

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 2, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioner Morris

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Feldt; City Clerk Brower

2007-1. Mayor Bartman advised there were no communications received at City Hall.

2007-2. No public comment was received.

2007-3. Commissioner Coretti noted she was honored to be involved in the ceremonies at the airport for the arrival of President Ford's casket and the family members earlier in the day.

Mayor Bartman also remarked on the event at the airport earlier in the day and the honor bestowed on East Grand Rapids to have the funeral held within the city limits. She stated the City was proud to represent President Ford as his hometown as he represented the City so admirably for more than 30 years as congressman, Vice-President and as President. A moment of silence was observed in memory of President Gerald R. Ford.

2007-4. Coretti-Horn. Motion to approve the consent agenda as follows:

2007-4-A. Minutes of the regular and special meetings held December 18, 2006.

2007-4-B. Payroll disbursements of \$164,417.72; county and school disbursements of \$271,192.55, and total remaining disbursements of \$293,282.78.

2007-4-C. A resolution approving the installation of a new streetlight at 2853 Woodcliff Circle by Consumers Energy.

2007-4-D. A resolution authorizing the upgrade of streetlights in the Rosewood Alley.

2007-4-E. A contract for an actuarial valuation of retiree health care benefits with Gabriel Roeder Smith & Company at a cost of \$11,600.00.

2007-4-F. The purchase of email archiving software from Omega Systems in the amount of \$2550.00 and related equipment from Trivalent Group at a cost of \$3,621.00.

Yeas: Barbour, Coretti, Horn, Seibold, Yadlowsky and Bartman – 6

Nays: -0-

The meeting adjourned at 6:03 p.m. subject to the call of the Mayor until January 15, 2007.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 15, 2007

Mayor Bartman called the meeting to order at 6:02 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Feldt; City Clerk Brower; Zoning Administrator Bajdek; Planning Consultant VanSteenhuysen

2007-5. Mayor Bartman advised of the following communications received at City Hall:

- A. Note from Peter Secchia, 2833 Bonnell, complimenting the City for the letter sent to residents informing them of the Gerald R. Ford funeral details.
- B. Letter from Secretary of State Terri Land congratulating the elections staff for their handling of the high turnout and new equipment in the November 2006 election.

2007-6. No other public comment was received.

2007-7. Commissioner Seibold thanked the City Services Department crew members for their work clearing the roads of ice and snow during this morning's commute.

Mayor Bartman reported receiving a phone call from resident Marty Allen, a friend of the Ford family, thanking the city for the efforts of all employees to organize and protect the funeral proceedings in East Grand Rapids. She noted the President's family was very touched by the outpouring of support from the community. Mayor Bartman thanked the residents of the City for their understanding of the traffic delays and road closures in the area of the church on the day of the funeral.

2007-8. Brent Gibson, Jim Huyser and Jim Morrisk of Triangle Associates and Bob Olson of Cox Medendorp & Olson presented two framed photographs of the new community center to the City and thanked the City Commission for the opportunity to work on the project.

2007-9. Peter Varga of the Interurban Transit Partnership gave a presentation on the current operations and future plans for the Rapid transportation system. He noted a record 7.4 million rides in 2006, and other accomplishments of the system during the year.

2007-10. A zoning variance hearing was held regarding the request of Thomas Vacchiano of 2951 Bonnell to allow the construction of a detached garage in the front yard instead of the side or rear yard as required.

2007-11.

Mark Shuart, contractor for Mr. Vacchiano, was present to introduce and answer questions about the variance request.

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

- John & Deb Scott, 3000 Bonnell No objection.
- Alfred & Genevieve Swanson, 2945 Bonnell No objection.

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

2007-11-A.Coretti-Morris. That the request of Thomas Vacchiano of 2951 Bonnell to allow the construction of a detached garage in the front yard instead of the side or rear yard as required be approved.

Commissioner Seibold questioned what was being done with the existing garage. Mr. Shuart answered the existing garage will remain.

Commissioner Barbour asked whether any changes will be made to the grading of the land and where the garage will be positioned relating to the grade change. Mr. Shuart reported the garage will be placed on a flat area with 6' behind the garage before the start of the hill.

Mayor Bartman noted the topography of this property would make placing a garage beside or behind the garage impossible without changing the overall grade of the lot and installing significant retaining walls.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-12. A zoning variance hearing was held regarding the request of Paul & Cindie Anthes of 2857 Pioneer Club to allow the construction of a new home with a front yard setback of 44.0' instead of the required 63.0'

Mayor Bartman noted this exact variance was granted by a prior Commission in 1988 and the City Commission needed to determine whether any changes had occurred in the neighborhood to justify overturning the decision made earlier.

Zoning Administrator Bajdek outlined the history of the variance approvals. He noted the current request for a front yard setback of 44' from the centerline of the road was the same as had been granted in 1988 and again in 1999. He noted the City Commission, acting as the Zoning Board of Appeals, is compelled to renew the request unless there have been significant changes to the request or the area.

City Attorney Huff stated the decision of a Zoning Board of Appeals is a judicial decision and is not subject to change by the local body, but would have to be overturned by a higher court. He noted the only opportunity to reach a different result would be to find a change such as the character of the neighborhood or a change in the zoning district. He stated differences in natural features or traffic patterns would not constitute a change for this purpose.

Commissioner Barbour questioned whether the proposed home could be built on this lot without any variance. Zoning Administrator Bajdek answered the home could be built at the allowed setback without a variance and showed the area where the home could be built on a map.

Paul Anthes, owner of 2857 Pioneer Club, was present to introduce and answer questions about the variance request. He stated the reason for moving the house closer to the road was to avoid building in the drainage area along the rear of the property. He outlined the drainage pattern of the neighborhood and his intention to place dedicated drain pipes from the footings and the roof to a city drain in the northwest corner and to leave the landscaping in a natural state. He noted the great variety of housing styles, sizes and setbacks in the surrounding area and felt his home would not be detrimental to the neighborhood.

The following people were present and expressed their opinions concerning this variance request:

- Mark Bissell, owner of 2840 Pioneer Club Felt there had been changes since 1988 in vehicular and pedestrian traffic, paved roads, and wetlands protection. Stated house was too large for lot and too close to road; would affect property values.
- Steve Schwartz, 2863 Pioneer Club Reviewed study done by Nederveld Assoc. on behalf of other residents stating data may not be accurate, suggesting surveys and consultants are needed, giving locations of wetlands in the area, and reiterating the need for detailed drainage plans.

- Cindy VanGelderens, 2904 Pioneer Club Stated road has become very busy in the last 30 years; concerned with driveway entrance and home close to road at a curve. Also concerned with drainage.
- Jim Smalligan, 2856 Reeds Lake Blvd Standing water on these properties has not changed since 1999. Agreed with Nederveld assessment that this was a regulated wetland. Disagreed that lot was a buildable site because of drainage area.
- Vince Turcotte, 2860 Pioneer Club Opposed to variance because of precedent for future redevelopment of large properties.
- Monica Sekulich, 2900 Reeds Lake Blvd Concerned about drainage and wetlands protection; asked that conditions regarding planned drainage pipes be included in approval. Felt property should be analyzed by the State before building permit is issued.
- Madeline Tazelaar, 2864 Pioneer Club No objection to variance; couple should be allowed to build home at same front setback as neighboring property. Felt area was diverse and would not be affected.

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

- Steve Schwartz, 2863 Pioneer Club Requested delay to secure independent engineer opinion.
- Mark & Cathy Bissell, 2840 Pioneer Club Opposed.
- Scott Carvo, attorney for Mark & Cathy Bissell Opposed.
- Nancy & Vincent Turcotte, 2860 Pioneer Club Opposed.
- Nederveld Associates Cover letter and maps

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

2007-12-A.Coretti-Barbour. That the request of Paul & Cindie Anthes of 2857 Pioneer Club to allow the construction of a new home with a front yard setback of 44.0' instead of the required 63.0' be approved.

Commissioner Barbour questioned whether City Attorney Huff considered the concerns brought up by neighbors as being significant changes to justify overturning the earlier variance. City Attorney Huff stated the traffic could be considered if the Commission deemed the changes as significant. He stated the drainage problems did not impact the zoning issue of whether a house could be built there but rather were to be taken into account when issuing a building permit. He did not feel that conditions had changed in several years. He reiterated the City Commission cannot overturn the prior decision based on whether they think it was the right decision, only on whether things have changed since that decision was made.

City Manager Donovan cautioned the assumption that one home would change the amount of traffic in the area. Commissioner Seibold clarified the residents were concerned that the ingress/egress from this new home could be a hazard because it was near an intersection and the traffic had increased over time.

Commissioner Yadowsky questioned whether increased sensitivity to wetlands protection could be considered a significant change that would affect this decision. City Attorney Huff stated the presence of a wetland was not normally considered as an issue when analyzing a variance request, but only when working with engineering standards during the building permit process.

Commissioner Morris questioned how the building department would handle the wetlands issue during the permit process. City Services Director Feldt stated the department staff would take the initiative to contact the Department of Environmental Quality if there is any possibility of problems. Mr. Morris discussed ways to address the drainage and whether it was sufficient to rely on the departmental processes. City Attorney Huff noted there was no reason to delay voting on this; but the city could enact stricter drainage requirements for the future that may address these types of issues.

Commissioner Seibold questioned how difficult it would be to build the house in the normal building envelope without affecting the surrounding drainage. City Services Director Feldt answered the process to ensure proper drainage improvements would be the same no matter where the house was placed, but the problems would be easier to address if the house was moved forward toward the street.

Commissioner Seibold questioned whether the 1988 variance materials and minutes should be reviewed prior to making a decision to determine if any special factors had been in place when the original variance was approved. City Attorney Huff agreed the 1988 minutes may provide details about the initial decision.

Mayor Bartman reminded everyone that the applicant is not requesting a building permit with this application; they are simply asking for permission to move the front yard setback closer to the street. She noted that during the building permit process, the contractors will have to supply detailed drawings with their plans to address drainage issues and that these plans will be reviewed by the city before issuing a building permit.

Yeas: Barbour, Coretti, Horn, Morris, Yadlowsky and Bartman – 6
Nays: Seibold – 1

2007-13. Consideration an emergency ordinance amendment to Section 5.407 of Chapter 54 of Title V of the City Code extending a temporary moratorium on land divisions in the A-1 district.

2007-13-A.Horn-Yadlowsky. That an emergency ordinance amendment to Section 5.407 of Chapter 54 of Title V of the City Code extending a temporary moratorium on land divisions in the A-1 district until March 3, 2007 be adopted as set forth in Exhibit “A” attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-14. Introduction of an ordinance amendment to Section 5.406 of Chapter 54 of Title V of the City Code pertaining to land divisions.

Planning Consultant VanSteenhuysen reported the subcommittee had reviewed the public comment received in December and made minor changes to the text of the proposed amendment. He briefly reviewed the changes made to several definitions, resources, and distances.

Mayor Bartman opened the meeting for public comment. The following people were expressed their thoughts:

- Todd Hendricks, Rhodes McKee

Reported Dr. Riahi had applied for a land division in July 2006 but was stalled by the moratorium. Has submitted letter with thoughts and concerns on proposed amendment. Feel the Land Division Act is the standard to be used for their request; concerned that requirements are being expanded beyond State statute.

2007-14-A.Barbour-Horn. That an ordinance amendment to Section 5.406 of Chapter 54 of Title V of the City Code pertaining to land divisions be introduced as set forth in Exhibit “B” attached hereto.

Commissioner Barbour stated the revised ordinance is a good compilation of the discussions over the last several months. He noted it would probably not satisfy the extreme feelings on either side of the development issue, but adds some objectivity to a subjective decision and gives the City Commission additional tools and resources when dealing with land division requests.

Mayor Bartman supported the ordinance amendment as being in the best interest of the community for the added ways to protect and improve the city.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-15. Mayor Bartman noted the City Commission meeting on February 19, 2007 was during the school's winter break and questioned whether the commissioners would be present for that meeting. A majority of commissioners indicated they would be present, so no rescheduling was necessary.

2007-16. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-16-A. Minutes of the special meeting held December 29, 2006 and regular meeting held January 2, 2007.

2007-16-B. Payroll disbursements of \$162,426.70; county and school disbursements of \$719,896.39, and total remaining disbursements of \$235,335.79.

2007-16-C. An agreement with DTE energy for service to the new gas lights in Gaslight Village.

2007-16-D. The preliminary minutes of the Parks & Recreation Commission meeting held December 11, 2006.

2007-16-E. The preliminary minutes of the Planning Commission meeting held December 12, 2006.

2007-16-F. The Public Safety Department Report for December 2006

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 7:31 p.m. subject to the call of the Mayor until February 5, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 5.407 extending lot split moratorium until March 3, 2007.
B – Ordinance Amendment to Section 5.406 regarding requirements for lot splits.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 5, 2007

Mayor Bartman called the meeting to order at 6:03 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

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

2007-17. Mayor Bartman advised of the following communications received at City Hall:

- A. Email from Steve Schwartz, 2863 Pioneer Club, regarding the decision of the City Commission to grant a variance to a property next to him for a new home.
- B. Email from Jim Smalligan, 2856 Reeds Lake Blvd, with suggestions for drainage requirements for a new home to be built behind him on Pioneer Club.

2007-18. No other public comment was received.

2007-19. Commissioner Seibold reported the Lake Committee had held four meetings and would be making a report at the next City Commission meeting.

Commissioner Horn complimented the Streets & Utilities employees for their efforts to keep the roads and sidewalks clear during the recent snowstorm.

City Manager Donovan also commended the Streets & Utilities employees for plowing the streets and fixing a watermain during the extreme weather on Saturday.

2007-20. Public Hearing and Final Reading of an ordinance amendment to Section 5.406 of Chapter 54 of Title V of the City Code pertaining to land divisions.

Mayor Bartman opened the meeting for public comment. The following people spoke on this issue:

- Dave Smith, McShane & Bowie

Representing Secchia and neighbors; liked new language because it allows consideration of location, size, surrounding properties, width-to-depth ratios and terrain. Assumes findings of City Commission are enforceable; will need to articulate reasons for decision. Stated city has always regulated land divisions and this language provides more specifics to use when deciding. Suggested criteria should be applied to all land divisions, no matter when application is made. Noted that Master Plan also addresses maintaining the character of neighborhoods.

- Frank Dunten, 3187 Bonnell

Representing Mr. Lacks at 3105 Bonnell. Felt the ordinance was inconsistent with other actions and decisions of the Commission, specifically relating to the southshore of Reeds Lake Blvd. Stated this ordinance was not fair to those property owners that may want to split their lots in the future.

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

- | | |
|--------------------------------------|---|
| - Steve Williams, 1038 Wren | Questioned the enforceability of the new ordinance with relation to the Michigan Land Division Act. |
| - Ben Birkbeck, 2701 Reeds Lake Blvd | Concerned with changing lot grades and affecting drainage. |
| - Todd Hendricks, Rhoades McKee | Object to the new ordinance due to conflicts with State law. |

Mayor Bartman noted the intent of this ordinance was not to make obtaining a lot split more difficult but to set guidelines for the commission to use when considering divisions.

2007-20-A. Yadlowsky-Barbour. That an ordinance amendment to Section 5.406 of Chapter 54 of Title V of the City Code pertaining to land divisions be introduced as set forth in Exhibit "A" attached hereto.

Commissioner Barbour questioned the position of Mr. Hendricks that the new ordinance was in conflict with State law and how the new ordinance differed from the old ordinance if this was the case. City Attorney Huff reported the Land Division Act gives authority to local units to adopt regulations for the divisions of platted lots. He felt the City was within its rights to clarify and expand guidelines in its existing ordinance which has always contained less detailed provisions. He saw no difference in the existing and new ordinance with regard to any conflicts with the Land Division Act.

Commissioner Morris expressed his concern about some redundancies between the existing and new ordinances and the lack of definition of some terms used. He felt the new provisions could make decisions difficult and favored keeping the existing provisions in place.

Commissioner Seibold felt the new wording gave the commission better tools to make the best decision possible by using the conditions already in place in the neighborhood to help in the evaluation. She stated these provisions would add to the record of meetings and assist if any legal challenges are mounted.

Mayor Bartman clarified the new ordinance doesn't require specific house plans or setbacks for the new lot, but deals with the character and setbacks on surrounding properties as considerations before approving the split.

Commissioner Barbour stated the ordinance assumed the lot would be split if requirements were met and would only need to be used in the cases when there was a reason not to approve the split. He noted the guidelines were detailed to allow for varying situations because there was not a "one-size-fits-all" way to word the ordinance.

Commissioner Horn suggested changing the "may" to "will" to require use of the new provisions on all splits to provide consistency and avoid challenges of preferential treatment. He felt this would also be useful to property owners to know ahead of time what considerations would be used and avoid submitting things that would not be used. City Attorney Huff agreed it would reduce challenges if the same criteria were used all the time. Mayor Bartman also supported using the guidelines for all lot splits. Commissioner Barbour was not opposed to the change but noted it would require putting findings in the record of each meeting to support the decision. Commissioner Horn also suggested defining "surrounding area" as properties within 500' of the proposed split.

Commissioner Yadlowsky questioned the intention of paragraph 3(d). City Attorney Huff answered the section allowed the commission to take into account the orientation and location of a house on the adjoining lot, for example to make sure a new home is not placed directly in the neighbor's front yard.

2007-20-B. Horn-Yadlowsky. Motion to amend 2007-20-A to incorporate the following changes to the ordinance:

- 1) change "may" to "will" in the fourth line of paragraph (3) on page 1;
- 2) change paragraph (3)(a) to read: "The conformity of the resultant parcels with zoning ordinance standards and the creation of parcels consistent and in harmony with parcels within 500' of the proposed split."
- 3) add the following to the end of paragraph (3)(d): "For these purposes, parcels within 500' of the proposed split will be reviewed."

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-20-C.Morris-_____. Motion to amend 2007-20-A to delete paragraph (3)(c) because these terms and requirements are contained elsewhere in the ordinance and building codes.

Motion failed due to lack of a second.

Vote on 2007-20-A, as amended:

Yeas: Barbour, Coretti, Horn, Seibold, Yadlowsky and Bartman – 6

Nays: Morris – 1

2007-21. Consider request to review the application by Food Art Concepts (Olive's Restaurant) for an SDM package liquor license.

City Clerk Brower explained the SDM license would allow the restaurant to sell alcohol to be taken off the premises, and would be in addition to their existing Class C on-premise service license.

Lewis Williams, the restaurant manager, was present to answer questions. He explained the restaurant would like to offer bottles of wine to take home, or to host special catering events, wine tastings, or special offers from distributors.

2007-21-A.Horn-Coretti. That the request of Food Art Concepts, owner of Olive's Restaurant at 2162 Wealthy, for approval of an SDM package liquor license be approved as requested.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-22. Consider request to approve a payback agreement and easement consents for a watermain extension from Bonnell to Reeds Lake Blvd.

City Services Director Feldt explained the watermain had been installed to service a new home on lower Reeds Lake Blvd and was now a public water main. The agreement would allow the property owners who paid for the entire watermain to be reimbursed a portion of their costs if other homes hook into the main.

2007-22-A.Yadlowsky-Coretti. That a payback agreement and easement consents for a watermain extension from Bonnell to Reeds Lake Blvd be approved as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-23. Yadlowsky-Horn. Motion to approve the consent agenda as follows:

2007-23-A.Minutes of the regular meeting held January 15, 2007.

2007-23-B.Payroll disbursements of \$173,157.68; county and school disbursements of \$342,512.12, and total remaining disbursements of \$604,867.16.

2007-23-C.A contract with Moore & Bruggink of Grand Rapids to provide engineering services for improvements to the road on Reeds Lake Blvd southshore at a cost of \$18,450.00 plus contingencies of \$1,845.00.

Mayor Bartman disagreed with the earlier comment that new lot split regulations would deter development on this street. She noted the development was approved under certain rules and an improved road was required.

2007-23-D.Authorization for staff to proceed with final design and bidding for the 2007 construction projects as outlined by the City Services Director dated January 29, 2007.

2007-23-E.The fleet management recommendations outlined by the Public Safety Director dated January 24, 2007.

2007-23-F. A grant application for Community Development Block Grant funds in the amount of \$16,061 for upgrades to handicap curb ramps on City sidewalks and to authorize the Mayor to sign the grant application.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 7:00 p.m. subject to the call of the Mayor until February 19, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 5.406 regarding requirements for lot splits.
B – Payback agreements and easement consents for Bonnell/Reeds Lake Blvd watermain.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 19, 2007

Mayor Bartman called the meeting to order at 6:02 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Feldt; Finance Director VanderWall; Planning Consultant VanSteenhuyse; City Clerk Brower

2007-24. Mayor Bartman advised there were no communications received at City Hall.

2007-25. No other public comment was received.

2007-26. Commissioner Horn reminded everyone the referendum on the Jade Pig PUD project was held two years ago this week. He noted the new commercial buildings along Wealthy were an asset to the community.

Mayor Bartman noted the President's Day holiday and took the opportunity to thank Commissioner Barbour for serving as President of the City Commission when she is unable to attend meetings.

Mayor Bartman presented a recognition plaque to City Attorney John Huff for his years of service to the City of East Grand Rapids. Mr. Huff has recently been named to the "Best Lawyers in America 2007," a very prestigious honor in the legal community. Mayor Bartman also gave Mr. Huff "SuperAttorney" related gifts.

2007-27. A zoning variance hearing was held regarding the request of Keystone Church, 2119 Lake Drive, to allow the 1) enlargement of a non-conforming structure, 2) installation of a canopy 41.5' from the centerline of the road instead of the required 58.0' and 0.0' from Croswell instead of the required 20.0' and 3) installation of a 12.0 square foot changeable banner instead of the allowable bulletin board.

Zoning Administrator Bajdek outlined the request and noted the applicants had declined to pursue a special use permit and preferred to request variances. He stated churches were allowed a bulletin board of 12 square feet in the zoning ordinance, but that banners were not allowed in residential districts.

John Aasman, Keystone Church East, was present to introduce and answer questions about the variance request. He stated the church felt the special use permit process would take longer and cost more than the variance request. He stated the old bulletin board sign had been removed because it was in very poor condition.

The following people were present and expressed their opinions concerning this variance request:

- Barry Miller, 711 Croswell In Favor.

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

- Arthur & Ann Losse, 2101 Lake Drive Opposed.

- Michael & Mary Ott, 726 Croswell In Favor.

- Phil Vine, 2109 Lake Drive In Favor.

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

Planning Consultant VanSteenhuyse noted the requested banner was not permitted in the current ordinance or in the proposed ordinance that would be presented to the City Commission at its next meeting. He stated this type of banner could be added to the new ordinance and assigned some type of permit process whereby staff or a commission could approve according to the size, type, material and attachment method. He noted the banners at Blodgett were in the public right-of-way and therefore governed by a permit process contained in the

ordinance. Mayor Bartman noted the advantage to using a permit process approved by ordinance is that the approval would be temporary but renewable and not permanent approval as with a variance.

Commissioner Barbour questioned whether an expiration date could be included with a variance approval. City Attorney Huff stated an expiration date could not be included.

Commissioner Horn stated his concern that intense lighting could be placed beneath the canopy near the lettering thereby creating a lighted sign visible from the street and surrounding properties.

2007-27-A. Seibold-Coretti. That the request of Keystone Church, 2119 Lake Drive, to allow the enlargement of a non-conforming structure by the addition of a canopy with text lettering as proposed, and to allow the canopy to extend from the church wall to 41.5' from the centerline of the road instead of the required 58.0' and 0.0' from the Croswell right-of-way instead of the required 20.0' be approved with the conditions that only safety lighting be installed beneath the canopy and that no enclosure of the side walls be permitted other than a hand railing.

Commissioner Yadlowsky preferred dealing with these requests within the special use permit process that would include neighborhood meetings and deeper evaluations of the requests. Planning Consultant VanSteenhuysse and City Attorney Huff outlined the process of site plan review, public hearings and other steps involved in designating a special use.

Commissioner Seibold noted this was a much smaller church and a smaller request than the Grace Church special use permit situation. She stated her main concern with this request was making sure the canopy did not present any sight distance issues for motorists.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-27-B. Barbour-Horn. That the request of Keystone Church, 2119 Lake Drive, to allow the installation of a 12.0 square foot changeable banner instead of the allowable bulletin board be approved.

Commissioner Barbour expressed his concern that this approval would set a precedent for others or for the next owner of this property that may use other types of banners. He questioned whether some type of middle ground, such as a permitting process in the new ordinance, could be arranged so this church could use the banners but it would not be a permanent, blanket approval.

Commissioner Seibold was concerned about businesses using this approval or a permitting process to advertise sales continuously or to hang large banners out over the sidewalks. She wanted to make sure the city retained some type of control and the right to revoke approvals if problems arise.

Mayor Bartman suggested asking staff members to draft several options and language to add to the proposed sign ordinance that would address the concerns raised by allow banners in certain situations.

2007-27-C. Barbour-Yadlowsky. That the request of Keystone Church, 2119 Lake Drive, to allow the installation of a 12.0 square foot changeable banner instead of the allowable bulletin board be tabled until the next meeting to allow staff time to prepare options and ordinance language to address banners in this type of situation.

Commissioner Barbour stated he was looking for a way to allow this church to proceed with their stated intention and noted he would not otherwise delay this request if changes to the sign ordinance were not already being considered and ready for commission review.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-28. Introduction of an ordinance amendment to Section 5.83 and a new Section 5.86 of Chapter 50 of Title V of the City Code pertaining to the connection of accessory buildings to dwellings and the total building area permitted on residential lots.

Planning Consultant VanSteenhuysen stated a subcommittee and the Planning Commission had reviewed these two changes and recommends the proposed ordinance. He stated reported the recommendation is to allow covered walkways as long as the sides remain open except for a knee-wall or railing with no storage or seating included. Mr. VanSteenhuysen reported the subcommittee also recommends the ordinance requirement for a 35% maximum lot coverage on non-conforming lots be expanded to include all residential lots within the city. Mr. VanSteenhuysen requested that an additional paragraph be added to the proposed language to exclude multi-family dwellings and submitted the proposed language as part of the amendment to be introduced.

2007-28-A. Yadlowsky-Horn. That an ordinance amendment to Section 5.83 and a new Section 5.86 of Chapter 50 of Title V of the City Code pertaining to the connection of accessory buildings to dwellings and the total building area permitted on residential lots with the above referenced exclusion of multi-family homes be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-29. Commissioner Seibold reported the "Lakes Committee" had begun meeting in November 2006 and had created many goals and ideas for improving and maintaining the health of area lakes and watershed through information, education and action. She noted the committee plans to collect as much information as possible about the lakes and surrounding areas and to create a repository of this information for public and historical use. Four subcommittees have been formed to research different areas and develop plans of action and to report back to the full committee. Boating regulations, fertilizer use, endangered and invasive species and animal populations will be some of the areas addressed. Commissioner Seibold thanked all the members of the committee who had put so much time and effort into this committee.

2007-30. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-30-A. Minutes of the regular meeting held February 5, 2007.

2007-30-B. Payroll disbursements of \$165,440.77; county and school disbursements of \$199,153.98, and total remaining disbursements of \$143,816.52.

2007-30-C. The quarterly financial report for the period ended December 31, 2006.

2007-30-D. A three-year preventative maintenance agreement for the Community Complex HVAC system with Hurst Industries at a total cost of \$17,554.38.

2007-30-E. A three-year service agreement with JCI/York International for the Community Complex chiller unit at a cost of \$14,240.00 per year.

2007-30-F. The preliminary minutes of the Planning Commission meeting held January 9, 2007.

2007-30-G. The preliminary minutes of the Traffic Commission meeting held January 22, 2007.

2007-30-H. The preliminary minutes of the Library Commission meeting held January 22, 2007.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 7:16 p.m. subject to the call of the Mayor until March 5, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 5.83 and 5.86 regarding accessory buildings and lot coverage.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 5, 2007

Mayor Bartman called the meeting to order at 6:04 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioner Coretti

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Feldt; Public Safety Director Herald; Planning Consultant VanSteenhuysen; City Clerk Brower

2007-31. Mayor Bartman advised of the following communications received at City Hall:

- A. Letter from the Special Olympics thanking the City's Public Safety Department for their assistance with the "polar plunge" event that took place February 9th behind the Community Complex to raise money for Special Olympics.
- B. Letter from resident thanking the members of the Streets & Utilities Department for keeping the roads clear during the recent time of winter weather.
- C. Letter from Anna Lafrey of Reeds Lake Blvd suggesting the addition of a rope at the Manhattan Sledding Hill to assist those using the sledding hill. Mayor Bartman noted there was a rope on the largest hill.

2007-32. Margo Anderson, candidate for Grand Rapids Community College Trustee, introduced herself to the commission and spoke about her experience and her first term in office.

2007-33. Commissioner Morris thanked the city crews for their hard work to keep the roads safe and clear during the recent snow storms.

City Manager Donovan reminded everyone of the EGR Community Foundation's March Madness event on Saturday, March 10th at the Community Center to raise funds for the Reeds Lake Trail and their permanent endowment fund.

Mayor Bartman spoke about the need for pension and health care reform for state and school employees with the ongoing budget problems and shortage of funds throughout the state. She noted the City employees had worked with the city to revise both their pension and health care benefits to save money.

Mayor Bartman announced the land division request for 2150/2250 Boston had been postponed until the next meeting at the request of the owner. She asked if anyone was present to comment on this issue who did not receive notice of the postponement. No one was present to speak on this matter.

2007-34. Introduction of an ordinance amendment to Chapter 81 of Title VIII of the City Code pertaining to sign regulations.

Planning Consultant VanSteenhuysen outlined the comprehensive new regulations designed to provide a positive environment for business owners to advertise their businesses while setting guidelines to protect the aesthetics of Gaslight Village. He highlighted the changes since the Planning Commission's review of the ordinance, including Mayor Bartman's suggestions for exempting the city/school property from the size restriction for American flags, provisions for banners, wording changes for the Planned Unit Development section and standards for sign variances.

Commissioner Barbour questioned how commercial real estate signs would be handled and whether there would be time limits on the signs. Mr. VanSteenhuysen answered the signs were restricted by size and by the sale/lease

of other units in the building and that enforcement would be at the discretion of the City. He noted the ordinance did require the signs be kept in good condition, which could be helpful to enforcement.

Mayor Bartman asked about the time limit for 51% occupancy of the building. Mr. VanSteenhuysen agreed this might need to be clarified further.

Commissioner Horn favored limiting window signs and advertising specials. Mr. VanSteenhuysen reviewed the wording that addressed the size and time limitations.

Mayor Bartman questioned whether residents would be able to place temporary "Happy Birthday" or "It's A Boy" sign in their front yards. Mr. VanSteenhuysen noted the time, place and manner could be regulated, but not the content of the sign, as this is protected by the Constitution as free speech, therefore the temporary placement of such signs in residential areas was not regulated.

City Manager Donovan reported he had discussed the proposed regulations with school administrators prior to the ordinance being drafted.

Commissioner Seibold noted the Planning Commission had spent considerable time reviewing and crafting the ordinance. She expressed appreciation to Planning Commissioner Kim Hughes for her views and assistance on the sign ordinance and for representing the business owners.

City Attorney Huff stated the new ordinance consolidated the many separate sections currently in use to regulate signage and should be easier to administer since all provisions were now in one place.

2007-34-A. Horn-Seibold. That an ordinance amendment to Chapter 81 of Title VIII of the City Code pertaining to sign regulations be introduced as set forth in Exhibit "A" attached hereto and with the suggestions made by Mayor Bartman.

Yeas: Barbour, Horn, Morris, Seibold, Yadowsky and Bartman – 6
Nays: -0-

2007-35. Mayor Bartman noted the zoning variance hearing of Keystone Church, 2119 Lake Drive, to allow the installation of a 12.0 square foot changeable banner instead of the allowable bulletin board had been tabled at the last meeting. Since the new sign ordinance would make this variance unnecessary, the commission took no action on the tabled request pending the adoption of the sign ordinance in two weeks.

2007-36. Public Hearing and Final Reading of an ordinance amendment to Section 5.83 and a new Section 5.86 of Chapter 50 of Title V of the City Code pertaining to the connection of accessory buildings to dwellings and the total building area permitted on residential lots.

No public comment was received. Mayor Bartman closed the public hearing.

2007-36-A. Yadowsky-Seibold. That an ordinance amendment to Section 5.83 and a new Section 5.86 of Chapter 50 of Title V of the City Code pertaining to the connection of accessory buildings to dwellings and the total building area permitted on residential lots be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Horn, Morris, Seibold, Yadowsky and Bartman – 6
Nays: -0-

2007-37. Consider request to adopt changes to the Yard Rubbish Rules and Regulations.

City Services Director Feldt reviewed the proposed changes to the Yard Waste Rules to meet current practices, including prohibiting metal in the yard waste, limiting the weight to a 32 gallon container, limiting the length of the branches at the curb, adjusting the schedule to start later in the spring and continue later in the fall, and closing the city's yard waste dumping site. Mr. Feldt explained the disposal site was being used by unlicensed contractors, and by licensed contractors dumping yard waste from homes outside East Grand Rapids. He noted

that the city would pick up the yard waste from the curb and the contractors should place the debris from each property at the curb to be picked up.

Mayor Bartman expressed concern about time limits on placing yard waste at the curb earlier than the day before pickup. Mr. Feldt stated this provision was a courtesy guideline and was not enforced unless problems were encountered.

2007-37-A. Yadlowsky-Seibold. That amended yard Rubbish Rules and Regulations pursuant to Section 2.2 of Chapter 21 of the City Code be adopted as set forth in Exhibit "C" attached hereto.

Commissioner Morris asked staff to educate the residents and contractors about these new rules.

Yeas: Barbour, Horn, Morris, Seibold, Yadlowsky and Bartman – 6

Nays: -0-

2007-38. The City Commission discussed the scheduling of the meeting on April 2, 2007 and decided to reschedule the meeting to Wednesday, March 28, 2007 at 8:00 am.

2007-39. Seibold-Barbour. Motion to approve the consent agenda as follows:

2007-39-A. Minutes of the regular meeting held February 19, 2007.

2007-39-B. Payroll disbursements of \$170,588.33; county and school disbursements of \$387,485.35, and total remaining disbursements of \$167,385.22.

2007-39-C. The placement of a 2' x 4' outdoor ground sign for the Kent District Library in front of the Community Center.

2007-39-D. The purchase of six replacement air bottles from Argus Group of Wyoming at a cost of \$3,722.20.

2007-39-E. The purchase of 33 pistols for members of the Public Safety Department from SIGARMS in Exeter, New Hampshire in the amount of \$4,950.00.

Yeas: Barbour, Horn, Morris, Seibold, Yadlowsky and Bartman – 6

Nays: -0-

2007-40. Horn-Yadlowsky. Motion to enter into an executive session to discuss attorneys' opinions in accordance with Section 8(h) of the Open Meetings Act. A roll call vote was taken.

Yeas: Barbour, Horn, Morris, Seibold, Yadlowsky and Bartman – 6

Nays: -0-

The meeting adjourned at 6:57 p.m. subject to the call of the Mayor until March 19, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Chapter 81 of the City Code pertaining to sign regulations.
B – Ordinance Amendment to Section 5.83 and 5.86 regarding accessory buildings and lot coverage.
C – Amended Yard Waste Rules and 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 March 19, 2007

City Clerk Brower called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center.

Present: Commissioners Coretti, Horn, Morris, Seibold and Yadlowsky

Absent: Commissioner Barbour and Mayor Bartman

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Feldt; Finance Director VanderWall; Parks & Recreation Director Bunn; Public Safety Director Herald; Planning Consultant VanSteenhuysen; City Clerk Brower; Lt. Williams; Lt. Lark; Sgt. Buikema Sgt. Smith, Sgt. Schweitzer; Sgt. Davis; PSO Holmes; PSO Olney; PSO Bradley; PSO Kreiner; PSO Brown; PSO Gruizen.

2007-41. City Clerk Brower explained that the Mayor and Commission President were unable to attend the meeting and asked for a motion to appoint a temporary president of the City Commission to conduct the meeting.

2007-41-A. Yadlowsky-Morris. That Commissioner Horn be appointed as the President pro tem to conduct the meeting of March 19, 2007.

Yeas: Coretti, Horn, Morris, Seibold and Yadlowsky – 5

Nays: -0-

2007-42. Commissioner Horn led the audience in the Pledge of Allegiance and advised of the following communications received at City Hall.

- A. Card from Mrs. Chardon at Breton School thanking City Manager Donovan for hosting their class recently.
- B. Email from Anne Williamson of 959 Pinecrest thanking City Assessor Vicki Mesik for her assistance during the Board of Review process.
- C. Note from Bill & Amy Mackay of 674 Manhattan, thanking Vicki Mesik and Teresa Potts of the Assessor's Office for their professionalism during the appeal process of their property's assessment.
- D. Letter from the ICSC West Michigan Alliance thanking City Manager Donovan for speaking about private/public partnerships at their recent meeting.

2007-43. No public comment was received.

2007-44. City Manager Donovan announced the executive session had been rescheduled to a later meeting when all commissioners could be present.

Commissioner Horn noted the Irish Jig event over the weekend was very well attended and created little traffic disruption in the area. He complimented the organizers and staff members for their work on this event.

2007-45. City Manager Donovan presented awards to members of the City staff for their service:

Life Saving Award

PSO Kelly Kreiner
PSO Dan Olney
PSO Jason Bradley

Unit Citation

Sgt. David Smith
PSO Peter Gruzin
PSO Zach Naagtzam

Certificate of Recognition

Sgt. Ric Buikema
PSO Troy Brown
PSO Eric Smith
PSO Ryan Holmes
PSO Jason Bradley

President Ford Funeral Recognition

Public Safety Director Mark Herald
Lt. Brian Williams
Lt. Chuck Lark
Parks & Recreation Director Fred Bunn
City Clerk Karen Brower

- 2007-46. Consider request to approve an agreement with Rhoades McKee for sponsorship of the Reeds Lake Triathlon.
- Parks & Recreation Director Bunn reported upgrades to the t-shirt material, the number of participants allowed and the finish line area would be made with the income from the sponsorship.
- Peter Lozicki of Rhoades McKee was present to express their firm's anticipation of sponsoring the event and spoke about the featured charity for the race, the Kid's First program at St. John's Home.
- 2007-46-A.Morris-Coretti. That an agreement with Rhoades McKee for a three-year sponsorship of the Reeds Lake Triathlon be approved as set forth in Exhibit "A" attached hereto.
- Yeas: Coretti, Horn, Morris, Seibold and Yadlowsky – 5
Nays: -0-
- 2007-47. City Manager Donovan reported city staff had determined on further review that a variance was not needed for Steve & Amy Rockwell of 528 Cambridge as the lot was a non-conforming lot and the reduced side yard setback requirements were met by the proposed project.
- 2007-48. Final Reading of an ordinance amendment to Chapter 81 of Title VIII of the City Code pertaining to sign regulations.
- Planning Consultant VanSteenhuysen requested one final change to Section 8.17 to allow one additional banner to be placed at school facilities to commemorate anniversaries or special events. City Manager Donovan reported the school district administration had given input on the sign ordinance provisions.
- 2007-48-A.Coretti-Morris. That an ordinance amendment to Chapter 81 of Title VIII of the City Code pertaining to sign regulations be adopted as set forth in Exhibit "B" attached hereto.
- Yeas: Coretti, Horn, Morris, Seibold and Yadlowsky – 5
Nays: -0-
- 2007-49. City Manager Donovan noted the variance request of Keystone Church, 2119 Lake Drive, to allow the installation of a changeable banner had been withdrawn with the adoption of the sign ordinance.
- 2007-50. Consider request to establish a timetable for special assessment proceedings on lower Reeds Lake Blvd.
- Paul Richards, 3111 Bonnell, asked for clarification on the difference in the initial cost estimates several months ago and the estimates provided recently. He also expressed concern about the varying road widths in this area and the effect of the new lot split ordinance on the properties in this area. City Manager Donovan offered meet with all the property owners to answer questions. He stated the new lot split ordinance should have no more effect on an owner's ability to divide their lots than the old ordinance.
- 2007-50-A.Seibold-Yadlowsky. That the City Manager be directed to begin preparing materials for special assessment hearings to consider an improvement to a portion of the Reeds Lake Blvd southshore and to set April 16, 2007 as the date to review materials and establish a schedule of hearings.
- Yeas: Coretti, Horn, Morris, Seibold and Yadlowsky – 5
Nays: -0-
- 2007-51. Introduction of an ordinance amendment to repeal Subsection K of Section 9.57 of Chapter 93 of Title IX of the City Code pertaining to picketing.
- 2007-51-A.Coretti-Seibold. That an ordinance to repeal Subsection K of Section 9.57 of Chapter 93 of Title IX of the City Code pertaining to picketing be introduced as set forth in Exhibit "C" attached hereto.
- Yeas: Coretti, Horn, Morris, Seibold and Yadlowsky – 5
Nays: -0-

2007-52. Commissioner Seibold requested the lake management contract be removed from the consent agenda for discussion. City Manager Donovan noted Public Safety Director Herald would be presenting highlights from the Department's annual report.

2007-53. Morris-Seibold. Motion to approve the consent agenda as follows:

2007-53-A. Minutes of the regular meeting held March 5, 2007.

2007-53-B. Payroll disbursements of \$149,568.43; county and school disbursements of \$39,389.10, and total remaining disbursements of \$618,625.95.

2007-53-C. Engineering services with OMM Engineering of Grand Rapids in the amount of \$32,000.00 plus contingencies of \$3,200.00 for the design and construction engineering for the Breton Road improvement project.

2007-53-D. An amendment to the contract with OMM Engineering to provide design and construction engineering on the Bonnell hill drainage project in the amount of \$17,000.00 plus contingencies of \$1,700.00.

2007-53-E. A settlement with Consumers Energy Company regarding the Michigan Tax Tribunal Case No. 0280216 as recommended by the City Assessor.

2007-53-F. The preliminary minutes of the Parks & Recreation Commission meeting held January 8, 2007.

2007-53-G. The preliminary minutes of the Planning Commission meeting held February 13, 2007.

2007-53-H. The Public Safety Department Report for January 2007.

Yeas: Coretti, Horn, Morris, Seibold, Yadlowsky – 5
Nays: -0-

2007-54. Consider request to approve the extension of a contract with Professional Lake Management for treatment services for Reeds Lake.

Commissioner Seibold requested that Professional Lake Management be required to report to the City staff any treatments or work performed on Reeds Lake, whether paid for by the City or by private homeowners. City Services Director Feldt stated he had spoken with Professional Lake Management about this and would be able to obtain a letter of understanding about reporting work done.

2007-54-A. Seibold-Coretti. Motion to approve the extension of a time and material contract with Professional Lake Management for treatment services for Reeds Lake for the 2007 season at a cost not-to-exceed \$7,500.00 with the addition of the notice of treatments performed as mentioned above.

Yeas: Coretti, Horn, Morris, Seibold, Yadlowsky – 5
Nays: -0-

2007-54-B. Public Safety Director Herald reviewed the Public Safety Departments 2006 Annual Report. He noted the City of East Grand Rapids has a very low occurrence of violent crime and was one of the safest communities in the state. He highlighted other statistics and answered questions from the City Commission.

The meeting adjourned at 7:00 p.m. subject to the call of the Mayor until March 28, 2007.

Karen K. Brower, City Clerk

Attachments: A – Reeds Lake Triathlon sponsorship agreement with Rhoades McKee
B – Ordinance Amendment to Chapter 81 of the City Code pertaining to sign regulations.
C – Ordinance Amendment to repeal Subsection K of Section 9.57 pertaining to picketing.

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 28, 2007

Mayor Bartman called the meeting to order at 8:02 a.m. in the Conference Room at the East Grand Rapids Community Center.

Present: Commissioners Barbour, Coretti, Morris, Yadlowsky and Mayor Bartman

Absent: Commissioners Horn and Seibold

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation Director Bunn; City Clerk Brower.

2007-55. Mayor Bartman advised there were no communications received at City Hall.

2007-56. No public comment was received.

2007-57. Final Reading of an ordinance amendment to repeal Subsection K of Section 9.57 of Chapter 93 of Title IX of the City Code pertaining to picketing.

2007-57-A. Barbour-Yadlowsky. That an ordinance to repeal Subsection K of Section 9.57 of Chapter 93 of Title IX of the City Code pertaining to picketing be adopted as set forth in Exhibit "C" attached hereto.

Yeas: Barbour, Coretti, Morris, Yadlowsky and Bartman – 5
Nays: -0-

2007-58. Barbour-Morris. Motion to approve the consent agenda as follows:

2007-58-A. Minutes of the regular meeting held March 19, 2007.

2007-58-B. Payroll disbursements of \$167,943.32; county and school disbursements of \$-0- and total remaining disbursements of \$165,898.32.

2007-58-C. A bid for t-shirts for recreation programs and special events from Kel Graphics of Cadillac in the amount of \$21,304.55.

Yeas: Barbour, Coretti, Morris, Yadlowsky and Bartman – 5
Nays: -0-

The meeting adjourned at 8:02 a.m. subject to the call of the Mayor until April 16, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to repeal Subsection K of Section 9.57 pertaining to picketing.

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 16, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led everyone in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; Finance Director VanderWall, City Services Director Feldt; Zoning Administrator Bajdek; City Clerk Brower.

2007-59. Mayor Bartman announced the executive session will be rescheduled to a future meeting.

2007-60. Mayor Bartman advised of the following communications received at City Hall:

- A. Email from Toby Weiner Dolinka, 1720 Conlon, opposing the regulation of temporary storage containers.
- B. Card from David & Molly Rizor, 828 Rosewood, thanking City Assessor Mesik for her assistance during the recent Board of Review process.

2007-61. David Bulkowski, Disability Advocates and Friends of Transit, 3600 Camelot SE, asked for support of the transit millage request on the May 8th election.

2007-62. Commissioner Morris noted a quote of his in the Grand Rapids Press recently.

Mayor Bartman noted the budget worksessions would be held April 23rd, May 14th and May 29th (if needed) all at 6:00 pm at the Community Center.

Mayor Bartman also announced that President Bush would be speaking at the High School's Performing Arts Center on Friday, April 20th and looked forward to a dialogue on the policy speech he is expected to make.

Commissioner Seibold noted the selection of East Grand Rapids as a site for the President's visit spoke well of the EGR community and the reputation of our Public Safety Department.

2007-63. A zoning variance hearing was held regarding the request of Michael & Kathy Zago and the Charlotte Knape Andrea Trust of 1700 Pontiac to allow the construction of an addition to the attached garage creating a side yard setback of 3.0' instead of the required 6.93.'

Kathy and Michael Zago, 954 Cambridge, were present to introduce and answer questions about the variance request. Mr. Zago noted the fence between the two driveways will be left in place. Mark Walkow, architect for Mr. & Mrs. Zago was also present to answer questions.

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

- | | |
|---------------------------------|---|
| - George Ignatiev, 925 Rosewood | No objection. |
| - James DeHaan, 1704 Pontiac | No objection; requested the fence remain between their driveways. |

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

2007-63-A.Horn-Coretti. That the request of Michael Zago and Charlotte Knape Andrea Trust of 1700 Pontiac to allow the construction of an addition to the attached garage creating a side yard setback of 3.0' instead of the required 6.93' be approved.

Commissioner Coretti expressed her support of this request and the applicant's desire for a two-car garage.

Commissioner Seibold questioned the applicants about matching the garage's roof pitch with the roof pitch on the house, and how the storage area would be affected. She stated her support of the variance as a good addition to the area as evidenced by the lack of objection from neighbors.

Commissioner Morris also supported the request and commended the applicants for communicating with the surrounding property owners about their plans for the garage and answering questions from those owners.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-64. Consider request to approve the division of land at 3105 Bonnell.

Leslie Lewis of Dickenson-Wright, attorney for Mr. Lacks, stated the owner's intent was to renovate the existing detached garage on the lower part of the property into a residence to be given to his daughter. She noted the second lot created would comply with all applicable zoning regulations.

Doug VerMeulen, questioned the access to the new residence and future of the current gates on Reeds Lake Blvd if the new home was to be accessed from Reeds Lake Blvd. City Services Director Feldt stated the special assessment district proposed later in the agenda would improve the road surface on lower Reeds Lake Blvd and move the existing gates farther west to the end of the paved surface. Commissioner Seibold noted the presence of an existing driveway and easement would also provide access to this parcel from Bonnell.

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

- Steven Morse, 1065 Idema No objection.

2007-64-A.Coretti-Barbour. That the request of Kurt Lacks, owner of 3105 Bonnell, to create a buildable lot to the north of the existing home containing .94 acres with frontage on Reeds Lake Blvd be approved, with the condition that the split complies with the surveys and the relevant deed or land contract be recorded with the Kent County Registrar of Deeds within 90 days of approval.

City Attorney Huff noted the application complied with the new lot split regulations adopted recently. He noted the owners of this section of lower Reeds Lake Blvd had agreed to the development of the property and the improvement of the road as anticipated in the special assessment proceedings later in the agenda.

Commissioner Barbour stated his satisfaction that the requirements of the ordinance and city policies had been met and his intention to vote in favor of the request.

Commissioner Seibold clarified the process for driveway easement between the two properties and the property between Reeds Lake Blvd and Reeds Lake was owned by the City and not by this applicant. Ms. Seibold noted the developed nature of the surrounding area and the absence of any natural features that would be adversely affected by the addition of another home were the basis for her support for this request.

Commissioner Morris also noted this lot split had clear cut reasons for approval and was not a detriment to the neighborhood as a building already existed on this property.

Commissioner Horn felt the new home would fit in the neighborhood and the application met the requirements set forth by the Commission.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

- 2007-65. Consider request to adopt a resolution directing the City Manager to prepare documents relating to a special assessment district for Reeds Lake Blvd south shore.

City Attorney Huff outlined the special assessment procedure and the proposed improvement to a section of lower Reeds Lake Blvd.

- 2007-65-A. Seibold-Coretti. That a resolution requesting information on the proposed Reeds Lake Blvd South Shore Improvement Special Assessment District be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

- 2007-66. Consider request to accept the Statement of Preliminary Proceedings for the Reeds Lake Blvd south shore special assessment district.

- 2007-66-A. Coretti-Horn. That the Statement of Preliminary Proceedings for the Reeds Lake Boulevard South Shore Improvement Special Assessment District be accepted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

- 2007-67. Consider request to adopt a resolution setting a hearing on necessity for the Reeds Lake Blvd south shore special assessment district

- 2007-67-A. Yadowsky-Coretti. That a Resolution Setting Hearing on Necessity for the Reeds Lake Blvd south shore special assessment district be adopted as set forth in Exhibit "C" attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

- 2007-68. Public Hearing and request to approve an agreement conditionally transferring jurisdiction over property within the City of East Grand Rapids to the City of Grand Rapids and within the City of Grand Rapids to the City of East Grand Rapids.

City Attorney Huff reported Calvin College was planning to expand their athletic facilities and a very small portion of the proposed facility would span the Grand Rapids and East Grand Rapids city borders. To avoid zoning review and permitting processes in two different cities, the college asked that land be exchanged between Grand Rapids and East Grand Rapids to allow the new facility to be entirely within Grand Rapids. Mr. Huff stated the parties are proposing a Section 425 agreement that would conditionally transfer the jurisdiction over two pieces of property between the two cities for a one-year trial period and then permanently if no problems are encountered. He requested the City Commission to hold the required public hearing, discuss the request and place the matter on their agenda for May 21, 2007 to comply with a 30-day waiting period dictated by State law.

Mayor Bartman opened a public hearing on this matter. The following people were present:

- Randall Kraker, attorney for Calvin College Spoke in favor of the exchange and answered questions from the City Commission.

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

Commissioner Barbour questioned whether it was necessary to wait one year before the permanent transfer and what property owners would have standing to comment on this agreement. City Attorney Huff stated the one year waiting period was mandated by Act 425 and that Calvin College as the property owner and the two cities were the primary land owners affected by this transfer.

2007-68-A. Morris-Seibold. That an agreement with the City of Grand Rapids pursuant to Act 425 of the Public Acts of Michigan of 1984 conditionally transferring jurisdiction over property on the campus of Calvin College as set forth in Exhibit "D" attached hereto be placed on the agenda for consideration on May 21, 2007 with the condition that the legal description provided be reviewed and approved by the city staff prior to the final adoption.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-69. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-69-A. Minutes of the rescheduled regular meeting held March 28, 2007.

2007-69-B. Payroll disbursements of \$161,870.01; county and school disbursements of \$211.98 and total remaining disbursements of \$184,514.85.

2007-69-C. The preliminary minutes of the Parks & Recreation Commission meeting held March 12, 2007.

2007-69-D. The preliminary minutes of the Planning Commission meeting held March 13, 2007.

2007-69-E. The preliminary minutes of the Joint Facilities Committee meeting held March 14, 2007.

2007-69-F. The preliminary minutes of the Traffic Commission meeting held March 26, 2007.

2007-69-G. The Public Safety Department Report for February 2007.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-70. Finance Director VanderWall and City Assessor Mesik presented an overview of the FY 2007-08 East Grand Rapids budget and answered questions from the City Commission. Worksessions on capital improvements and departmental budgets will be held over the next several weeks.

The meeting adjourned at 7:29 p.m. subject to the call of the Mayor until May 7, 2007.

Karen K. Brower, City Clerk

Attachments: A – Resolution Directing the City Manager to Prepare documents for the Reeds Lake Blvd S.A.D.
B – Statement of Preliminary Proceedings for the Reeds Lake Blvd S.A.D.
C – Resolution Setting Hearing on Necessity for the Reeds Lake Blvd S.A.D.
D – Proposed Calvin College Property Agreement

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 7, 2007

Mayor Bartman called the meeting to order at 6:01 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led everyone in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall, City Services Director Feldt; Parks & Recreation Director Bunn; Public Safety Director Herald; City Clerk Brower.

2007-71. Mayor Bartman advised of the following communications received at City Hall:

- A. Letter from John Sullivan of 1600 Pontiac objecting to spending city funds for the visit of President Bush on April 20th.
- B. Email from Linda Carrington of 2262 Lake Drive regarding the use of the outdoor PA system at the high school football field to play music loudly during practices.
- C. Email from Kelly Teegardin, 745 Gladstone, regarding safety issues on Gladstone.
- D. Letter from Margit Sarne, 647 Lovett, opposing the painted bike lanes planned for Wealthy Street.

2007-72. Beth Lent and Kevin Phillips of the EGR Schools presented information on the revised plans for outdoor and indoor athletic facilities at the High School and at Woodcliff. The School plans to gather input from the community and get cost estimates before submitting the proposals to the voters in November 2007.

Margit Sarne, 647 Lovett, asked the city to hold hearings on the need for bike lanes to be painted onto the street surface on Wealthy as she felt the painted lines would be an inconvenience to property owners.

2007-73. Commissioner Morris reported the Gaslight Village Business Association was in the process of formalizing their organizational structure, had created a new logo, and were in the process of implementing new programs and advertising campaigns.

Mayor Bartman reminded everyone to vote on May 8th.

2007-74. Mayor Bartman presented a recognition plaque to former Mayor Steve Edison in honor of his service and dedication to the City during the planning and information campaign for the new Community Center. She noted the lobby of the Parks & Recreation Department would now bear a sign designating it the "Edison Lobby."

2007-75. Introduction of an ordinance amendment to add Section 5.34 to Article IV of Chapter 50 of Title V of the City Code pertaining to temporary storage containers.

City Services Director Feldt reviewed the provisions of the proposed ordinance and answered questions from the City Commission. City Manager Donovan noted the complaints received from surrounding neighbors were related to the placement of the units or the length of time the units are stored at a residence, not from the inherent use of the units as temporary storage.

Mayor Bartman opened a public hearing. The following people were expressed their thoughts:

- David Smith and Alan Riekema of P.O.D.S. Asked that a generic term be used as a definition instead of their company name, PODS. Also asked for the permit length to be extended to 30 days to allow homeowners dealing with water damage or minor remodeling projects to use the units on site. Suggested the initial time limit without a permit could be extended to 14 days to help people get the units loaded.

there would be discussion on the need for a 21' road or other amenities. Mayor Bartman stated the agreements referenced were the ballots cast by the property owners in 2005 and that the city engineers had designed the road to standards that would allow the provision of services and resident and/or ancillary traffic.

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

- Lou & Mary Beth Roossien, 3218 Reeds Lake Blvd Questioned need for standard road width, etc.
- Tim Feagan, 3202 Reeds Lake Blvd Protested proposed assessment for waterline and inclusion of other infrastructure items outside road paving.

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

2007-76-A. Seibold-Yadlowsky. That a "Resolution Determining Necessity" regarding the proposed Reeds Lake Blvd south shore special assessment district be adopted as set forth in Exhibit "B" attached hereto.

Commissioner Barbour noted the federal standards of a 25' roadway and cut curbs had already been relaxed in this instance to allow for the special nature of this road and the limited traffic anticipated; however the roadway needed to allow for service and emergency vehicles.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-77. Consider request to adopt a "Resolution Setting Hearing on Assessment Roll" regarding the proposed Reeds Lake Blvd south shore special assessment district.

2007-77-A. Barbour-Horn. That a "Resolution Setting Hearing on Assessment Roll" regarding the proposed Reeds Lake Blvd south shore special assessment district be adopted as set forth in Exhibit "C" attached hereto.

City Manager Donovan asked the property owners to meet with staff later in the week to answer any final questions and decide on the issue of the waterline.

Commissioner Seibold suggested to residents that the time to question the road standards would have been when the policy was discussed in 2005, not during the final stages of designing the road.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-78. Coretti-Barbour. Motion to approve the consent agenda as follows:

2007-78-A. Minutes of the regular meeting held April 16, 2007.

2007-78-B. Payroll disbursements of \$161,078.79; county and school disbursements of \$-0- and total remaining disbursements of \$305,982.13.

2007-78-C. The establishment of June 4, 2007 as the date for public hearings for the budget and delinquent account hearings, and the date for a special meeting to adopt the budget.

2007-78-D. A contract for the annual 4th of July fireworks show with Wolverine Fireworks display at a cost of \$18,000.00.

2007-78-E. A contract with Med 1 of Grand Rapids in the amount of \$14,700.00 for biennial physical exams and fitness testing for Public Safety Department personnel.

2007-78-F. An amendment to the HVAC Preventative Maintenance Agreement with Hurst Industries to include Wealthy Pool not to exceed \$3,588.00 for a three-year period.

2007-78-G. A one-year contract in the amount of \$4,023.00 per month or \$48,276.00 total to Gast Cleaning Services of Grand Rapids for janitorial services for all city buildings and parks.

2007-78-H. The reorganization of the Public Safety Department to eliminate the Deputy Director position, to reclassify the two Lieutenants to the rank of Captain, and to promote three sergeants to Staff Sergeants.

2007-78-I. A resolution regarding MERS benefits for the Public Safety Department captains.

2007-78-J. A resolution accepting Amberley Court as a public street.

2007-78-K. The quarterly financial report for the period ended March 31, 2007.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-79. Barbour-Coretti. Motion to enter into an executive session to discuss personnel evaluation of the City Manager and to discuss a collective bargaining agreement in accordance with Sections 8(a) and 8(c) of the Open Meetings Act. A roll call vote was taken.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

The meeting adjourned at 7:38 p.m. subject to the call of the Mayor until May 21, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 5.34 of Article IV regarding temporary storage containers.
B – Resolution Determining Necessity for Reeds Lake Blvd south shore special assessment district.
C – Resolution Setting Hearing on Assessment Roll for Reeds Lake Blvd south shore special assessment district.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 21, 2007

Mayor Bartman called the meeting to order at 5:45 p.m. in the Commission Chambers at the East Grand Rapids Community Center.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Feldt; Parks & Recreation Director Bunn; Public Safety Director Herald; Zoning Administrator Bajdek; Captain Lark; Captain Williams; City Clerk Brower.

2007-80. Daniel Cobb and Mike Heathfield of the National Weather Service and Jim Zoss of the Emergency Management Division explained the StormReady certification and presented the City with signs and brochures announcing the designation.

2007-81. The meeting recessed at 6:06 pm and those present moved to Wege Plaza for a live television broadcast with WZZM meteorologist George Lessens in honor the city's status as the first StormReady community in Kent County. The meeting reconvened in the Commission Chamber at 6:22 pm following the broadcast.

2007-82. Mayor Bartman led everyone in the Pledge of Allegiance and then advised there were no general communications received at City Hall.

2007-83. No other public comment was received.

2007-84. Commissioner Seibold complimented the city on the beautiful plantings in various locations on city property.

City Services Director Feldt reported that 385 vehicles brought trash to the annual clean-up day on May 19th and 85 people visited the open house held at the Streets & Utilities facility during that time. Thirty-six dumpsters were filled with unwanted materials and hauled away that day.

Public Safety Director Herald reported the Law Enforcement Torch Run to benefit Special Olympics was also held over the weekend and went very well.

2007-85. City Clerk Brower administered the Oath of Office to Public Safety Officers Mark Lindner and Nicholas Schwein. Public Safety Director Herald officially promoted Lieutenants Brian Williams and Charles Lark to the rank of Captain.

2007-86. A zoning variance hearing was held regarding the request of Rachel Pereira of 650 Gladstone to allow the construction of a covered front porch creating the enlargement of a non-conforming structure and a front yard setback of 32.0' from the centerline of the street instead of the required 58.0'.

Rachel Pereira, 650 Gladstone was present to answer questions about the variance request.

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

- John & Julianne Schaal, 626 Gladstone In Favor.
- Marie Gale, 647 Gladstone In Favor.

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

2007-86-A.Horn-Seibold. That the request of Rachel Pereira of 650 Gladstone to allow the construction of a covered front porch creating the enlargement of a non-conforming structure and a front yard setback of 32.0' from the centerline of the street instead of the required 58.0' be approved.

Commissioner Seibold noted the other homes in the area had similar porches and were situated the same general distance from the street. She also reported the concrete base for the porch was in existence and defined the porch area and the roof over it would not make the front yard feel any different.

Yeas: Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 6
Nays: -0-

- 2007-87. A zoning variance hearing was held regarding the request of Terry Sanford of 1024 Lakeside to allow the construction of a second story on the home resulting in the enlargement of a non-conforming structure, creating a front yard setback of 36.0' from the centerline of the street instead of the required 58.0', and creating a rear yard setback of 14'-7" instead of the required 25.0'.

Zoning Administrator Bajdek noted this home was on a narrow corner lot. He stated research of the time when the house was built indicated the setback requirements were the same as the present day and city records did not reveal any variances to allow this home to be built as non-conforming.

Terry Sanford, 1024 Lakeside, was present to introduce and answer questions about the variance request.

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

- Mary Carrington, 1043 Lakeside In Favor.
- Steve & Amy Lachance, 1031 Lakeside In Favor.

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

- 2007-87-A. Coretti-Morris. That the request of Terry Sanford of 1024 Lakeside to allow the construction of a second story on the home resulting in the enlargement of a non-conforming structure, creating a front yard setback of 36.0' from the centerline of the street instead of the required 58.0', and creating a rear yard setback of 14'-7" instead of the required 25.0' be approved.

Commissioner Yadlowsky felt this was not a huge expansion of the home and was quite reasonable given the size of the home.

Commissioner Seibold stated the home sits quite close to the street because of the narrowness of the lot. She felt adding a second story so close to the street would be very imposing and would overshadow surrounding homes. She noted the homes in the area were quite close to each other, but were not as close to the street as this one was and the addition of a second story would be imposing.

Commissioner Morris had no objection to the variance request and questioned the height of the home after the addition. Mr. Bajdek answered the home would be under the 35' allowed by the ordinance.

Mayor Bartman observed there were many two-story homes in the area and felt the owners had made an effort to invest in the area while being mindful of the surrounding styles and materials. She stated her feeling that this narrow lot is somewhat unique and the variance was warranted given the lack of other options on this lot.

Yeas: Coretti, Horn, Morris, Yadlowsky and Bartman – 5
Nays: Seibold – 1

- 2007-88. Consider request to adopt a "Resolution Confirming Assessment Roll" regarding the proposed Reeds Lake Blvd south shore special assessment district.

City Services Director Feldt reviewed the preliminary designs for a 22' wide road with a rolled, mountable curb with an 18' street surface. He noted the watermain costs had been adjusted and reallocated to reflect a relocation of the watermain agreed to by the property owners. Mr. Feldt stated the final design work would be done next as well as submission to Kent County for their review. He stated the inclusion of the curbs was done to protect the edge of the road and thereby the base of the road from being undermined, and to assist with drainage.

Commissioner Seibold questioned whether drainage was a problem in this area. Mr. Feldt stated there were no immediate issues, but with poor soils, the high water table, and the addition of homes and impervious paving materials, the curbing was a proactive step to avoid future problems. Mr. Feldt noted this was the same road width and curbing used when Frederick Drive and Lansing Street were improved in the last few years.

City Manager Donovan reported that after input from Kent County and the final design work, the project would be bid out and constructed. When the final costs are known, the assessment roll can be amended to reflect actual costs before property assessments are recorded with the City Treasurer.

City Attorney Huff noted the location of the existing gravel road differs from the platted roadway and there may be additional legal fees to resolve these issues, which would be added to the assessment costs. Mr. Huff addressed the question about the method of allocating the costs to the property owners by stating the total costs for the projects were divided up by the front footage on the roadway which is a commonly used method for road improvements. He stated the entire project was considered as a whole and any one part of the road, base and drainage should not be separated. Mr. Huff reported the City Assessor had reviewed the preliminary project and has agreed this project will be an improvement to the homes and the general area, the value of which will equal or exceed the cost of this improvement.

Commissioner Barbour arrived.

Mayor Bartman opened a public hearing. The following people expressed their thoughts:

- Paul Richards, 3111 Bonnell Gave history of the development of this section of Reeds Lake Blvd. Stated the policy implemented by the City Commission was a good starting point in 2005 but the specifics regarding road width, curbs and other amenities and standards should be re-evaluated and input taken from residents now before proceeding with a road that doesn't fit the area. Understands need for a quality road, but doesn't feel it needs to be designed for excessive traffic.
- MaryBeth & Lou Roossien, 3218 Reeds Lake Blvd. Felt some parts of the policy implemented in 2005 should not have been agreed to by residents. Felt concrete curbs were unnecessary and too expensive; stated Kent County feels culverts could be used instead. Asked commission to scale back the width/curb proposed to match the county section that has held up just fine for years at a fraction of the cost. Suggested paving only to the driveway of the final lot and leaving remainder unpaved to save 200' of cost and the retaining wall. Asked their assessment be reduced to reflect they will only use first few feet to get to their property and will never travel farther. Others farther down should pay more. Felt City, rather than residents, should pay to move the gates and the fire hydrant.

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

- Lou Roossien, 3218 Reeds Lake Blvd Questioned commission's response to environmental and financial issues brought up by residents.
- Paul Richards, 3111 Bonnell Invited commissioners to meet on the gravel road to view the beauty of the road and work on solutions to protect it.
- Lou & MaryBeth Roossien, 3218 Reeds Lake Blvd Advocated for minimizing the width and amenities of the road to protect the shoreline, trees and wildlife in the area. Suggested paving only up to the driveway of the last property and not the whole distance to save costs. Asked their property be assessed less because they would not use

the remaining footage. Felt owners should not be responsible for retaining wall or moving the gates and that city should pay a portion of the cost because of high public use by pedestrian traffic. Asked that road surface be the same as county maintained section leading into this area. Asked that city pay to move fire hydrant.

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

2007-88-A. Coretti-Horn. That a "Resolution Confirming Assessment Roll" regarding the proposed Reeds Lake Blvd south shore special assessment district be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Coretti stated the policy had always stated what standards the road would be built to and everyone was aware of this before voting on the development.

Commissioner Yadowsky questioned whether trees along the lakefront would need to be removed for the construction of the road and if this would negatively impact drainage. City Services Director Feldt noted approximately 10 trees would be taken down, but all but one were on the opposite side of the road.

Commissioner Horn asked about the condition of the county maintained road and whether the surface was holding up. City Manager Donovan did not know the specifics of the county's construction practices or maintenance program, but noted there were very poor soils in this area and the freeze/thaw cycles would likely cause problems without a significant improvement to the road bed. He also stated the standards being used were federal standards and were the minimum used in other EGR road construction projects.

Commissioner Morris questioned the cost of the concrete curbs and whether this was a major part of the project's cost. Mr. Feldt stated the concrete kept the road's edge from breaking apart, and cost about \$20 per lineal foot for both sides—not a major cost for this project. He noted the proposed road contained the bare minimum width of 9' per traffic lane. If the concrete curbs were eliminated, he would recommend increasing the lane width to 10' per side.

Mayor Bartman stated she understood the emotion surrounding this issue and the significant costs that are involved. She stated the policy was distributed and debated with property owners in the area in 2005 prior to anyone agreeing to develop this area. She noted the taxpayers of East Grand Rapids had already invested staff's time to oversee this process when the property owners decided they would not do so on their own. The taxpayers would be also pay to maintain this road after construction and felt the road should be constructed properly for current and future use. She also favored adding future legal fees for easements or challenges into the assessment costs.

Commissioner Barbour noted special assessment districts on Frederick and Lansing had also had requests for minimal widths, etc., but although the city worked with residents on some amenities, the road standards had been upheld in those cases and should be upheld in this case.

Commissioner Horn observed that other streets had to put in sidewalks also.

Commissioner Seibold stated the policy was very clear about the type of roadway that would be required and the same standards will be used in future development along this street and other areas of the city.

Commissioner Barbour agreed applying the same standards uniformly was extremely important.

Commissioner Yadowsky accepted the recommendations of the staff as to the minimums of the road but asked that any opportunities to preserve the natural beauty of this road be considered as the project progressed.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7

Nays: -0-

2007-89. Final Reading of an ordinance amendment to add Section 5.34 to Article IV of Chapter 50 of Title V of the City Code pertaining to temporary storage containers.

City Services Director Feldt reviewed the changes made by the Commission at their last meeting and answered questions.

Commissioner Morris questioned whether the permits could be obtained online. Mr. Feldt noted the website was not currently capable of issuing online permits, but the form would be available for download on the website, and online permitting would be investigated.

Mayor Bartman opened a public hearing. The following people expressed their thoughts:

- David Smith, 2950 Prairie, Grandville Asked for wording change in another section to avoid using their company name. Suggested increasing time without a permit from three days to four days and reducing the time between permits from six months down to four months. Requested the city not attempt to remove any units without proper equipment to avoid damage; stated their company would remove their units quickly with just a phone call.

The following communications were received at City Hall concerning the proposed ordinance:

- David Smith, West Michigan Portable Storage Suggestions for changes to ordinance.

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

2007-89-A. Barbour-Coretti. That an ordinance amendment to add Section 5.34 to Article IV of Chapter 50 of Title V of the City Code pertaining to temporary storage containers be introduced as set forth in Exhibit "B" attached hereto.

Commissioner Coretti stated she was comfortable with the ordinance with no changes except for the definition change requested by the PODS company.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-90. Introduction of an ordinance amendment to repeal Section 5.87 and 5.106 of Chapter 50 of Title V of the City Code pertaining to provisions for signs.

2007-90-A. Barbour-Coretti. That an ordinance amendment to repeal Section 5.87 and 5.106 of Chapter 50 of Title V of the City Code pertaining to provisions for signs be introduced as set forth in Exhibit "C" attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-91. Consider request to adopt a resolution approving an agreement conditionally transferring jurisdiction over property within the City of East Grand Rapids to the City of Grand Rapids and within the City of Grand Rapids to the City of East Grand Rapids.

City Manager Donovan noted the City Commission had held a public hearing on April 16th on this issue and has now completed the 30-day waiting period mandated by Act 425. City Attorney Huff noted the effective date of the agreement would be May 29, 2007, the date the City of Grand Rapids is expected to approve the agreement.

2007-91-A. Coretti-Seibold. That a resolution approving an agreement with the City of Grand Rapids pursuant to Act 425 of the Public Acts of Michigan of 1984 conditionally transferring jurisdiction over property on the campus of Calvin College as set forth in Exhibit "D" attached hereto be approved.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-92. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-92-A. Minutes of the regular meeting held May 7, 2007.

2007-92-B. Payroll disbursements of \$173,040.87; county and school disbursements of \$-0- and total remaining disbursements of \$220,407.41.

2007-92-C. A resolution for the removal of nuisance geese at Reeds Lake through permits from the Michigan Department of Natural Resources as set forth in Exhibit "E" attached hereto.

2007-92-D. The purchase of a cab and chassis from International Engine Corporation in the amount of \$56,797.00 and a budget amendment of \$50,000.00 in the MERF fund to replace the City's utility truck #172.

2007-92-E. A three-year agreement with MC Smith Associates and Architectural Group to provide landscape and architectural services per the hourly rate schedule submitted to staff.

2007-92-F. Meeting dates for FY 2007-08 for City Commission and advisory board meetings.

2007-92-G. The preliminary minutes of the Planning Commission meeting held April 10, 2007.

2007-92-H. The Public Safety Department Report for March 2007 and April 2007.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7

Nays: -0-

The meeting adjourned at 7:45 p.m. subject to the call of the Mayor until June 4, 2007.

Karen K. Brower, City Clerk

Attachments: A – Resolution Confirming Assessment Roll for Reeds Lake Blvd south shore special assessment district.
B – Ordinance amendment to Section 5.34 of Article IV regarding temporary storage containers.
C – Ordinance amendment to Section 5.87 and 5.106 repealing unnecessary parking regulations
D – Act 425 Agreement with City of Grand Rapids regarding Calvin College property.
E – Resolution regarding nuisance geese.

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 4, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioner Coretti

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Feldt; Parks & Recreation Director Bunn; Public Safety Director Herald; Zoning Administrator Bajdek; Captain Lark; Captain Williams; City Clerk Brower.

2007-93. Mayor Bartman advised there were no general communications received at City Hall.

2007-94. No other public comment was received.

2007-95. Commissioner Morris reported the Gaslight Village Business Association had met recently, welcomed several new members, and were very pleased with the flowers in Gaslight Village this spring.

Mayor Bartman also complimented the Parks & Recreation Department on the seasonal flowers put in Gaslight Village recently. She noted the old streetlamp bases on Lakeside Drive had been removed by DTE Energy. Mayor Bartman announced she had recently been presented a check by the Grand Rapids Frontrunners, a running club, earmarked for the completion of the Reeds Lake Trail. She also congratulated John and Janyce Huff on their 30th wedding anniversary today.

2007-96. A zoning variance hearing was held regarding the request of Michael Daly of 2830 Woodcliff Circle to allow the construction of an addition to the home resulting in the enlargement of a non-conforming structure and a side yard setback of 5'11" instead of the required 10'0".

Mike Daly, 2830 Woodcliff Circle, was present to introduce and answer questions about the variance request. He noted there was a small addition on the rear of the current garage to allow the nose of each vehicle to fit into the current shallow space. The new garage would be much larger to allow for four cars with a second story above. He stated relocating the garage to the other side of the property would be too costly.

The following people were present and expressed their opinions concerning this variance request:

- William McCall, 2840 Woodcliff Circle Felt the structure would detract from his property value and other alternatives were available on the other side.

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

- William & Lucinda McCall, 2840 Woodcliff Circle Opposed.
- John Nowak, 2831 Woodcliff Circle Opposed.
- Lee & Anita Carter, 2856 Woodcliff Circle Opposed.
- John & Judy Schneider, 2900 Woodcliff Circle Opposed.

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

2007-96-A. Barbour-Yadlowsky. That the request of Michael Daly of 2830 Woodcliff Circle to allow the construction of an addition to the home resulting in the enlargement of a non-conforming structure and a side yard setback of 5'11" instead of the required 10'0" be approved.

Commissioner Siebold expressed her opinion that the current garage is inadequate and some type of expansion is needed. She agreed it would be expensive to relocate the structure to the other side of the home, but felt the

proposed plan created a very crowded area along a considerable portion of the property line and would be significant to the neighboring property.

Commissioner Yadlowsky also felt further crowding of the property line was not a good idea and favored allowing the applicants to rework their request to lessen the impact.

Commissioner Barbour stated his difficulty in approving an extension of a non-conformity such as this. He understood a two-car garage was a necessary standard today, but felt four stalls was too much for this property in this location.

Commissioner Morris noted the house would look the same from the street and the side yard setback was not that different from others in the area.

Mayor Bartman observed the impact will not be from the street but from the neighboring property. She stated not every lot was appropriate for a large garage. She stated every effort is made to assist property owners with their expansion requests, but felt this was too large for the proximity to the lot line.

Commissioner Horn expressed his doubt that the proposed structure could accommodate four cars because of the depth, and felt it was not practical or appropriate for this location.

2007-96-B. Seibold-Horn. That the request of Michael Daly of 2830 Woodcliff Circle be tabled until a future meeting to allow the applicant to work with surrounding property owners on an alternate proposal.

Yeas: Barbour, Horn, Morris, Seibold, Yadlowsky and Bartman – 6
Nays: -0-

2007-97. A zoning variance hearing was held regarding the request of Linda Page and the Sarah Ash Trust of 2624 Reeds Lake Blvd to allow the construction of a new home with a side yard setback of 7'0" instead of the require 10'0" and a rear yard setback of 3'0" instead of the required 25'0"

Zoning Administrator Bajdek outlined the request to allow a new home to be built outside the normal setbacks in order to build on the highest and least sloped area of the land.

City Manager Donovan noted when this land was divided a few years ago, a detached art studio was demolished at this site as a condition of the lot split.

Tom Olson, 1195 E. Paris, representing the owner of the property, and Jamie Starner, realtor for Mr. Olson, were present to introduce and answer questions about the variance request. Mr. Starner stated the applicant's wanted to place the home in this location to avoid the steeply sloping parts of the lot and take advantage of the view of the lake. He stated the proposed location would benefit the surrounding properties by moving the home farther west and keeping the houses as far apart as possible.

Commissioner Seibold questioned how the view of the lake would be affected by moving the home farther away from the property lines. Mr. Starner stated this lot had a very limited window to take advantage of the view and surrounding homes and topography would begin to limit the view if the home were moved.

The following people were present and expressed their opinions concerning this variance request:

- Eric Wynsma, 2634 Reeds Lake Blvd

As original owner of lots, gave history of land split that created this property. Stated the "building envelopes" were clearly defined in the lot splits, and the pricing on this lot reflected the less-than-perfect topography and limited view. Felt proposed location would benefit only the buyer, crowd the other homes nearby and would be only three feet from Hodenpyl Woods, a protected city property. Stated there was never any assurance of a variance when the property was sold.

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

- Michael & Joan Knox, 2640 Reeds Lake Blvd Opposed.
- Gregory Golladay, 2630 Reeds Lake Blvd Opposed.
- Eric Wynsma, 2634 Reeds Lake Blvd Opposed.

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

2007-97-A. Seibold-Yadlowsky. That the request of Linda Page and the Sarah Ash Trust of 2624 Reeds Lake Blvd to allow the construction of a new home with a side yard setback of 7'0" instead of the require 10'0" and a rear yard setback of 3'0" instead of the required 25'0" be approved.

City Manager Donovan addressed the proximity of the proposed home to the city's Hodenpyl Woods stating that a setback of only 3' did not allow enough room for excavation and construction of a home and the city property would be certainly be encroached upon. He observed this was a significant variance from the 25' required. He also noted the City Commission had historically granted lot splits only when all size and setback requirements were met and no variances were required; this lot met all requirements and was not presented as needing a variance at the time of approval.

Commissioner Seibold noted that no home currently exists on this lot, and as such, she did not see any compelling reason to approve a request outside the city's zoning requirements. She noted the area already had several homes on unusual lots and felt this proposed location would worsen the congestion. She questioned whether the home was proposed as a three-story walkout. Zoning Administrator Bajdek noted the applicant had removed the walk-out component of the home when informed of the city's zoning code. Commissioner Seibold stated the building setbacks were very clearly defined in the lot split and the purchaser should have been willing to work within those setbacks.

Commissioner Barbour stated he had visited the site but needed further time to review this request and consider the implications. He stated he was uncomfortable with the southern setback but noted it was hard to tell where the lot lines were in the wooded terrain. He stated he was not yet prepared to vote on this request and asked for additional time.

Commissioner Horn did not favor granting this variance as there were other places on this lot to built a home.

Commissioner Yadlowsky expressed concern over the proximity to Hodenpyl Woods. He also noted the majority of homes in the A-1 district enjoyed greater distance between the homes than this house would provide. He felt the conditions and topography were known when the property was purchased and stated this location would crowd too much into a small area.

Mayor Bartman stated her opinion that the criteria set forth in the ordinance for granting a variance were not met in this instance and there were other options for the placement of a home that would not require a variance.

Commissioner Seibold observed that the city and its residents were the owners and stewards of Hodenpyl Woods, and as such, she was very concerned about the proposed 3' setback.

Commissioner Barbour questioned how significant a revised proposal would have to be if this request were denied by the Commission. City Attorney Huff stated there were not specified standards and this would be at the Commission's discretion. He further noted the Mayor's observation that this request did not meet any of the variance criteria should be a factor in any decision of the Commission.

2007-97-B. Barbour-Yadlowsky. Motion to table the request of Linda Page and the Sarah Ash Trust of 2624 Reeds Lake Blvd to allow the construction of a new home with a side yard setback of 7'0" instead of the require 10'0" and a rear yard setback of 3'0" instead of the required 25'0."

Yeas: Barbour, Morris, Yadlowsky – 3
Nays: Horn, Seibold, Bartman – 3

Commissioner Horn expressed his interpretation of the basement level as a walkout level, even without the existence of a door. Zoning Administrator Bajdek noted that if no doors were present on the lowest level, the building codes consider the structure a two-story and the height is measured at the front door.

Commissioner Seibold noted any future variance request would need to be very different in placement on the lot for her to consider it favorably.

Vote on 2007-97-A.

Yeas: -0-

Nays: Horn, Morris, Seibold, Yadlowsky and Bartman – 5

Abstain: Barbour – 1

Commissioner Morris departed.

2007-98. Final Reading of an ordinance amendment to repeal Section 5.87 and 5.106 of Chapter 50 of Title V of the City Code pertaining to provisions for signs.

Mayor Bartman opened a public hearing on this issue. No public comment was received. Mayor Bartman closed the public hearing.

2007-98-A. Barbour-Seibold. That an ordinance amendment to repeal Section 5.87 and 5.106 of Chapter 50 of Title V of the City Code pertaining to provisions for signs be adopted as set forth in Exhibit "C" attached hereto.

Yeas: Barbour, Horn, Seibold, Yadlowsky and Bartman – 5

Nays: -0-

2007-99. Introduction of an ordinance amendment to Sections 8.13, 8.17 and 8.18 of Chapter 81 of Title VIII of the City Code pertaining to sign regulations.

City Manager Donovan stated the EGR Schools were being exempted from the banner regulations and the School administration would now be in charge of regulating the banners on their fencing. He noted the other minor changes were small items missed during the original adoption.

2007-99-A. Barbour-Horn. That an ordinance amendment to Sections 8.13, 8.17 and 8.18 of Chapter 81 of Title VIII of the City Code pertaining to sign regulations be introduced as set forth in Exhibit "C" attached hereto.

Yeas: Barbour, Horn, Seibold, Yadlowsky and Bartman – 5

Nays: -0-

2007-100. A Public Hearing was held on the special assessment roll of delinquent accounts for placement on the July 1, 2007 tax roll.

No public comment was received. Mayor Bartman closed the public hearing.

2007-100-A. Yadlowsky-Horn. That the special assessment roll of delinquent accounts totaling \$66,332.60 be certified and that these accounts be placed on the July 1, 2007 tax roll.

Yeas: Barbour, Horn, Seibold, Yadlowsky and Bartman – 5

Nays: -0-

2007-101. A public hearing was held pertaining to the General Fund budget and the property tax levy for Fiscal Year 2007-2008. No public comment was received.

2007-102. Horn-Barbour. Motion to approve the consent agenda as follows:

2007-102-A. Minutes of the regular meeting held May 21, 2007.

2007-102-B. Payroll disbursements of \$168,129.59; county and school disbursements of \$-0- and total remaining disbursements of \$226,743.03.

2007-102-C. The purchase of two front plows from Schults Equipment in the amount of \$12,261.00.

2007-102-D. The Joint Facilities Committee budget for FY 2007-08 and the establishment of an Artificial Turf Replacement Fund as recommended by the Joint Facilities Committee.

Yeas: Barbour, Horn, Seibold, Yadowsky and Bartman – 5
Nays: -0-

The meeting adjourned at 7:14 p.m. subject to the call of the Mayor until June 18, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 5.87 and 5.106 repealing unnecessary parking regulations
B – Ordinance amendment to Section 8.13, 8.17 and 8.18 regarding parking 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

Special Meeting Held June 4, 2007

The meeting was called to order by Mayor Bartman at 7:15 p.m. in the Commission Chambers at the East Grand Rapids Community Center.

Present: Commissioners Barbour, Horn, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioners Coretti and Morris

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Feldt; City Clerk Brower.

2007-103. Consider request to adopt a resolution adopting the FY 2007-08 budget and setting a millage rate for FY 2007-08.

2007-103-A. Barbour-Yadlowsky. That a resolution adopting the FY 2007-08 as amended during the budget worksession and setting millage rate for FY 2007-08 be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Horn, Seibold, Yadlowsky and Bartman – 5
Nays: -0-

2007-104. Consider request to adopt a resolution establishing water/sewer rates for FY 2007-08.

2007-104-A. Yadlowsky-Seibold. That a resolution setting water/sewer rates for the upcoming fiscal year be adopted as set forth in Exhibit "B" attached hereto

Yeas: Barbour, Horn, Seibold, Yadlowsky and Bartman – 5
Nays: -0-

Mayor Bartman thanked the staff for the preparation time that goes into presenting the budget to the City Commission. She commended Finance Director VanderWall for her expertise and financial management of the City's finances.

2007-105. The special meeting was adjourned at 7:17 p.m.

Karen K. Brower, City Clerk

Attachments: A - Resolution adopting FY 2007-08 budget.
B – Resolution establishing water/sewer rates for FY 2007-08.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 18, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Coretti, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioner Barbour, Horn and Morris

Also Present: Assistant City Attorney Sluggett; City Manager Donovan; City Services Director Feldt; Parks & Recreation Director Bunn; Public Safety Director Herald; Assistant Parks & Recreation Director Perry; City Clerk Brower.

2007-106. Mayor Bartman advised of the following general communications received at City Hall:

- A. Email from Mike Daly of 2830 Woodcliff Circle withdrawing his request for a variance.
- B. Email from Bill McCall, 2840 Woodcliff Circle, questioning the process for a variance request that has been tabled.
- C. Email from Julie Daly, 2830 Woodcliff Circle, regarding the Commission's discussion of their variance request at the last meeting.

2007-107. No other public comment was received.

2007-108. City Manager Donovan announced the Grand Valley Metro Council had awarded its "Metropolitan Development Blueprint Award" to the East Grand Rapids Community Center for its land use and sustainable design features.

Mayor Bartman noted the Clothesline Art Fair and the Friends Used Book Sale had gone extremely well over the weekend and commended members of the City staff for their assistance in making sure these events had everything they need.

2007-109. Peter Lozicki, Dan Bylenga and Becky Bectold of Rhoades McKee unveiled the new logo for the Rhoades McKee Triathlon. They thanked Fred Bunn and Susan Perry for all their work on this event and looked forward to a successful Triathlon in September.

2007-110. Final Reading of an ordinance amendment to Sections 8.13, 8.17 and 8.18 of Chapter 81 of Title VIII of the City Code pertaining to sign regulations.

2007-110-A. Coretti-Yadlowsky. That an ordinance amendment to Sections 8.13, 8.17 and 8.18 of Chapter 81 of Title VIII of the City Code pertaining to sign regulations be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Coretti, Seibold, Yadlowsky and Bartman – 4
Nays: -0-

2007-111. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-111-A. Minutes of the regular and special meetings held June 4, 2007.

2007-111-B. Payroll disbursements of \$178,343.70; county and school disbursements of \$-0- and total remaining disbursements of \$153,090.45.

2007-111-C. A contract with Interlock Design in the amount of \$4,700.00 to clean, seal and resand the pavers and exposed aggregate in John Collins Park.

2007-111-D. A contract with Lodestar Construction of Grand Rapids in the amount of \$722,898.40, project contingencies of \$36,250.00 and a related budget transfer of \$33,285.00 from the Water/Sewer Fund Balance.

2007-111-E. Appointments to advisory boards for FY 2007-08 as follows:

Planning Commission	Jeff Dills, 2034 Hall Connie O'Toole, 836 Plymouth	Three-year terms ending 6/30/10
Parks & Recreation Comm.	Judith Baxter, 3060 Hall Dirk Buth, 1900 San Lu Rae Joe Camp, 2022 Coronado Rick Merpi, 617 Plymouth Terry McCarthy, 961 San Jose Joanie Snyder, 2627 Beechwood Jim Weiss, 2127 Wilshire Todd Wolffis, 2630 Hampshire	One-year terms ending 6/30/08
Library Commission	Carol Donovan, 2944 Hall Jennifer Khorey, 2656 Boston Beth Graff, 1000 Breton Jeff Minore, 1103 Lake Grove Joel Schultze, 933 Pinecrest Luis Solis, 2258 Audobon Mark Tourek, 1705 Oxford Kathleen Underwood, 2637 Hampshire	One-year terms ending 6/30/08
Board of Review	Patsy Dodgson, 1045 Conlon Sam Helmrick, 984 Gladstone Paul Howland, 2809 Woodcliff Circle	One-year terms ending 6/30/08
Construction Board of Appeals	Eric Hughes, 2722 Richards Mary Margaret Munski, 2220 Anderson Thomas Skoog, 2552 Arundel Steve Williams, 1038 Wren	Two-year terms ending 6/30/09

2007-111-F. The minutes of the Library Commission meetings held March 26, 2007 and May 29, 2007.

2007-111-G. The minutes of the Parks & Recreation Commission meeting held April 9, 2007.

2007-111-H. The minutes of the Joint Facilities Committee meeting held May 16, 2007.

Yeas: Coretti, Seibold, Yadlowsky and Bartman – 4

Nays: -0-

The meeting adjourned at 6:08 p.m. subject to the call of the Mayor until July 2, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 8.13, 8.17 and 8.18 regarding parking 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 2, 2007

Mayor Bartman called the meeting to order at 6:03 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Morris, Seibold and Mayor Bartman

Absent: Commissioners Horn and Yadowsky

Also Present: City Attorney Huff; City Services Director Feldt; Public Safety Director Herald; Zoning Administrator Bajdek; City Clerk Brower.

2007-112. Coretti-Seibold. Motion to add to the agenda a request to adopt a resolution appointing LSL Planning to conduct site plan reviews for properties covered by the Gaslight Village Subarea Plan. A roll call vote was taken.

Yeas: Barbour, Coretti, Morris, Seibold and Bartman – 5

Nays: -0-

2007-113. Mayor Bartman advised of the following general communications received at City Hall:

- A. Email from Pamela Buckleitner of 1535 Breton questioning the need to remove geese from Reeds Lake.
- B. Email from Alfred and Genevieve Swanson of 2945 Bonnell protesting the removal of geese.
- C. Emails from Tom Laureto of 365 Rosewood regarding the condition of Rosewood and Gladstone and the upcoming construction projects in the area.

2007-114. No other public comment was received.

2007-115. Commissioner Seibold commended the Parks & Recreation Department staff and volunteers for a fantastic Reeds Lake Run on Saturday, June 30th.

Commissioner Morris announced the Rapid bus service would be putting a gas-electric hybrid bus in the 4th of July parade for everyone to see.

Mayor Bartman also thanked the staff of the Parks & Recreation Department for their work on the Reeds Lake Run and the upcoming 4th of July activities later in the week. She announced that race sponsor LaSalle Bank had donated \$10,000 to the Reeds Lake Trail project at the awards ceremony at Collins Park following the race.

2007-116. Election of President for FY 2007-08.

2007-116-A. Coretti-Seibold. That Commissioner Horn be elected President of the East Grand Rapids City Commission to assume leadership duties in the absence of the Mayor for FY 2006-07.

Yeas: Barbour, Coretti, Morris, Seibold and Bartman – 5

Nays: -0-

2007-117. A zoning variance hearing was held regarding the request of Gaslight Partners, owners of 2232 Wealthy, to allow the installation of two wall signs on the east wall instead of the one sign allowed.

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

- Susan Lovell, owner of 705 Bagley In Favor.

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

Yeas: Barbour, Coretti, Morris, Seibold and Bartman – 5
Nays: -0-

2007-120. Consider request to adopt a resolution appointing LSL Planning to conduct site plan reviews for properties covered by the Gaslight Village Subarea Plan.

City Attorney Huff stated the City Services Department has requested the assistance of LSL Planning on several occasions for site plan review and that LSL had written the original and recent update to the Comprehensive Master Plan. Staff prefers to rely on their experience and history with large scale, complex site plans and the city's master plan for projects requiring site plan review within the Gaslight Village subarea plan.

2007-120-A. Coretti-Morris. That a resolution appointing LSL Planning to conduct site plan reviews for properties covered by the Gaslight Village Subarea Plan be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Coretti, Morris, Seibold and Bartman – 5
Nays: -0-

2007-121. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-121-A. Minutes of the regular meeting held June 18, 2007.

2007-121-B. Payroll disbursements of \$171,902.71; county and school disbursements of \$-0- and total remaining disbursements of \$211,270.39.

2007-121-C. Authorization for any public safety officer to purchase his/her old duty weapon at a price of \$449.00.

2007-121-D. A resolution entering into a contract with the Michigan Department of Transportation for the reconstruction projects on Hall Street, Wealthy Street and Breton Road.

2007-121-E. The minutes of the Traffic Commission meeting held May 29, 2007 with no action taken on the motions of the Traffic Commission regarding "no parking" signs on Wealthy Street and on Breton Road.

Yeas: Barbour, Coretti, Morris, Seibold and Bartman – 5
Nays: -0-

The meeting adjourned at 6:29 p.m. subject to the call of the Mayor until July 16, 2007.

Karen K. Brower, City Clerk

Attachments: A – Resolution naming LSL for zoning reviews of Gaslight Village properties.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held July 16, 2007

Mayor Bartman called the meeting to order at 6:03 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Yadlowsky and Mayor Bartman

Absent: Commissioner Seibold

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Feldt; Public Safety Director Herald; Zoning Administrator Bajdek; City Clerk Brower.

2007-122. Mayor Bartman advised of the following general communications received at City Hall:

- A. Letter from Brett VanTil of Process Productions thanking the city for assistance rendered during a recent video production.
- B. Email from Matt Wing complimenting the Parks & Recreation staff on it's Safety Town program.
- C. Email Mike & Beckie Buwalda thanking the city for the 4th of July celebration recently.

2007-123. Cynthia Martin of 851 Cambridge and Terry Stockton of 2355 Burchard, both staff members at Grand Rapids Community College, were present to ask for support of GRCC's millage request on the August 8th ballot.

2007-124. City Manager Donovan previewed several videos that will be on the city's website in a few weeks to promote the city to new and potential residents and visitors.

Mayor Bartman reported she had attended the funeral of Grand Rapids Police Officer Robert Kozminski on Friday, July 13th and was very moved by the hundreds of uniformed police officers that arrived from all over the nation to pay respects to the fallen officer. She offered condolences on behalf of East Grand Rapids to the Grand Rapids Police Department and the citizens of Grand Rapids for the loss of this officer. She also extended thanks to Blodgett Hospital for the use of a bus and driver for that day to transport East Grand Rapids officers to and from the funeral proceedings on the northwest side of the city.

2007-125. A zoning variance hearing was held regarding the request of Leena Mamman of 1550 Breton to allow the construction of a driveway occupying 44.5% of the front yard instead of the 40% allowed.

Zoning Administrator Bajdek reviewed the request to create a u-shaped driveway on this property. He noted the variance for the adjoining property in December 2005 listed the condition of positioning the driveway of 1550 Breton at least 112' from the intersection of Boston/Breton and that this condition was met with the proposed driveway openings.

Sherwin VanSledright, contractor for the property owner, was present to introduce and answer questions about the variance request. He stated a variance would allow him to avoid placing an addition power pole on the outlawn and would allow the owners to avoid backing out onto Breton Road.

The following people were present and expressed their opinions concerning this variance request:

- | | |
|------------------------------|--|
| - Gordon Jones, 325 Rosewood | Concerned about the loss of greenspace, the increased water runoff from impervious paving surfaces, and the precedent set for other homes on busy streets to add driveway space. Upset that basement walls and property has been left unfinished and as a hazard to area children. |
|------------------------------|--|

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

- | | |
|------------------------------|--|
| - Cheryl Durant, 1547 Groton | Opposed due to lack of concern for neighboring properties. |
|------------------------------|--|

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

2007-125-A. Coretti-Yadlowsky. That the request of Leena Mamman of 1550 Breton to allow the construction of a driveway occupying 44.5% of the front yard instead of the 40% allowed be approved.

Commissioner Barbour expressed concern about the second opening onto Breton Road and his hesitation to approve similar requests for all properties along Breton Road.

Commissioner Yadlowsky questioned traffic counts in the area. City Services Director Feldt noted there were other circular driveways in the city. He stated that multiple curb cuts were not in violation of the ordinance and this driveway required a variance only because of the percentage of the front yard covered by the driveway. Commissioner Yadlowsky favored avoiding the placement of additional utility poles and the added safety factor even if a small amount of greenspace is lost. He felt an L-shaped driveway would limit the usefulness.

Commissioner Morris felt the driveway could be accomplished by keeping the driveway to 40% of the front yard thereby eliminating the need for a variance. He stated a variance had been granted to allow the creation of this buildable lot and he was not inclined to grant further variance when he felt there were other options.

Commissioner Horn preferred avoiding a second curb cut as he felt another point of entry would add to any congestion or hazards at that intersection, especially in light of the fact this driveway would exit on the back side of a hill. He noted this was a pre-existing condition of the lot prior to the decision to build a home here.

Commissioner Coretti stated she was comfortable with approving the variance request.

Mayor Bartman also expressed support for the request as it was a minor percentage from the allowed coverage. She noted safety was her primary concern and she felt allowing the larger driveway with turn-around capability would add to the safety for the owners. She felt the proximity to this busy corner created a unique situation.

Yeas: Coretti, Yadlowsky and Bartman – 3
Nays: Barbour, Horn and Morris – 3

City Attorney Huff explained that because the motion did not pass or fail pursuant to Section 5.163(b), the motion would be held over in continuance until the next meeting when Commissioner Seibold could be present to cast the deciding vote.

2007-126. Introduction of an ordinance amendment to add Section 2.14 of Chapter 21 of Title II of the City Code pertaining to the placement of temporary rubbish containers.

City Services Director Feldt stated the proposed amendment would mirror the recent storage container ordinance in most respects; however this ordinance contained a renewal process allowing up to 24 months.

Mayor Bartman favored adding a provision for the approval of placing dumpsters on the edge of the street temporarily if no other options were available on the property subject to the approval of the City Services Director. Commissioner Horn expressed concern about safety if dumpsters are placed in the street and not barricaded or lighted in the dark.

2007-126-A. Coretti-Horn. That an ordinance amendment to add Section 2.14 of Chapter 21 of Title II of the City Code pertaining to the placement of temporary rubbish containers be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Yadlowsky and Bartman – 6
Nays: -0-

2007-127. Barbour-Coretti. Motion to approve the consent agenda as follows:

2007-127-A. Minutes of the regular meeting held July 2, 2007.

2007-127-B. Payroll disbursements of \$364,636.17; county and school disbursements of \$289.89 and total remaining disbursements of \$273,770.84.

2007-127-C. A contract with Comcate in the amount of \$9,500 for a year of setup, installation, training and service for a citizen service request software system.

2007-127-D. A contract with the Children's Assessment Center of Grand Rapids in the amount of \$5,000.00 for services rendered to child victims of sexual assault.

2007-127-E. Appointments to advisory boards for FY 2007-08 as follows:

Traffic Commission	Janyce Huff, 2310 Anderson Bob Saltsman, 2905 Reeds Lake Blvd Todd Avis, 532 Gladstone Camille Donnelly, 854 Lakeside Hunter Meriwether, 526 Lovett Andrew Leopold, 1016 Santa Cruz	One-year terms ending 6/30/08
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Board of Review	Martin Green, 2463 Oakwood	One-year term ending 6/30/08
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2007-127-F. Contracts with Cox Medendorp & Olson in the amount of \$25,000 and with Triangle Associates in the amount of \$291,500 for materials and installation for the placement of solar panels and related components on the roof of the Community Center.

City Manager Donovan thanked resident Peter Wege for generously funding this project.

2007-127-G. A contract with the Children's Assessment Center of Grand Rapids in the amount of \$5,000.00 for services rendered to child victims of sexual assault.

2007-127-H. The elevated water tank inspection report.

2007-127-I. The minutes of the Planning Commission meeting held May 9, 2007.

2007-127-J. The minutes of the Parks & Recreation Commission meeting held June 11, 2007.

2007-127-K. The Public Safety Department Report for May 2007.

Yeas: Barbour, Coretti, Horn, Morris, Yadlowsky and Bartman – 6
Nays: -0-

The meeting adjourned at 6:43 p.m. subject to the call of the Mayor until August 6, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 2.14 regarding rubbish containers.

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 6, 2007

Mayor Bartman called the meeting to order at 6:01 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Feldt; Zoning Administrator Bajdek; City Clerk Brower.

2007-128. Mayor Bartman advised there were no general communications received at City Hall.

2007-129. No other public comment was received.

2007-130. Commissioner Seibold reported she had recently attended a class reunion and received many positive comments on the look of the whole community—from the new community complex to the redevelopment projects and new streetscape in Gaslight Village.

Mayor Bartman announced the Circuit Court had upheld the City Commission's denial of a 2006 variance request by Lakewood Hills apartments.

2007-131. A zoning variance hearing was held regarding the request of Shannon Hunt of 951 Lakeside to allow the construction of an addition to the home 9.0' from the detached garage instead of the required 10.0'.

Zoning Administrator Bajdek explained the request and noted a building permit had been approved with a separation of 10 feet from the dwelling as the contractor had indicated they would comply with the ordinance if the variance request was not granted.

Michael Dexter, contractor for Ms. Hunt, was present to introduce and answer questions about the request.

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

2007-131-A. Coretti-Morris. That the request of Shannon Hunt of 951 Lakeside to allow the construction of an addition to the home 9.0' from the detached garage instead of the required 10.0' be approved.

Commissioner Seibold noted this small addition was a very minor addition to the homes footprint and would not be noticeable to the neighbors or impede the use of the driveway or the garage.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-132. A zoning variance hearing was held regarding the request of VRE 3, LLC, James Canfield, Maureen & Michael Luckett and Alvin Swanberg, owners of 727, 731, 735, 739, 747 and 755 Bagley to allow a town home development with a front yard setback of 40.0' instead of the required 58.0' and to permit 16 dwelling units on the .91 acre site, with 2,477.5 sq. ft. per family unit instead of the required 4,000 sq. ft. per family unit.

Mayor Bartman noted the proposed redevelopment was a major project in this neighborhood and would need Planning Commission approval for the site plan and the rezoning. She stated the City Commission would take the input from the public hearing and send those comments to the Planning Commission but would not be voting on the variance requests until the Planning Commission finishes their work.

Zoning Administrator Bajdek reviewed the variances requested and answered questions from the Commission.

Joe Hooker and Matt Miller of VRE 3, LLC, showed drawings of the proposed townhouses and expressed their willingness to work with Planning Commission and City Commission on issues surrounding the project. They stated the project would not begin until June 2008 at the earliest.

The following people were present and expressed their opinions concerning this variance request:

- | | |
|-----------------------------------|--|
| - Connie Caruso, 2153 Lake Drive | Concerned about lower property values and changes to the neighborhood. |
| - Linda Williams, 2155 Lake Drive | Concerned about congestion on Bagley at peak school times because area was already crowded with student, parents and commuters. |
| - Phyllis Jones, 700 Crowell | Worried about access from back yards without a fence planned and about loss of mature trees, limited parking and trash containers. |

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

- | | |
|---|-----------|
| - Susan Lovell, owner of 705 Bagley | In Favor. |
| - Alissa Raven/Craig Dittmer, 706 Crowell | Opposed. |

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

Commissioner Yadowsky asked the developers to consider making the sides of the building more durable and attractive since the proposed plain siding was so close to the street and would be very prominent. He also suggested establishing guidelines for long-term maintenance of the common areas in the rear of the property to avoid weeds, excess trash, etc.

Commissioner Seibold noted she will take the comments to the Planning Commission meetings and looked forward to working on this project with the developers.

Commissioner Barbour thanked the developers for this exciting proposal. He asked that everyone keep the surrounding homes and streets in mind when working on this project.

Commissioner Morris felt this was a solid project that was compatible with the new Master Plan.

Mayor Bartman also thanked the developers for investing in East Grand Rapids and for following the guidelines in the Master Plan and for addressing concerns even at this early stage.

2007-133. Final Reading of an ordinance amendment to add Section 2.14 of Chapter 21 of Title II of the City Code pertaining to the placement of temporary rubbish containers.

2007-133-A. Horn-Coretti. That an ordinance amendment to add Section 2.14 of Chapter 21 of Title II of the City Code pertaining to temporary rubbish containers be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Coretti asked if a provision could be added to make sure dumpsters did not hinder sight distance along streets and sidewalks. City Services Director Feldt stated the dumpsters would usually have to be placed in the side or rear yards to avoid problems. He noted that staff would work with contractors and homeowners to make sure these concerns were addressed prior to issuing the placement permits.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

2007-134. Consider request by Osta's Restaurant to adopt a resolution approving the sale of alcohol on city sidewalks.

City Manager Donovan explained Osta's was currently serving food on the sidewalk outside the restaurant with permission from the city. However, since alcohol is not allowed on city property, a new policy will have to be established to allow alcohol to be served outside. In addition, the Liquor Control Commission requires a resolution be adopted to allow serving alcohol on public right-of-way.

John Aouad, owner of Osta's, stated that serving alcohol outside was a way to extend the appeal of the restaurant later into the evening and to allow those waiting for other events to pass the time.

Mayor Bartman asked for public comment. The following people were present to speak on this issue:

- | | |
|-------------------------------|--|
| - Phyllis Jones, 700 Croswell | Questioned whether other cities have done the same and if EGR could be sued if there are problems. |
| - Brian Lennon, 804 Pinecrest | Supported the request. |
| - Patsy Dogson, 1045 Conlon | Delighted with the idea. Felt it would attract more people to the village in the evenings. |

2007-134-A. Horn-Yadlowsky. That a resolution approving the outdoor service license for Osta's Restaurant to serve alcohol in a contained area on city sidewalks be adopted as set forth in Exhibit "B" attached hereto; to approve a permit allowing the placement of barricades and the service of alcoholic beverages on city property; and to establish a policy requiring liability insurance of \$1 million dollars and the naming of the City of East Grand Rapids as additional insured in order to receive this permit.

Commissioner Coretti stated she had no problems with this request.

Mayor Bartman expressed support for this request based on the longevity of Osta's in Gaslight Village and their willingness to work with the city on many issues over the years to find solutions that benefit the community.

Commissioner Seibold addressed the proximity of the restaurant to the high school by stating she did not foresee significant problems with alcohol being served outdoors as the area would be enclosed and monitored.

Commissioner Horn noted there may be other restaurants that request the same consideration and should be considered on a case-by-case basis. City Manager Donovan noted the city would set up a permitting form and possibly a fee for the yearly permit and would bring each request before the City Commission the first time.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-135. Coretti-Morris. Motion to approve the consent agenda as follows:

2007-135-A. Minutes of the regular meeting held July 16, 2007.

2007-135-B. Payroll disbursements of \$189,158.93; county and school disbursements of \$1,548,301.78 and total remaining disbursements of \$1,202,369.55.

2007-135-C. A contract with Dykema Excavators in the amount of \$172,178.24 plus contingencies of \$8,600.00 for the Reeds Lake Boulevard special assessment district project.

City Manager Donovan reported an amended assessment roll would be presented at the next meeting.

2007-135-D. A contract with OMM Engineering of Grand Rapids in the amount of \$31,100.00 plus contingencies of \$3,110.00 for construction engineering and inspections of the Hall St and Wealthy St improvement projects.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 6:45 p.m. subject to the call of the Mayor until August 20, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 2.14 regarding rubbish containers.
B – Resolution allowing service of alcohol on city sidewalks.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 20, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Herald; City Services Director Feldt; Zoning Administrator Bajdek; City Clerk Brower.

2007-136. Mayor Bartman announced that the land division request for 3218/3208 Reeds Lake Blvd had been withdrawn from the agenda at the request of the applicant, and that Item 17, the realignment report on Reeds Lake Blvd would be moved from the consent agenda to the regular agenda.

2007-137. Mayor Bartman advised of the following general communications received at City Hall:

A. Condolence card from the EGR Board of Education on the death of Public Safety Officer Michael Winchester.

2007-138. No other public comment was received.

2007-139. Mayor Bartman noted the August 8th death of Public Safety Officer Michael Winchester had been very hard on the entire staff and the Public Safety Department in particular. She extended the sympathy of the entire City Commission and the residents of the city to Officer Winchester's family, friends and colleagues.

Mayor Bartman announced that several road construction projects were beginning around the city and would wrap up in the next several weeks.

2007-140. KDL Director Martha Smart, EGR Branch Manager Dawn Lewis, and KDL Board Representative Charles Fry reported on the overall growth and health of the Kent District Library System over the last year, and the success of the new East Grand Rapids branch. Ms. Lewis reported over 40 programs are now being held each month in the facility, with over 450 people in attendance for the Harry Potter party in July being the largest. From January 2005 to January 2007, circulation for children's picture books increased by 76%. In July 2007, the average daily attendance was 1,500 people per day—almost double the daily amount from the old facility.

2007-141. A zoning variance hearing was held regarding the request of Terence Kehoe of 458 Rosewood to allow the construction of a detached garage with a side yard setback of 1.0' instead of the required 3.0' and covering 35.5% of the lot instead of the allowable 35%.

Zoning Administrator Bajdek stated the structure was being torn down due to fire damage and replaced as a larger structure. He stated staff's concern that the one foot setback would not allow for construction or future maintenance on the applicant's property.

Terry Kehoe, 458 Rosewood, stated the six neighbors most affected had no problems with the request. He noted the new garage would be shorter than the present one.

The following people were present and expressed their opinions concerning this variance request:

- Kathleen Waters, 1641 Lake Drive No problems with the location.

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

- Justin Lawrence, 450 Rosewood In Favor.
- John Tindall, 901 Maxwell In Favor.

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

2007-141-A. Barbour-Horn. That the request of Terence Kehoe of 458 Rosewood to allow the construction of a detached garage with a side yard setback of 1.0' instead of the required 3.0' and covering 35.5% of the lot instead of the allowable 35% be approved.

Commissioner Horn noted the reduced setbacks were typical of neighborhoods with smaller lots.

Commissioner Barbour acknowledged the concerns about future maintenance, but had no immediate concerns with granting this variance since the old garage stood in the same place.

Commissioner Seibold expressed her support for the particular variance request, but noted the commission needed to remain vigilant in monitoring lot coverage requests and loss of greenspace in neighborhoods.

Mayor Bartman noted the garage was a typical size for two cars and was a problem only because of the small lot. She stated it was in the best interest of the neighborhood to allow the garage to be built in the proposed location and to allow off-street parking wherever possible.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-142. Consider request to approve the division of land at 2150 and 2205 Boston.

City Services Director Feldt noted the property drains north away from the Boston road frontage. He stated the owner's had hired an engineer to address issues relating to the drainage and the surrounding properties. An open detention area at the rear of the properties is being recommended to contain large amounts of rain and then gradually release it over time. He stated the drainage would be less than the current amount of water during heavy rains. He recommended approval of the lot split with the following conditions: the drainage system be constructed and approved before building permits are issued, acceptance of the applicant's plan to give allowances for trees to be planted along the north property line to screen the detention area, and a "declaration of restrictions" document spelling out the purpose of the detention area, future maintenance requirements, and provisions for city intervention if the maintenance is not done.

The following people were present and expressed their opinions concerning this request:

- Marnie Masterson, 2138 Heather

Liked the original drainage plan outlined by the Kent Co. Drain Comm., but felt it was too restrictive about plantings/ structures, so this plan is next best. Still concerned about consequences if the drainage doesn't work and people don't maintain. Asked city to accept proactive inspection and maintenance of the drains. Stated she will sue later if this doesn't work. Also requested the pond be fenced. City Attorney Huff noted the Declarations document allowed the city to step in and clean out the drains and/or require the property owner to do so if a problem is reported. City Services Director Feldt stated the engineer's estimates for the amount/duration of standing water did not require fencing.

- Phil Reed, 2146 Heather

Also favored KCDC plan but not with restrictions imposed. Very concerned about needing constant maintenance and possibility of failure. Asked city to take over the easement and the maintenance of the original underground pipe plan.

- Jim Nelson, 2207 Boston
Concerned about safety of children playing near the standing water. Asked about setbacks and front elevations of new homes. Mayor Bartman noted the A-2 zoning district requirements would govern the new homes being built.
- Ellen Osterhart, 2120 Heather
Concerned that loss of vegetation and clogging of outlet pipe would worsen drainage instead of approving.
- John Osterhart, 2120 Heather
Concerned about health hazards like mosquitos and standing water. Felt adding four lots should not be the ultimate goal but rather doing what is best for the neighborhood.
- Dave Hanko, Feenstra & Associates
Owners did pursue option of dedicated pipe owned by Kent Co. Drain Comm., but neighbors rejected. The current plan is oversized for the area to provide extra protection for larger rainfalls. Have also added screening to minimize impact.
- Jim Nelson, 2207 Boston
Questioned how deep the water would be. Mr. Hanko stated three feet was the maximum depth.

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

- Rick & Carol Bos, property owners Explanation of process and plans.

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

In response to commissioners questions, Mr. Feldt explained the outlet for the detention pond would be placed in a catch-basin type chamber to make it more reliable, draining a portion of the property toward Boston is not a viable option, the types of provisions included in the Declarations documents recorded with the deeds, and that clearing out leaves could be done by hand very quickly. Mayor Bartman asked Mr. Feldt to add a provision allowing the city access at any time to check the system for clogging.

- 2007-142-A. Coretti-Yadlowsky. That the request of Richard J. Bos to create a four legal conforming parcels from two parcels known as 2150 and 2205 Boston Street be approved, with the following conditions:
1. That the split complies with the surveys and the relevant deed or land contract be recorded with the Kent County Registrar of Deeds within 90 days of approval;
 2. That the drainage plan proposed by Feenstra Associates and outlined by staff dated August 20, 2007 be implemented as part of the land division and constructed prior to the issuance of any building permits for these newly created lots;
 3. An allowance provided by the current property owner to the property owners of 2120, 2138, and 2146 Heather Street to plant trees and shrubbery along the rear property lines to screen the drainage system from view of their properties.
 4. A Declarations of Restrictions document approved by the City Services Department and recorded with the new deeds outlining the drainage system, its function, ownership, future maintenance, and intervention by the city if necessary, including provision for city representatives to access the detention pond and related components at any time to inspect for needed maintenance or repair.

Commissioners Seibold and Coretti felt the drainage plan was adequate but agreed that depending on future homeowners to maintain might be problematic. They favored city inspection of the area when possible and educating of future owners of the importance of the system.

Commissioner Morris noted the detention plan was oversized and more extensive than required for this size property. He felt the plan was reasonable and thanked the applicants for their cooperation.

Mayor Bartman questioned whether fencing could be placed along all property lines or in front of the detention area so it was out of sight for the new owners. Mr. Feldt stated the inside of the detention area itself could not be impeded with fencing, but owners of the new lots could place screening of fencing in front it.

Commissioner Horn stated he was comfortable with the city inspecting the drainage system but not with taxpayer funding to provide ongoing maintenance. Mr. Huff noted the costs of cleaning out the system would be charged to the property owners if the system is not maintained properly. Mr. Feldt noted there is an emergency overflow spillway in the detention area that water coming over the spillway will alert residents on Heather of problems so they can notify the city or the owners of the four new lots.

Commissioner Yadlowsky questioned whether water would stand in the area long enough to breed mosquitos or be a long-term hazard to children. Mr. Feldt stated the area was designed to drain completely in a matter of hours under most circumstances.

City Attorney Huff noted that if cleaning the area routinely falls on the city, court action could be taken to seek a long-term solution.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-143. Consider request to amend the assessment roll for the Reeds Lake Blvd south shore special assessment district.

City Manager Donovan reported the construction bids were slightly below the estimates and the assessments had been adjusted accordingly. He stated the interest rate for unpaid amounts should be set at 9.25%.

Mayor Bartman asked for any public comment on the amended assessments. No public comment was received.

2007-143-A. Coretti-Horn. That a “Resolution Confirming Amended Assessment Roll” regarding the proposed Reeds Lake Blvd south shore special assessment district be adopted as set forth in Exhibit “A” attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-144. Brian Donovan reported that several years ago a concept was developed to realign Reeds Lake Blvd’s easternmost section near Lakeside Drive to avoid two intersections so close together. Because Reeds Lake Blvd was being resurfaced along this same section this summer, staff decided to direct the contractor to leave the last few hundred feet of roadway untouched and begin a discussion of the realignment concept. In addition to the current resurfacing on Reeds Lake Blvd, Lakeside Drive is slated for reconstruction in 2010, and the Parks & Recreation Master Plan process is beginning and would possibly have improvements planned for Waterfront Park in this same area. He anticipated making a decision within a year and finishing the last section next year if we decide not to proceed with the realignment.

Commissioner Barbour stated his support of a having a discussion about this proposal, but cautioned this was not an automatic approval of the realignment as there were many issues, public input and cost measures to be determined. Commissioner Seibold agreed that much research and debate would be needed.

Mayor Bartman questioned whether the current surface of Reeds Lake Blvd would last three years if it was determined to go ahead with the realignment. City Services Director Feldt stated the surface was beginning to deteriorate but could be patched to keep it together until a larger project was organized. Mayor Bartman asked for an outline at the next meeting with possible timelines, budgets, the different factors to be considered, etc.

2007-145. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-145-A. Minutes of the regular meeting held August 6, 2007.

2007-145-B. Payroll disbursements of \$182,171.59; county and school disbursements of \$3,659,244.38 and total remaining disbursements of \$3,429,485.31.

2007-145-C. The addition of a new regulation #7 concerning escrow accounts for snowplowing contractors.

- 2007-145-D. A budget amendment of \$5,000.00 from the General Fund undesignated balance to the Public Safety Contractual account for services rendered by the Children's Assessment Center.
- 2007-145-E. A refund of the \$150 variance application fee for 1550 Breton Road to S&R Builders, and an amendment to the minutes of the City Commission meeting held December 5, 2005 (Paragraph 2005-254-B) to clarify that a driveway for 1550 Breton Road may not be located closer than 112 feet from the north right of way line of Boston Street.
- 2007-145-F. The cost of \$20,750.00 for Consumers Energy to relocate power poles on Wealthy Street and Hall Street for the construction projects, and a budget amendment in the same amount from the Major Street Fund Balance.
- 2007-145-G. The cost of \$58,892.68 for the City of Grand Rapids to upgrade the traffic signals at the Wealthy/Plymouth intersection, and a budget amendment of \$8,892.68 from the Major Street Fund Balance.
- 2007-145-H. The preliminary minutes of the Traffic Commission meeting held July 23, 2007.
- 2007-145-I. The preliminary minutes of the Parks & Recreation Commission meeting held July 9, 2007.
- 2007-145-J. The preliminary minute of the Planning Commission meeting held July 10, 2007.
- 2007-145-K. The Public Safety Department Report for June 2007.
- 2007-145-L. The East Grand Rapids Community Foundation 2006 financial statements.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 7:40 p.m. subject to the call of the Mayor until September 4, 2007.

Karen K. Brower, City Clerk

Attachments: A – Resolution amending the assessment roll for the Reeds Lake Blvd south shore assessment district.

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 4, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioner Morris

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation Director Bunn; Public Safety Director Herald; City Services Director Feldt; Zoning Administrator Bajdek; City Clerk Brower.

2007-146. Mayor Bartman advised of the following general communications received at City Hall:

- A. Emails from Terry Mroz of 1331 Woodshire regarding scheduled resurfacing of his street.
- B. Thank you card from Bill Graham for a fruit basket sent after his recent surgery.

2007-147. No other public comment was received.

2007-148. City Manager Donovan announced Streets & Utilities Supervisor Bill Morey was leaving the City for a new position. He invited everyone to a farewell luncheon on Friday, September 7th in his honor.

Mayor Bartman expressed the appreciation of the City Commission and the residents of East Grand Rapids for Mr. Morey's 18 years of dedicated service, his many late nights and long hours, and his mechanical knowledge of water/sewer systems and vehicles. She wished him well in his new job and stated he would be missed.

2007-149. Bob Olson of Cox Medendorp & Olson presented the City with its Leadership in Energy and Environmental Design (LEED) Certification plaque for the East Grand Rapids Community Center. The certification is given by the U.S. Green Building Council for facilities constructed using environmentally-friendly and sustainable building practices, materials and ongoing mechanical systems. Mayor Bartman thanked Mr. Olson for his leadership and hard work in gaining this certification.

2007-150. A zoning variance hearing was held regarding the request of Russell Kniff of 941 Bellclaire to allow the construction of an accessory building 36' from the street right-of-way instead of the required 60.'

Russell Knif, 941 Bellclaire, was present to introduce and answer questions about the variance request.

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

2007-150-A. Horn-Coretti. That the request of Russell Kniff of 941 Bellclaire to allow the construction of an accessory building 36' from the street right-of-way instead of the required 60' be approved.

Commissioner Barbour noted he lived in this neighborhood and appreciated the prior improvements Mr. Kniff has made to the home. He questioned the materials to be used and the landscaping plans. Mr. Kniff stated the structure would match the home and that low-lying bushes would be planted around the building.

Commissioner Horn observed that it would be difficult to locate an accessory building on this and other corner lots and stated his support for this building that would fit in well with the property.

Yeas: Barbour, Coretti, Horn, Seibold, Yadlowsky and Bartman – 6

Nays: -0-

- 2007-151. Introduction of an ordinance amendment to Sections 5.4 and 5.85 of Chapter 50 of Title V of the City Code pertaining to the definition of commercial vehicles and restrictions upon the location of such vehicles in residential zones.

City Services Director Feldt explained there have been problems with commercial vehicles and trailers parked in residential neighborhoods. This ordinance amendment adds definitions and places restrictions in the home occupations ordinance as to where vehicles relating to a home occupation could be stored.

Commissioner Barbour questioned whether employees could bring vehicles home or if personal use utility or box trailers could be stored in residential areas if not related to a home occupation. City Attorney Huff stated this ordinance amendment dealt strictly with vehicles and trailers related to home occupations but that there are other sections of the Code that prohibit or restrict long-term parking and storage of these vehicles.

Mayor Bartman noted commercial vehicles and trailers had become permanent fixtures in some neighborhoods and supported regulations that give surrounding neighbors some relief from dealing with them constantly.

- 2007-151-A. Coretti-Seibold. That an ordinance amendment to Sections 5.4 and 5.85 of Chapter 50 of Title V of the City Code pertaining to the definition of commercial vehicles and restrictions upon the location of such vehicles in residential zones be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Coretti, Horn, Seibold, Yadlowsky and Bartman – 6
Nays: -0-

- 2007-152. Coretti-Yadlowsky. Motion to approve the consent agenda as follows:

2007-152-A. Minutes of the regular meeting held August 20, 2007.

2007-152-B. Payroll disbursements of \$194,729.05; county and school disbursements of \$4,640,541.28 and total remaining disbursements of \$231,141.73.

2007-152-C. A three percent (3%) salary differential for the Staff Sergeant classification above the Sergeant classification.

2007-152-D. An amendment to the City's Health Benefit Plan providing retiree medical benefits to the Public Safety Captains under the "Rule of 75."

Yeas: Barbour, Coretti, Horn, Seibold, Yadlowsky and Bartman – 6
Nays: -0-

The meeting adjourned at 6:18 p.m. subject to the call of the Mayor until September 17, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Sections 5.4 and 5.85 for the definition of commercial district.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 17, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: Assistant City Attorney Bloom; City Manager Donovan; Public Safety Director Herald; City Services Director Feldt; Zoning Administrator Bajdek; City Clerk Brower.

2007-153. Mayor Bartman advised of the following general communications received at City Hall:

- A. Email between Jacqueline Smith of 2724 Darby and Mayor Bartman regarding the timing of construction projects around the school buildings.
- B. Letter from the John Leidlein family expressing thanks to the Public Safety Department for their tribute during the funeral processional for former Mayor Leidlein's wife, Eléne Leidlein.
- C. Press Release from the Engineering Department regarding the construction schedule for Wealthy Street.
- D. Emails between Gregory Conway, 139 El Centro, and Commissioner Seibold regarding the possible realignment of Reeds Lake Blvd near Lakeside Drive.

2007-154. No other public comment was received.

2007-155. Commissioner Barbour questioned the new pavement markings on Breton Road at Lake Drive. City Services Director Feldt agreed the pavement markings were confusing and would be corrected as soon as possible.

City Manager Donovan reported the NBC Today Show would feature a home in East Grand Rapids on Thursday, September 20th during a story on home prices in various parts of the country.

Mayor Bartman extended the sympathy of the community to the Leidlein family on the death of Mrs. Leidlein. She also extended condolences to City Attorney John Huff on the recent death of his mother.

Mayor Bartman reported the Kent County Road Commission has agreed to realign the intersection of Cascade Road and Robinson road following discussions at the EGR Traffic Commission meetings. She thanked the members of the Traffic Commission for leadership and persistence on this issue.

Mayor Bartman showed pictures of a fire in Lowell on September 15th where the EGR Public Safety Department assisted other departments in fighting the fire.

2007-156. A zoning variance hearing was held regarding the request of the East Grand Rapids Middle School to 1) allow the placement of a ground sign of 79 sq.ft. in size instead of the allowable 50 sq.ft., 2) to permit the vertical height of the sign to be 6.25' instead of the permitted 6.0', and 3) to place the sign 2.4' from the right-of-way instead of the required 5.0.'

Craig Newhouse of URS Corporation, representing the EGR School District, was present to introduce and answer questions about the variance request. He apologized for the oversight in constructing the sign without the proper variances or permits. He stated the school district had carefully placed the sign to insure proper sight distance without facing the sign into neighboring homes.

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

- Erik Bauer, 2433 Gilmour

Opposed

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

2007-156-A. Coretti-Yadlowsky. That the request of the East Grand Rapids Middle School to 1) allow a ground sign of 79 sq.ft. instead of the allowable 50 sq.ft., 2) to permit the height of the sign to be 6.25' instead of the permitted 6.0', and 3) to allow the sign to be placed 2.4' from the right-of-way instead of the required 5.0' be approved.

Commissioner Seibold summarized the July 2001 discussion when the high school sign was debated when there was concern about placement of the sign and a pledge by the schools to turn the sign off at night to minimize intrusion on neighbors. She understood the new sign ordinance allowed the placement of this new if made smaller and moved away from the street, but was still concerned about the intrusion on other properties and the fact the sign had already been constructed, making it difficult to force the schools to move the sign.

Commissioner Yadlowsky asked whether the signs could be programmed to shut down overnight. Commissioner Morris favored allowing the signs to be operated in the late evening and early morning hours. Mr. Newhouse stated he was not certain on the control features or on the school's internal policy for the hours the sign would operate.

Commissioner Horn stated the high school sign had been operational for six years with few complaints or problems. He felt this was the reason there was little opposition to the Middle School's proposed sign. He was not opposed to allowing the sign to remain where it was currently placed.

Mayor Bartman noted the City had been placed in a difficult situation when the sign is already constructed and it would take taxpayer dollars to move the sign to a conforming location. She felt the neighbors should have been given the opportunity comment on the placement before it was constructed and residents should contact the school board should if they object to the sign. Commissioner Seibold suggested that URS should pay to relocate the sign if necessary since Mr. Newhouse had admitted he was responsible for failing to get the proper permits or approvals prior to construction and since he had represented the schools when the high school sign was constructed, he was aware of the variance and permitting process.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-157. Mayor Bartman removed the approval of the collective bargaining agreement from the consent agenda.

2007-158. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-158-A. Minutes of the regular meeting held September 4, 2007.

2007-158-B. Payroll disbursements of \$194,729.05; county and school disbursements of \$170,363.38; county and school disbursements of \$241,771.79 and total remaining disbursements of \$690,472.09.

2007-158-C. The purchase of a GPS Unit for the City Services Department from PlanSight at a cost of \$9,285.00.

2007-158-D. A contract with Peters Associates fire Apparatus Consulting Services, Inc. of River Vale, New Jersey, in the amount of \$8,000.00 for consulting services relating to the purchase of new fire equipment.

2007-158-E. The preliminary minutes of the Planning Commission meeting held August 14, 2007.

2007-158-F. The preliminary minutes of the Traffic Commission meeting held August 27, 2007.

2007-158-G. The Public Safety Department Report for July 2007.

2007-158-H. The preliminary minutes of the Planning Commission meeting held August 14, 2007.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-159. Yadlowsky-Seibold. Motion to enter into an executive session to discuss a collective bargaining agreement in accordance with Section 8(c) of the Open Meetings Act. A roll call vote was taken.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-160. The meeting adjourned at 6:23 p.m. to conduct the executive session. The meeting resumed at 6:30 p.m. following the executive session.

2007-161. Consider request to approve a collective bargaining agreement with the AFSCME Union.

2007-161-A. Coretti-Seibold. Motion to approve a three-year agreement commencing July 1, 2007 with the AFSCME Union as outlined by the City Manager.

City Manager Donovan thanked the members of the negotiating team for their cooperation during the bargaining process. Mayor Bartman extended the appreciation of all residents to the members of the Streets & Utilities Department for their work each and every day of the year.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 6:32 p.m. subject to the call of the Mayor until October 1, 2007.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held October 1, 2007

Mayor Bartman called the meeting to order at 6:01 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioner Coretti

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Herald; City Services Director Feldt; Finance Director VanderWall; Planning Consultant VanSteenhuysen; City Clerk Brower.

2007-162. Mayor Bartman advised of the following general communications received at City Hall:

- A. Card from John and Janyce Huff thanking the City for the flowers sent after the death of Mr. Huff's mother.
- B. Letter from the Lowell Area Fire Department thanking the Public Safety Department for their assistance during a fire at an industrial site recently.
- C. Emails between Greg Conway, 139 El Centro, and Commissioner Seibold regarding the potential realignment of Reeds Lake Blvd at Lakeside Drive.

2007-163. Michael Sell, 547 Cherry, thanked the City Commission for allowing him to take pictures of the meeting for a student photography project he is working on.

2007-164. Mayor Bartman thanked the 2nd graders at Breton Elementary for visiting city hall recently and read from some of their letters sent after their visit.

2007-165. Mayor Bartman announced the lot split at 3218 and 3208 Reeds Lake Blvd had been removed from the agenda.

2007-166. Consider request to approve a special use permit for IPCS Wireless for the placement of cellular phone antennas at the East Grand Rapids High School property.

City Services Director Feldt reported the new antennas and related equipment would be placed on the existing tower at Memorial Field and under the bleachers. Tom Holiman, representing IPCS Wireless, was present to answer questions.

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

Commissioner Seibold questioned how many antennas could be located on this tower. Mr. Holiman reported there is a natural limit because of the size and height of the tower. He did not think it would be efficient to place any other antennas on this site because the higher locations were all taken and the lower height did not work as well.

2007-166-A. Yadlowsky-Seibold. That a special use permit pursuant to Section 5.24 of the City Code be granted to IPCS Wireless for the placement of cellular antennas and related equipment on and around the East Grand Rapids High School's Memorial Field facility at 2211 Lake Drive as outlined in plans dated August 22, 2007.

Yeas: Barbour, Horn, Morris, Seibold, Yadlowsky and Bartman – 6

Nays: -0-

- 2007-167. Introduction of an ordinance amendment to Section 5.190 of Title X of the City Code to rezone properties located at 755 Bagley from the A-3 Single Family Residential District to the B-1 Apartment District at the request of VRE 3, LLC.

City Planner VanSteenhuysen outlined the Bagley Townhomes project that would replace six existing single-family homes with two 8-unit townhome-style condominiums. He stated several approvals have to be granted to proceed with the project, including four variances, a rezoning of one property, and review of the site plan. The ordinance amendment being introduced tonight would rezone the property at 755 Bagley, the lone property not already zoned B-1 Apartment District.

Mayor Bartman asked what the Comprehensive Master Plan indicates regarding this area. Mr. VanSteenhuysen noted that while the boundaries of the planned multi-family area around Gaslight Village appeared not to include this property, the lines were not drawn to include or exclude specific properties. He stated the City has the ability to draw specific lines according to the circumstances.

Commissioner Yadowsky spoke of the concerns about the increase in traffic in an already congested area. Mr. VanSteenhuysen reported the city's traffic expert had reviewed the project and felt it would not significantly impact the existing conditions as there were already 6 homes now and 11 allowed by ordinance, and that an increase to 16 units would only increase the traffic by 10-20 vehicles. He further noted the times of serious congestion are limited to 15 minutes in the morning and 15 minutes in the afternoon. City Services Director Feldt stated the city is aware the Lake Drive and Bagley area is heavily congested with school and commuter traffic at certain times and the area was scheduled for further study to determine if there were any solutions to ease the congestion.

Commissioner Horn noted that the vehicles would be coming out forward instead of backing out of driveways, which would help with the traffic problems. Commissioner Seibold observed that the central driveway would also cut down on the number of entrance/exit points in this area which would help as well.

Developers Joe Hooker and Matt Miller were present at the meeting. Mr. Hooker explained the input from city staff and the Planning Commission had resulted in several changes to the project already that he felt were very positive and he was interested in further comment. He stated it was their intention to build the entire project at one time, but may consider building the north building first if financial circumstances require.

Commissioner Seibold questioned whether the internal floor plans could be altered or units combined and whether elevators were included. Mr. Hooker answered there was flexibility on the floor plans or combination of units, and there was room for future elevators if needed.

Commissioner Seibold reviewed the Planning Commission's work on this project. She noted the final vote was not unanimous because of concerns that 755 Bagley should remain a single-family home to create a transition from single-family to multi-family units and about the high density and the limited greenspace. She noted the majority of Planning Commissioners felt the benefits of such a development outweighed the concerns.

- 2007-167-A. Horn-Barbour. That an ordinance amendment to Section 5.190 of Title X of the City Code to rezone properties located at 755 Bagley from the A-3 Single Family Residential District to the B-1 Apartment District at the request of VRE 3, LLC be introduced as set forth in Exhibit "A" attached hereto.

Commissioner Barbour stated his initial reaction to the project was positive and he felt the homes facing Lake Drive were separate from the homes on Bagley and could be separated easily. He felt the owners of the homes obviously felt this was financially profitable and not detrimental to the area to agree to sell their homes for this project. He felt the City should not deprive them of this opportunity.

Commissioner Yadowsky questioned whether other transition and buffering techniques such as a brick wall or plantings had been discussed. Mr. VanSteenhuysen noted there was a proposed landscaping design that included a new fence around the property and new trees and shrubs in addition to the existing trees on neighboring properties.

Commissioner Yadowsky asked if the height of the proposed townhouses would be an issue to the ordinance or the surrounding area. Mr. VanSteenhuysen answered the proposed height was under the ordinance requirements and was comparable to the existing two-story homes in the area.

Yeas: Barbour, Horn, Morris, Seibold, Yadowsky and Bartman – 6
Nays: -0-

- 2007-168. Final Reading of an ordinance amendment to Sections 5.4 and 5.85 of Chapter 50 of Title V of the City Code defining commercial vehicles.

City Services Director Feldt explained this change would define commercial vehicles and require storage in garages or rear yards. City Attorney Huff noted this language would also help in other areas of the City Code when other problems were encountered not related to home occupations.

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

- 2007-168-A. Horn-Yadowsky. That an ordinance amendment to Sections 5.4 and 5.85 of Chapter 50 of Title V of the City Code defining commercial vehicles be adopted as set forth in Exhibit “B” attached hereto.

Yeas: Barbour, Horn, Morris, Seibold, Yadowsky and Bartman – 6
Nays: -0-

Mayor Bartman removed the insurance renewals from the consent agenda to allow a report from the Finance Director.

- 2007-169. Yadowsky-Seibold. Motion to approve the consent agenda as follows:

2007-169-A. Minutes of the regular meeting held September 17, 2007.

2007-169-B. Payroll disbursements of \$192,577.10; county and school disbursements of \$137,306.34 and total remaining disbursements of \$405,400.86 and total remaining disbursements of \$690,472.09.

2007-169-C. Resolutions approving Amendment #33 and Amendment #34 to the Grand Valley Metro Council Articles of Incorporation as set forth in Exhibits “C” and “D” attached hereto.

2007-169-D. The appointment of Laura Paullin of 1627 Breton to the Construction Board of Appeals for a term ending June 30, 2008.

2007-169-E. The appointment of Don Lawless of 2539 Albert to the Planning Commission for a term ending June 30, 2008.

Mayor Bartman thanked David Smith for his years of excellent service on the Planning Commission.

2007-169-F. The purchase of a large format scanner with equipment and installation from Michigan Office Solutions in the amount of \$7,375.00.

2007-169-G. A contract with Cascade Cement Contracting, Inc. of Dutton in the amount of \$83,175.60 for sidewalk handicap ramp improvements with funding provided by the Kent County Community Development Block Grant program.

2007-169-H. A contract with In'thout Concrete Construction of Caledonia in the amount of \$64,102.50 for the 2007 sidewalk replacement program.

2007-169-I. The purchase of a pavement marking line painter in the amount of \$2,700 from Coldwell Equipment Company.

2007-169-J. The quarterly financial reports for the period ending June 30, 2007.

2007-169-K. The preliminary minutes of the Traffic Commission meeting held September 24, 2007 with no action taken on the motions of the Traffic Commission regarding "right turn on red" signs throughout the city and "no parking" signs on Wealthy Street near Plymouth and Greenwood/Edgemere.

Yeas: Barbour, Horn, Morris, Seibold, Yadlowsky and Bartman – 6
Nays: -0-

2007-170. Consider request to award a contract for property and liability insurance coverage.

Finance Director explained that Commissioner Morris had made suggestions regarding the insurance deductibles and premiums that had resulted in a lower renewal cost for the City.

2007-170-A. Barbour-Yadlowsky. To approve Property and Liability insurance policies with Berends Hendricks Stuit Insurance Agency in the amount of \$139,329.00.

Yeas: Barbour, Horn, Morris, Seibold, Yadlowsky and Bartman – 6
Nays: -0-

The meeting adjourned at 6:42 p.m. subject to the call of the Mayor until October 15, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 5.190 regarding rezoning 755 Bagley.
B – Ordinance amendment to Sections 5.4 and 5.85 for the definition of commercial vehicles
C – Resolution approving change to GVMC Articles of Incorporation
D – Resolution approving change to 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 15, 2007

Mayor Bartman called the meeting to order at 6:01 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Herald; City Services Director Feldt; Finance Director VanderWall; Planning Consultant VanSteenhuysen; City Clerk Brower; Captain Lark; Sergeant Buikema, Sergeant Smith; PSO Brown, PSO Hollis, PSO Kreiner, PSO Phelps, PSO Nagtzaam; PSO Bradley.

2007-171. Mayor Bartman advised there were no general communications received at City Hall.

2007-172. No public comment was received.

2007-173. No reports were received from the City Commission.

2007-174. Mayor Bartman announced the request of Olive's Restaurant for a parking variance was being removed from the agenda pending the receipt of more information from the applicant. She also noted that due to some problems with the public notices, the items concerning the Bagley Townhomes development would not be voted upon until the November 5th meeting; however public hearings would be held tonight and then continued until the next meeting.

2007-175. A video of a recent car accident where the driver was trapped in a burning vehicle was shown. Mayor Bartman presented Public Safety Officer Troy Brown with a Meritorious Service Medal for his outstanding work with the trapped driver and Unit Citation Awards to Sergeant Buikema, PSO Karnes, PSO Hollis, PSO Bradley, PSO Phelps, PSO Kreiner and PSO Nagtzaam for their teamwork in putting out the fire and extricating the victim from the vehicle. Mike Webber, the driver of the vehicle, was present to express his appreciation to the officers who assisted him that evening. The City Commissioners thanked each officer individually for their work.

2007-176. Consider request to approve an amendment to the site plan for Wilcox Gardens Site Condominiums.

City Services Director Feldt explained the original site plan required all driveways to be placed on Laurel Circle; however Ms. Maggini's driveway to her home had always been located off of Lake Drive and she was requesting permission to keep this driveway in place. The Planning Commission had reviewed this issue twice at Ms. Maggini's request and had approved the request with conditions.

Commissioner Barbour questioned why the sale of Unit 7 would trigger the requirement for abandonment. City Attorney Huff noted that if the sale was to an owner different than the owner of Unit 1, the driveway must be abandoned because there is no easement, but if both units are sold to the same person, the requirement would not apply.

Mark Brouwer, attorney for Ms. Maggini, was present and requested approval of the changes.

2007-176-A. Morris-Horn. To amend the site plan for the Wilcox Gardens site condominiums to allow Judy Maggini of 681 Laurel Circle to construct a driveway across unit #7 to her residence on unit #1 as recommended by the Planning Commission as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-177. A zoning variance hearing was held regarding the request of James Krug of 2628 Reeds Lake Blvd to allow the construction of a new home with a front yard setback of 53.0' from the centerline instead of the required 63.0.'

Zoning Administrator Bajdek reported a home had recently been demolished on this property and the applicant is requesting a variance to construct a new home closer to the street than currently allowed in order to maximize the rear yard area.

Commissioner Barbour questioned whether the covenants and restrictions between the property owners should be a factor in the City Commission's decision, and if a decision by the Commission would be an advantage to either property owner in future disputes. City Attorney Huff stated that if the applicant wanted to proceed with the variance request, the Commission should do so.

Brian Sytsma, contractor for Mr. Krug, was present to introduce and answer questions about the variance request. He stated the Krug's were building a more modern structure and felt this placement was the best use of the site.

The following people were present and expressed their opinions concerning this variance request:

- Todd Oleson, owner of 2624 Reeds Lake Blvd Felt it was premature go grant variance before determining if covenants will allow home to be built. Will be meeting with applicants to resolve issues.
- Kathy Wynsma, 2634 Reeds Lake Blvd Supported variance as best place to build home to ensure the privacy of other homes in the area.

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

- Todd Oleson & Sara Ash, 2624 Reeds Lake Blvd Request matter be delayed.
- Robert Lalley, Attorney Explaining private covenant agreements.

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

2007-177-A. Horn-Coretti. That the request of James Krug of 2628 Reeds Lake Blvd to allow the construction of a new home with a front yard setback of 53.0' from the centerline instead of the required 63.0' be approved.

Commissioner Seibold questioned why a home couldn't be built within the allowed setbacks. Zoning Administrator Bajdek reported the answer on the application was to maximize the rear yard.

Commissioner Barbour noted this area was very different from a typical street where established front yard setbacks were important for the visual alignment of houses. He stated he was not opposed to granting this variance because of the unique layout of the lots.

Commissioner Morris questioned whether the entire front of the home would be placed closer to the street or just the south corner as shown on the drawings. Mr. Sytsma replied the owners are considering realigning the home so the front of home is parallel to the front lot line and thus the entire front of the home would be at the new setback line of 53' instead of just a corner.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-178. Consideration of the following items for the Bagley Townhomes Development:

1. Final Reading of an ordinance amendment to Section 5.190 of Title X of the City Code to rezone properties located at 755 Bagley from the A-3 Single Family Residential District to the B-1 Apartment District at the request of VRE 3, LLC.
2. Zoning variance hearing on the request of VRE 3, LLC, James Canfield, Maureen & Michael Luckett and Alvin Swanberg, owners of 727, 731, 735, 739, 747 and 755 Bagley to allow a development with:
 - a. a front yard setback of 40.0' instead of the required 58.0;'
 - b. a north side yard setback of 10.0' instead of the required 20.0;'
 - c. a south side yard setback of 10.0' instead of the required 20.0;'
 - d. 16 dwelling units on the .91 acre site, with 2,477.5 square feet per family unit instead of the required 4,000 square feet per family unit.
3. Request of VRE 3, LLC to allow eight units per building instead of the allowed four units for the Bagley Townhomes Development as required by Section 5.102(C) of the City Code.
4. Request to approve a complete site plan for Bagley Townhomes condominium development.

City Planner VanSteenhuysen gave a brief overview of the project. He noted that because of a problem with the required notices being mailed out, the hearings that are held tonight would need to be continued until the November 5th meeting and a decision delayed until that time also.

Mayor Bartman opened a public hearing and asked for comments on any and all aspects of the Bagley Townhomes Development. No one was present to speak.

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

- Dennis Theisen & Maggie O'Rourke, 2137 Lake Drive Concerns about greenspace, parking, dumpsters, density, traffic and the deviation from standards.

No other public comment was received. Mayor Bartman continued the public hearing until November 5th.

2007-178-A. Barbour-Coretti. That all public hearings for the Bagley Townhomes Development be continued until the City Commission meeting on November 5, 2007.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-179. Final Reading of an ordinance amendment to Section 5.190 of Chapter 50 of Title V of the City Code pertaining to the zoning map of the City of East Grand Rapids..

Zoning Administrator Bajdek reported this amendment would incorporate the zoning map by reference and would allow staff to update the zoning map any time changes were approved by the City Commission.

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

2007-179-A. Horn-Barbour. That an ordinance amendment to Section 5.190 of Chapter 50 of Title V of the City Code regarding the zoning map of the City of East Grand Rapids be introduced as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-180. Yadlowsky-Coretti. Motion to approve the consent agenda as follows:

2007-180-A. Minutes of the regular meeting held October 1, 2007.

2007-180-B. Payroll disbursements of \$185,657.86; county and school disbursements of \$101,813.10 and total remaining disbursements of \$487,169.38.

2007-180-C. A budget amendment of \$10,200 for the grant application process regarding the Gilmore Waterfront Park and Remington properties, a contract with MC Smith in the amount not to exceed \$16,800 and with King & MacGregor Environmental in the amount of \$2,400 for this process.

2007-180-D. The minutes of the Parks & Recreation Commission meeting held September 10, 2007 and October 8, 2007.

2007-180-E. The minutes of the Planning Commission meeting held September 11, 2007.

2007-180-F. The minutes of the Joint Facilities Committee meeting held September 12, 2007.

2007-180-G. The Public Safety Department Report for August 2007.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-181. Steve Edison, Joe Camp and Brian Ellis of the EGR School Board and EGR Athletic Director Scott Robertson were present to explain the School's bond proposal on the November 6th election and answer questions from the City Commission.

2007-182. Horn-Barbour. Motion to endorse the School's Athletic Bond proposal.

Commissioner Barbour expressed support for the School's process in creating this proposal and the careful financing plan to avoid an immediate tax increase.

Commissioner Morris stated that although he was not originally support of the plan as he felt some of the components were unnecessary, he agreed the gym space and athletic fields were necessary.

Commissioner Horn and Mayor Bartman spoke in favor of the proposal as a benefit to the entire community and it's future.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-183. Seibold-Coretti. 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: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 7:57 p.m. subject to the call of the Mayor until November 5, 2007.

Karen K. Brower, City Clerk

Attachments: A – Site Plan Amendment for Wilcox Gardens.
B – Ordinance amendment to Section 5.190 regarding the zoning map

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 5, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Herald; City Services Director Feldt; Finance Director VanderWall; Planning Consultant VanSteenhuysse; Zoning Administrator Bajdek; City Clerk Brower.

2007-184. No public comment was received.

2007-185. Commissioner Barbour reminded everyone to vote the next day.

Mayor Bartman announced she would be participating in a lip syncing fundraiser for the Grand Rapids Bar Association by performing a duet with Kentwood Mayor Rick Root on Thursday, November 8th.

Mayor Bartman reminded everyone of the first public forums on November 13th and November 14th to begin discussing the Waterfront/Gilmore Park area and the surrounding streets and intersections.

2007-186. A zoning variance hearing was held regarding the request of Peggy Burke and Ed Wietecha of 2555 Beechwood to allow an addition to the home creating a side yard setback of 3.0' instead of the required 7.0'.

Zoning Administrator Bajdek outlined the proposed addition to the current non-conforming structure.

Ed Wietecha, 2555 Beechwood, was present to introduce the variance request and answer questions. Mr. Wietecha turned in a map with signatures from the surrounding neighbors supporting the project.

Commissioner Seibold arrived.

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

2007-186-A. Coretti-Yadlowsky. That the request of Peggy Burke and Ed Wietecha of 2555 Beechwood to allow the construction of an addition to the home creating a side yard setback of 3.0' instead of the required 7.0' be approved.

Commissioner Seibold noted the overall change to the structure was minor and she would be supporting the request.

Commissioner Barbour expressed concern about the size of the addition and the possibility of the neighboring property requesting similar variances to make the homes very large and close together.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-187. Consideration of the following items for the Bagley Townhomes Development:

5. Zoning variance hearing on the request of VRE 3, LLC, James Canfield, Maureen & Michael Luckett and Alvin Swanberg, owners of 727, 731, 735, 739, 747 and 755 Bagley to allow a development with:
 - a. a front yard setback of 40.0' instead of the required 58.0;'
 - b. a north side yard setback of 10.0' instead of the required 20.0;'
 - c. a south side yard setback of 10.0' instead of the required 20.0;'
 - d. 16 dwelling units on the .91 acre site, with 2,477.5 square feet per family unit instead of the required 4,000 square feet per family unit.
6. Request of VRE 3, LLC to allow eight units per building instead of the allowed four units for the Bagley Townhomes Development as required by Section 5.102(C) of the City Code.
7. Request to approve a complete site plan for Bagley Townhomes condominium development.
8. Final Reading of an ordinance amendment to Section 5.190 of Title X of the City Code to rezone properties located at 755 Bagley from the A-3 Single Family Residential District to the B-1 Apartment District at the request of VRE 3, LLC.

Planning Consultant VanSteenhuyse gave an overview of the project and the variances and approvals necessary. He requested that approvals be made contingent on the approval of subsequent items. Mr. VanSteenhuyse stated the City's Master Plan envisions mixed-use housing in this area and that leaving the property at 755 Bagley as a single-family home would create an "orphan home" that doesn't fit with the properties on either side. He recommended the property be rezoned to allow the townhomes project.

Mayor Bartman opened a public hearing and asked for comments on any and all aspects of the Bagley Townhomes Development. The following people were present to speak on this issue:

- | | |
|---|--|
| - Joe Hooker, VRE 3, LLC | Believed the project would be a long-term asset to the community and felt the remaining issues to be worked out were minor in the scope of the entire project. |
| - Connie O'Toole, Planning Commissioner | Very concerned about rezoning 755 Bagley as it is outside the mixed-use density outlined by the Master Plan. Felt it would create a precedent for the houses on Crowell and Lovett. Asked City Commission to keep overall project side yards to 20' to separate the project from the neighborhood and make sure other developments keep the same side yards. |
| - Linda Williams, 2155 Lake Drive | Strongly opposed. Feels Bagley will look like a tunnel with no greenspace and tall buildings close to both sides of the street. Stated EGR is known for tree-lined streets and nice front lawns and that shouldn't be taken away from those in this neighborhood. Asked that it be four units instead of eight. |
| - Dennis Theisen, 2137 Lake Drive | Concerned about loss of greenspace and back yard privacy with the large rear parking lot. Also worried about dumpsters. |

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

Mr. VanSteenhuyse reported the Planning Commission had conditioned the site plan approval on the screening and placement of dumpsters at least 3' from the property line and with the proposed landscaping plan to provide trees and plantings.

2007-187-A. Barbour-Horn. That the request of VRE 3, LLC, James Canfield, Maureen & Michael Luckett and Alvin Swanberg, owners of 727, 731, 735, 739, 747 and 755 Bagley to allow a town home development with a front

yard setback of 40.0' instead of the required 58.0 be approved subject to the subsequent approval of other items relating to this development.

Commissioner Barbour spoke in favor of the proximity to the street as a way to keep the downtown urban feeling.

Commissioner Seibold felt this was an exciting project and the right place to try the townhomes concept. She urged the developer to keep the landscaping and greenspace plan exactly as it is. She noted this area needed reinvestment and felt that finding six individual property owners to fix up the street probably would not happen.

Mayor Bartman stated she understood the concerns of the neighbors but felt this was exactly what the Master Plan envisioned for this area as a way to make the downtown area attractive and draw people to live there. She stated Gaslight Village is a much nicer place than four years ago and that this project would further enhance the area.

Commissioner Morris also expressed his support for the project as the developers live in the area and understand the community.

Commissioner Yadowsky stated he had seen similar projects with varying degrees of success. He felt the design, materials, and landscaping of this project made it one of the better he had seen.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

2007-187-B. Barbour-Yadowsky. That the request of VRE 3, LLC, James Canfield, Maureen & Michael Luckett and Alvin Swanberg, owners of 727, 731, 735, 739, 747 and 755 Bagley to allow a town home development with a north side yard setback of 10.0' instead of the required 20.0 be approved subject to the subsequent approval of other items relating to this development.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

2007-187-C. Barbour-Seibold. That the request of VRE 3, LLC, James Canfield, Maureen & Michael Luckett and Alvin Swanberg, owners of 727, 731, 735, 739, 747 and 755 Bagley to allow a town home development with a south side yard setback of 10.0' instead of the required 20.0 be approved subject to the subsequent approval of other items relating to this development.

Commissioner Yadowsky stated this setback felt a bit cramped because the dumpsters would be very close to the adjacent property and may cause odor or loose trash problems. He asked what recourse the neighbors would have if there were problems. City Services Director Feldt reported there are other city codes dealing with refuse management that could be used to correct the problems. Mr. Feldt also noted city staff had preferred the one central driveway over separate north-south driveways for traffic flow and to keep the vehicles away from neighboring properties.

Commissioner Yadowsky asked about the parking lot lighting and whether provisions had been made to keep the lights out of neighboring bedrooms. Mr. VanSteenhuysen answered the perimeter lighting would point downward and was estimated at less than 2 candlepower at the property lines, which is considered very low.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

2007-187-D. Horn-Coretti. That the request of VRE 3, LLC, James Canfield, Maureen & Michael Luckett and Alvin Swanberg, owners of 727, 731, 735, 739, 747 and 755 Bagley to allow a town home development with 16 dwelling units on the .91 acre site, with 2,477.5 square feet per family unit instead of the required 4,000 square feet per family unit be approved subject to the subsequent approval of other items relating to this development.

Commissioner Horn noted that change to this area was inevitable and needed. He noted areas of Detroit and Chicago had been improved where nice townhouses had been built.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-187-E. Barbour-Coretti. That the request of VRE 3, LLC to allow eight units per building instead of the allowed four units for the Bagley Townhomes Development as required by Section 5.102(C) be approved subject to the subsequent approval of other items relating to this development..

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-187-F. Yadlowsky-Coretti. That the site plan for Bagley Avenue Townhomes Condominium Development be approved as presented including the conditions approved by the Planning Commission subject to the subsequent approval of other items relating to this development.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-187-G. Barbour-Horn. That an ordinance amendment to Section 5.190 of Title V of the City Code to rezone properties located at 755 Bagley from the A-3 Single Family Residential District to the B-1 Apartment District at the request of VRE 3, LLC be introduced as set forth in Exhibit “A” attached hereto.

Commissioner Seibold reported the Planning Commission had discussed this at length, specifically the demarcation line drawn in the Master Plan Subarea Map that shows this one property to be left as single family. Ultimately, the Planning Commission felt the Master Plan is a guide and could be interpreted and adjusted as necessary. She stated her feeling that the garage of the corner home facing Lake Drive was a sufficient buffer to make this rezoning appropriate.

Commissioner Barbour noted the owner of 755 Bagley obviously felt the sale of property to the developer would not adversely affect the neighborhood.

Mayor Bartman did not feel the house or the neighborhood benefited by leaving this one home as a single family residence. She felt this rezoning request and any future rezoning or variance requests on adjoining streets should be considered individually on the merits of the projects. She felt the character of the street had changed several years ago when the performing arts center was constructed and this development project would solidify the area once more.

Commissioner Yadlowsky felt this property could stay single family or be rezoned to be included in the project. He stated there was no compelling reason to leave this home single family and the project would benefit from the rezoning.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-188. Final Reading of an ordinance amendment to Section 5.190 of Chapter 50 of Title V of the City Code pertaining to the zoning map of the City of East Grand Rapids.

2007-188-A. Morris-Barbour. That an ordinance amendment to Section 5.190 of Chapter 50 of Title V of the City Code regarding the zoning map of the City of East Grand Rapids be adopted as set forth in Exhibit “B” attached hereto.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

2007-189. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-189-A. Receipt of communications as presented.

2007-189-B. Minutes of the regular meeting held October 15, 2007.

2007-189-C. Payroll disbursements of \$374,379.47; county and school disbursements of \$109,041.02 and total remaining disbursements of \$526,261.55.

2007-189-D. The purchase of a utility line camera for the Streets & Utilities Department from Rycom Instruments, Inc. in the amount of \$9,091.20 and a corresponding budget amendment from the Water/Sewer Fund ending balance

2007-189-E. The purchase of computer hardware and software from Precision Data Products in the amount of \$5,117.80 and from Omega Systems in the amount of \$2,881.00.

2007-189-F. The purchase of street lighting equipment from Michigan Lighting Systems, Inc. in the amount of \$13,116.00 for the Bagley/San Lu Rae/Lake Drive intersection.

2007-189-G. The timeline and meeting schedule as proposed by the City Manager for the possible changes to the Reeds Lake Blvd and Lakeside Drive area.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

The meeting adjourned at 6:56 p.m. subject to the call of the Mayor until November 19, 2007.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 5.190 rezoning the property at 755 Bagley.
B – Ordinance amendment to Section 5.190 regarding updates to the zoning map.

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 19, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Herald; City Services Director Feldt; Finance Director VanderWall; Zoning Administrator Bajdek; City Clerk Brower.

2007-190. No public comment was received.

2007-191. Commissioner Morris commended the Public Safety Department for their quick action in extinguishing a small fire in the meat department at the D&W store over the weekend.

City Manager Donovan announced that Zoning Administrator Bajdek would be leaving the City for other employment and wished him well in his new position.

Mayor Bartman invited everyone to the tree lighting ceremony in Gaslight Village on Friday evening at 6:30 pm. She noted many of the holiday decorations were already up and looked very nice.

2007-192. A zoning variance hearing was held regarding the request of Matthew & Lynne Koukios of 950 Bellclaire to allow the construction of an accessory structure creating a side yard setback of 2.1' instead of the required 3.0', a separation of 9.66' from the dwelling instead of the required 10.0', and a height of 14.5' instead of the allowable 12.0'.

Zoning Administrator Bajdek stated the garage was constructed a few inches too close to the side property line and to the home, and was taller than allowed by ordinance. He stated a survey is not normally required to obtain a building permit and the error in placement was not discovered until after the garage was built.

Matt Koukios, 950 Bellclaire, was present to introduce and answer questions about the variance request. He noted the error occurred between the original placement of the stakes and when the concrete was poured.

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

2007-192-A. Barbour-Coretti. That the request of Matthew & Lynne Koukios of 950 Bellclaire to allow the construction of an accessory structure creating a side yard setback of 2.1' instead of the required 3.0', a separation of 9.66' from the dwelling instead of the required 10.0', and a height of 14.5' instead of the allowable 12.0' be approved.

Commissioner Barbour noted the garage matched the newly remodeled home and fits in the neighborhood.

Commissioner Yadlowsky agreed the garage was well constructed. He reported the next door neighbor had contacted the applicant and the city on more than one occasion to express concern about the project being so close to the property line before having a survey of her property done to prove the garage was too close. He felt she should not have had to go to these lengths to get someone to listen to her.

Mr. Koukios responded this was not true and that it was the driveway being poured over the property line that caused his neighbor to have the survey done and that the driveway problem was corrected as soon as the property line was confirmed. City Services Director Feldt reported property line disputes are normally resolved between neighbors unless a zoning issue such as this is involved.

Mayor Bartman questioned why the height of the garage was not caught prior to construction. Mr. Feldt explained the garage was shown on the same plans as the addition to the home, but the homeowner did not know they needed a separate building permit for the garage. A permit was issued for the addition, but not for the garage until the other problems arose.

Commissioner Barbour asked the cost of an average survey. Mr. Feldt stated approximately \$400.

Commissioner Horn questioned whether a variance could be conditioned on financial reimbursement to the affected neighbor for the cost of the survey. City Attorney Huff stated that since the city had used the information determined by the survey it became material to the decision on the variance request and could be a condition.

Commissioner Seibold agreed the garage fit the home and the area. She stated the height would have been a concern if the variance had been applied for before being built. She did not feel the garage should be moved but agreed reimbursement of the survey may be appropriate.

Commissioner Yadowsky noted the next door neighbor did not want to see the garage moved either but would like to be reimbursed for the out-of-pocket expenses.

City Manager Donovan stated there have been very few issues of this sort over the years, but that homeowners risk having to change things when making improvements without a survey.

Commissioner Morris felt the city should not be involved in the repayment issue and would not support conditioning the variance.

Mayor Bartman felt it was unfair to the neighbor to have to pay for a survey to get the attention of the applicant and the city when both the driveway and the garage were constructed without proper measurement of the property lines.

2007-192-B. Yadowsky-Coretti. To amend motion 2007-192-A. to condition the approval for the variance request on the reimbursement by the applicant to the next door neighbor of actual costs paid for the property survey.

Commissioner Horn spoke against conditioning the request as it would set a precedent for future variances disputed between neighbors, tree removal or other situations. He felt the neighbor could use the survey for her own purposes when selling or improving her home and the investment would not be wasted.

Yeas: Coretti, Yadowsky, Bartman – 3
Nays: Barbour, Horn, Morris, Seibold – 4

Vote on 2007-192-A.:

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadowsky – 6
Nays: Bartman – 1

Mr. Koukios indicated he would voluntarily reimburse his neighbor for the cost of the survey.

2007-193. A zoning variance hearing was held regarding the request of Larry Shortt of 2342 Oakwood to allow the construction of a second story addition expanding and enlarging a non-conforming structure, with a front yard setback of 51.2' from the centerline of the street instead of the required 58.0', and creating a side yard setback of 6.2' instead of the required 7.0.'

Zoning Administrator Bajdek indicated the applicants would be adding a second story to parts of the home that were already non-conforming. He noted that although the elevations looked like a front porch would be added, the plans were for a minor wall-mounted detail that extended only a few inches from the front wall of the home.

Larry Shortt, 2342 Oakwood, was present to introduce and answer questions about the variance request. He stated the architectural detail of a roof over the front door was actually flat against the house and did not create a covered porch.

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

- Michael & Christina Dugan, 1337 Breton No objection.

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

2007-193-A. Coretti-Seibold. That the request of Larry Shortt of 2342 Oakwood to allow the construction of a second story addition expanding and enlarging a non-conforming structure, with a front yard setback of 51.2' from the centerline of the street instead of the required 58.0', and creating a side yard setback of 6.2' instead of the required 7.0' be approved.

Commissioner Coretti felt this would be a nice addition to the property.

Mayor Bartman noted this was a challenging property to add space and the addition would be a good improvement for the home and the neighborhood.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

Commissioner Seibold requested the lake monitoring contract be removed from the consent agenda.

2007-194. Coretti-Yadlowsky. Motion to approve the revised consent agenda as follows:

2007-194-A. Receipt of communications as presented.

2007-194-B. Minutes of the regular meeting held November 5, 2007.

2007-194-C. Payroll disbursements of \$253,867.10; county and school disbursements of \$-0- and total remaining disbursements of \$179,693.21.

2007-194-D. A resolution revising the Poverty Exemption Guidelines used by the Board of Review.

2007-194-E. A change to the Streetlighting Agreement with Consumers energy for the removal of a light fixture on Lakeside Drive at the Yacht Club.

2007-194-F. An agreement with URS for occasional traffic engineering consulting services on a time and material basis for a total not-to-exceed \$10,000.00.

2007-194-G. An agreement with County Line Nurseries and Landscaping Inc. of Hartford in the amount of \$14,545.00 for the 2007 Tree Planting Program.

2007-194-H. The preliminary minutes of the Library Commission meeting held October 8, 2007.

2007-194-I. The preliminary minutes of the Planning Commission meeting held October 9, 2007.

2007-194-J. The preliminary minutes of the Traffic Commission meeting held October 22, 2007. The City Commission took no action on the motion of the Traffic Commission to replace “no parking” signs with “no stopping standing parking” on Wealthy Street near the School House Condos.

2007-194-K. The Public Safety Department Report for September 2007.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-195. Consider request to approve an agreement for water sampling and monitoring services for Reeds Lake.

Commissioner Seibold questioned whether this company would inform us of other treatments made to the lake. Mr. Feldt noted this contract was for sampling only, but that Artemis had agreed in the past to keep the City informed of treatments performed for private homeowners.

2007-195-A. Seibold-Coretti. That an agreement with Artemis Environmental Inc. of Grand Haven to conduct water sampling and monitoring services for Reeds Lake in 2008 in the amount of \$4,460.00 be approved.

Yeas: Barbour, Coretti, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 6:36 p.m. subject to the call of the Mayor until December 3, 2007.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 3, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Graham, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

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

2007-196. No public comment was received.

2007-197. Commissioner Horn thanked Commissioner Barbour for serving on the City Commission for eight years as it had been a pleasure to work with him.

Commissioner Seibold told Commissioner Barbour she would miss his expertise on the issues, his mentoring and his friendship. Ms. Seibold also congratulated the Varsity Football Team on their State Championship win last week.

Commissioner Barbour thanked his fellow commissioners for the friendship and professionalism over the last eight years. He noted his particular appreciation for former commissioner Don Lawless, a great leader and listener, and former Mayor Judy Frey for her leadership. He congratulated Mayor Bartman on her reelection and commended her for the work she has done over the last four years as Mayor. He expressed thanks to City Manager Donovan for his integrity and leadership of the outstanding team of employees. He felt he was leaving East Grand Rapids in very good hands.

2007-198. Mayor Bartman presented gifts to retiring commissioner Barbour and thanked him on behalf of the entire community for his dedication and service to the citizens of East Grand Rapids during his eight years as City Commissioner. She thanked him for his loyalty and his willingness to help in any situation and stated he would be greatly missed.

2007-199. City Clerk Brower administered the oath of office to 1st Ward City Commissioner Bill Graham, 2nd Ward City Commissioner Bob Horn, 3rd Ward City Commissioner Richard Morris, and Mayor Bartman. Mr. Graham then took his seat on the City Commission.

Mayor Bartman reflected on the many accomplishments of the last four years and committed to working on the many issues coming before the City in the next several months and years, most notably the continued revitalization of the downtown area and the renovation of the City Services facility.

2007-200. Mark Demarest of Rehmann Robson presented the audited financial statements for the year ending June 30, 2007 and answered questions from the City Commission.

Commissioner Morris noted the City's financial status was good thanks to good recordkeeping and conservative budgeting and commended Finance Director VanderWall and City Manager Donovan for their leadership.

Mayor Bartman credited Finance Director VanderWall with the excellent financial reports and the overall good condition of the city's finances.

2007-201. Public Hearing and introduction of a planned unit development request to redevelop the property currently known as Lakewood Hills Apartments, 555 Lakeside Drive with 75 units in three buildings of five stories with a height of 47.5.'

Mayor Bartman noted the proposal to redevelop Lakewood Hills was being introduced at this meeting and discussion would take place at the next meeting.

Planning Consultant VanSteenhuysen stated the owners of Lakewood Hills wished to redevelop the 3.64-acre site in Gaslight Village. He reported the Planning Commission had considered the request and had adopted a Findings of Fact document recommending denial of the proposal because the standards contained in Section 5.139 of the City Code had not been met.

Ted Lambrecht of Lakewood Hills outlined the proposal. He stated his team did not agree with the Findings of Fact as adopted by the Planning Commission. He stated the current units were obsolete and that retrofitting them to today's standards would be difficult and costly. He noted their original plans had been modified based on input from staff and commissioners.

Dennis Johnson of Post Architects stated the current buildings were worn out and could not meet fire safety or accessibility standards and should be replaced with new buildings that meet today's safety and consumer standards. He reviewed the various evolutions of the conceptual drawings to show how the design was fitted to the area, the site and the community. Mr. Johnson stated the footprint of the new buildings would be farther from the street and would increase greenspace by 15% over the existing buildings. He noted the buildings would be at varying angles to the street to avoid a "wall effect."

Mayor Bartman opened a public hearing on this issue. No public comment was received. Mayor Bartman continued the public hearing until future meetings when this proposal would be considered in more detail.

2007-202. Consider snowplowing license for Michigan Cut Only LLC, doing business as Plow Plus, for the 2007-08 winter season.

City Manager Donovan referenced the many complaints and hearings held over the years due to problems with snowplowing contracts held by the various names used by Mr. Kevin Malarney, currently known as Plow Plus. Mr. Malarney was given a probationary license by the City Commission in 2005; however more complaints were received over the season of 2006-07. Mr. Donovan stated there is a history of non-performance of the plowing contracts, poor customer service, and even verbal abuse of customers and staff members who have tried to resolve issues. City Manager Donovan reported Plow Only had been issued a citation in October 2007 for soliciting snowplowing contracts without first obtaining a snowplowing license from the City. Mr. Malarney has since applied for the required license and the City Commission is being asked to consider it. City Manager Donovan recommended denying the license due to past problems.

Mr. Malarney was not present at the meeting and no one spoke on his behalf.

2007-202-A. Morris-Coretti. Motion to deny the issuance of a 2007-08 snowplowing license for Michigan Cut Only LLC, doing business as Plow Plus.

Commissioner Coretti stated these problems had gone on way too long and it was time to protect the citizens of East Grand Rapids from these types of business practices.

Commissioner Seibold agreed the City had been more than generous in giving probation and stated Mr. Malarney was not fulfilling his obligations to his customers.

Mayor Bartman stated the reason East Grand Rapids issues licenses is to protect residents from poor performance or being taken advantage of. She stated Mr. Malarney felt this action would negatively impact his business, but she felt the only negative impact on company's business was due to the company's own actions.

Yeas: Coretti, Graham, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-203. Coretti-Morris. Motion to approve the consent agenda as follows:

- 2007-203-A. Receipt of communications as presented.
- 2007-203-B. Minutes of the regular meeting held November 19, 2007.
- 2007-203-C. Payroll disbursements of \$188,212.98; county and school disbursements of \$64,244.98 and total remaining disbursements of \$122,727.78.
- 2007-203-D. Committee and Commission assignments for City Commissioners and other community members as requested by Mayor Bartman.
- 2007-203-E. The reappointment of Commissioner Rick Morris to the Interurban Transit Partnership Board for a two-year term ending December 31, 2009.
- Mayor Bartman thanked Commissioner Morris for keeping the City Commission informed of issues relating to this appointment.
- 2007-203-F. Bids for health care coverage with Symetra Life as the Stop Loss Carrier, Physicians Care as the PPO provider and ASR Corporation as administrators, and to fund \$1,000 in a Health Reimbursement Account for each employee and retiree, and to renew life insurance and long-term disability with National Insurance Services as recommended by the Finance Director.
- 2007-203-G. An Amendment to the License Agreement with Chevron for the placement of a soil vapor well and additional groundwater monitoring wells on Wealthy Street and in the Croswell parking lot.
- 2007-203-H. An agreement with Strain Election Company for the installation of street light equipment and appurtenances at the intersection of Lake Drive and Bagley in the amount of \$14,225.00 with a corresponding budget amendment of \$12,341.00 from the Major Street Fund for the installation.
- Yeas: Coretti, Graham, Horn, Morris, Seibold, Yadlowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 6:57 p.m. subject to the call of the Mayor until December 17, 2007.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 17, 2007

Mayor Bartman called the meeting to order at 6:00 p.m. in the Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Coretti, Graham, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Herald; City Services Director Feldt; City Clerk Brower; Captain Williams; Captain Lark; PSO Holmes; PSO Brown.

2007-204. No public comment was received.

2007-205. Mayor Bartman wished everyone Happy Holidays.

2007-206. Mayor Bartman and Public Safety Director Herald presented Life Saving Awards to PSO Troy Brown and PSO Ryan Holmes for their work reviving an 80-year-old resident in September.

2007-207. Introduction of an ordinance amendment to Section 5.156 of Chapter 50 of Title V of the City Code revising procedures for zoning escrow fees.

City Manager Donovan noted that other unpaid fees and charges can be placed as a lien on the property and asked the ordinance be amended to authorize unpaid escrow fees to be assessed to the property in question.

2007-207-A. Morris-Seibold. That an ordinance amendment to Section 5.156 of Chapter 50 of Title V of the City Code revising procedures for zoning escrow fees be introduced as set forth in Exhibit "A" attached hereto and sent to the Planning Commission for review and recommendation.

Yeas: Coretti, Graham, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-208. Consider request to approve a sidewalk encroachment permit.

City Services Director Feldt explained that Ben Harris Photography wished to place an awning the length of their property extending 21" over the city sidewalk and that staff had no objection to this request.

2007-208-A. Coretti-Yadlowsky. That a sidewalk encroachment permit be granted to Ben Harris Photography for a 21" awning on the front of the store at 2184 Wealthy.

Yeas: Coretti, Graham, Horn, Morris, Seibold, Yadlowsky and Bartman – 7

Nays: -0-

2007-209. Coretti-Seibold. Motion to approve the consent agenda as follows:

2007-209-A. Receipt of communications as presented.

2007-209-B. Minutes of the regular meeting held December 3, 2007.

Mayor Bartman noted the vote for Item 2007-203 was changed to reflect Commissioner Graham voting instead of Commissioner Barbour.

- 2007-209-C. Payroll disbursements of \$194,845.98; county and school disbursements of \$22,031.19 and total remaining disbursements of \$335,496.22.
- 2007-209-D. A resolution recognizing the East Grand Rapids Schools Foundation as a charitable organization for the purpose of conducting a raffle as set forth in Exhibit "B" attached hereto.
- 2007-209-E. A contract with Video-Tech-Tronics, Inc. in the amount of \$6,935.00 for upgrades to the electronic security system at the Public Safety Building.
- 2007-209-F. A contract with Fleis & VandenBrink Engineering in the amount of \$12,368.00 for a reliability study of the City's water distribution system and to approve a corresponding budget amendment in the Water/Sewer Fund for this study.
- 2007-209-G. The preliminary minutes of the Planning Commission meetings held November 13, 2007 and November 27, 2007.
- 2007-209-H. The preliminary minutes of the Parks & Recreation Commission meeting held November 13, 2007.
- 2007-209-I. The preliminary minutes of the Joint Facilities Committee meeting held November 14, 2007.
- 2007-209-J. The preliminary minutes of the Traffic Commission meetings held November 14, 2007 and November 26, 2007.
- 2007-209-K. The preliminary minutes of the Library Commission meeting held November 26, 2007.

Yeas: Coretti, Graham, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

- 2007-210. Seibold-Coretti. 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: Coretti, Graham, Horn, Morris, Seibold, Yadowsky and Bartman – 7
Nays: -0-

The meeting adjourned at 6:11 p.m. subject to the call of the Mayor until January 7, 2008.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 5.156 revising escrow fee procedures.
B – Resolution recognizing the East Grand Rapids Schools Foundation.

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