-use developments were a typical way to transition from the traffic in downtown areas to residential neighborhoods.

Commissioner Dills suggested removing references to phasing of the development throughout the ordinance language. He noted the height of the single-family unit was not mentioned in the ordinance and wondered if that should be included. Zoning Administrator Faasse stated that if there is no language noting a departure from zoning requirements for the height of that building, then the standard height restrictions would apply.

Commissioner Miller asked if language was needed referencing parking spaces. City Manager Donovan stated the City's zoning ordinances do not require any specific number of spaces for first floor retail use.

Mayor Seibold questioned whether there were other flat-roofed buildings in the area. Mr. Donovan noted that storm water regulations and zero lot lines result in many flat roofs in commercial areas and older residential units. He stated staff would compile a list of flat roofs with approximate heights for the next meeting.

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

2013-144. Graham-Goebel. Motion to approve the consent agenda as follows:

- 2013-144-A. To approve the minutes of the regular meeting held December 2, 2013.
- 2013-144-B. To approve payroll disbursements of \$191,511.56; county and school disbursements of \$76,589.99, and total remaining disbursements of \$448,406.54.
- 2013-144-C. The appointment of Jason Madden of 1410 Sherwood and David DeVelder of 2242 Lake Drive to the Planning Commission for terms ending June 30, 2015.
- 2013-144-D. A resolution electing to comply with the Public Act 152 of 2011 by exercising the City's right to exempt itself from the requirements of the Act for 2014 as set forth in Exhibit "B" attached hereto.
- 2013-144-E. The purchase of timesheet software from BS&A Software in the amount of \$5,645.00.
- 2013-144-F. The payment of \$12,361.00 to the Michigan Municipal League Worker's Compensation Fund.
- 2013-144-G. Preliminary minutes of the Planning Commission meeting held November 12, 2013.

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

The meeting adjourned at 6:40 p.m., subject to the call of the Mayor until January 6, 2014.

---

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Chapter 50 regarding the Croswell Mews PUD Development.  
B – Resolution opting out of PA 152.

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