

Several City Commissioners expressed concern about the precedent that would be set by granting this request and about the lack of information. They also asked for information on what would be allowed as setbacks for a detached garage in the same location without the connecting covered walkway.

Commissioner Seibold stated the new garage would be an improvement to the property and was not necessarily opposed to the variance but wanted more information before making a decision.

2005-4-B. Barbour-Horn. That the request of Michael Olgren of 1042 Eastwood, to allow the construction of a new garage be tabled until the next meeting to allow the applicant to submit additional information requested by the City Commission.

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

2005-5. Yadlowsky-Coretti. Motion to approve the consent agenda as follows:

2005-5-A. Minutes of the regular meeting held December 19, 2005.

2005-5-B. Payroll disbursements of \$174,266.67; county and school disbursements of \$-0-, and total remaining disbursements of \$330,246.72.

2005-5-C. A change order to the contract with Woodland Paving, Inc. in the amount of -\$21,745.70 for construction projects completed in 2005.

2005-5-D. A contract for the 2005 Middle School Ski Club for transportation services in the amount of \$550 per bus with no "show up fee" to Dean Trailways of Michigan.

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

2005-6. The meeting adjourned at 6:28 p.m. subject to the call of the Mayor until January 16, 2006.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 16, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media 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; City Services Director Feldt; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Finance Director VanderWall; City Clerk Brower; Planning Consultant VanSteenhuyse

2005-7. Mayor Bartman advised of the following general communications received at City Hall:

- A. Letters from Wealthy Elementary Fifth Graders requesting a fudge shop and toy store be brought to Gaslight Village.
- B. Email from Marilee Fisher of 855 Lakeside concerning several unleashed dogs in her neighborhood and potential safety problems from unrestrained pets.

2005-8. No public comment was received.

2005-9. Mayor Bartman conveyed a message from Commissioner Seibold that she was called out of town and unable to attend this meeting. Mayor Bartman extended sympathy to the family of former EGR School Superintendent George Ruwitch, who died last week. She noted Mr. Ruwitch's impact on education throughout the metropolitan area. Mayor Bartman announced she would be making a presentation to the downtown Ambuc's group on Wednesday about the changes in Gaslight Village.

Mayor Bartman reported city staff and the manufacturer of the gas light fixtures in Gaslight Village are working to correct the condensation issue and to make replacement parts to fix the issue permanently. The lights should be working by mid-March with the new parts.

2005-10. Parks & Recreation Director Bunn showed pictures of the progress at the Community Center and answered questions from the City Commission. The city and library staffs are planning to move back to the complex in early August.

2005-11. A zoning variance hearing was held regarding the request of Michael Olgren of 1042 Eastwood to allow the construction of a new garage and covered walkway attaching the garage to the home creating a rear yard setback of 12'-0" instead of the required 25'-0", a side yard setback of 2'-0" instead of the required 7'-0" and a combined side yard setback of 14'6" instead of the required 18'-0."

Planning Consultant VanSteenhuyse reviewed the variance request and gave specific measurements of the current and proposed garage. It was noted the applicants had not changed their request from the prior meeting but had given more detailed information and provided elevation drawings. He also stated that if the garage were completely detached from the home, it would require a side yard variance and a height variance, instead of the side yard, combined side yard and rear yard variances currently requested.

2005-11-A. Barbour-Morris. That the request of Michael Olgren of 1042 Eastwood, to allow the construction of a new garage be taken from the table for consideration.

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

Nays: -0-

- 2005-13. Public Hearing to consider request to issue a temporary use permit for BDR, Inc. for a Parade of Homes entry at 3028 Manhattan Lane.

City Attorney Huff reviewed the provisions of the temporary use ordinance. Mayor Bartman noted the Planning Commission had reviewed and approved this permit, but that the neighboring property owners were now appealing the decision of the Planning Commission.

Kevin Einfeld of BDR Homes outlined the history of his company with the Parade of Homes and the process involved in bringing this request to the City. He noted he had kept the neighbors informed of his intentions to include the new home in the Parade of Homes and held an informational meeting to address neighbor's concerns. Mr. Einfeld presented statistics from the Home & Building Association and estimated the number of visits to this home during the Parade to be near the lower end of the spectrum because of the lack of other homes in the area.

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

- Adele Krhovsky, 605 Manhattan Road Spoke in opposition of granting the permit because of the threat to the safety and privacy of those in the neighborhood and possibility of criminals coming into their neighborhood. Stated strangers in neighborhood would not respect children and pets playing in street.
- Frank Krhovsky, 605 Manhattan Road Concerned about adding up to 3,000 cars to their cul-de-sac street over the course of the event.
- Terry Shapiro, 3150 Manhattan Lane Questioned who owned the home, the benefits the owners receive for opening their homes, and whether the home would be lived in during this time. Expressed concern about bikers/pedestrians in the surrounding streets. Suggested a shuttle service.
- Pete Canepa, 633 Manhattan Road Opposed because there is no advantage to the neighbors for allowing this. Felt there would be a disaster with traffic and safety. Already burdened with charity walks/runs and the traffic from the bike trail.
- Tom Rozema, 601 Manhattan. Opposed because this is a landlocked residential neighborhood and not a business district open to all traffic. Stated not enough people were notified or given the opportunity to express opposition.
- Rita Boyce, 3027 Manhattan Lane Asked several questions about traffic numbers, precautionary measures, increased patrols and manpower issues for the Public Safety Department.
- Jack Bush, 638 Manhattan Road. Expressed concern about allowing "WalMart" traffic through a private home, but not opposed to individual owner's decision to allow home in Parade.

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

- Petition with 65 signatures Opposed.
- Terry Shapiro, 3150 Manhattan Lane Opposed.
- William Azkoul, 3055 Manhattan Lane Appeal of Planning Commission decision.
- Lori Mann, 671 Manhattan Road Opposed.
- Robert Antonnini, 2104 Gorham In Favor.
- Greg Gilmore, owner of 550 Lakeside In Favor.

- William azkoul, 3055 Manhattan Lane Opposed.
- Rita Boyce, 3027 Manhattan Lane Opposed.
- Stephen Afendoulis, 3142 Manhattan Lane In Favor.
- Frank & Adele Krhovsky, 605 Manhattan Road Opposed.
- Marilyn Hunting, 3120 Manhattan Lane Opposed.
- Penny Bennett, 662 Manhattan Road Opposed.
- T. Rosema, 601 Manhattan Lane Opposed.
- Peter Canepa, 633 Manhattan Road Opposed.

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

Mr. Einfeld answered questions regarding the ownership of the property and spoke about the methods used by builders to control and direct traffic to and from Parade homes.

2005-13-A. Barbour-Coretti. That a temporary use permit requested by BDR, Inc. for a Parade of Homes entry at 3028 Manhattan Lane for the time period May 26 – June 10, 2006 be granted as requested.

Commissioner Barbour spoke about the need to balance a potential nuisance of increased traffic, parking, congestion and pedestrian safety on one street with the potential benefit to the community. He suggested the neighbors work to find a way to work with the builder to allow the Parade home while minimizing the impact on the neighborhood. Mr. Barbour stated that although there was a possibility for criminal activity, he did not feel this was the primary reason for concern with this parade home.

Commissioner Yadlowsky stated he would be voting against the permit because of the overwhelming response from the neighborhood.

Commissioner Horn expressed his support for the Parade of Homes event and the opportunity to showcase the craftsmen involved, but felt this was a burden on the surrounding neighborhood in this instance.

Commissioner Coretti welcomed the Parade to other areas of the city, but was not comfortable approving a home in this location.

Commissioner Morris suggested limiting parking to one side of the street—preferably the side with the sidewalk—to help with traffic issues. He felt the number of cars that would be visiting this area would not be overwhelming or problematic and that the Public Safety Department could handle any minor issues that may arise.

Mayor Bartman stated this event was an opportunity to showcase East Grand Rapids neighborhoods, people, homes and businesses to those in the surrounding communities. She felt a Parade home in any area of the city would be an issue to those who lived immediately surrounding it, and that this location was not unique for that reason. She noted a Parade home in May 2005 on Bonnell did not produce any major traffic issues or complaints from the neighbors. She agreed that parking should be restricted to one side of the street to assist with vehicular traffic, but felt this was a positive event for the community.

Yeas: Morris and Bartman – 2

Nays: Barbour, Coretti, Horn, and Yadlowsky – 4

2005-14. Doug Vredevelde of Rehman Robson presented the audited financial statements for the year ended June 30, 2005 and answered questions from the City Commission. He commended the City's conservative budgeting and ending fund balances. He noted the City had issued \$13 million in bonds during 2005—well under the legal limit of \$59 million.

City Commissioners thanked City Manager Donovan and Finance Director VanderWall for their careful

management of the City's finances and their diligence in making tax dollars go as far as possible. Mayor Bartman also thanked the management team and the entire staff for their efforts.

Commissioner Morris suggested to Mayor Bartman that a Cadence column highlighting the City's sound financial position and several of the funds that make up the financial infrastructure.

2005-15. Adoption of an ordinance amendment to Chapter 23 of Title II of the City Code concerning sewer use and regulations.

Assistant City Attorney Wood reviewed the changes needed for the sewer use ordinance and changes that had been made following the distribution to the City Commission last week. She recommended an emergency adoption of the revised ordinance amendment because of pending changes to State law.

2005-15-A. Barbour-Morris. That an ordinance amendment to Chapter 23 of title II of the City Code concerning sewer use and regulations be adopted as set forth in Exhibit "A" attached hereto with an effective date of January 16, 2006.

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

2005-16. Barbour-Coretti. Motion to approve the consent agenda as follows:

2005-16-A. Minutes of the regular meeting held January 3, 2006.

2005-16-B. Payroll disbursements of \$167,212.07; county and school disbursements of \$1,206,679.07, and total remaining disbursements of \$398,820.90.

2005-16-C. The preliminary minutes of the Traffic Commission meeting held November 28, 2005.

2005-16-D. The preliminary minutes of the Parks & Recreation Commission meeting held December 12, 2005.

2005-16-E. The preliminary minutes of the Planning Commission meeting held December 13, 2005.

2005-16-F. The Public Safety Department Report for the month of November 2005.

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

2005-17. The meeting adjourned at 7:53 p.m. subject to the call of the Mayor until February 6, 2006.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Chapter 23 of title II concerning sewer use 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 February 6, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media 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 Services Director Feldt; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Finance Director VanderWall; City Clerk Brower

2005-18. Mayor Bartman advised of the following communications received at City Hall concerning the City Commission's decision to deny a temporary use permit for a Parade of Homes entry:

Polly Hewitt, 2807 Pioneer Club
Kent Williamson, 525 Gladstone
John Scott, 3000 Bonnell
Alice Apol, 2519 Lake Drive
Jerry Schaefer, 2807 Pioneer Club
BDR, Inc., 5510 Cascade Road
Marilyn & Bill Lundquist, 2222 Wilshire
David Luby
Wallson Knack, 1935 San Lu Rae
Jack Shimko, 1051 Santa Cruz
Sally Scripps, 1601 Alexander
Mrs. Strong
Donald Lawless, 2539 Albert
Pat Roy, 1012 Pinecrest
Tom & Glynis Miller, 1753 Asbury
Irene & Joe Walker, 2706 Hall
Kathy Muir, 2764 Pioneer Club
Scott Kautzmann, 2113 Wealthy

2005-19. John Schwartz, 2790 Winesap NE, introduced himself as the External Affairs Director SBC and offered his assistance with any future projects the city may have.

2005-20. Commissioner Coretti thanked the 3rd graders at Lakeside Elementary for their hospitality during her recent visit to their school to discuss local government.

2005-21. Parks & Recreation Director Bunn and Public Safety Director Gallagher presented lifesaving awards to Brandon Converse and Matt Meiresonne for their actions on Thursday, December 22, 2005 that resulted in saving the life of Nathan Ford at the High School Pool.

2005-22. Horn-Coretti. Motion to approve the consent agenda as follows:

2005-22-A. Minutes of the regular meeting held January 16, 2006.

2005-22-B. Payroll disbursements of \$154,459.47; county and school disbursements of \$-0-, and total remaining disbursements of \$904,487.97.

2005-22-C. The financial reports for the quarter ending December 31, 2005.

2005-22-D. The appointment of Thomas Stankewicz of 1453 Woodcliff Drive to the Planning Commission for a multi-year term ending June 30, 2008.

2005-22-E. The application for Community Development Block Grant Funds to be used for handicap curb ramps in City sidewalks.

2005-22-F. Change orders to the contract with Eastlund Concrete in the amount of \$186,906.40 for the Gaslight Village Streetscape project.

2005-22-G. A contract with Advanced Communications Cabling, Inc. for communications cabling for the Community Center in the amount of \$36,605.00 plus contingencies of \$3,395.00 for a total of \$40,000.00.

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

Nays: -0-

2005-23. The meeting adjourned at 6:10 p.m. subject to the call of the Mayor until February 20, 2006.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 20, 2006

President Barbour called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Coretti, Horn, Seibold and Yadowsky

Absent: Commissioner Morris and Mayor Bartman

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

2005-24. President Barbour advised of the following communications received at City Hall:

- A. Letter from Julia de Jonge of 948 Floral St SE concerning the decision of the City Commission to deny a temporary use permit for a Parade of Homes entry.
- B. Letter from Gerald Foy of Grand Rapids concerning underage drinking.

2005-25. Joanne Voorhees, candidate for the State senate seat, was present to introduce herself to the City Commission.

Jim Koetje, candidate for the State senate seat, was present to speak to the City Commission about his candidacy in the upcoming election.

2005-26. There were no reports from the City Commissioners.

2005-27. Introduction of an ordinance amendment to repeal Chapter 24A of Title II of the City Code pertaining to industrial wastewater control.

City Manager Donovan and City Attorney Huff reported the recent adoption of a comprehensive storm and sanitary sewer ordinance had rendered this section of the ordinance obsolete and recommended it be repealed.

2005-27-A. Yadowsky-Seibold. That an ordinance amendment to repeal Chapter 24A of the City Code pertaining to industrial wastewater control be introduced as set forth in Exhibit "A" attached hereto.

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

2005-28. Seibold-Coretti. Motion to approve the consent agenda as follows:

2005-28-A. Minutes of the regular meeting held February 6, 2006.

2005-28-B. Payroll disbursements of \$166,416.32; county and school disbursements of \$93,418.50, and total remaining disbursements of \$761,516.01.

2005-28-C. The request from staff to authorize final design and solicitation of bids for the proposed project list for 2006 construction projects.

2005-28-D. The preliminary minutes of the Parks & Recreation Commission held January 9, 2006.

2005-28-E. The preliminary minutes of the Planning Commission meeting held January 10, 2006.

2005-28-F. The preliminary minutes of the Traffic Commission meeting held January 23, 2006.

2005-28-G. The Public Safety Department report for the month of December 2005.

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

Nays: -0-

2005-29. The meeting adjourned at 6:07 p.m. subject to the call of the Mayor until March 6, 2006.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to repeal Chapter 24A concerning industrial wastewater control.

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 6, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media Center and led the audience in the Pledge of Allegiance.

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

Absent: Commissioner Barbour

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation director Bunn; Finance Director VanderWall, City Services Director Feldt, Public Safety Director Gallagher, City Clerk Brower; Planning Consultant VanSteenhuyse

- 2005-30. Mayor Bartman made a special presentation to City Manager Donovan for his vision and dedication of the Gaslight Village Streetscape project. She unveiled a bronze plaque that will be placed on the business district entrance sign at Lakeside Drive and Wealthy Street to honor Mr. Donovan's contributions to the renovated streets, sidewalks, lighting and decorative amenities.
- 2005-31. Mayor Bartman advised of the following communications received at City Hall:
- A. Letter from Jeff Wilcox, 1430 Pinecrest, regarding the property tax assessment notice he recently received and the City's review process.
- 2005-32. No other public comment was received.
- 2005-33. Commissioner Seibold thanked resident John Woome of 3132 Southshire for taking the time to read and pass along information regarding a planned expansion at Calvin College that was near the East Grand Rapids border.
- Commissioner Yadlowsky thanked Rose's Restaurant for the Ice Tee Golf Tournament over the weekend that raised money for several local charities.
- Mayor Bartman extended sympathy to Commissioner Barbour and his family on the passing of his mother, Elizabeth Barbour, on Friday, March 3rd. She noted Commissioner Barbour was not present because of the funeral earlier today.
- Mayor Bartman invited everyone to the first March Madness fundraiser for the East Grand Rapids Community Foundation on March 11th from 6-9 pm at Heroes Restaurant.
- 2005-34. A zoning variance hearing was held regarding the request of Thomas Adloff of 2459 Elmwood to allow the construction of an attached garage creating a side yard setback of 3'-0" instead of the required 7'-0."
- Planning Consultant VanSteenhuyse reviewed the variance request and noted that the two-story garage addition would now be attached to the home and would be located slightly further from the lot line than the existing detached garage.
- Tom Adloff, 2459 Elmwood, was present to introduce and answer questions about the variance request.
- The following people were present and expressed their opinions concerning this variance request:
- Nelson McBride, 2501 Elmwood Concerned about the water runoff from the larger addition.

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

- Armen & Kim Kassouni, 2454 Elmwood No objection.

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

2005-34-A. Yadlowsky-Coretti. That the request of Thomas Adloff of 2459 Elmwood to allow the construction of an attached garage creating a side yard setback of 3'-0" instead of the required 7'-0" be approved.

Commissioner Seibold questioned the setbacks of the existing garage, the setback requirements for attached vs. detached garages and the side of the old and new garages. She expressed concern about a two-story wall along the property line and noted the lot was large enough to support other options that would not require a variance.

Commissioner Morris noted that many other homes in the area had similar situations.

Commissioner Yadlowsky stated his concern that the addition would be two stories along the property lines and that a detached garage would be limited to one story. He stated neighbors may not object in this instance, but granting this variance would set a precedent for others that may not share the same cooperation from neighbors.

City Manager Donovan noted that many similar variance requests had been presented to the City Commission in recent years and the second story was usually a concern to commissioners and neighbors.

Mayor Bartman observed that the current detached garage was closer to the property line than the proposed garage and this block of Elmwood had very few detached garages. She felt the proposed addition fit the character of the neighborhood. She supported the efforts of residents to remodel their homes to suit their needs instead of moving out of the area.

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

2005-35. Consider request to approve the division of land located at 546 Greenwood.

Planning Consultant VanSteenhuyse reported the property owners had requested the relocation of the lot line to include an existing curb cut for a driveway. He noted both properties would remain in compliance with applicable zoning ordinances.

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

2005-35-A. Morris-Coretti. That the request of Diane Lange and Richard Siersma, owners of 546 Greenwood and 2130 Barnard, to move the existing north end property line 12'6" west to include an existing driveway approach for 2130 Barnard (Lot B) and move the south end boundary 3'-6" east for a distance of 35'-0" and the remainder of the boundary 6" to the east 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.

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

2005-36. Final Reading of an ordinance amendment to repeal Chapter 24A of Title II of the City Code pertaining to industrial wastewater control.

2005-36-A. Morris-Seibold. That an ordinance amendment to repeal Chapter 24A of the City Code pertaining to industrial wastewater control be adopted as set forth in Exhibit "A" attached hereto.

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

- 2005-37. City Commissioners decided to reschedule the regular City Commission meeting of April 3, 2006 to March 27, 2006 at 6:00 p.m. in the Media Center Conference Room at the EGR High School.
- 2005-38. Coretti-Seibold. Motion to approve the consent agenda as follows:
- 2005-38-A. Minutes of the regular meeting held February 20, 2006.
- 2005-38-B. Payroll disbursements of \$161,197.28; county and school disbursements of \$710,389.06, and total remaining disbursements of \$234,227.24.
- 2005-38-C. The appointment of Rick Merpi of 617 Plymouth Road to the Parks & Recreation Commission to fill the remainder of vacant term ending June 30, 2006..
- 2005-38-D. A policy for the replacement of lead water services as follows:
- “When requested by property owners, the City will waive established tap fees (currently \$400.00 for a 1-inch diameter service) if the property owner wishes to upgrade and replace existing lead water service lines. In doing so, the property owner shall remain responsible for contracting for the necessary excavation, backfill, street restoration and inspection fee for the same.” Effective March 6, 2006.*
- 2005-38-E. The purchase of two administrative vehicles for the Public Safety Department from Berger Chevrolet of Grand Rapids for a total cost of \$35,208.00.
- 2005-38-F. The purchase of a truck chassis for the Streets & Utilities Department from Gorno Ford of Woodhaven, Michigan in the amount of \$26,232.00.
- 2005-38-G. A proposal of \$6,844.20 from Pipeline Services of Jenison, Michigan to televise sewers for 2006 projects.
- 2005-38-H. A three-year contract with Thornapple Lawn Care in the amount of \$169,371.00 for fiscal years 2006-07 through 2008-09 for grounds maintenance services for city and school properties.
- 2005-38-I. A change order in the amount of \$43,500.00 to the contract with MC Smith & Associates for architectural services provided on the Gaslight Village Streetscape project.
- Yeas: Coretti, Horn, Morris, Seibold, Yadowsky and Bartman – 6
Nays: -0-
- 2005-39. The meeting adjourned at 6:42 p.m. subject to the call of the Mayor until March 20, 2006.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to repeal Chapter 24A concerning industrial wastewater control.

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 20, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media 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 Sluggett; City Manager Donovan; Parks & Recreation Director Bunn; City Services Director Feldt, Public Safety Director Gallagher, City Assessor Mesik; City Clerk Brower.

2005-40. Mayor Bartman advised of the following communications received at City Hall:

- A. Email from Patrick McCarthy of 2721 Albert Drive regarding the progress of the Gaslight Village and City Hall construction projects.
- B. Email from Scott Richardson, 2646 Manor, objecting to the new traffic light at Wealthy and Lakeside.

2005-41. No other public comment was received.

2005-42. Commissioner Yadlowsky thanked residents Patsy Dodgson, Paul Howland, Sam Helmrick and John Scott for their service on the Board of Review over the past few weeks. He noted these residents put in long hours and made difficult decisions regarding taxpayer appeals of their assessments.

City Manager Donovan announced the packets for the rescheduled meeting of March 27, 2006 would be delivered on Thursday, March 23rd.

Mayor Bartman noted the Irish Jig race on March 18th was well organized and appreciated by those participated. She noted the article in the March 19th Grand Rapids Press concerning the upcoming Summit on Racism and the achievements of the Public Safety Department in holding the Nothing To Hide forum last year. Mayor Bartman also applauded those hardy citizens who participated in the Polar Plunge on February 19th to benefit Special Olympics by jumping into Reeds Lake and thanked Lt. Charles Lark for coordinating this event.

2005-43. A zoning variance hearing was held regarding the request of Don Konecki of 1044 Santa Barbara to allow the construction of an addition to the front of the home creating a front yard setback of 60'-0" instead of the required 63'-0" required.

Mayor Bartman reported there is another section of the City's ordinance that addresses front yard setbacks that was apparently not reviewed prior to the report on this variance request. She suggested that the City Commission hold the required public hearing and then postpone a decision on this matter until the City Attorney can further review this ordinance.

Doretta Konecki, 1044 Santa Barbara, was present to introduce and answer questions about the variance request.

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

Commissioner Barbour asked for more information on the floor plan of the proposed addition. Commissioner Seibold requested an explanation of the location chosen for the addition and whether any other locations were considered.

2005-43-A.Horn-Seibold. That the request of Don Konecki of 1044 Santa Barbara to allow the construction of an addition to the front of the home be tabled until the meeting of March 27, 2006 to allow staff to research applicable ordinances.

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

2005-44. Barbour-Horn. Motion to approve the consent agenda as follows:

2005-44-A.Minutes of the regular meeting held March 6, 2006.

2005-44-B.Payroll disbursements of \$160,669.83; county and school disbursements of \$15,652.69, and total remaining disbursements of \$646,981.17.

2005-44-C.An agreement with Paul and Ann Gregory of 3040 Reeds Lake Blvd for the placement of a sanitary sewer forcemain from the property to the city's sewer system as set forth in Exhibit "A" attached hereto.

2005-44-D.The preliminary minutes of the Joint Facilities Committee meeting held February 8, 2006.

2005-44-E. The preliminary minutes of the Planning Commission meeting held February 14, 2006.

2005-44-F. The preliminary minutes of the Traffic Commission meeting held February 27, 2006.

2005-44-G.The Public Safety Department Report for the month of January 2006.

2005-44-H.A report from Public Safety Director Gallagher on the Special Olympics Polar Plunge on February 19, 2006.

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

2005-45. City Manager Donovan presented the 2006 Goals & Objectives prepared by City staff. Department Directors highlighted major goals of their departments and answered questions from the City Commissioners.

2005-46. Barbour-Horn. Motion to enter into an executive session for a performance evaluation at the request of City Manager Donovan in accordance with Section 8(a) of the Open Meetings Act. A roll call vote was taken.

2005-47. The meeting adjourned at 6:56 p.m. subject to the call of the Mayor until March 27, 2006.

Karen K. Brower, City Clerk

Attachments: A – Agreement for sanitary sewer forcemain at 3040 Reeds Lake Blvd.

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 27, 2006

Mayor Bartman called the meeting to order at 5:57 p.m. in the Conference Room at the High School Media Center.

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

Absent: Commissioner Seibold

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

2005-48. Mayor Bartman advised there were no communications received at City Hall.

2005-49. No other public comment was received.

2005-50. Commissioner Morris reported the East Grand Rapids Community Foundation had raised \$10,000 from its March Madness event on March 11th.

Mayor Bartman thanked the Third Grade classes from Wealthy Elementary for their hospitality earlier in the day when she visited their school to talk about local government.

2005-51. Zoning variance request of Don Konecki of 1044 Santa Barbara to allow the construction of an addition to the front of the home creating a front yard setback of 60'-0" instead of the required 63'-0" required.

2005-51-A. Horn-Barbour. That the request of Don Konecki of 1044 Santa Barbara to allow the construction of an addition to the front of the home be taken from the table for consideration.

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

City Services Director Feldt explained the ordinance provisions of Section 5.82 for the measurement of all front yard setbacks in a block and stated that because only one home was closer to the street than the required setback, Section 5.82 did not apply to the addition proposed by Mr. and Mrs. Konecki. Therefore, the variance request should be considered as originally proposed. Mr. Feldt also noted the applicants were planning a 2'0" roof overhang, meaning that 1'0" of the variance requested is for the additional foot of the overhang.

2005-51-B. Yadlowsky-Coretti. That the request of Don Konecki of 1044 Santa Barbara to allow the construction of an addition to the front of the home be approved.

Commissioner Barbour noted the past practice of the City Commission has been to consider front yard setbacks very carefully. He also observed that the desire to make homes "barrier free" may have future implications with side yard setback variance requests.

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

2005-52. Coretti-Horn. Motion to approve the consent agenda as follows:

2005-52-A. Minutes of the regular meeting held March 20, 2006.

2005-52-B. Payroll disbursements of \$177,886.24; county and school disbursements of \$-0-, and total remaining disbursements of \$658,662.78.

2005-52-C. A contract with Bouma Brothers Sales and Service of Wyoming to replace four overhead doors and openers at the Streets & Utilities Department materials storage building for a total of \$11,350.00.

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

2005-53. The meeting adjourned at 6:09 p.m. subject to the call of the Mayor until April 17, 2006.

Karen K. Brower, City Clerk

UNOFFICIAL
Reference Only

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held April 17, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media Center and led the audience in the Pledge of Allegiance.

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

Absent: Commissioner Coretti and Morris

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

2005-54. Mayor Bartman advised there were no communications received at City Hall.

2005-55. No other public comment was received.

2005-56. Mayor Bartman announced the M.S. Walk would take place on Saturday, April 22nd at 8:30 am. She also distributed an article from the Detroit Free Press regarding several municipalities considering a public safety department as a cost saving measure.

2005-57. Barbour-Horn. Motion to add to the agenda a request to adopt an emergency ordinance amendment regarding the treatment of aquatic weeds. A roll call vote was taken.

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

Nays: -0-

2005-58. Dr. Rob Deane and Tolly Stiffler, both East Grand Rapids residents, presented information on behalf of the Kent County Senior Millage Campaign that will be voted on in August 2006 containing a renewal and an increase of the existing millage.

2005-59. Dan Small of Artemis Environmental was present to review the 2005 Reeds Lake Sampling and Monitoring Report. He discussed several physical and chemical parameters that were measured. He noted the purple loosestrife plants had been reduced following a release of beetles several years ago. He also reported the storm water sampling showed no major chemical contamination and levels were within expected ranges for the size of the lakes and the urban environment.

Commissioner Seibold suggested forming a citizen committee to monitor the lake environment and to educate the public on ways to preserve the area. She noted that high school students may be particularly interested in community service projects relating to the lakes.

2005-60. Zoning variance request of James & Christie Eerdmans of 1043 San Juan to allow the construction of an accessory structure to the rear of the garage creating a rear yard setback of 7' instead of the required 3'-0."

Planning Consultant VanSteenhuysen explained the addition had already been constructed on the rear of the garage prior to the applicant requesting the variance. He reported that subsequent site visits had revealed that the building overhang and concrete slab for the addition are actually encroaching on the neighboring property.

City Attorney Huff reported that the City Commission has the authority to grant a zoning variance within the applicant's own property but did not have the authority to approve an encroachment on another property.

2005-62. Mayor Bartman announced the streetlights had been withdrawn from the consent agenda for further research.

2005-63. Seibold-Barbour. Motion to approve the consent agenda as follows:

2005-63-A. Minutes of the regular meeting held March 27, 2006.

2005-63-B. Payroll disbursements of \$160,474.11; county and school disbursements of \$-0-, and total remaining disbursements of \$878,942.92.

2005-63-C. The purchase of monthly T-1 data services from Trivalent Group in the amount of \$450.00 per month for three years for data and internet services.

2005-63-D. A contract for the Lakeside Drive Streetscape project with Apex Contractors of Dorr, Michigan in the amount of \$155,072.50 and project contingencies of \$7,754.00 for a total of \$162,825.50.

City Manager Donovan reviewed the plans for the Lakeside Drive streetscape improvements that were being done in conjunction with the Community Center remodeling project and answered questions from the City Commission. He will provide additional information on the proposed bus shelter and review the agreement regarding the mural painted by high school students on the north side of Lakeside Drive in 2003.

2005-63-E. A contract for improvements to the John Collins Park boat launch with quantum Construction in the amount of \$34,875.00 and a corresponding budget amendment from the General Fund Ending Balance to the Parks & Recreation Capital Account.

Parks & Recreation Director Bunn stated the boat launch would be closed from April 24th through May 12th for the construction. This would avoid major crew team events and allow completion prior to busy summer months.

2005-63-F. The preliminary minutes of the Library Commission meeting held January 23, 2006 were received.

2005-63-G. The preliminary minutes of the Library Commission meeting held March 27, 2006 were received.

2005-63-H. The preliminary minutes of the Parks & Recreation Commission meeting held March 13, 2006 were received.

2005-63-I. The preliminary minutes of the Planning Commission meeting held March 14, 2006 were received.

2005-63-J. The Public Safety Department Report for the month of February 2006 was received.

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

Nays: -0-

2005-64. The meeting adjourned at 7:18 p.m. subject to the call of the Mayor until May 1, 2006.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to add Chapter 33 concerning chemical treatment of aquatic weeds.

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 1, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media Center. Fifth graders from Breton Downs Elementary led the audience in the Pledge of Allegiance and sang the Preamble to the Constitution.

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

Absent: None

Also Present: City Attorney Huff; Finance Director VanderWall; Public Safety Director Gallagher; Parks & Recreation Director Bunn; City Services Director Feldt; Planning Consultant O'Donnell; City Clerk Brower.

2005-65. Mayor Bartman advised of the following communications received at City Hall:

A. Letter from Mark Stoddard regarding parking in and around the downtown area.

2005-66. No other public comment was received.

2005-67. Commissioner Coretti thanked the Breton 5th grade classes for their hospitality earlier in the day when she visited their classroom.

Mayor Bartman noted the mention of the EGR Public Safety Department in a recent booklet by the GRACE organization regarding efforts to eradicate racism. She commended the Public Safety Department for their efforts and their representation of East Grand Rapids.

2005-68. Public Hearing on request to rezone a portion of the property known as 2755 Hall Street from A-1 Residential District to A-2 Residential District.

Planning Consultant O'Donnell outlined the request to rezone portions of this single parcel to facilitate a lot split and future new home construction. She explained the City ordinance requirements for the A-1 and A-2 zoning districts and the available square footage in each proposed lot.

City Attorney Huff reported that a protest petition had been received from an adjoining property owner thereby triggering the provisions of Section MCL 125.584 requiring a super-majority decision on this issue.

Mayor Bartman opened a public hearing.

Steve Blazekovic, representing the owner, and Christin Blazekovic, owner of the property, presented sketches, pictures and other information regarding the parcel and their plans to build a single-family home on the vacant parcel following the rezoning of the northern and eastern sections. They compared the home to others in the area and answered questions from the City Commission.

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

- | | |
|--------------------------------|--|
| - Kathy Hunter, 2820 Hall | Opposed because of backyard privacy and drainage issues. |
| - John Bergstrom, 2816 Hall | Concerned about exacerbating existing drainage problems with the construction of another home. |
| - Andrew Howard, 606 Greenwood | Spoke in support; reasonable request; runoff can be controlled. |
| - Rick Westgate, 2755 Hall | Supported the request in order to clean up the vacant lot. |

Commissioner Yadlowsky expressed sympathy for the situation and wished the requested could be granted but felt this was too much for the area.

Commissioner Morris supported rezoning because two conforming lots exist if the home were placed differently.

Yeas: Morris – 1

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

2005-69. Consider request to establish dates for public hearings.

2005-69-A.Horn-Seibold. That June 5, 2006 be established as the date for hearings on delinquent accounts and on the proposed budget for FY 2006-07.

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

Nays: -0-

2005-70. Mayor Bartman reported the Lakeside Drive streetlights had been withdrawn from the agenda.

2005-71. Seibold-Morris. Motion to approve the consent agenda as follows:

2005-71-A.Minutes of the regular meeting held April 17, 2006.

2005-71-B.Payroll disbursements of \$159,235.41; county and school disbursements of \$-0-, and total remaining disbursements of \$131,971.42.

2005-71-C.An easement agreement with Jade Pig Ventures for improvements relating to the Gaslight Village Streetscape.

City Services Director Feldt explained the snowmelt system installed during the streetscape project had included a small strip of property from the public right-of-way to the front wall of the buildings under construction by Jade Pig. An easement agreement had been drafted to allow the City to maintain this small area.

2005-71-D.Budget transfers of \$156,400 from the General Fund Designated Fund Balance and \$35,000 from the Water/Sewer Fund Balance to the Municipal Complex Capital Projects Fund.

2005-71-E. Financial reports for the quarter ending March 31, 2006.

2005-71-F. A contract with Echo Lighting/Robert C. Shaver Co. in the amount of \$40,776.00 for street lighting equipment for the Lakeside Drive Streetscape project.

2005-71-G.The purchase of t-shirts for programs and events from Kel Graphics of Cadillac in the amount of \$21,554.00.

2005-71-H.A contract for the annual 4th of July fireworks in the amount of \$15,000 from Wolverine Fireworks Display.

2005-71-I. A contract with OMM Engineering in the amount of \$46,793.00, and an additional \$2,339.00 for contingencies, for engineering services for the Lake Drive reconstruction project; and a related budget amendment of \$12,132 from the Major Street Fund Balance to this account.

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

Nays: -0-

2005-72. The meeting adjourned at 6:52 p.m. subject to the call of the Mayor until May 15, 2006.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 15, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media Center. Ms. Lloyd's 5th grade class from Breton Elementary led the audience in the Pledge of Allegiance and sang the preamble to the Constitution.

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

Absent: Commissioner Morris

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

2005-73. Mayor Bartman advised of the following communications received at City Hall:

- A. Thank you note from City Services Director Feldt for the flowers sent to his father's funeral recently.
- B. Email from the Kent County Elections Director congratulating East Grand Rapids on their voter turnout in the May 3rd election.
- C. Email from Terry Szpieg, EGR High School Art Teacher, thanking Mayor Bartman for the opportunity to attend the unveiling of the new sculptures along Wealthy Street.

2005-74. No other public comment was received.

2005-75. Commissioner Barbour noted the significant pieces of art installed by Jade Pig Ventures for their new development along Wealthy Street and thanked them for enhancing the area with these sculptures.

Commissioner Coretti welcomed the 5th graders to the City Commission meeting and thanked them for allowing her to speak to their class.

Mayor Bartman reported that Police Officer Memorial ceremonies were held earlier in the day to honor police officers who have died in the line of duty. She reminded everyone that East Grand Rapids Public Safety Officer Bruce VanPopering died in July 1994 following a traffic accident while directing traffic after the 4th of July celebration. She noted that EGR officers are working on a memorial for PSO VanPopering that will be discussed in the future.

Mayor Bartman announced that Public Safety Director Gallagher would be retiring in the Fall and commended him for his many contributions to the community. She also commented on the artwork recently installed in Gaslight Village and the voter turnout in East Grand Rapids on May 2nd.

2005-76. Mayor Bartman requested that the purchase of gas lamps be added to the agenda.

2005-76-A. Barbour-Coretti. Motion to add to the agenda the consideration of a request to approve the purchase and installation of new gas light fixtures for the Gaslight Village Streetscape project. A roll call vote was taken.

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

Nays: -0-

Mayor Bartman noted the published agenda contained an error. The applicant was requesting 72 units instead of the permitted 40 units—not 51 permitted units as stated.

2005-77. A zoning variance hearing was held regarding the request of Lambrecht Associates, owners of Lakewood Hills Apartments to permit the replacement of existing apartment buildings at 555 Lakeside Drive with three new buildings containing 72 units instead of the 40 units permitted by ordinance, and six stories and 65'-0" instead of the 2 stories and 35'-0" feet permitted.

Planning Consultant VanSteenhuysen reviewed the variance request and stated the applicant is requesting two variances for height and density to replace the existing buildings with three new taller buildings with more units. He summarized the site plan, location of driveways, and surface and below-ground parking. He noted the Planning Commission would also have to approve the number of units per building.

Ted Lambrecht of Lambrecht Associates, owners of the apartment complex, introduced those who would be speaking regarding the variance request.

Dennis Johnson of Post Associates Architects outlined the history of the apartment complex from the 1960s and noted the outstanding amenities provided in the units of any constructed in that era. He stated a year ago a fire had damaged several units and started a planning study of the entire site to determine the best way to repair/rebuild the damaged units and to meet the needs of the residents. His firm recommended the units be torn down and rebuilt as larger apartments.

Paul Fontaine of JJR Planning of Ann Arbor reviewed the purpose of urban planning and outlined the "core area" formed by Lakeside, Wealthy and Lovett containing the apartment complex, condominium site, and the properties now under construction by Jade Pig Ventures. He noted the architecture of surrounding properties and residential neighborhoods in East Grand Rapids were used to determine a look and feel for the proposed new buildings. He also noted trends for future development, including energy efficient design and technology requirements.

Mr. Post noted several aspects of the current buildings which did not meet modern standards, such as bathrooms, hallways, flat roofs, lack of washers/dryers, detached carports, fire protection/alarm systems, technology wiring, and the overall size of the living spaces. He briefly reviewed the architecture of the new buildings, the types of materials that may be used, and the efforts to minimize the effect on neighboring properties by lowering the building height on the north and south property lines.

Eric Starck of Rhoades McKee, attorney for the owners, read his May 15, 2006 response letter to City Attorney Huff's letter of May 12, 2006 concerning several issues and statements relating to the variance application materials (copies of both letters are available at the City Clerk's office). Mr. Starck argued all statements contained in their variance application and subsequent additional materials were based on public documents and transcripts of meetings. He reiterated points in his letter that Section 5.164(a)2 provided for relief from any practical difficulty formed by the adjoining property. He asked the City Commission to focus on the impact of approved uses for the Jade Pig property on the Lakewood Hills property, regardless of how those uses were approved. He stated his offense at City Attorney Huff's May 12th letter that he felt questioned the credibility of the entire application by referring to several "mischaracterizations." He distributed copies of two deeds from the adjacent Jade Pig property which are technically under separate legal ownership to support his contention that the "Ramona" parcel is separate from the "Jacobson's" property as stated in the application materials. Mr. Starck also distributed several other documents and reviewed the contents of each as he outlined the standards contained in the City's zoning ordinance.

Mr. Starck stated the Lakewood Hills complex met the "uniqueness" requirement because it was impacted by the pending development on the adjoining property as there were two six-story buildings along their property line while there was only one six-story building close to the condominium property—the only other nearby property in the B-1 district affected by the new development. He also stated the impact of the new development was not created by the apartment owner, thereby satisfying the second standard that the need for a variance is not created by the applicant.

Mr. Starck addressed the third standard regarding detriment to other properties by stating planning standards will determine whether the new buildings will blend with the surroundings. He then reviewed discussions from recent Planning Commission meetings regarding possible height limits in the Master Plan update currently being drafted that were not ultimately included in the final draft. He stated the Planning Commission suggested

height requests should come through variance requests instead of including requirements and/or exceptions in the Master Plan. Mr. Starck read statements from a 2004 memo from the City's planning consultant regarding a "cone effect" of lowering building heights outward from the tallest point of the Jade Pig project, and outlined several other parts of the Planning Commission's debate over height requirements that he felt supported increased heights.

Mr. Starck cited several portions and statistics from a traffic study performed by URS Corporation regarding the ability of surrounding streets and infrastructure to support significantly more traffic than the Jade Pig project would create and stated Lakewood Hills' plans for more units would clearly not overburden Lakeside Drive or the intersections in the area. He stated the new traffic signal at Lakeside Drive and Wealthy had further increased the vehicular capacity in the area since the study was performed. He further stated the new buildings at Lakewood Hills would meet the spirit and intent of the ordinance.

Mr. Starck concluded additional height is appropriate in this area based on all documentation submitted to date and the proposal meeting all three standards of the zoning ordinance.

Mayor Bartman opened the public hearing. The following people were present and expressed their opinions concerning this variance request:

- | | |
|-----------------------------------|--|
| - Robert Swain, 514 Lakeside | Felt City should allow long-standing taxpayer in the community the opportunity to expand. |
| - Karl Mead, 1147 Pinecrest | Supported because other development had been approved. Suggested additional height be allowed on Wealthy to attract others willing to invest. Felt new buildings would be a huge improvement over existing unattractive buildings. |
| - Norm Keller, 559 Lakeside | Supported because would offer additional choices for EGR residents. Liked umbrella effect of reducing height gradually around Jade Pig project. |
| - Scott Wierda, Jade Pig Ventures | Supported reinvestment by Lakewood Hills owners but felt standards in zoning ordinance were not met with current proposal. Stated the proposed buildings would block views of buildings being constructed on his property that have been approved by voters. |
| - Don Markham, 540 Gladstone | Supported Lakewood Hills project. Felt City should treat Lakewood the same as Jade Pig. |

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

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|--|--|
| - Norm Keller, 559 Lakeside (phone call) | Supported variance request. |
| - Jack Shimko, 1051 Santa Cruz street. | Opposed due to high density of proposal and height along street. |

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

Planning Consultant VanSteenhuysen refuted several of the points made by Mr. Starck. He stated although the adjoining parcel had been rezoned and approved as a Planned Unit Development, this proposal could not be evaluated by the same conditions. He noted State law and City ordinances have regulations and standards for variance applications. He then reviewed each standard from the City Code and his evaluation of the merits of the proposal and arguments from the applicant, noting that the standards were not met.

Mr. VanSteenhuysen stated the applicant had not convincingly proven uniqueness in the effects of the buildings being planned by Jade Pig. He agreed Lakewood Hills did not cause any impact created by the Jade Pig project, but felt the impact was not a factor. Mr. VanSteenhuysen addressed the quotes from his earlier memos regarding the "cone effect" by stating his role as a planning consultant was to research conditions and history of the area,

review public input for opinions, and offer options to the Planning Commission. He stated the “cone effect” was one of many suggestions offered that were discussed and ultimately not adopted by the Planning Commission.

Mr. VanSteenhuysen addressed the arguments in Mr. Starck’s letter of May 15th concerning the specific provisions of Section 5.164(A)2 by noting the zoning ordinance did not contain the word “proper” in relation to requiring a variance and pertains only to the conditions under which the Board of Zoning Appeals may consider a variance request. He also reiterated that Section 5.138, as cited in Mr. Starck’s letter, pertained only to appeals of Planned Unit Development applications.

City Attorney Huff noted the technical differences between the standards of the ordinance for a variance request and a request to rezone a property from one designation to another. He stated his interpretation of Section 5.138 as referring to an individual property within a PUD seeking a variance—not a property adjacent to a PUD.

Mr. Huff advised the City Commission that variance requests are typically viewed with the intention to grant the least relief necessary from the ordinance when the Commission determines a variance is in order. He also cautioned the interpretation of some statements from the Planning Commission as presented without the entire discussion being considered or authentication from those quoted.

Commissioner Yadlowsky questioned whether meetings with staff members or site visits would provide any additional insight or materials needed for considering this request. City Attorney Huff replied he and other city staff members had held meetings with the applicant and representatives, and had answered numerous questions in correspondence and in phone calls. He noted there were multiple ways to proceed with this complex issue; however staff had submitted the request to the Commission to decide on the variance issue before proceeding with other intensive reviews and processes.

Mr. Yadlowsky requested further determination and explanation on the argument the Lakewood Hills property was uniquely affected by the Jade Pig project. Mr. VanSteenhuysen stated the only other property zoned B-1 in this immediate area was the Lakeshore Club condominiums, which shared the same property line and proximity to the Jade Pig project. He felt the impact would certainly be significant on the condominium property. Mr. VanSteenhuysen also questioned the applicant’s assumption the condominium property would not be affected by the proposed project when also arguing that Lakewood Hills was adversely affected by the tall buildings on the Jade Pig property. Mr. Yadlowsky noted the Lakewood Hills project would be tapered down on the north and south ends toward the neighbors. Mr. VanSteenhuysen replied the bulk and massing of the project would still be visible from any location on the condo property.

Mayor Bartman questioned whether the effect of Lakewood Hills proposed project could be considered on the approved yet unbuilt buildings on the adjacent property. City Attorney Huff gave the opinion that it could because the zoning standards allow the Commission to consider impact on adjoining properties and the applicant was relying on those buildings to support his request.

Commissioner Yadlowsky questioned how this could be considered when the Jade Pig buildings weren’t yet built. Mr. Huff stated the location, stories, materials and landscaping for Phase 2 of the Jade Pig project had been approved by the City Commission; however the portions that had not yet received site plan approval did not have to be considered. Mr. Yadlowsky inquired whether anyone had a right to views of Reeds Lake and if this could be quantified and considered in the decision. Mr. VanSteenhuysen noted an impact could be considered with regard to the expected use of a property—similar to what the BZA has considered with other properties—and could be mitigated by various factors.

2005-77-A. Barbour-Coretti. That the request of Lambrecht Associates, owners of Lakewood Hills Apartments to permit the replacement of existing apartment buildings at 555 Lakeside Drive with three new buildings containing 72 units instead of the 40 units permitted by ordinance, and six stories and 65’-0” instead of the 2 stories and 35’-0” feet permitted be approved.

Commissioner Seibold summarized the discussions of the Planning Commission regarding the Master Plan process and clarified that conversations regarding tiers had always considered the three-dimensional effect of reducing height along the street as well as at each end, with no solid wall along the street. She noted she did not

support the height along the entire length of Lakeside Drive with tapering only at the ends. Ms. Seibold also cautioned the interpretation of transcripts when the context and tone of voice could not be heard. She also noted that the “wait and see” approach taken by the Planning Commission was a long-term—perhaps five year—strategy to allow the construction of the Jade Pig development and to gauge the impact on the entire community before making modifications to the Master Plan or ordinances.

Commissioner Barbour stated his difficulty in gauging any perceived impact on Lakewood Hills from buildings that were not yet constructed. He also reminded everyone that allowing additional height on the Jade Pig project was the result of a two-year, multi-phase process that exchanged the height for many other benefits.

Commissioner Horn remarked on the 200% relief requested by the applicant over what the ordinance allows. He also reiterated his thoughts on considering this request according to the clear standards outlined in the City Code, which he did not believe the applicant had met.

Commissioner Yadlowsky stated he was uncomfortable making a decision with the limited information available and suggested tabling the issue to gather more information such as in other requests.

Commissioner Barbour noted the applicant was not restricted from using his property with its current zoning requirements and could make improvements to the property without a variance. He stated he did not feel the three standards had been met. He noted the Planning Commission is recommending no increase in height for this property in their final draft of the Master Plan—no matter what discussions took place early on in the process.

Commissioner Yadlowsky reiterated his desire for more time to consider the request and review relevant information.

Commissioner Barbour and Seibold spoke of their appreciation for proposed investment and commitment to the community contained in the Lakewood Hills proposal. Both commissioners welcomed changes and updating but felt the six-story height was not warranted.

Mayor Bartman stated the variance request did not, in her opinion, meet the standards given for a variance. She felt the uniqueness was shared by other properties and this project would be detrimental to the condominium property and the upcoming Jade Pig project. She noted the perceived practical difficulty argument was not proven when the property is currently being used as zoned and enjoyed a spectacular location overlooking Reeds Lake. Ms. Bartman stated all owners addressed updating their properties at one time or another but not all requested variances to the excessive extent contained in this request.

Commissioner Barbour agreed additional time may be needed to consider this request or to quantify reasons for denying the request. He made clear that even if denied, the applicant could return with a request that was substantially different from this one.

2005-77-B. Barbour-Horn. That the request of Lambrecht Associates, owners of Lakewood Hills Apartments to allow increased height and density at 555 Lakeside Drive be tabled until the next meeting, and staff be directed to prepare a “Findings of Fact” document stating that the standards for granting a variance had not been met.

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

2005-78. Discussion of July 3rd City Commission meeting.

Mayor Bartman noted there is a meeting scheduled for Monday, July 3rd, but with the holiday on Tuesday, July 4th the Commission may want to consider rescheduling. The consensus was to hold the meeting on Friday, June 30th with the Finance Committee. Mayor Bartman will follow-up on this issue with everyone after they’ve had a chance to check their calendars.

2005-79. Consider request to approve the purchase of gas lamps and accessories for the Gaslight Village streetscape project.

Mayor Bartman explained the gas lamps purchased and installed last year for the streetscape project had experienced numerous problems during the winter and were not able to be modified to the City's satisfaction. After researching other companies, a replacement had been selected from a different company. She thanked the original manufacturing company for attempting to fix the problems and for refunding the purchase price.

2005-79-A. Coretti-Horn. To approve the purchase and installation of 66 gas lamps and mechanical systems from Gas and Electrical Architectural Lighting at a cost of \$66,528.00 for the Gaslight Village Streetscape project.

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

2005-80. Coretti-Barbour. Motion to approve the consent agenda as follows:

2005-80-A. Minutes of the regular meeting held May 1, 2006.

2005-80-B. Payroll disbursements of \$147,663.86; county and school disbursements of \$-0-, and total remaining disbursements of \$309,120.22.

2005-80-C. Rejection of the low bid and a contract to Architectural Area Lighting in the amount of \$57,551.00 for ornamental streetlights for the Lakeside Drive Streetscape project.

2005-80-D. The adoption of the following policy regarding contingency fees for professional services for City project:

“When seeking approval to contract for professional services for City projects, contingencies of up to 10% of the established construction contingency budget will be included to cover any change in project scope as needed to fulfill the project.”

2005-80-E. A contract with Rieth-Riley Paving Company of Grand Rapids in the amount of \$411,306.20 for road and sewer construction projects; additional contingencies of \$20,565.31, and budget transfers of \$23,067.14 from the Water/Sewer Fund Balance and \$22,392.43 from the Local Street Fund Balance for these projects.

2005-80-F. Upgrades to the Lake Drive and Plymouth Road traffic signals performed by the City of Grand Rapids in the amount of \$50,532.42; and a related budget amendment of \$15,532.42 from the Major Street Fund Balance.

2005-80-G. An agreement with the Michigan Department of Transportation for the reconstruction of Lake Drive and authorization for the Mayor and City Clerk to sign the agreement on behalf of the City.

2005-80-H. An amendment to the architectural services agreement with Cox Mendendorp & Olson Architects in the amount of \$64,640.00 for work performed on the Community Center project.

2005-80-I. The preliminary minutes of the Planning Commission meeting held April 11, 2006.

2005-80-J. The preliminary minutes of the Parks & Recreation Commission meeting held April 11, 2006

2005-80-K. The preliminary minutes of the Library Commission meeting held April 12, 2006.

2005-80-L. The Public Safety Department Report for March 2006.

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

2005-81. The meeting adjourned at 8:25 p.m. subject to the call of the Mayor until June 5, 2006.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 5, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media 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; Finance Director VanderWall; Safety Director Gallagher; City Services Director Feldt; Parks & Recreation Bunn; Planning Consultant VanSteenhuysen; City Clerk Brower.

2005-82. Mayor Bartman advised of the following communications received at City Hall:

A. Note from James Taber, 2700 Maplewood, urging enforcement of yard waste regulations.

2005-83. No other public comment was received.

2005-84. Mayor Bartman announced the LaSalle Bank Reeds Lake Run would take place on June 24th and thanked the Parks & Recreation Department for putting on this wonderful event. Mayor Bartman reported she attended the dedication of a new "healing garden" at the Blodgett hospital campus earlier in the day and noted the hospital's recent improvements and commitment to the East Grand Rapids area.

2005-85. Zoning variance request of Lambrecht Associates, owners of Lakewood Hills Apartments to permit the replacement of existing apartment buildings at 555 Lakeside with three new buildings containing 72 units instead of the 40 units permitted by ordinance, and six stories and 65'-0" instead of the 2 stories and 35'-0" feet permitted.

2005-85-A. Barbour-Seibold. Motion to take from the table the request of Lambrecht Associates, owners of Lakewood Hills Apartments, to allow height and density variances to permit the replacement of existing apartment buildings at 555 Lakeside Drive.

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

Nays: -0-

Mayor Bartman asked for any further public comment on this issue. The following comments were made:

- Don Lawless, 2539 Albert

Urged the City Commission to focus on the legislative history and special circumstances under which the Jade Pig project was approved, including the mixed-use nature of the project, the renovation of distressed sites and the placement of the tallest structures in the center of the property away from the street. He stated the City Commission had clearly differentiated the Jade Pig project and are not bound by that approval when considering the Lakewood Hills request.

Mayor Bartman advised of the following communications received at City Hall since the last meeting:

- Robert H. Swain, 514 Lakeside Drive

In Favor.

- John L. Wiese, 2311 Wealthy, #14

In Favor.

- John Levings, 864 Bellclaire

In Favor.

Mayor Bartman noted the extensive legal correspondence received over the last several days and stated it would not be inappropriate to table this matter if anyone wished to review the information further.

City Attorney Huff reviewed the correspondence received from the applicant's attorneys and addressed each point in the letters. Mr. Huff again noted the distinction between the Lakewood Hills variance request process and the Planned Unit Development process used to approve the Jade Pig project, including several City Code references referred to by the applicant. Mr. Huff also reviewed several changes to the "Findings of Fact" from the first draft.

Commissioner Barbour stated his regret that the variance request from Lakewood Hills, one of the key properties in the center of the city, had been discussed with contention and the obvious intention of legal proceedings if denied. He stated his concern about the full height of the proposed buildings along the street and sidewalk instead of further into the center of the site. He questioned the support of this proposal from many of the residents that were opposed to the Jade Pig project.

Commissioner Morris noted it was the responsibility of the City Commission to work with applicants on minor variances to the ordinance requirements, but he felt this request was too extreme. He stated he could not support this request, but would look forward to a revised plan in the future.

Commissioner Seibold stated the Lakewood Hills property was not zoned for, and could not support, this type of development. She stated her support for many of the proposed improvements such as elevators, technology upgrades and others, but felt these could be done without increasing the height or overburdening the site and urged the owners to find a way to complete these improvements.

Commissioner Yadowsky stated he also felt the contention surrounding this request made finding common ground difficult and hoped a compromise could be found. He noted the buildings were too high and too close to the street for him to support. He suggested forming a subcommittee to work with the applicant.

Commissioner Horn reiterated the variance procedure and the excessive nature of this request. He felt the hardship standard was not met with this request.

Commissioner Coretti voiced her opposition to this request because of the extreme height and density.

Commissioner Barbour hoped the residents of the City understood the significant differences between the Jade Pig application process which took 18 months and the request submitted by Lakewood Hills.

Mayor Bartman offered to meet with the property owners to work on a revised proposal. She noted the difficulty in addressing situations involving major property redevelopments and the limited options available to local governments in addressing circumstances such as the crisis surrounding the closing of Jacobson's a few years ago. She stated that Jade Pig Ventures had presented a comprehensive proposal backed by experience that had resulted in an exceptional new series of buildings along Wealthy Street with pedestrian access and community parking. With the significant improvements in Gaslight Village over the last year, she felt the "hardship" and "practical difficulty" arguments were not valid, especially considering the spectacular views from the east side of the property. She noted the safety and accessibility improvements proposed by the applicant could be accomplished without additional height. She also noted that approving the variance requested by Lakewood Hills would jeopardize the Jade Pig project that had been ratified by the voters of East Grand Rapids. She stated that she did not feel any of the standards outlined in the City Code had been met to justify granting the request.

Vote on 2006-77-A: *Barbour-Coretti. That the request of Lambrecht Associates, owners of Lakewood Hills Apartments, to permit the replacement of existing apartment buildings at 555 Lakeside Drive with three new buildings containing 72 units instead of the 40 units permitted by ordinance, and six stories and 65'-0" instead of the 2 stories and 35'-0" feet permitted be approved.*

Yeas: -0-

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

2005-85-B. Horn-Coretti. That a resolution denying the variance requests of Lambrecht Associates, owners of Lakewood Hills Apartments, be adopted as set forth in Exhibit "A" attached hereto.

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

Nays: -0-

2005-86. The meeting recessed at 6:48 pm for a break. Commissioner Coretti departed. The meeting resumed at 6:56 pm.

2005-87. A zoning variance hearing was held regarding the request of John and Cindy Morris of 2230 Argentina to allow the construction of an addition to the home continuing the non-conforming side yard setback of 5'-7" and to allow a separation of 6'-6" from the detached garage instead of the required 10'-0."

Planning Consultant VanSteenhuysen reviewed the request for an 11' x 8' one-story addition to the rear of the home. He noted a prior variance for a two-story addition was only partially completed and that a second story was now being constructed on this prior addition.

John Morris, 2230 Argentina, was present to introduce and answer questions about the variance request.

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

2005-87-A.Seibold-Horn. That the request of John and Cindy Morris of 2230 Argentina to allow the construction of an addition to the home continuing the non-conforming side yard setback of 5'-7" and to allow a separation of 6'-6" from the detached garage instead of the required 10'-0" be approved.

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

Nays: -0-

2005-88. A Public Hearing was held on the special assessment roll of delinquent accounts for placement on the July 1, 2006 tax roll.

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

2005-88-A.Horn-Seibold. That the special assessment roll of delinquent accounts totaling \$31,778.00 be certified and that these accounts be placed on the July 1, 2006 tax roll.

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

Nays: -0-

2005-89. A public hearing was held pertaining to the General Fund budget and the property tax levy for Fiscal Year 2006-2007. No public comment was received.

2005-90. Introduction of an ordinance amendment to add Section 5.34 of Chapter 50 of Title V of the City Code pertaining to the final land grade for new homes.

City Attorney Huff noted recent concerns about two-story homes constructed on lots that had been artificially built up or with foundations exposed for daylight windows. He outlined the proposed provisions to require topographical surveys for new houses and the variance procedure for anything greater than an 18" change of grade.

2005-91. Seibold-Yadlowsky. That an ordinance amendment to add Section 5.34 of Chapter 50 of Title V of the City Code pertaining to the final land grade for new homes be introduced as set forth in Exhibit "B" attached hereto, and a public hearing be scheduled for Monday, June 19, 2006 for this issue.

Commissioner Morris felt the ordinance requirements were unnecessary and would create problems.

Commissioner Seibold reported on the discussions of the Planning Commission regarding this issue. She noted that several developers were opposed to the additional cost involved in providing surveys. She noted there were situations such as a high water table that may result in the need for a variance and those would be handled on an individual basis through the variance process.

Mayor Bartman and Commissioner Barbour looked forward to receiving input at the scheduled public hearing.

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

Nays: -0-

Mayor Bartman asked City Attorney Huff and Planning Consultant VanSteenhuyse to research possible ordinance amendments that would define lot size based on the larger of average size in an existing neighborhood or zoning requirements for future consideration by the City Commission.

2005-92. Mayor Bartman noted the facility rental policies were being withdrawn from the consent agenda for separate consideration.

2005-93. Consider request to adopt facility rental policies and rates for the new Community Center.

City Manager Donovan noted the Finance Committee has suggested the security deposit for rentals involving alcoholic beverages be set at \$250.00 instead of the proposed \$500.00.

2005-93-A. Seibold-Morris. To approve the facility rental policies and adopt rental rates for the new Community Center as set forth in Exhibit "C" attached hereto.

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

Nays: -0-

2005-94. Horn-Yadlowsky. Motion to approve the consent agenda as follows:

2005-94-A. Minutes of the regular meeting held May 15, 2006.

2005-94-B. Payroll disbursements of \$163,796.87; county and school disbursements of \$-0-, and total remaining disbursements of \$1,082,232.55.

2005-94-C. Purchase of backup/disaster recovery hardware and software from Trivalent Group in the amount of \$4,960.00.

2005-94-D. Purchase of computer equipment for the Community Center Commission Chambers in the amount of \$10,561.85 from Precision Data and Trivalent Group.

2005-94-E. Purchase of an outdoor message board from Valley City Sign at a cost of \$22,881.00 with a corresponding change order with Triangle Construction for the masonry base in the amount of \$16,647.00 for this item.

2005-94-F. Approval of landscaping for the city water tower site from Rooks Landscaping in the amount of \$5,948.40.

2005-94-G. Three-year contract with Big Chipper company for the disposal of yard waste materials at a cost of \$5.00 per yard for loose materials and \$3.00 per yard for chipped brush.

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

Nays: -0-

2005-95. Presentation of draft Master Plan Subarea Plan Update.

Planning Consultant VanSteenhuyse reported the current Comprehensive Master Plan was developed in 1999 and included separate "subarea" plans for Gaslight Village and the Blodgett Hospital campus. Since that time, significant changes have occurred in Gaslight Village prompting the Planning Commission to update the Gaslight Village subarea plan. He stated the purpose of the Master Plan is to forecast future trends, preserve the history and character, and spell out preferred changes when necessary. The Planning Commission has spent the last several months researching possibilities and taking input from the public before presenting the draft. He reviewed the proposed changes to Chapter 3, Chapter 6 and the subarea plan map. He noted the amendments to the Master Plan may necessitate future ordinance changes to facilitate the proposed actions. He suggested the City Commission discuss and debate the proposals, send any recommended changes back to the Planning Commission, and then proceed with the review and public input provisions to adopt the revised Master Plan.

Mayor Bartman thanked Mr. VanSteenhuysen, his staff, and the members of the Planning Commission for their extensive work on this project.

2005-96. A budget worksession was held to address final questions for the FY 2006-07 fiscal year.

The City Commission discussed several outstanding items from previous worksessions:

Sidewalk Program Funding Amount – The Commission requested additional inventory and forecasting programs be instituted over the next several months to provide more comprehensive information for next year's budget process. Funding was left at \$75,000.

Bike Patrol for Winter Months – The City Commission approved a one-year trial of these additional hours at a cost of \$11,860.00.

Part-time Clerk for Parks & Recreation – In light of the increased traffic anticipated with the opening of the community center, the City Commission approved a one-year trial of this part-time position at a cost of \$9,000.00.

Joint Facilities Budget – A motion was made by Commissioner Seibold and supported by Commissioner Horn to approve the Joint Facilities Budget for FY 2006-07 and the City's contribution of \$60,000 for this joint program. The motion passed unanimously.

2005-97. Seibold-Yadlowsky. Motion to suspend the regular meeting at 8:03 p.m.

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

Nays: -0-

2005-98. The meeting reconvened at 8:05 p.m.

2005-99. Barbour-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, Horn, Morris, Seibold, Yadlowsky and Bartman – 6

Nays: -0-

2005-100. The meeting adjourned at 8:06 p.m. to conduct the executive session. The meeting resumed at 8:22 p.m. following the executive session.

2005-101. Consider request to approve a collective bargaining agreement with the POLC Command Unit.

2005-101-A. Horn-Seibold. Motion to approve a three-year agreement commencing July 1, 2006 with a 3% wage increase each year added to the existing contract provisions.

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

Nays: -0-

The meeting adjourned at 8:23 p.m. subject to the call of the Mayor until June 19, 2006.

Karen K. Brower, City Clerk

Attachments: A – Resolution denying variance requests of Lakewood Hills Apartments
B – Ordinance amendment adding Section 5.34 regarding final lot grades.
C – Rental policies and fees for Community Center.

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 5, 2006

The meeting was called to order by Mayor Bartman at 8:03 p.m. in the Media Center Conference Room at the East Grand Rapids High School.

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

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; Safety Director Gallagher; City Services Director Feldt; Planning Consultant VanSteenhuysen; City Clerk Brower.

2005-102. Consider request to adopt a resolution adopting the FY 2006-07 budget and setting a millage rate for FY 2006-07.

2005-102-A. Horn-Seibold. That a resolution adopting the FY 2006-07 as amended during the budget worksession and setting millage rate for FY 2006-07 be adopted as set forth in Exhibit "A" attached hereto.

Mayor Bartman thanked the staff members for their work on the budget and their constant monitoring of the budget all year long.

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

Nays: -0-

2005-103. Consider request to adopt a resolution establishing water/sewer rates for FY 2006-07.

2005-103-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, Morris, Seibold, Yadlowsky and Bartman – 6

Nays: -0-

2005-104. The special meeting was adjourned at 8:05 p.m.

Karen K. Brower, City Clerk

Attachments: A - Resolution adopting FY 2006-07 budget.

B – Resolution establishing water/sewer rates for FY 2006-07.

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 19, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Conference Room at the High School Media 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 Sluggett; City Manager Donovan; Finance Director VanderWall; Safety Director Gallagher; City Services Director Feldt; Parks & Recreation Bunn; Planning Consultant VanSteenhuysen; City Clerk Brower.

2005-105. Mayor Bartman advised of the following communications received at City Hall:

- A. Emails from John Levings, 864 Bellclaire, regarding recent events surrounding Lakewood Hills Apartments and the Jade Pig project.
- B. Letter from Gail Madura, 2429 Hall, thanking City staff for their assistance coordinating the Reeds Lake Art Fair.
- C. Card from Dr. James Morse, Superintendent of Schools, thanking the City for the keepsake given at his retirement party.
- D. Letter from Pat Mulhall, 2530 Hall, commending Chief Gallagher on his many years of service and recommending Deputy Chief Herald as the new Chief of Public Safety.

2005-106. No other public comment was received.

2005-107. Commissioner Barbour noted the progress of the new Community Center and looked forward to the grand opening soon.

Commissioner Seibold thanked the City staff for their behind the scenes work with the Reeds Lake Art Festival and all the work involved in getting ready and cleaning up for such a large event.

City Manager Donovan reported the city staff had completed the placement of insecticide tablets to control mosquitos. He asked that homeowners watch for standing water on their property to assist the city in their efforts to minimize the mosquito population and the spread of the West Nile virus.

Mayor Bartman reported she had spent the day in Lansing at the Girls State event that encourages young women to become involved in government.

Mayor Bartman proposed a discussion and possible moratorium on land divisions to allow the City Commission to explore methods of reviewing and approving lot split requests. She noted there were several neighborhoods that may be affected negatively by a large number of land divisions and new homes being built. The commission discussed the advantages and disadvantages of a moratorium and/or new ordinances. The issue will be placed on the July 17th agenda for further discussion.

2005-108. Consider request to approve the division of land at 935 Cambridge.

Planning Consultant VanSteenhuysen explained the request to deed a portion of the large lot to the property to the north. This would void the earlier lot split that created a buildable lot on the north portion of this address.

David Samrick, 915 Cambridge, was present to explain the request and answer questions from the City Commission.

Mayor Bartman opened a public hearing. The following people were present to speak on this issue:

- Neil Cogrove, 905 Cambridge

In Favor.

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

2005-108-A. Yadowsky-Coretti. That the request of Austin Koss of 935 Cambridge, to deed the north 70'-0", listed as Parcel "D" on the supplied survey, to the property at 915 Cambridge 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.

Commissioner Seibold thanked the neighbors for working out this great solution.

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

2005-109. A Public Hearing was held regarding an ordinance amendment to Section 5.34 to Chapter 50 of Title V of the City Code pertaining to the final land grade for new homes

City Manager Donovan explained the new ordinance would require topographical surveys before and after building a new home to avoid drastic changes to the lot grade that create situations within neighborhoods where new houses tower over the older homes. He noted the surveys would also assist with drainage review.

The following people were present concerning this matter:

- Eugene Williams, 2143 Lansing
Questioned whether this ordinance would address issues about landfill areas where possibly harmful substances were buried. City Manager Donovan noted this ordinance would not address underground issues.
- Don Lawless, 2539 Albert
Noted the few problems experienced were with the height of the structures, not the types of homes or aesthetic concerns. He stated the majority of redevelopment projects were being done tastefully and in keeping with surrounding lots; however there were a small number of examples of homes built without regard to neighboring homes and where the lot grade had been manipulated to add daylight windows. Mr. Lawless noted there had always been height limitations in the zoning ordinance and this ordinance would provide additional tools to ensure the height limits were being met.
- Bob Kirchgessner, 1900 El Dorado
Not sure about the exact concerns being addressed. Questioned enforcement and added cost. Felt the builders were not doing anything wrong on purpose and the city should work with each builder instead of regulating with ordinance.
- Diane Lange, 2150 Lansing
Opposed because she felt this ordinance would not solve the problem. She stated drainage is addressed by other laws and the cost for this survey is unnecessary. Questioned how the city would regulate property owners who bring in fill before applying for the permit and having the survey done after the dirt has been brought in. Felt cost was prohibitive. Suggested requiring an affidavit from the builder about the lot grade.
- Rita Boyce, 3027 Manhattan Lane
Questioned what adjoining property owners could do about drainage being directed over their property. City Manager Donovan advised there were other ordinances that could be used to address these issues.
- Mary Thompson, 3131 Manhattan Lane
Felt drainage was the key issue.

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

2005-109-A. Barbour-Coretti. That an ordinance amendment to Section 5.34 to Chapter 50 of Title V of the City Code pertaining to the final land grade for new homes be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Barbour noted that both those in favor and opposed to the ordinance acknowledged there have been problems, but differ on the solution. Mr. Barbour suggested there is a need for provisions regarding a one-story home that does not approach the 35-foot limit but still raises the grade of the property. He questioned whether the variance process was the appropriate vehicle for reviewing these requests since the "act of the applicant" standard is clearly not met when the grade changes because of a new home. He also agreed that the foundation walls being raised out of the ground to allow for daylight windows was one of the major factors with this issue.

Commissioner Morris questioned how the grade is measured. City Services Director Feldt answered the grade is measured as the proposed finished grade at the front entrance to the home.

Mayor Bartman questioned whether the lot could be raised over time or prior to conducting the survey and applying for the building permit. Mr. Feldt replied that this could happen and was not addressed by the proposed ordinance.

Commissioner Seibold reported on the Planning Commission's discussions on this issue. She noted the Planning Commission had not realized dirt could be brought in over time thus avoiding the ordinance. She stated the proposed ordinance is the result of many months of research, public input, and resident frustration. She felt the ordinance was a good beginning point that could be modified over time as needed.

Commissioner Yadowsky questioned whether the ordinance could be worded to allow for an average or percentage range of variance in relation to surrounding structures that may be acceptable to neighbors.

Commissioner Morris felt the ordinance may create problem or not solve the real issue—that neighbors don't want a new home built next to them and would be opposed no matter what the city regulations control. He also noted that the rear grade level could be changed to allow for a walkout without changing the front grade where the city measures.

Commissioner Coretti felt the ordinance was a good start and allowed for both administrative and commission review. She appreciated the process where residents could voice their concerns to the City Commission.

Commissioner Barbour questioned whether the wording could be adjusted to allow for some type of future technology in place of a topographical survey. Staff felt the ordinance could be changed at that time.

Commissioner Horn felt the additional time and effort involved in the topographical surveys would be a burden to those builders who were conscientious. He also felt the issue of raised grades would become a more prevalent problem over time and the added cost of the surveys was a cost of doing business.

Commissioner Seibold noted the estimated \$800 survey cost was a very small portion of the average new home built in East Grand Rapids.

Commissioner Yadowsky questioned the use of an affidavit as suggested by Ms. Lange. City Services Director Feldt replied an affidavit could be incomplete, use different starting points, or rely on third-party measurements that may not be accurate or relevant.

Commissioners Barbour and Coretti withdrew their motion and support to adopt this ordinance.

2005-109-B. Coretti-Morris. That the ordinance amendment to add Section 5.34 to Chapter 50 of Title V of the City Code pertaining to the final land grade for new homes be referred to the Planning Commission for further review, including the issues of one-story homes, foundation walls out of the earth, and pre-filling lots prior to application for a permit.

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

2005-110. Consider request to release draft of Master Plan update to reviewing agencies.

Mayor Bartman asked commissioners for their thoughts and suggestions regarding the draft of the Sub area Plan Update.

Commissioner Yadlowsky suggested the City may want to further define an action plan for the “mixed-use/mixed-density” areas addressed in Chapter 3. He noted that owners of non-conforming lots sometimes face difficulty in financing or renovations. He favored spelling out the plans for alleviating some of these issues within the bulleted lists. Mr. VanSteenhuysen felt the action plan was implicit, but agreed it could be spelled out to underscore the importance of this issue.

Mayor Bartman felt the school district should be added as a key partner in the list of entities that should be involved in planning decisions relating to Gaslight Village. She also pointed out inconsistencies between height stipulations for the multi-family district between Chapter 3 and chapter 6 and suggested these be revised.

It was suggested “these requirements” in bullet #5 on page 2 of Chapter 3 be better defined.

After discussion, it was agreed that the comments above should be conveyed to the Planning Commission for minor wording changes following the review period. These revisions can be incorporated with other comments suggested by the reviewing agencies before making a final presentation to the City Commission this fall.

2005-111. Morris-Coretti. To approve the first draft of the Comprehensive Master Plan Sub area Plan Update and release the draft to reviewing agencies for comment.

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

2005-112. Coretti-Barbour. Motion to approve the consent agenda as follows:

2005-112-A. Minutes of the regular and special meetings held June 5, 2006.

2005-112-B. Payroll disbursements of \$171,504.64; county and school disbursements of \$703.68, and total remaining disbursements of \$616,582.47.

2005-112-C. Purchase of a computer network switch from Precision Data in the amount of \$2,817.50.

2005-112-D. A loan from the MERF Fund to the Municipal Complex Capital Project Fund of up to \$500,000.00 to cover outstanding private-party pledges for the new building until funds are received from these donors.

2005-112-E. An easement agreement with AT&T for the placement of fiber optic cable and equipment within the water tower site at 1745 Woodlawn as set forth in Exhibit “B” attached hereto.

2005-112-F. A wage adjustment for non-union employees of 3% for the fiscal year beginning July 1, 2006.

2005-112-G. A contract extension with G.E.T. Concrete Construction in the amount of \$75,000.00 for sidewalk replacement during the summer of 2006.

2005-112-H. Improvements to the HVAC system controls at the Public Safety Building at a cost of \$34,000.00 and a related fund transfer from the general fund ending balance to the Community Center Capital Project Fund.

2005-112-I. Appointments to advisory boards for FY 2006-07 as follows:

Planning Commission

William Graham, 2830 Cascade
Richard VanderZyden, 727 Plymouth
Kimberly Hughes, 910 Pinecrest

Three-year terms ending 6/30/09

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 6/30/07
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 6/30/07
Board of Review	Patsy Dodgson, 1045 Conlon Sam Helmrick, 984 Gladstone Paul Howland, 2809 Woodcliff Circle John Scott, 3000 Bonnell	One-year terms ending 6/30/07
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 6/30/07
Construction Board of Appeals	Nick Nicola, 2721 Darby	Two-year terms ending 6/30/08

2005-112-J. The preliminary minutes of the Joint Facilities Committee meeting held May 10, 2006.

2005-112-K. The Public Safety Department Report for April 2006.

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

2005-113. Seibold-Coretti. Motion to add to the agenda an executive session to discuss a collective bargaining agreement and pending litigation in accordance with Sections 8(c) and 8(e) of the Open Meetings Act and a request to approve a contract with the Public Safety Officers Union. A roll call vote was taken.

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

2005-114. Barbour-Seibold. Motion to enter into an executive session to discuss a collective bargaining agreement and pending litigation in accordance with Sections 8(c) and 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-

2005-115. The meeting adjourned at 7:34 p.m. to conduct the executive session. The meeting resumed at 8:38 p.m. following the executive session.

2005-116. Consider request to approve a collective bargaining agreement with the Public Safety Officers Union.

2005-116-A. Barbour-Horn. Motion to approve a three-year agreement commencing July 1, 2006 with a 3% wage increase each year added to the existing contract provisions.

City Manager Donovan and Commissioner Bartman thanked the members of the Public Safety Officers Union for their cooperation in working out this agreement.

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

The meeting adjourned at 8:39 p.m. subject to the call of the Mayor until June 30, 2006.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment adding Section 5.34 regarding final lot grades.
B – Easement agreement with AT&T regarding the water tower site

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

UNOFFICIAL
Reference Only

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Rescheduled Regular Meeting Held June 30, 2006

Mayor Bartman called the meeting to order at 8:01 a.m. in the temporary City offices at 2312 Reeds Lake Blvd.

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

Absent: Commissioners Seibold and Yadowsky

Also Present: City Attorney Huff; City Manager Donovan; Public Director Gallagher; Lt. Lark; City Clerk Brower.

2005-117. Mayor Bartman advised of the following communications received at City Hall:

A. Emails from Michael Fee, 950 Cambridge, concerning the changes to the boat launch at Collins Park.

2005-118. No other public comment was received.

2005-119. Commissioner Morris reported the members of the Interurban Transit Partnership had expressed their pleasure at the final look of Gaslight Village following the streetscape project.

Mayor Bartman invited the commissioners to participate in the 4th of July parade. She also noted the dedication of memorial street signs in honor of PSO Bruce VanPopering would take place at Lake Drive and Bagley following the parade.

2005-120. Barbour-Coretti. Motion to approve the consent agenda as follows:

2005-120-A. Minutes of the regular and special meetings held June 19, 2006.

2005-120-B. Payroll disbursements of \$164,262.04; county and school disbursements of \$-0-, and total remaining disbursements of \$358,987.05.

2005-120-C. Purchase of rescue equipment for the Public Safety Department from Emergency Vehicle Services, Inc. of Belding in the amount of \$3,661.04.

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

Nays: -0-

The meeting adjourned at 8:10 p.m. subject to the call of the Mayor until July 17, 2006.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held July 17, 2006

Mayor Bartman called the meeting to order at 6:00 p.m. in the Media Center Conference Room at the EGR High School and led the audience in the Pledge of Allegiance.

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

Absent: Commissioner Horn

Also Present: City Attorney Huff; City Manager Donovan; Public Director Gallagher; City Services Director Feldt; City Clerk Brower.

2005-121. Mayor Bartman advised of the following communications received at City Hall:

- A. Voice mail from Barbara Stoops of Kentwood complimenting the accessibility of Gaslight Village to those in wheelchairs.
- B. Letter from Dennis Goebel of 413 Gladstone regarding the safety of children on their street due to speeding traffic.
- C. Email from Will Gallmeyer regarding the ONE campaign to fight poverty and AIDS in developing nations.
- D. Email from John Levings, 864 Bellelaire, regarding comprehensive land use planning procedures.
- E. Email from CJ VanDaff, 2120 Wealthy concerning restoration work needed after the streetscape project.
- F. Email from Michael Fee, 950 Cambridge, regarding changes to the boat launch at Collins Park.

2005-122. Linda Page, 3134 Manhattan Lane, asked the City to address the excessive goose population and the resulting noise and excrement on private lakefront properties and Collins Park. Mayor Bartman explained the City has been investigating options, including permits from the D.E.Q. to relocate and/or control problems. Ms. Page offered to assist the City by setting up a neighborhood meeting of property owners to help with this effort.

Bill Byl, candidate for County Drain Commissioner, introduced himself to the City Commission.

2005-123. Commissioner Barbour noted this was the last City Commission meeting to be held at the EGR High School and the next meeting would be back at the renovated City Hall.

Commissioner Seibold commended everyone involved in the 4th of July Celebration, especially the staff of the Parks & Recreation Department, for a very successful event.

Mayor Bartman also remarked on the 4th of July activities and noted the dedication of Bruce VanPopering Memorial Drive on Bagley Avenue on that date. Public Safety Officer VanPopering was assisting pedestrians crossing Lake Drive at Bagley following the 4th of July fireworks in 1994 when he was struck by a drunk driver. PSO VanPopering died several days later from his injuries. She reported the members of the Public Safety Department are now raising funds for a permanent memorial to Officer VanPopering and asked anyone interesting in contributing to contact the City offices.

Mayor Bartman welcomed Chase Bank to Gaslight Village and commended Big Bob's Pizza for their favorable restaurant review recently.

City Manager Donovan announced City offices would be closed July 25-26 to move staff back to the Lakeside Drive site. The library will be closed August 6-11 to move. There will be a public open house on August 12 from 10 am until 2 pm to celebrate the grand opening of the East Grand Rapids Community Center.

2005-124. Election of President for FY 2006-07.

2005-124-A. Morris-Seibold. That Commissioner Barbour 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, Yadlowsky and Bartman – 6
Nays: -0-

2005-125. A zoning variance hearing was held regarding the request of Lawrence Meyering of 608 Laurel to allow the construction of a two-story detached garage with a height of 19'-8½" instead of the 12'-0" permitted.

Jud Gerwin of Sears Architects, representative for the owners, was present to introduce and answer questions about the variance request. He presented a petition signed by eight neighbors in support of the request and distributed photos of similar two-story structures in the City. He stated the two-story structure would contain a recreation room above a two-car garage and the applicants may construct a bathroom or small kitchen in the space in the future.

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

- Warren Hecker, 618 Laurel Concerned about height and appearance of new garage.

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

2005-125-A. Yadlowsky-Barbour. That the request of Lawrence Meyering of 608 Laurel to allow the construction of a two-story detached garage with a height of 19'-8½" instead of the 12'-0" permitted be approved.

Commissioner Morris questioned the reasons the Commission had approved height variances for garages in the past. Commissioner Barbour answered that some were likely for unfinished storage space or as attached garages. Mr. Barbour noted his concern about the height of the structure in a shared driveway so close to the neighbor's garage, but noted the existence of Wealthy Elementary behind the structure was more acceptable than residences.

Commissioner Yadlowsky felt this project was good example of ways the City could assist property owners constrained by space and felt this project would compliment the neighborhood.

Commissioner Seibold expressed her concern with the 60 percent variance over the ordinance provisions, and the possibility of future additions to the home or garage that would exacerbate the height and mass on this property.

Mayor Bartman questioned whether bathroom or kitchen facilities could be added in the future without the knowledge of the City Commission after this finished living space was approved. City Attorney Huff suggested the Commission could place conditions on the variance that no kitchen or bathroom facilities could be added. Commissioner Yadlowsky suggested approving the height of the structure now and researching and adding restrictions at a later time. Other commissioners felt they the need for additional time to consider this issue.

2005-125-B. Morris-Seibold. That the request of Lawrence Meyering of 608 Laurel to allow the construction of a two-story detached garage with a height of 19'-8½" be tabled until the next meeting.

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

2005-126. A zoning variance hearing was held regarding the request of Steve Rutherford of 909 Maxwell to allow the construction of an addition to the home creating a combined side yard of 16'-0" instead of the required 18'-0."

Planning Consultant VanSteenhuysen noted the home's side lot line was already non-forming and this request would extend the line of the house, but not decrease the size of the existing side yard. He stated the requirement

for one side yard of at least 7'0" is met, but the combined side yard setback of 16'-0" does not meet the 18'-0" required by ordinance.

Steve Rutherford, 909 Maxwell, was present to introduce and answer questions about the variance request.

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

2005-126-A. Barbour-Seibold. That the request of Steve Rutherford of 909 Maxwell to allow the construction of an addition to the home creating a combined side yard setback of 16'-0" instead of the required 18'-0" be approved.

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

Nays: -0-

2005-127. Consideration of an ordinance amendment to Section 5.407 of Chapter 54 of Title V of the City Code adopting a temporary moratorium on land divisions in the A-1 district.

Mayor Bartman noted there had been several land division requests in recent years in all parts of the City and there had been concern over the possible change in character in some of the neighborhoods where these lot splits had taken place. She stated the City was considering a moratorium on lot splits in the A-1 zoning district to allow time to study the issue and research possible ordinance or policy changes to address the concerns and preserve the character of the neighborhoods. She noted there was a lot split request from a property owner on Bonnell scheduled for the next agenda item and asked for input from the City Commission and residents present on how handle this issue.

The following people were present and expressed their thoughts on establishing a moratorium on lot splits:

- Dr. Mohammed Riahi, 2861 Bonnell Felt the moratorium should not be retroactive to applications already in process by the City. Asked the City Commission to act on his request since it was already submitted prior to any discussion of a moratorium.
- David Smith, McShane & Bowie Supported a moratorium to allow time to research issues, especially relating to the impact of lot splits on surrounding properties.
- Dave Mehney, 3049 Mary Felt moratorium was appropriate.

2005-127-A. Coretti-Seibold. To adopt an emergency ordinance amendment to Section 5.407 of Chapter 54 of Title V of the City Code adopting a temporary moratorium on land divisions in the A-1 district.

Commissioner Barbour sympathized with Dr. Riahi for the inconvenience of waiting for a decision on his request, but felt it may be better to address underlying issues during a moratorium. He stated the moratorium should have a specific goal, such as future ordinance changes or policy adjustments. He favored further defining the "character of the neighborhood" and the "adversely affected" standard now contained in the current ordinance. He also noted the idea of an "impact study" as suggested by one resident was an interesting concept that should be defined.

Commissioner Morris also spoke in favor of further research and decisions during a moratorium. He noted the redevelopment issues being faced by East Grand Rapids have been experienced by other communities and there may be resources and advice available from these cities.

Commissioner Seibold stated her preference to enact the moratorium and take time to study the issue—even if no changes resulted in the end.

Mayor Bartman questioned whether Dr. Riahi could take legal action against the City for delaying his land division request. City Attorney Huff stated that Dr. Riahi had not yet obtained any vested right allowing him to proceed with the lot split.

City Manager Donovan noted that many issues have come to the attention of the City Commission over the years when residents make requests or projects are proposed. Issues cannot always be anticipated in advance and may necessitate a complete review prior to taking action. Mr. VanSteenhuysen observed there were several options the City Commission could consider to address the lot split and redevelopment issues, including overlay districts.

Commissioner Barbour suggested using the moratorium period to invite public comment from all areas of the City. He requested information on the previous lot split at 2861 Bonnell in the late 1990's and a legal review the resulting split of the small lots north of the unimproved Reeds Lake Blvd on the Reeds Lake shoreline with the Riahi lot split. Mr. Barbour also questioned whether six months was an appropriate time length for the moratorium. City Attorney Huff answered that new zoning laws enacted by the State and the meeting schedule of the City's Planning Commission would require at least that amount of time.

Mayor Bartman asked for input and ideas on how to address the lot split requested by Dr. Riahi.

Dr. Riahi stated the lot resulting from his request complied with all the standards and regulations currently in place in the City Code and should be acted on. He stated it was not his intention to cause any detriment to the neighborhood as a result of this land division; however he felt he could not ignore the value of this land and wanted the parcel separated from his residence.

Commissioner Barbour and Mayor Bartman suggested acting on the moratorium at the next meeting.

2005-127-B. Barbour-Morris. To table the ordinance amendment to Section 5.407 of Chapter 54 of Title V of the City Code adopting a temporary moratorium on land divisions in the A-1 district until the next meeting.

Yeas: Barbour, Morris, Yadowsky and Bartman – 4
Nays: Coretti and Seibold – 2

2005-128. Consider request to approve the division of land located at 2861 Bonnell.

Planning Consultant VanSteenhuysen noted that both parcels would include small non-buildable portions on Reeds Lake Blvd and both parcels met all current requirements for square footage. He stated there were drainage easements on Parcel "A" (new parcel), but that a condition could be placed on the lot split to include relocation of the drainage easement to a suitable location.

Commissioner Seibold questioned whether the drainage easement would affect the side yard setbacks of the location of any future house. City Services Director Feldt provided a drawing of the "building envelope" after setbacks had been met.

Commissioner Barbour asked whether residents in this area had been given adequate notice about the public hearing on this issue. Mayor Bartman noted the notices were addressed to the name registered on the tax bill or the current resident, which may have resulted in some owners not receiving their notices in a timely fashion.

Mayor Bartman opened a public hearing. The following people were present to speak on this issue:

- | | |
|--------------------------------|---|
| - Mohammed Riahi, 2861 Bonnell | Stated the lot split met all City requirements. Stated he did not intend to build a house while he lived there but future owners may want the option. |
| - Dave Smith, McShane & Bowie | Asked that if the lot split were tabled until a future meeting that public comment be allowed at that meeting. Mayor Bartman agreed public comment would be accepted. |

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

2005-128-A. Barbour-Seibold. That the request of Mohammad Riahi to divide 2871 Bonnell to create an additional buildable lot to the west of the existing home 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.

2005-128-B. Barbour-Seibold. That the request of Mohammad Riahi to divide 2871 Bonnell to create an additional buildable lot to the west of the existing home be tabled until the next meeting.

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

Commissioner Barbour reiterated his request for information on the previous split of this parcel and research on the lakefront lots. He also requested opinions and suggestions for the definition of “character of the neighborhood” and “adversely affected” as contained in the City Code, and sample impact statements.

2005-129. Coretti-Yadowsky. Motion to approve the consent agenda as follows:

2005-129-A. Minutes of the rescheduled regular meeting held June 30, 2006.

2005-129-B. Payroll disbursements of \$\$164,809.68; county and school disbursements of \$-0-, and total remaining disbursements of \$327,981.80.

2005-129-C. A license agreement for the placement of three vapor monitoring wells and one sample monitoring well in the City right-of-way on Lovett and a city parking lot on Crowell.

2005-129-D. The preliminary minutes of the Planning Commission meeting held May 9, 2006.

2005-129-E. The preliminary minutes of the Traffic Commission meeting held May 22, 2006.

2005-129-F. The Public Safety Department Report for the month of May 2006.

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

The meeting adjourned at 7:48 p.m. subject to the call of the Mayor until August 7, 2006.

Karen K. Brower, City Clerk

Commissioner Yadlowsky supported the variance request, nothing it would be adjacent to the school and barely noticeable from the street. He felt the proposed garage matched the design of the home and would be a positive addition. He suggested conditioning the variance on the requirement that no plumbing be allowed.

Vote on 2006-121-A.

2006-121-A. Yadlowsky-Barbour. That the request of Lawrence Meyering of 608 Laurel to allow the construction of a two-story detached garage with a height of 19'-8½" instead of the 12'-0" permitted be approved.

Yeas: Coretti and Yadlowsky – 2

Nays: Horn, Morris, Seibold and Bartman – 4

2005-133. A zoning variance hearing was held regarding the request of Paul & Cindie Anthes, owners of 2857 Pioneer Club, to allow the construction of a new home with a front yard setback of 45'-0" instead of the required 63'-0", a side yard setback of 6'-10" instead of the required 10'-0", and a total side yard setback of 16'-10" instead of the required 24'-0".

Planning Consultant VanSteenhuyse noted that three variances were requested by Mr. and Mrs. Anthes: front yard setback, side yard setback and combined side yards.

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

- Scott Carvo, attorney for Mark Bissell Noted that variance standards required by ordinance were not met by this request. Stated home is 30% larger than allowed for this lot and drainage problems would be severe. Stated the side yard variances would impact drainage on surrounding properties.
- Monica Sekulich, 2900 Reeds Lake Blvd. Asked the Commission to restrict a new home to the area allowed by ordinance to avoid significant damage from drainage if a larger home is built.

Commissioner Barbour arrived.

- Steve Schwartz, 2863 Pioneer Club Stated a portion of their adjacent lot always floods during heavy rains. Poor drainage in this area should limit development. Asked City Commission to deny.
- Vincent Turcotte, 2860 Pioneer Club Opposed to variance. Felt new home would look out of place and adversely affect neighborhood.
- Madeline Tazelaar, 2864 Pioneer Club No objection to proposed new home. Felt ambience of neighborhood is due to variety of styles.
- Paul Anthes, owner of 2857 Pioneer Club Stated he has taken natural slop of land into account when designing home and will leave back yard in natural state.

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

- Jerry Schaefer, 2807 Pioneer Club Concerned about neighborhood.
- Mary & Steven Schwarts, 2863 Pioneer Club Opposed.
- Vincent & Nancy Turcotte, 2860 Pioneer Club Opposed.
- Scott Carvo (for Bissell at 2840 Pioneer Club) Opposed.

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

2005-133-A. Yadlowsky-Seibold. That the request of Paul & Cindie Anthes, owners of 2857 Pioneer Club, to allow the construction of a new home with a front yard setback of 45'-0" instead of the required 63'-0", a side yard setback of 6'-10" instead of the required 10'-0", and a total side yard setback of 16'-10" instead of the required 24'-0" be approved.

Commissioner Seibold noted this is a legally buildable lot that allows a home to be built; the owners are asking permission to build farther forward on the lot than usual to avoid the wetlands, but a home would be allowed regardless. She stated it was the proximity to the street with the size of the home that concerned her as the other home in the area close to the street was a smaller home.

Commissioner Morris questioned whether any state wetlands regulations would affect this property. City Services Director Feldt did not know whether this property was environmentally protected.

Mayor Bartman questioned whether prior variances would affect this request. City Attorney Huff noted that only a front yard variance had been granted in 1988, not side yard variances as in this request.

Commissioner Morris suggested the applicants consider building a smaller, less imposing home for this lot. Commissioner Seibold noted she would still not favor building so close to the street.

Mayor Bartman noted that without the front yard variance the owners would push the house further back on the lot and possibly disrupt the wetlands there.

Yeas: -0-

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

2005-134. A zoning variance hearing was held regarding the request of Suzanne Lich of 946 Orchard to allow the construction of a detached garage with a side yard setback of 1.65' instead of the required 3.0' and a rear yard setback of 2.67' instead of the required 3.0'.

Planning Consultant VanSteenhuyse stated the existing garage had been removed and would be replaced with a new structure the same distance from side and rear setbacks.

Suzanne Lich, was present to introduce and answer questions about the variance request.

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

- William & Marcia McClimans, 947 Lakeside No objection.

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

2005-134-A. Horn-Coretti. That the request of Suzanne Lich of 946 Orchard to allow the construction of a detached garage with a side yard setback of 1.65' instead of the required 3.0' and a rear yard setback of 2.67' instead of the required 3.0' be approved.

Commissioner Seibold observed that most garages in this area were nonconforming and she had no opposition to this request.

Commissioner Horn noted that setbacks and maneuvering on this lot would make it difficult to conform to the full setbacks.

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

Nays: -0-

2005-135. A zoning variance hearing was held regarding the request of Bill Bradley of 3039 Manhattan Lane to allow the construction of a privacy fence 10'-0" tall instead of the allowable 6'-0".

Bill Bradley, 3039 Manhattan Lane, was present to introduce and answer questions about the variance request. He stated the home behind his was much taller than his and had imposed on the privacy of his back yard.

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

- Paul Gregory, 3040 Reeds Lake Blvd. Opposed.

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

2005-135-A. Horn-Morris. That the request of Bill Bradley of 3039 Manhattan Lane to allow the construction of a privacy fence 10'-0" tall instead of the allowable 6'-0" be approved.

Commissioner Yadlowsky questioned whether the existing trees would eventually provide privacy. He favored investigating options other than building a fence for this property.

Commissioner Horn asked how much taller the new home is than others in the area. City Services Director Feldt responded that the home itself met the 35' height requirement, but there were issues during construction that led the owners to construct the foundation higher than otherwise planned.

Commissioner Seibold sketched the topography of the area to show the proposed fence would be in a low spot between the properties necessitating a taller fence to accomplish privacy. She stated her support for the request because of the slope of the land between the properties.

Commissioner Horn questioned whether there were other 10 ft fences in the City. City Attorney Huff recalled isolated instances where the City Commission had approved 8 ft fences, but did not recall any 10 ft fences allowed.

Mayor Bartman stated her opinion that 10 ft was just too tall for a fence in a residential area. She noted other properties built on hillsides often overlooked other back yards and did not feel this situation warranted a variance for a 10 ft fence.

Yeas: Siebold – 1

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

2005-136. A zoning variance hearing was held regarding the request of Ken & Tracy Feldt of 260 Hodenpyl to allow the construction of a detached garage in the front yard 20'-0" from the front yard line instead of the required 60'-0."

Planning Consultant VanSteenhuysen noted this property had frontage on both Hodenpyl Drive and Pioneer Club Road, necessitating front yard setbacks from both streets per ordinance requirements.

Ken Feldt, 260 Hodenpyl, was present to introduce and answer questions about the variance request.

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

2005-136-A. Horn-Coretti. That the request of Ken & Tracy Feldt of 260 Hodenpyl to allow the construction of a detached garage in the front yard 20'-0" from the front yard line instead of the required 60'-0" be approved.

Mayor Bartman noted the double frontage issue restricted the placement of a detached garage within ordinance requirements and felt this proposal made the best of a unique situation.

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

Nays: -0-

Mayor Bartman announced that the land division requested by Dr. Riahi of 2861 Bonnell had been withdrawn from the agenda at Dr. Riahi's request.

- 2005-137. Consideration of an ordinance amendment to Section 5.407 of Chapter 54 of Title V of the City Code adopting a temporary moratorium on land divisions in the A-1 district.

City Attorney Huff explained the moratorium was currently limited to properties within the A-1 zoning district. He stated that during a moratorium the City Commission and Planning Commission could research options for ordinance changes, clarifications, additional provisions or policy statements that could be enacted to address the development concerns brought forth by the commissioners and residents. He noted that six months was the minimum needed to allow the Planning Commission to accept public input, draft recommendations and move the issue back to the City Commission.

Planning Consultant VanSteenhuyse stated that geographic data could be used to determine which areas would be affected by any proposed regulations. He noted his firm would prepare options such as adding an overlay district, extra calculations for minimum lot area, a form-based code or a new zoning district.

Mayor Bartman reopened the public hearing for further comment on this issue. The following people were present to comment:

- Dave Smith, attorney for Bonnell residents Felt moratorium was appropriate to allow review. Subjective terms like "adverse affect" should be defined and included with lot splits as in other variances. Stated land divisions will result in small parcels than originally developed which will have an impact on others. Cited Master Plan provisions for protect and enhance residential neighborhoods. Requested better notice procedures for surrounding properties. Favored future lot split requests to provide site plan showing surrounding properties, landscaping, photos, elevations, drainage, grading and impact statements based on case-by-case basis.
- John Scott, 3000 Bonnell Concerned about governments changing zoning laws without compensating property owners for loss of value. Stated if someone owns a conforming lot, they should be allowed to divide it. Felt EGR is charming because of variety of sizes and styles.
- Bob Levine, 2860 Bonnell Asked that "adverse affect" be better defined to be more useful. Stated he would have invested in his home differently if changes to neighborhood would be taking place.
- Deb Meyer, 2805 Bonnell Happy this is being addressed because neighborhoods should be preserved.
- Christin Blazekovic, 2755 Hall Opposed moratorium. Felt decision-making process was inconsistent. Questioned role of planning consultant and the lack of public input prior to imposing a moratorium. Stated moratorium was unfair to her as she was bulldozing her home to allow for a lot split.
- Dave Mehney, 3049 Mary In favor of moratorium to be proactive about redevelopment issues in several EGR neighborhoods.
- Jim Welch, 2747 Darby Favored moratorium to allow time to study the issue.
- Don Buske, 3055 Mary Opposed to lot splits. Felt adding homes on small lots would not improve character of neighborhoods. thanked commission for being proactive to address this now.

- Jim Stelter, 2933 Bonnell Favored separating emotions from facts and studying the issue. Suggested clarifying language to give guidance for future decisions.
 - Jim Schipper, attorney for Dr. Riahi Stated Dr. Riahi had withdrawn his lot split request to allow neighbors time to discuss issues. Stated Dr. Riahi's land met the ordinance requirements and reserved the right to submit the request at a later date.
- Mayor Bartman noted the following communications were received at City Hall concerning this issue:
- Rhoades McKee for Mr. Riahi Requesting Riahi request be exempt from moratorium.
 - McShane Bowie for Peter & Joan Secchia Support additional time to research issues.

2005-137-A. Coretti-Horn. To take from the table for consideration an ordinance amendment to Section 5.407 of Chapter 54 of Title V of the City Code adopting a temporary moratorium on land divisions in the A-1 district.

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

Commissioner Barbour stated that after contemplating this issue for three weeks, he felt the moratorium was a good idea to allow time to reconcile issues, opinions and ordinances. He asked that staff and the Planning Commission address a definition for “adverse affect” in regard to lot splits. He stated his intention to keep new regulations to a minimum in this process and to balance the rights of property owners with concerns for the neighborhood.

Commissioner Seibold spoke in favor of the moratorium to allow time for study. She noted it is not always possible to address issues before proposals bring things to the forefront and therefore appropriate to include all present lot split applications in this moratorium.

Commissioner Morris urged residents to stay informed about the process of the moratorium and give input to the Planning Commission about the various options.

Mayor Bartman noted that potential ordinance changes or regulations would not address the style or type of homes to be built but rather would deal with lot size and setbacks within zoning districts.

Commissioner Horn requested that definitive standards be developed for use when considering lot splits.

Commissioners Barbour and Yadlowsky spoke about the need to publicize the parameters of the research, the factors that would and would not be regulated, and the options being considered to accomplish the goal of preserving neighborhoods.

2005-137-B. Coretti-Seibold. Motion to amend motion 2006-123-A. to change the effective date of the ordinance to August 7, 2006.

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

Vote on 2006-123-A., as amended.

2006-123-A. Coretti-Seibold. To adopt an emergency ordinance amendment to Section 5.407 of Chapter 54 of Title V of the City Code adopting a temporary moratorium on land divisions in the A-1 district as set forth in Exhibit “A” attached hereto.

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

2005-138. Coretti-Horn. Motion to approve the consent agenda as follows:

2005-138-A. Minutes of the regular meeting held July 17, 2006.

Commissioner Seibold requested that item 2006-124 be amended to include Mr. Riahi's comments to the effect that he would not allow a new home to be built next to his property while he was living there because it would reduce his property value. The other commissioners agreed to this change.

2005-138-B. Payroll disbursements of \$164,809.68; county and school disbursements of \$-0-, and total remaining disbursements of \$1,206,707.97.

2005-138-C. A fund transfer of \$60,000 from the General Fund Designated Account to the Municipal Complex Capital Project Fund.

2005-138-D. The purchase of two pick-up trucks from Berger Chevrolet in the amount of \$36,532.00.

2005-138-E. The purchase of three copiers from W.S. Reed in the amount of \$20,830.00 with a related fund transfer of \$2,930.00 from the General Fund ending balance to the Community Center Capital Fund.

2005-138-F. The hiring of Teresa Decker of Varnum Riddering Schmidt & Howlett as legal representation for an appeal of a Zoning Board of Appeals decision.

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

Nays: -0-

The meeting adjourned at 8:11 p.m. subject to the call of the Mayor until August 21, 2006.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment adding Section 5.407 adopting a temporary moratorium on land divisions.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 21, 2006

Commission President Barbour called the meeting to order at 6:01 p.m. in the Commission Chambers at the East Grand Rapids Community Center.

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

Absent: Mayor Bartman

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

2005-139. President Barbour advised of the following communications received at City Hall:

- A. Email from Mike & Betsy Redman, 2910 Bonnell, opposing the Riahi lot split request.
- B. Email from James & Ann Catchick, previous owners of 2861 Bonnell, giving a history of the home and opposing the division of the land surrounding the home, and a reply from Commissioner Seibold to Mr. and Mrs. Catchick.
- C. Emails to/from Commissioner Seibold and Scott Kautzmann regarding the moratorium on land divisions in the A-1 zoning district.
- D. Email from Lisa Myers concerned about the fishing gear on the boardwalk behind the Community Center.

2005-140. No public comment was received.

2005-141. Commissioner Horn noted that Lake Drive and the other road work projects within East Grand Rapids had been finished prior to the start of school and looked great.

Commissioner Seibold reported hearing many positive comments about the new Community Center and the grand opening on August 12th.

President Barbour also noted the capacity crowds during the open house and the enthusiastic response from community members on the new facility.

2005-142. President Barbour announced an addition to the agenda: Kent District Library Officials were present to make an annual report for 2005.

2005-143. KDL Director Martha Smart, KDL Library Board Member Michael Maier, and Branch Manager Dawn Lewis presented information on the library's website, new technology within the library, outreach programs, and the grand opening of the new East Grand Rapids Community Center. Mr. Maier presented a plaque to the City in appreciation for the new facility. President Barbour thanked the KDL staff for their patience and hard work during the renovations and moving.

2005-144. Yadlowsky-Horn. Motion to approve the consent agenda as follows:

2005-144-A. Minutes of the regular meeting held August 7, 2006.

2005-144-B. Payroll disbursements of \$164,809.68; county and school disbursements of \$-0-, and total remaining disbursements of \$149,800.73.

2005-144-C. A contract with Apex contractors to repair landscaping on the south and east side of the Public Safety Building at a cost of \$15,384.00.

2005-144-D. A settlement with Consumers Energy Company regarding the Michigan Tax Tribunal Case for tax year 2005 in the amount of \$7,174.00.

2005-144-E. The preliminary minutes of the Parks & Recreation Commission meeting held July 10, 2006 were received.

2005-144-F. The preliminary Public Safety Department Report for June 2006 was received.

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

Nays: -0-

The meeting adjourned at 6:26 p.m. subject to the call of the Mayor until September 5, 2006.

Karen K. Brower, City Clerk

UNOFFICIAL
Reference Only

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 5, 2006

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, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioner Horn

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Feldt; Public Safety Director Gallagher; City Clerk Brower; Police/School Liaison Officer Holmes.

2005-145. Mayor Bartman advised there were no communications received at City Hall.

2005-146. Sara Shubel, new EGR Schools Superintendent, was present to introduce herself to the City Commission and to thank the community for their hospitality during her first few weeks.

2005-147. Commissioner Yadlowsky noted that school classes had begun earlier in the day.

2005-148. Chief Gallagher and Police/School Liaison Officer Holmes announced service awards were being given to crossing guards for their services assisting students cross streets at school intersections:

Bill Mulholland – 5 years of service
Valerie Kautzmann – 5 years of service
Marc VanMaldegen – 5 years of service
Jean Timmer – 10 years of service
Mert Beute – 26 years of service

Ms. Timmer and Ms. Beute were present to receive their awards.

Commissioner Morris congratulated those receiving awards and thanked all the men and women who worked as crossing guards for getting children to and from school each day.

2005-149. Consider request to adopt a resolution approving a change to a liquor license.

City Manager Donovan explained that formal City Commission approval was required for any ownership changes relating to liquor licenses.

Diane Aouad, co-owner of Osta's Restaurant, was present to explain that her sister, Nikki Cassis, had moved out of town several years ago and was no longer involved in the restaurant ownership or management.

2005-149-A. Barbour-Coretti. That a resolution approving the removal of Nikki Cassis from the liquor license from the liquor license for Osta's Restaurant at 2228 Wealthy be adopted as set forth by Exhibit "A" attached hereto.

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

Nays: -0-

2005-150. Final Reading of an ordinance amendment to add Section 5.34 to Chapter 50 of Title V of the City Code pertaining to the final land grade for new homes.

City Attorney Huff reported the Planning Commission had reviewed the ordinance at the City Commission's request but had made no substantial changes. The Planning Commissioners concluded an ordinance regulating the filling of a lot should be adopted separately from this ordinance, and declined to exempt one-story homes as far as height limitations in this section of the Code because drainage issues may still arise from one-story homes if the lot grade were altered significantly.

Commissioner Seibold noted the Planning Commission members felt this ordinance is a good starting point that should help in most situations and that a fill ordinance should be considered separately.

Commissioner Coretti thanked the members of the Planning Commission for crafting, reviewing and recommending this ordinance. She felt this ordinance was a good start to address the few problems that will arise. She questioned whether the City could monitor vacant lots to insure that infilling was not happening prior to applying for building permits. City Services Director Feldt stated that since there is no provision in the code prohibiting the infill of a lot, the staff would have no authority to prevent this from happening, even if they did become aware of it.

Commissioner Morris questioned how this ordinance would affect a lot that sloped from front to back or side to side where the owner wished to level the property or create a walkout home. He also questioned whether the three houses that had caused problems would have been prevented by this ordinance. City Services Director Feldt answered that the topographical surveys would provide enough information that could be calculated to determine the average grade of the property before and after construction and whether a variance would be needed. Mr. Feldt stated he thought at least two of the homes mentioned would have required a variance under the new ordinance.

Commissioner Seibold noted the new ordinance would not prohibit someone from ultimately building a home; rather it would require the owner to come before the Commission to explain the issues and receive a variance before proceeding.

Mayor Bartman questioned whether all new homes would require a review under this ordinance. Mr. Feldt noted that all new homes would be reviewed by the ordinance but would not require a variance if the grade were not changed more than 18."

Commissioner Barbour supported the overall initiative of the ordinance but was concerned with several issues and made the following suggestions:

- 18" was too low and would trigger unnecessary variance hearings; he preferred using whole feet instead of inches and suggested 4' as a possible standard to allow before requiring a variance.
- A sliding scale allowing more grade modification on a larger lot than on smaller ones where homes would be closer together,
- Reinstating the original language about requiring a review if additions are considered that would add 50% or more square footage of the existing home.
- Changing the "is to be determined" language to possibly "may be determined" to allow flexibility,
- Consider having the City Commission consider approval rather than a variance since the ZBA has to find the four standards are met with a variance.
- Adding the word "average" to the lot grade requirement description.

City Services Director Feldt stated that four feet may not have prevented some of the homes discussed and noted that a change may also be necessary in the zoning code's definition of average height.

Mayor Bartman expressed concern about changing the wording to "may be required" as suggested by Commissioner Barbour. City Attorney Huff stated this suggestion could be analyzed with the others.

Commissioner Yadowsky questioned whether authority to waive the topographical survey could be given to the City Services Director in cases where there would be no change in grade. Commissioner Seibold preferred requiring everyone to provide the survey to avoid suggestions of favoritism or problems later if a survey were waived and grade changes were actually made.

Commissioner Seibold stated she was comfortable increasing the standard to two feet, but was uncomfortable allowing a four foot variation. She stated the ordinance needed to contain provisions to control drainage problems, limit overall height due to artificial increases in the lot grading, and a better definition of how the average grade of lots is measured.

2005-150-A. Barbour-Seibold. Motion to direct staff to draft modifications to the proposed Section 5.34 as outlined above, and to prepare a separate infill ordinance for consideration.

City Manager Donovan noted the staff recommendations would be presented at the meeting on October 2nd.

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

2005-151. Seibold-Morris. Motion to approve the consent agenda as follows:

2005-151-A. Minutes of the regular meeting held August 21, 2006.

2005-151-B. Payroll disbursements of \$170,340.65; county and school disbursements of \$3,962,049.54, and total remaining disbursements of \$1,184,764.41.

2005-151-C. A contract with Michigan Pavement Marking of Wyoming in the amount of \$16,720.00 for pavement markings on city streets.

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

2005-152. Mayor Bartman presented Cadence Reporter Lindsay Ackerman with gifts of appreciation for her eight years as reporter on City of East Grand Rapids issues and events. She stated Ms. Ackerman's informative articles and friendly face will be greatly missed and wished her good luck in her future endeavors. Ms. Ackerman thanked the City Commission and staff members for working with her over the years and for the gifts.

The meeting adjourned at 6:52 p.m. subject to the call of the Mayor until September 19, 2006.

Karen K. Brower, City Clerk

Attachments: A – Resolution regarding liquor license for Osta's Restaurant.

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 18, 2006

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, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioner Barbour

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

2005-153. Mayor Bartman advised there were no communications received at City Hall.

2005-154. No public comment was received.

2005-155. Mayor Bartman welcomed students from Aquinas College's "Urban Government and Politics" class to the meeting and offered to answer questions after the meeting. She also noted that a grand opening celebration was scheduled at 5:00 on Friday evening at the Jade Pig retail development in Gaslight Village.

2005-156. Consider request to adopt a resolution opposing the Michigan Civil Rights Initiative on the November ballot.

Armand Robinson of 2736 Cascade Road asked the City Commission to adopt a resolution in opposition to this ballot proposal that would prohibit the use of affirmative action programs. He stated affirmative action programs have benefited women and other minorities over the years and should be continued. He requested the East Grand Rapids City Commission to take a leadership role in opposing this ballot initiative.

Mayor Bartman requested copies of the research studies cited by Mr. Robinson and suggested that perhaps a subcommittee could discuss this request and offer a recommendation to the City Commission. She also suggested that East Grand Rapids citizens may have comments on this request.

Commissioner Morris questioned whether a public body should become involved in statewide ballot issues when all individuals will have their chance to vote in November. Mayor Bartman noted the subcommittee should also decide whether a resolution is appropriate in this case.

Commissioner Seibold stated she was also uncertain as to whether a local government should get involved in these types of issues and questioned whether the City Commission should set some type of criteria for future involvement. She supported allowing a subcommittee to review this particular issue and the question of involvement overall.

Mayor Bartman suggested asking the Finance Committee to review this issue since they meet on a regular basis. She thanked Mr. Robinson for bringing this request to the City Commission and encouraged other residents to bring concerns and requests to the City Commission.

2005-156-A. Seibold-Coretti. That the request of Armand Robinson of 2736 Robinson Road to adopt a resolution opposing the ballot proposal titled "A Proposal To Amend the State Constitution to Ban Affirmative Action Programs that Give Preferential Treatment to Groups or Individuals Based on Their Race, gender, Color, Ethnicity or National Origin for Public Employment Education or Contracting Purposes" be referred to the Finance Committee for review and recommendation.

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

Nays: -0-

2005-157. Coretti-Horn. Motion to approve the consent agenda as follows:

2005-157-A. Minutes of the regular meeting held September 5, 2006.

2005-157-B. Payroll disbursements of \$169,196.51; county and school disbursements of \$38,316.02, and total remaining disbursements of \$537,862.25.

2005-157-C. The purchase of exercise equipment in the amount of \$3,840.00 from Fitness Things, Inc. of Grand Rapids for the Public Safety fitness room.

2005-157-D. The minutes of the Parks & Recreation Commission meeting held August 14, 2006.

2005-157-E. The Public Safety Department Report for July 2006.

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

Nays: -0-

The meeting adjourned at 6:18 p.m. subject to the call of the Mayor until October 2, 2006.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held October 2, 2006

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; Public Safety Director Gallagher; Finance Director VanderWall; Zoning Administrator Bajdek; City Clerk Brower

2005-158. Mayor Bartman advised of the following communications received at City Hall:

A. Email from John Venlet of 700 Rosewood concerning the unsatisfactory condition of a neighboring property.

2005-159. No public comment was received.

2005-160. Mayor Bartman announced the opening of Olga's Restaurant in Gaslight Village on October 6th. She also invited everyone to attend the retirement open house for Chief Gallagher on October 4, 2006 from 4-6 pm at the Community Center.

2005-161. Discussion of Ballot Proposal #5 regarding mandatory school funding levels.

City Manager Donovan summarized the ballot proposal that would guarantee funding levels and automatic increases for school districts and universities. He noted the Michigan legislature would have to find the funds for this mandate from other sources, most likely by reducing or eliminating the revenue sharing to local units of governments. This would have a very large negative impact on the City of East Grand Rapids and the programs it provides. He stated the City could lose the \$227,000 it now receives annually from the State of Michigan.

Mayor Bartman opened the meeting for public comment. The following people were present to speak:

- Jared Rodriguez, GR Chamber of Commerce Stated GR Chamber was part of a broad coalition opposing this ballot proposal because funds to local governments would be eliminated, resulting in cuts to police, fire and other vital programs. Without a tax increase, the only way to fund schools at level required by proposal would be to drastically cut other programs. Noted the proposal would fund pensions, but did not address education standards or programs for students.

- David Bulkowski, Disability Advocates Felt the proposal was bad policy. Stated teachers and administrators deserved good benefits but not automatic increases without accountability. Noted other agencies and businesses had to make choices when faced with increasing costs and could not rely on guaranteed funds.

- Don Stypula, Grand Valley Metro Council Announced GVMC opposes the proposal because of the likely elimination of \$407 million in discretionary revenue sharing. Noted the money would have to be transferred immediately if passed and there would not be time for legislators to decide where the money would come from—virtually guaranteeing

- the funds would come from revenue sharing. Stated most local governments have been reducing budgets for several years and this reduction would be devastating to some.
- Charlie Denton, EGR School Board
Explained the EGR School Board had decided to support this proposal after recent debate and after years of frustration with declining funding from the state. The Board felt Proposal 5 would relieve the financial pressure faced by the district and therefore in the best interests of students. Noted teacher retirement funding levels are set by the state but must be paid by local districts, imposing an increasing burden on districts.
- Rob Deane, 700 Plymouth
Opposes Proposal 5. Understands school position of needing more funding, but cannot support guaranteed increases. Felt the legislature should address school funding on a different level without voter mandates like proposal 5.

Mayor Bartman reiterated the excellent, long-term working relationship between the city and schools and noted the two boards will continue to work together for the good of the residents regardless of this proposal.

Commissioner Seibold stated not all districts would spend the guaranteed money and extra funds as wisely as others, and there would be no incentive for creativity or accountability. She observed businesses and organizations are not guaranteed funding, and was troubled that school districts would receive automatic increases. She noted some districts now receive more money than others without regard to test scores or graduation rates and this proposal would not address these inconsistencies. Commissioner Seibold also shared her uncertainty on whether the City Commission should endorse or opposed state-wide ballot proposals when all voters would have the opportunity to vote on this issue in November.

Commissioner Yadowsky felt this issue directly impacted the city's budget and future programs and should be addressed by the commission. He shared concerns about the inequities in funding and accountability issues.

Commissioner Horn stated this unfunded proposal could not be supported and should be opposed. He noted the city has adjusted its budget when funds have been limited and school districts should also.

2005-161-A. Horn-Coretti. That the East Grand Rapids City Commission formally oppose Proposal 06-5 "A Legislative Initiative To Establish Mandatory School Funding Levels" on the November 7, 2006 ballot.

Commissioner Barbour stated he would abstain from voting on this motion as he felt the City Commission should not take a public stand on state-wide ballot issues.

Mayor Bartman shared the concern of local government getting involved in state-wide issues, but felt this proposal would directly affect East Grand Rapids. She noted cities like Grand Rapids and Wyoming have already faced major budget cuts over the last few years and would likely have to make drastic cuts. She also wondered about the economic impact of communities if governments had to cut jobs. Mayor Bartman stated that funding for the mandates of proposal 5 will ultimately be paid by Michigan taxpayers—either through increased taxes, lost services or economic impact. Mayor Bartman stated the reason this proposal was before voters of the state was because the Michigan legislature has not addressed the issue of school funding recently or the shortcomings of Proposal A. She noted there are definitely problems with school funding levels in Michigan and this needed to be addressed by leaders in Lansing, not by forcing the people of Michigan to choose between funding education or funding local municipal services like police and fire protection.

Yeas: Coretti, Horn, Morris, Seibold Yadowsky and Bartman – 6

Nays: -0-

Abstain: Barbour – 1

2005-162. A zoning variance hearing was held regarding the request of Lawrence Meyering of 608 Laurel to allow the construction of a detached garage with an average height of 15'6" instead of the allowable 12'0."

Zoning Administrator Bajdek outlined the proposal and stated this request was substantially different than the earlier request made by Mr. Meyering and was therefore able to be considered by the City Commission.

Lawrence Meyering, 608 Laurel, was present to introduce and answer questions about the variance request.

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

- Dave Bee, 611 Laurel Supported Mr. Meyerings request for a new garage.

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

- Thomas Erickson, 607 Laurel In Favor.

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

2005-162-A. Barbour-Horn. That the request of Lawrence Meyering of 608 Laurel to allow the construction of a detached garage with an average height of 15'6" instead of the allowable 12'0" be approved.

Several commissioners thanked Mr. Meyering for working with city officials to revise the variance request to address the concerns of the prior request being too tall.

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

2005-163. Consider request to adopt a resolution adopting a pre-hazard mitigation plan.

2005-163-A. Coretti-Yadlowsky. That a resolution approving participation in a pre-hazard mitigation plan for Kent County and Ottawa Counties be adopted as set forth in Exhibit "A" attached hereto.

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

2005-164. Horn-Coretti. Motion to approve the consent agenda as follows:

2005-164-A. Minutes of the regular meeting held September 18, 2006.

2005-164-B. Payroll disbursements of \$161,249.79; county and school disbursements of \$187,466.76, and total remaining disbursements of \$466,209.93.

2005-164-C. The purchase of computer equipment for various departments from CPS Technology Solutions in the amount of \$16,746.00, Omega Systems in the amount of \$7,047.00, and Trivalent Group in the amount of \$979.00 for a total of \$24,772.00.

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

Mayor Bartman noted this was Chief Gallagher's last City Commission meeting before retiring. She wished him good luck with his future plans and stated there will be an opportunity to thank the Chief for his service at the upcoming open house.

The meeting adjourned at 7:15 p.m. subject to the call of the Mayor until October 16, 2006.

Karen K. Brower, City Clerk

Attachments: A – Resolution regarding pre-hazard mitigation plan.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Special Meeting Held October 16, 2006

Mayor Bartman called the meeting to order at 5:37 p.m. in the Commission Chambers at the EGR Community Center.

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

Absent: Commissioners Coretti and Morris

Also Present: City Attorney Huff; City Manager Donovan; Deputy Public Safety Director Herald; Finance Director VanderWall; City Clerk Brower

- 2005-165. Mayor Bartman explained the process involved in selecting the next Public Safety Director included soliciting applications from a variety of sources, first and second interviews and reference checks.
- 2005-166. Deputy Chief Herald thanked the City Commission for their consideration. He stated he would put the needs of the community first and find innovative ways to strengthen the cooperation between the city and schools and to work with officers to continue expanding programs and providing quality service to the residents.
- 2005-167. Commissioner Yadlowsky expressed his support for this promotion and asked Mr. Herald what suggestions he had for operations within the department. Deputy Chief Herald stated his intention to conduct community and employee surveys about the role of the department and future programs and services that could be offered.

Commissioner Seibold questioned how Mr. Herald would strengthen employee relations and provide an even better workplace. Mr. Herald agreed that internal and external programs were needed to maintain healthy relationships within the department and with the community. He noted there were outstanding employees in the department with many strengths that would be utilized in the coming years.

Commissioner Barbour asked Mr. Herald how he felt the department would change under his leadership. Deputy Chief Herald responded that he had come to know the community and the officers over the last four years and felt the department was very strong and looked forward to working in the new capacity.

Mayor Bartman stated the hallmark of East Grand Rapids was being a safe place to live and credited the Public Safety Department for that reputation. She supported Deputy Chief Herald as the best candidate for the job of maintaining the safety and security of the residents.

Commissioner Horn arrived.

- 2005-168. Mayor Bartman opened a public hearing on this issue. The following people were present and expressed their opinions concerning this issue:

- Armand Robinson, 2736 Cascade Road Expressed pleasure and pride in the promotion of Mr. Herald.
- Robert Upton, GR Police Dept. Supported the appointment as he worked with Mr. Herald in Grand Rapids and respected his vision and public service.

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

- 2005-168-A. Barbour-Yadlowsky. That Mark Herald be confirmed as the Director of the Public Safety Department effective October 26, 2006.

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

The special meeting adjourned at 6:01 p.m.

Karen K. Brower, City Clerk

Zoning Administrator Bajdek outlined the request for a 256 sq. ft. pool accessory structure with a height of 11' that would be screened by the topography of the land and existing mature trees. He noted the property had frontage on two streets which necessitated the variance as both frontages are considered front yards.

Patricia Hickey, 239 Pioneer Club, was present to introduce and answer questions about the variance request.

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

2005-173-A. Yadowsky-Horn. That the request of Patricia Hickey of 239 Pioneer Club to allow the construction of an accessory building 25'-0" from the street instead of the required 60'-0" be approved.

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

Nays: -0-

2005-174. Stephen Blann and Will Love of Rehman Robson presented the audited financial statements for the year ended June 30, 2006 and answered questions from the City Commission. Mr. Love noted the 25% ending balance was a very positive end to the year and complimented Finance Director VanderWall and her staff for their organized records and cooperation.

Mayor Bartman thanked Finance Director VanderWall for making the financial reports easy to understand and for safeguarding the assets of the city with good financial management.

2005-175. Barbour-Horn. Motion to approve the consent agenda as follows:

2005-175-A. Minutes of the regular meeting held October 2, 2006.

2005-175-B. Payroll disbursements of \$170,245.24; county and school disbursements of \$70,871.08, and total remaining disbursements of \$357,595.98.

2005-175-C. A contract for middle school ski club transportation in the amount of \$605 per bus with a "show up fee" of \$100 per date if the outing is cancelled.

2005-175-D. A contract with Berends Hendricks Stuit Insurance Agency in the amount of \$152,980 for property and liability insurance.

2005-175-E. The quarterly financial report for the period ended June 30, 2006 was accepted as submitted.

2005-175-F. The preliminary minutes of the Planning Commission meeting held July 11, 2006.

2005-175-G. The preliminary minutes of the Traffic Commission meetings held July 24, 2006 and August 28, 2006.

2005-175-H. The preliminary minutes of the Library Commission meetings held may 22, 2006 and September 25, 2006.

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

Nays: -0-

The meeting adjourned at 6:32 p.m. subject to the call of the Mayor until November 6, 2006.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 6, 2006

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, Horn, Morris, Seibold, Yadlowsky and Mayor Bartman

Absent: Commissioner Barbour

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

2005-176. City Clerk Brower administered the oath of office to Public Safety Director Herald. Mr. Herald's wife, Cecile, pinned the new badge on her husband's uniform, and everyone congratulated him on his new position.

2005-177. Mayor Bartman advised of the following communications received at City Hall:

- A. Thank you card from the family of William Bennett, former resident and city historian who passed away in September, for the flowers sent to Mr. Bennett's funeral.
- B. Phone call from Jeanie Luciani, 2445 Oakwood, supporting the adoption of a lot grade ordinance.

2005-178. No public comment was received.

2005-179. Commissioner Morris welcomed the new president of Grand Valley State University who had moved into the home in East Grand Rapids recently as a new resident.

Mayor Bartman reminded everyone the following day was election day and urged everyone to cast their ballots for this important election.

2005-180. A zoning variance hearing was held regarding the request of James & Sebina Vincelj of 562 Plymouth to allow the construction of a fence 6'-0" in height instead of the allowable 3'-0."

Zoning Administrator Bajdek reviewed the situation of a fence that had already been erected along the sidewalk, and in some cases on top of a block retaining wall.

James Vincelj, 562 Plymouth, was present to introduce and answer questions about the variance request. He stated his contractor was given verbal approval to place the fence one foot from the sidewalk. Mr. Vincelj stated his family was concerned about safety of their children in the backyard due to the busy street and the possibility of sexual predators in the area.

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

- Richard Kahn, 1829 Lake Drive

Opposed to the location of the fence because he cannot see to back out of his driveway; concerned about the safety of people on the sidewalk. Stated he downloaded ordinance from city website very quickly and there was no excuse for contractor not knowing the regulations.

- Steve Duffy, 1839 Lake Drive

Very concerned about safety of walkers, bikers and children on the sidewalk.

- Mike Sellers, 1824 Sherman Opposed because he must cross the sidewalk when backing out of his driveway to see anything coming down the street or sidewalk.
- Adrian Callahan, 1857 Lake Drive Felt fence is too close to sidewalk and snow removal would be obstructed. Also dangerous to those on sidewalk.
- Julie Metsker, 1820 Lake Drive Concerned about unmaintained section between new fence and neighboring properties because of litter and thieves hiding.
- Sabina Vincelj, 562 Plymouth Stated she had collected signatures from 48 residents in the neighborhood supporting the fence. Stated moving the fence closer to the house will allow everyone to see into their home; willing to angle the corners to allow sight distance for other driveways. Felt improvements made to date were worth allowing fence. Submitted list of registered sex offenders in 49506 zip code.
- Peter Metsker, 1820 Lake Drive Felt special allowances should not be made because fence was already in place.
- Gary VanSolkema, Byron Center (contractor) Stated he called the zoning office and was told the fence could be 1' from the sidewalk. Reported the four feet section between the new fence and neighbors was to increase privacy and allow seasonal cleanups. Noted the presence of several similar fences in the vicinity.
- Jill Miller, 600 Plymouth Felt snow removal would be impeded and saw no other reasons to allow a fence so close to the sidewalk.
- James Vincelj, 562 Plymouth Felt the fence was no different than the previous chain link fence with overgrown vegetation behind it; reiterated option of angling corners.
- Richard Kahn, 1829 Lake Drive Stated he talked with contractor onsite while fence was being installed and told them about ordinance; felt other homeowners and pedestrians should not suffer for lack of forethought.
- Mike Sellers, 1824 Sherman Questioned how much fill could be put in as the applicants had significantly raised the grade of the rear portion of their lot to allow the retaining wall.

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

- Jill Miller, 600 Plymouth Opposed.
- Dave Miller, 600 Plymouth Opposed.
- Lynne Chadfield-White, 529 Plymouth Opposed.
- Mike & Elise Sellers, 1824 Sherman Opposed.
- Richard & Joann Kahn, 1829 Lake Drive Opposed.
- Petition signed by 22 residents Opposed

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

2005-180-A. Yadlowsky-Coretti. That the request of James & Sebina Vincelj of 562 Plymouth to allow the construction of a fence 6'-0" in height instead of the allowable 3'-0" be approved.

Commissioner Coretti complimented the owners on the improvements made to the home and grounds, but stated it was the owners responsibility to know the ordinances before proceeding with projects such as this. Could not support the fence in its current configuration.

2005-182. A zoning variance hearing was held regarding the request of Aaron & Carol Cline of 540 Rosewood to allow the installation of an air conditioning unit in the front yard.

Carol Cline was present to introduce and answer questions about the variance request. She stated the home had insufficient side yards because of the driveway and proximity to the lot line, and the back yard was unsuitable because of window wells, utility placement and a patio.

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

2005-182-A. Horn-Yadlowsky. That the request of Aaron & Carol Cline of 540 Rosewood to allow the installation of an air conditioning unit in the front yard be approved.

Commissioner Bartman agreed the layout of the home and driveway would make placing the unit anywhere else difficult. She felt the unit was well screened and designed well.

Commissioner Seibold agreed the unit was placed in the best spot for this situation, although it was unfortunate the unit was placed prior to applying for the variance.

Commissioner Horn supported the request because of the type of unit and the landscaping surrounding it.

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

Nays: -0-

2005-183. A zoning variance hearing was held regarding the request of David & Beth Hollerbach of 315 Gracewood to allow the construction of a covered porch creating a front yard setback of 58.3' instead of the required 63.0'.

Zoning Administrator Bajdek noted that a similar variance had been granted in 1982 and not acted upon.

Beth Hollerbach, 315 Gracewood, was present to introduce and answer questions about the variance request.

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

- Tom Townsend, 2835 Reeds Lake Blvd No objection.
- Nancy & David Hejna, 256 Gracewood In Favor.

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

2005-183-A. Horn-Seibold. That the request of David & Beth Hollerbach of 315 Gracewood to allow the construction of a covered front porch creating a front yard setback of 58.3' instead of the required 63.0' be approved.

Commissioner Seibold spoke in favor of the request as she felt it would enhance the property.

Commissioners Morris and Horn also supported the variance and noted it would fit in well in the area.

Mayor Bartman noted there had been no changes in the area since the prior variance was granted.

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

Nays: -0-

2005-184. Consider request to adopt a resolution approving amendments to the 1999 Comprehensive Master Plan.

Planning Consultant VanSteenhuyse gave a history of the amendment process and thanked the staff members and Planning Commissioners for their diligence and effort on this project. He reviewed the minor changes to Chapter 3 and Chapter 6 requested by the City Commission several months ago when reviewing the draft. He stated the approved plan would be given back to the Planning Commission to review implementation

procedures for the changes outlined. Mr. VanSteenhuysen reported the review of signage and parking ordinance had already begun.

2005-184-A. Coretti-Seibold. That a resolution approving amendments to the Gaslight Village Subarea Plan of the 1999 Comprehensive Master Plan be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Seibold reported the process involved had been very informative and inclusive of many different opinions, suggestions and options. She felt the amendments were a good direction for the future.

Mayor Bartman thanked Mr. VanSteenhuysen and Planning Commission Chairperson Bill Graham for their outstanding guidance and leadership during this process and looked forward to moving forward on these items.

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

Nays: -0-

2005-185. Seibold-Horn. Motion to approve the consent agenda as follows:

2005-185-A. Minutes of the regular and special meetings held October 16, 2006.

2005-185-B. Payroll disbursements of \$169,814.75; county and school disbursements of \$116,404.07, and total remaining disbursements of \$716,899.55.

2005-185-C. A three-year agreement with the Grand Valley Metro Council to provide reports and public education mandated by the EPA storm water permit at a total cost of \$16,333.

2005-185-D. The purchase of three truck snow plows from Allied Truck Equipment Company of Grand Rapids in the amount of \$11,873.00.

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

Nays: -0-

2005-186. Coretti-Seibold. Motion to enter into an executive session to discuss attorneys' opinions in accordance with Section 8(e) of the Open Meetings Act. A roll call vote was taken.

The meeting adjourned at 7:43 p.m. subject to the call of the Mayor until November 20, 2006.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 20, 2006

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; City Services Director Feldt; Public Safety Director Herald; Zoning Administrator Bajdek; City Clerk Brower

2005-187. Mayor Bartman advised of the following communications received at City Hall:

A. Email from Doug Hall complimenting the new gas streetlights on Wealthy Street.

2005-188. No other public comment was received.

2005-189. Commissioner Seibold noted the gas light fixtures in Gaslight Village looked very nice and were a great addition to the completed streetscape. She thanked City Manager Donovan for all his work on this project.

Mayor Bartman announced the tree lighting ceremony would take place in Gaslight Village on Friday evening at 7:00 pm to kick off the holiday season. She also read a humorous letter from a 2nd grader at Breton School thanking her for speaking to their class. Mayor Bartman also thanked City Manager Donovan for his persistence in getting the new gaslights delivered and installed and observed that they looked wonderful.

City Manager Donovan shared two recent articles from the Detroit News regarding the State budgeted revenues. He noted the city had budgeted very conservatively and would be cautious with expenditures in the next several months in case state-shared revenues were not up to predictions.

2005-190. Mayor Bartman and Public Safety Director Herald presented Spectrum Health with a certificate of appreciation for their assistance in improving radio communication signals at the hospital to assist police and fire personnel while working inside the building.

2005-191. A zoning variance hearing was held regarding the request of James & Sebina Vincelj of 562 Plymouth to allow the construction of a fence 6'-0" in height instead of the allowable 3'-0."

2005-191-A. Seibold-Morris. That the request of James & Sebina Vincelj of 562 Plymouth to allow the construction of a fence 6'-0" in height instead of the allowable 3'-0" be taken from the table for consideration.

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

Nays: -0-

Zoning Administrator Bajdek reviewed the original request and stated the applicants were now proposing to move the fence back 7.5' behind the sidewalk. He stated that staff felt the sight distance along the sidewalk was adequate if the fence were relocated to 7.5' from the sidewalk.

James and Sabina Vincelj, 562 Plymouth, were present to explain the revisions and answer questions.

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

- Melissa Conlon, 709 Cardinal

Felt safe along sidewalk; no objection to fence.

- Steve Duffy, 1839 Lake Drive

Very concerned about safety of children on sidewalk when backing out of driveway; opposed fence location.

- Rick Kahn, 1829 Lake Drive
His driveway is next to the corner of this fence and he feels unsafe backing out of his driveway. Felt fence should be moved farther than 7.5'.
- Adrian Callahan, 1857 Lake Drive
Stated fence should be moved back to 15.0' to allow sight distance on busy street. Felt ordinance should be obeyed.
- Nan Kelly, 2110 San Lu Rae
Did not object to fence; felt neighboring properties should back out of driveways more slowly and should be more friendly to new couple.
- Joanne Kahn, 1829 Lake Drive
Stated fence was a violation of existing ordinance and should be relocated to comply because all neighbors opposed. Felt this would set a precedent for people building non-conforming projects prior to checking the ordinances. Stated the owners knew it was a busy and visible area when they purchased. Felt winter driving conditions would worsen an already dangerous situation.
- Karen Dujovny, 736 Cambridge
Did not object to the fence; felt it was easier to walk with a stroller now than with previous shrubbery.
- Mike Sellers, 1824 Sherman
Nearly hit an elderly gentlemen recently trying to back out of his driveway near the fence. Opposed fence because of sight distance. Also felt retaining wall was a problem and made situation worse.
- David Brown, 551 Plymouth
Stated the house was on a very busy corner and the owners had done a nice job of improving the property and trying to compromise with the city ordinances.
- Julie Metsker, 1820 Lake Drive
Concerned about the aesthetics of allowing a high fence along such a lengthy stretch of sidewalk; preferred the fence to be a lower height or see-through material.
- Gary VanSolkema, Byron Center (contractor)
Stated he removed two sections along Sherman street immediately after last meeting. Noted sight distance was better now that overgrown shrubbery and junk had been removed and the fence erected.
- Peter Metsker, 1820 Lake Drive
Observed that most neighbors were opposed to this and should be respected. Also noted that no neighbors were involved in the revised variance request.
- Joanne Kahn, 1829 Lake Drive
Reiterated safety concerns and asked that ordinance be enforced. Stated she could not see pedestrians when backing out of her driveway and felt there would be serious accident.
- Sabina Vincelj, 562 Plymouth
Stated they were very concerned about safety of others and their own privacy. Stated property is unique with two side yards along busy streets and similar variances were granted.
- James Vincelj, 562 Plymouth
Apologized for putting fence in wrong place, but felt they would have asked for same variance if aware. Stated a large tree would interfere with the Kahn's sight distance even if the fence were moved farther than 7.5.'

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

- Richard & Joann Kahn, 1829 Lake Drive Opposed.
- John Stecco, 529 Rosewood In Favor.
- Peter & Julie Metsker, 1820 Lake Drive Opposed.
- David & Jill Miller Opposed.

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

2005-191-B. Barbour-Coretti. That the request of James & Sebina Vincelj of 562 Plymouth to allow the construction of a fence 6'-0" in height approximately 7.5' from the sidewalk instead of the allowable 15.0' be approved.

Commissioner Barbour questioned whether the corner sections had been removed as required at the last meeting. City Services Director Feldt stated it was his understanding the sections along Sherman Street were but not the Lake Drive corner because he felt there was adequate sight distance on this corner.

Commissioner Seibold clarified with staff that the entire fence along Lake Drive and Sherman Streets was being moved to 7.5' from the sidewalk and that there had been a chain link fence with large shrubs behind it along the sidewalk prior to this new fence being installed.

Commissioner Morris noted many requests come before the City Commission and that many were difficult to balance ordinance standards with property owner's interests and the good of the community. He felt this property was unique in shape and location. Stated he would support since safety concerns were addressed.

Commissioner Horn questioned the effect of the new retaining wall along the Sherman frontage. City Services Director Feldt noted that the ordinances do not address how to handle retaining walls as fences, but felt this wall did not present sight distance issues because it was lower at each end and drivers could see over it.

Commissioner Barbour reminded commissioners to view this request as though the fence was not already in place. He reviewed other fence variance requests of the last several years, and noted one request that was denied had been replaced with a very attractive see-through fence. He felt the applicants had other ways to achieve their goals of privacy that did not require a 6' privacy fence so near the sidewalk.

Commissioner Coretti agreed with Commissioner Barbour's comments. She stated she had pulled into the Kahn's driveway with her vehicle and was very uncomfortable backing out with the limited sight distance. She felt 7.5' was still too close to the sidewalk.

Commissioner Yadlowsky stated he was comfortable with moving the fence 7.5' because city staff did not feel there were dangers at this distance.

Commissioner Seibold sympathized with the owners with having two side yards along busy streets. She was comfortable with the 7.5' setback because the safety concerns had been addressed while allowing the owners privacy. She urged the neighbors to make this new family welcome in the area.

Mayor Bartman gave her opinion the sight distance concerns had been addressed with the proposal to move the fence 7.5' from the sidewalk. She preferred this option over a lower fence with shrubs closer to the sidewalk.

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

Nays: Barbour and Coretti – 2

2005-192. A zoning variance hearing was held regarding the request of Andre Gauri of 1110 Cambridge to allow the installation of a privacy fence at 7.7' high instead of the allowable 6.0.'

Andre Gauri, 1110 Cambridge was present to introduce and answer questions about the variance request. He noted the steep grade uphill from the back of the house made installing the fence difficult while maintaining an aesthetically pleasing look. He submitted a petition containing 13 signatures in support of his request.

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

- Jim Bill, 1134 Cambridge Supported the request.

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

- Charles Worsfold, 1120 Cambridge No objection.

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

2005-192-A. Coretti-Seibold. That the request of Andre Gauri of 1110 Cambridge to allow the installation of a privacy fence at 7.7' high instead of the allowable 6.0' be approved.

Commissioner Seibold gave her support for the fence as presently built and stated it made sense to place the sections as they had done. Commissioner Coretti agreed.

Commissioner Barbour agreed the slope of the land made this a difficult situation, but stated the south side concerned him with the height and felt it should be lowered.

Commissioner Horn supported the request as it did not barricade the neighbors because of the varying heights.

Mayor Bartman stated the fence as constructed complimented the area and that complying with the ordinances would have a more negative impact.

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

2005-193. Mayor Bartman announced the lot grade ordinance discussion had been removed from the agenda. A worksession will be held in January on this issue.

2005-194. Consider request to adopt a resolution and third amendment to the Wholesale Water and Sanitary Sewer Service Agreement.

2005-194-A. Barbour-Coretti. That a resolution approving a third amendment to the Water and Sanitary Sewer Service Agreement with the City of Grand Rapids as set forth in Exhibit "A" attached hereto.

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

2005-195. Coretti-Seibold. Motion to approve the consent agenda as follows:

2005-195-A. Minutes of the regular and special meetings held November 6, 2006.

2005-195-B. Payroll disbursements of \$170,994.58; county and school disbursements of \$61,987.07, and total remaining disbursements of \$362,198.06.

2005-195-C. A contract in the amount of \$9,260.00 with County Line Nurseries and Landscaping, Inc. of Hartford, Michigan for the 2006 tree planting program.

2005-195-D. The minutes of the Joint Facilities Committee meeting held October 18, 2006 were received.

2005-195-E. The minutes of the Traffic Commission meetings held September 25 and October 23, 2006 were received.

2005-195-F. The minutes of the Planning Commission meeting held October 10, 2006 were received.

2005-195-G. The Public Safety Department Reports for August, September and October 2006 were received.

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

The meeting adjourned at 7:28 p.m. subject to the call of the Mayor until December 4, 2006.

Karen K. Brower, City Clerk

Attachments: A – Resolution adopting Third Amendment to Wholesale Water and Sanitary Sewer 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 December 4, 2006

Mayor Bartman called the meeting to order at 6:05 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
Parks & Recreation Director Bunn; Planning Consultant VanSteenhuysen; Zoning Administrator Bajdek;
City Clerk Brower

2005-196. Mayor Bartman advised there were no communications received at City Hall.

2005-197. No other public comment was received.

2005-198. Commissioner Seibold complimented those involved in the tree lighting ceremony on Regatta Plaza over the Thanksgiving weekend.

Commissioner Horn noted the snowmelt system in Gaslight Village and around the Community Center is a welcome addition during the snowy weather.

Mayor Bartman thanked Commissioner Seibold for speaking at the tree lighting ceremony when she was unable to attend. Mayor Bartman noted the festive holiday decorations at the Community Center and thanked the city and library employees involved in the decorating.

2005-199. Susan Armstrong and Tony Barnes of the East Grand Rapids Community Foundation presented a check for \$50,000 to Marilyn Zack of the Grand Rapids Community Foundation to establish a permanent endowment fund for projects benefiting the East Grand Rapids community. Mayor Bartman congratulated the board members for their perseverance in obtaining the funds to establish this fund. She noted that 47 different donors had made up the \$50,000.

2005-200. A zoning variance hearing was held regarding the request of Mark & Jackie Domin of 3126 Bonnell to allow the construction of an enclosed porch creating a side yard setback of 8.5' instead of the required 10.0.'

Bruce Nicola of Nicola Construction, contractor for Mr. & Mrs. Domin, was present to introduce and answer questions about the variance request.

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

- Cheryl Stephens, 3166 Bonnell In favor.

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

2005-200-A. Horn-Morris. That the request of Mark & Jackie Domin of 3126 Bonnell to allow the construction of an enclosed porch creating a side yard setback of 8.5' instead of the required 10.0' be approved.

Commissioner Horn noted the position of the home on the lot and other features made the proposed location the best place for an addition. Commissioner Coretti agreed.

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

Nays: -0-

2005-201. Consider request to allow the division of land at 1521 Ridgewood.

Zoning Administrator Bajdek noted both resulting lots would meet all requirements for this zoning district. He stated the storage shed would have to be relocated as it sits atop the new lot line.

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

- Bob & Catherine Horn, 2930 Maplewood No objection.

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

2005-201-A. Coretti-Yadlowsky. That the request of Lee Begrow, owner of 1521 Ridgewood, to subtract the north 6.0' from Lot 124 of Ravenswood Plat and combine it with adjoining Lot 123, be approved, with the conditions the storage shed be relocated, 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 be approved.

Commissioner Morris suggested the lot split be tabled until the lot split moratorium in the A-1 district had expired and the committee's recommendations had been considered and implemented.

Commissioner Seibold agreed. She stated the wording in the proposed new guidelines would apply to all zoning districts, not just the A-1 where the moratorium currently exists. She stated the Commission should be consistent in holding consideration of all lot splits until these issues have been resolved.

Mayor Bartman asked the applicant if it would be a hardship to wait a few months for a decision on this issue. Mr. Begrow stated it would be a hardship.

Commissioner Horn gave his opinion the resulting lots would be within the norm for the surrounding area and gave his support to the lot split.

Commissioner Yadlowsky agreed the two lots met requirements and the norm for the neighborhood and should be considered now. Commissioner Coretti agreed.

2005-201-B. Morris-Seibold. That the request of Lee Begrow, owner of 1521 Ridgewood, be tabled until the recommendations of the Lot Split Moratorium Committee can be considered and implemented.

Yeas: Morris and Seibold – 2

Nays: Coretti, Horn, Yadlowsky and Bartman – 4

Mayor Bartman stated the committee's report emphasizes harmony within the neighborhood on many levels. She felt this lot split was harmonious with the existing neighborhood and was comfortable voting on this.

Commissioner Morris commented that this was a subjective decision as was the decision on the Bonnell lot split several months ago. He favored utilizing "black and white" standards for making decisions. He noted he could not support this request because it was being considered when others were not.

Commissioner Seibold stated she did support this particular lot split request, but thought the timing was wrong and should not be considered when other requests were being held until the Lot Split Committee's report. She felt there was no hardship in waiting since construction could not begin in December or January.

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

Nays: Morris – 1

2005-202. Report of Lot Split Moratorium Committee.

Mayor Bartman noted members of the City Commission, Planning Commission and staff had met numerous times over the last several months to consider the issue of lot splits and their impacts on existing neighborhoods. The group had considered a new zoning district and multiple approaches to adding language within the City

Code to address the impact of new homes in existing neighborhoods. Ordinances from other communities as well as public input had been considered as well. She stated the committee recommends adding additional language to the existing ordinance addressing the impact on surrounding homes and neighborhoods to give the City Commission guidelines to use when considering requests.

Commissioner Barbour arrived.

Planning Consultant VanSteenhuysen reiterated the many approaches researched and the attempt to keep regulations flexible and minimal as possible. He stated the language presented was culled from several other communities and court cases in Michigan. Mr. VanSteenhuysen noted there were four standards that could be used, including the consideration of resulting parcels, the size/shape relationship to other parcels, natural features and existing setbacks in the area. The proposed amendment also adds language to require additional information be supplied at the time of the land division application to assist staff and officials in handling the request.

Mayor Bartman asked for questions, comments and suggestions on the proposals. She noted the adoption process would not begin at this meeting, but would be scheduled for a future time after gathering comments. The following people were present to give their thoughts on this issue:

- Mohammed Riahi, 2861 Bonnell

Reiterated feelings that new regulations should not be imposed retroactively to existing land division applications. Requested additional time to comment before adoption because of late notice and holidays. Questioned use of "adjacent," "surrounding," and "immediate" to describe properties in the area, the use of two different radius measurements and the use of ordinances from other cities that may not be comparable to East Grand Rapids.

- Dave Smith, attorney for neighbors

Thanked members of the committee for work. Suggested changing "may" to "shall" in the last line of paragraph (3) to require the commission's use of the regulations. Supported using various standards but not opposed to using one distance measurements. Appreciated notice provisions and suggested requiring information to be submitted in 8½ x 11 paper size or electronically so it can be distributed easily to those interested. Also suggested residents be allowed to register alternate addresses with city for notices sent during extended absences. Felt moratorium should be extended to allow time to debate and adopt proposal.

- John Scott, 3000 Bonnell

Felt new provisions should be used in all zoning districts. Stated "natural features" could mean many different things and should be more specific. Did not understand wording of (3)(d) because land would be vacant when considered and would not have established setbacks that could be used or legislated. Felt requiring drawings of all properties within 300' would be cumbersome or costly. Supported mandating the submission of title insurance because it was easy to obtain. Felt statement of impact was subjective and useless.

- Bob Kirchgessner, 1900 Eldorado

Questioned several phrases in the proposal and if the City intended to use this language to turn down all future lot splits. Mayor Bartman explained the new language gave more discretion than the current ordinance to protect the character and integrity of existing neighborhoods.

Mayor Bartman closed the public comment portion.

Commissioner Yadowsky thanked everyone for the input and stated he may have comments at a later time.

Mayor Bartman suggested extended extending the moratorium by 30-60 days to allow the committee to meet again and go over the input gathered tonight.

Commissioner Barbour agreed to an extension of the moratorium and to discussing the input with the committee members. He felt the proposed ordinance provided welcome guidelines and need only minor wording changes based on the comments this evening. He noted the proposal was meant to give maximum flexibility to those considering lot split requests and to give guidelines and tools when necessary.

Commissioner Morris was uncomfortable with the subjectivity of many of the proposed guidelines and felt the existing mathematical ordinance should always be the starting point. He also stated whatever rules are adopted should apply to all zoning districts. Mayor Bartman replied the existing ordinances and any new ordinances adopted would apply to all zoning districts.

Commissioner Seibold supported an extension of the moratorium. She favored the proposed subjective language as it gave the commissioners the flexibility similar to the variance procedure when considering requests. Commissioner Barbour observed the existing ordinance offered subjective clauses, but because there was no framework for those subjective discussions, it was not used.

Mayor Bartman suggested clarifying the term "detrimental." She stated the Lot Split Moratorium Committee would meet again to review all the comments for possible changes. The extension of the moratorium will be on the next agenda.

2005-203. Consider request to approve a special use permit for T-Mobile Central LLC for the placement of cellular phone antennas on the city's water tower.

City Manager Donovan reported there were four other antennas on the water tower structure but that advances in technology had eliminated most signal interference between the antennas.

Mayor Bartman opened a public hearing on this request. No public comment was offered. Mayor Bartman closed the public hearing.

2005-203-A. Yadowsky-Coretti. That a special use permit pursuant to Section 5.24 of the City Code be granted to T-Mobile Central LLC for the placement of cellular antennas and related equipment on and around the City's water tower site at Norfolk and Woodlawn as outlined on plans and specifications dated August 28, 2006.

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

2005-204. Consider request to approve a lease agreement with T-Mobile Central LLC.

2005-204-A. Coretti-Yadowsky. That a lease agreement with T-Mobile Central LLC for the placement of cellular antennas and related equipment on and around the City's water tower site at the corner of Norfolk and Woodlawn as outlined on plans and specifications dated August 28, 2006 be approved as set forth in Exhibit "A" attached hereto.

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

2005-205. Seibold-Barbour. Motion to approve the consent agenda as follows:

2005-205-A. Minutes of the regular and special meetings held November 20, 2006.

2005-205-B. Payroll disbursements of \$185,809.38; county and school disbursements of \$5,063.00, and total remaining disbursements of \$205,375.15.

2005-205-C. The appointment of Don Lawless to the Interurban Transit Partnership Board of Directors for a two-year term ending December 31, 2008.

2005-205-D. A contract 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 renew life insurance and long-term disability with National Insurance Services.

2005-205-E. A change to the standard street light agreement with Consumers Energy for the removal of company-owned and maintained street light fixtures on Lakeside Drive from Lake Drive to Wealthy Street.

2005-205-F. The purchase of road salt from Morton Salt Company for the 2006-07 season at a cost of \$40.75 per ton.

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

Nays: -0-

The meeting adjourned at 7:17 p.m. subject to the call of the Mayor until December 18, 2006.

Karen K. Brower, City Clerk

Attachments: A – Lease agreement with T-Mobile Central LLC.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 18, 2006

Mayor Bartman called the meeting to order at 5:56 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; Parks & Recreation Director Bunn; Public Safety Director Herald; Zoning Administrator Bajdek; City Clerk Brower

2005-206. Mayor Bartman advised of the following communications received at City Hall.

A. Letter from Kentwood Police Chief Richard Mattice thanking the East Grand Rapids Public Safety Officers that responded to an incident on the East Beltline recently when a Kentwood officer was shot.

2005-207. No other public comment was received.

2005-208. Mayor Bartman wished everyone a happy holiday season.

2005-209. Karen McCarthy, Tim Pytriega and Sally Scripps of Consumers Energy presented a check to the City for \$4,000 as a donation to the fundraising effort to complete Phase 2 of the Reeds Lake Trail.

2005-210. Consideration of 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 zoning district.

2005-210-A. Horn-Morris. 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 zoning district until February 1, 2007 be adopted as set forth in Exhibit "A" attached hereto.

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

Nays: -0-

2005-211. Coretti-Yadlowsky. Motion to approve the consent agenda as follows:

2005-211-A. Minutes of the regular and special meetings held December 4, 2006.

2005-211-B. Payroll disbursements of \$167,603.23; county and school disbursements of \$47,118.75, and total remaining disbursements of \$294,759.05.

2005-211-C. The appointment of Public Safety Director Mark Herald as the Civil Defense Director as required by Chapter 6 of the City Code.

2005-211-D. The reorganization of the Streets & Utilities Division by reclassifying two Foremen to Streets & Utilities Supervisors and reclassifying the vacant Supervisor position to an Equipment Operator I position.

2005-211-E. The purchase of a dump box from Hoekstra Truck Equipment of Grand Rapids for \$6,245.00.

2005-211-F. The preliminary minutes of the Traffic Commission meeting held November 27, 2006.

2005-211-G. The preliminary minutes of the Parks & Recreation Commission meeting held November 13, 2006.

2005-211-H. The preliminary minutes of the Planning Commission meeting held November 14, 2006.

2005-211-I. The Public Safety Department Report for November 2006.

2005-211-J. The Public Safety Department 2005 Annual Report.

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

Nays: -0-

2005-212. Coretti-Seibold. Motion to enter into an executive session to discuss the acquisition of real estate in accordance with Section 8(d) of the Open Meetings Act. A roll call vote was taken.

The meeting adjourned at 6:03 p.m. subject to the call of the Mayor until January 2, 2007.

Karen K. Brower, City Clerk

Attachments: A – Emergency ordinance amendment to Section 5.407 extending moratorium.

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 December 29, 2006

Mayor Bartman called the special meeting to order at 7:33 a.m. in the Upper Level Conference Room at the East Grand Rapids Community Center.

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

Absent: Commissioner Horn

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

2005-213. City Manager Donovan and Public Safety Director Herald briefed the City Commission on the schedule and preparations underway for the funeral of former President Gerald R. Ford at Grace Episcopal Church on Hall Street on January 3, 2007. The funeral will involve most of the East Grand Rapids employees in one way or another, including mandatory duty for all public safety officers.

Public Safety Director Herald answered questions from the City Commission about various aspects of the funeral service, the processions, motorcade routes, and the traffic restrictions that will be in place in the area immediately surrounding Grace Episcopal Church the day of the funeral.

The meeting adjourned at 8:10 a.m. subject to the call of the Mayor until January 2, 2007.

Karen K. Brower, City Clerk