

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 6, 2003

Mayor Frey called the meeting to order at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Public Safety Director Gallagher; Parks & Recreation Director Bunn; Finance Director VanderWall; Deputy Public Safety Director Herald; Building Inspector Conley; City Clerk Brower; Sgt. Metternich; Sgt. Kreiner; PSO Hollis; PSO McConkie; PSO Bradley; PSO Winchester

2003-212. Lawless-Mulhall. Motion to add to the agenda 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

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6

Nays: -0-

2003-213. Mayor Frey advised of the following communications received at City Hall:

A. Letter from Steve Dodgson thanking Officer Brian Davis and other members of the Public Safety Department for their assistance during recent events at their home.

B. Letter from Mike and MaryAnn Keeler supporting the relocation of the library to the former Jacobson's building.

2003-214. Susan Brennan, 935 Rosewood, was present to say farewell to the City Commissioners and to offer chocolate chip cookies for the evening's executive session.

2003-215. Commissioner Mulhall distributed an article on height restrictions in Cocoa Beach, Florida for information.

City Manager Donovan reported the renovations at Wealthy Pool were complete. A ribbon cutting ceremony will be held at 6:00 pm on Thursday, January 9, 2003, and a community open house will take place on Saturday, January 11, 2003 from 2:00 to 5:00 pm.

2003-216. Lawless-Shimko. Motion to approve the consent agenda as follows:

2003-216-A. The minutes of the regular meeting held December 16, 2002.

2003-216-B. Payroll disbursements in the amount of \$154,116.99; county and school disbursements in the amount of \$125,186.36; and total remaining disbursements in the amount of \$261,325.51, as reviewed by the Finance Committee.

Yeas: Kremers, Lawless, Mulhall, Shimko and Frey – 5

Nays: -0-

2003-217. City Clerk Brower administered the oath of office to Public Safety Officers Jason Bradley and Josh McConkie.

Commissioner Barbour arrived.

2003-218. A zoning variance hearing was held regarding the request of 705 Bagley Corporation, owner of 705 Bagley, to allow the operation of a physical therapy office with four designated parking spaces instead of the required seven.

Mike Dodgson, Dodgson Realty, was present to introduce and answer questions about the variance request. Mr. Dodgson stated that there was an unwritten cooperation among the surrounding businesses to share all of the available parking in this area and that the lack of designated parking spaces were not a cause of undue concern.

He further stated that the operation of the physical therapy office would require only two employees with no more than two patients on the premises at one time.

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

- Darcy Hoppman, 847 Orchard In Favor
- Cathy Carrier, 8682 Wallinwood (Jenison) In Favor
- P.K. Mason, 2157 Wealthy In Favor
- Mariane Abbot Cumming, 4860 Michigan In Favor

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

- Mary Lockwood, 1102 Lake Grove In Favor

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

2003-218-A. Lawless-Barbour. That the request of 705 Bagley Corporation, owner of 705 Bagley, to allow the operation of a physical therapy office with four designated parking spaces instead of the required seven be approved with the proposed parking layout with the understanding that the owners will attempt to secure an agreement with neighboring property owners to stripe the parking lot in such a way to allow two parking spaces behind the building instead of only one.

Commissioner Lawless spoke in favor of the parking variance due to the lack of objection from the neighboring properties, the limited number of staff and patients using the office, the commitment of the owner's representative and the tenant that the parking spaces will not be posted as restricted to the use of the tenant only, and the spirit of cooperation between the property owners in the area regarding parking spaces. Commissioner Barbour also spoke in support of the request because of the collaboration between business owners to provide parking.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-219. A zoning variance hearing was held regarding the request of Devin and Dawn Norman of 1125 Plymouth to allow the construction of an addition to the home creating a rear yard setback of 6'-6" instead of the required 25'-0."

Devin Norman, 1125 Plymouth, was present to introduce and answer questions about the variance request.

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

- Anita Plank, 1140 Cambridge Supported after working with applicants to resolve items of concern.

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

2003-219-A. Shimko-Kremers. That the request of Devin and Dawn Norman of 1125 Plymouth to allow the construction of an addition to the home creating a rear yard setback of 6'-6" instead of the required 25'-0" be approved.

Commissioner Shimko asked Mr. and Mrs. Norman to consider placing bushes and other landscaping along the property line to provide a buffer between the new addition and the neighbor's property.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-220. Appointment of Third Ward City Commissioner.

The City Commission discussed the merits of the individual candidates interviewed on December 16, 2002 and consulted with City Attorney Huff on procedural issues concerning the appointment.

2003-220-A. Lawless-Shimko. That John B. Baxter of 934 Pinecrest be appointed as Third Ward City Commissioner to fill the vacant seat until for the remainder of the term ending December 1, 2003.

Yeas: Kremers, Lawless, Shimko and Frey – 4
Nays: Barbour, Mulhall – 2

2003-220-B. Barbour-Mulhall. That the vote from 220-220-A. be amended to reflect a unanimous vote.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

Mr. Baxter will be sworn in and seated at the January 20, 2003 meeting.

2003-221. Consider request to adopt a resolution approving a change to the Grand Valley Metro Council Articles of Incorporation.

2003-221-A. Barbour-Shimko. That a resolution approving Amendment #31 to the Grand Valley Metro Council Articles of Incorporation be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-222. Consider request to adopt a resolution amending the assessment roll for the special assessment district relating to the Pioneer Club Road paving project.

City Manager Donovan explained that final construction costs had been much lower than originally quoted because the actual surveyed roadway was shorter than shown on existing maps. This and other minor changes made during the construction resulted in a savings of \$36,894.30, which will reduce assessments paid by the property owners along this street. Refunds will be issued to these property owners.

2003-222-A. Barbour-Mulhall. That a resolution amending the assessment roll and authorizing appropriate refunds for the special assessment district relating to the Pioneer Club Road paving project be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-223. Consider request to approve a Records Retention Policy and Schedule.

City Manager Donovan explained the Finance Committee had made suggestions for changes that had not yet been completed. He asked that this request be tabled.

2003-223-A. Barbour-Mulhall. That the Records Retention Policy and Schedule be tabled until the next meeting.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-224. Consider request to approve the disposal of water plant equipment.

2003-224-A. Mulhall-Shimko. That the proposal by the City of Grand Rapids to remove the pumps, valves and motor starter panels in the water plant at no cost in exchange for keeping the equipment as replacement parts for use in their operations be accepted.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-225. Consider request to approve engineering/design costs for Reeds Lake Trail.

Joe Camp of Moore & Bruggink was present and answered questions from the City Commission regarding this project.

2003-225-A. Shimko-Barbour. That a contract be awarded to Moore & Bruggink, Inc. of Grand Rapids in the not-to-exceed amount of \$105,000.00 for the preliminary engineering, final design and construction engineering of the Reeds Lake Trail Extension Phase I.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-226. Consider request to approve the donation of Aerial Fire Truck #23.

2003-226-A. Barbour-Kremers. That Chief Gallagher be authorized to donate Aerial Truck #23 to the Navajo Tribal Police Department in Window Rock, Arizona.

Chief Gallagher reported on his attempts to secure transportation for the fire truck to the Navajo Nation in Arizona. He will continue discussion with railroads and other over-the-road companies.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-227. Consider request to approve additional funding for the water tower security system.

2003-227-A. Shimko-Barbour. That a budget amendment and fund transfer in the amount of \$4,322.25 for additional expenses for the previously approved security system at the East Grand Rapids water tower site be approved.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-228. City Manager Donovan reviewed the situation surrounding the issuance of building permits within the flood plain. City staff has thoroughly researched the issue and believes that the building permit process can be revised to meet the requirements of the Michigan Department of Environmental Quality. The moratorium on issuance of such permits established by the City Commission on September 3, 2002 will be allowed to expire.

2003-229. Lawless-Barbour. 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

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-230. The regular meeting adjourned at 8:42 p.m. subject to the call of the Mayor until January 20, 2003.

Karen K. Brower, City Clerk

Attachments: A - Resolution approving amendment to GVMC Articles of Incorporation
B - Resolution amending the Pioneer Club Road assessment district

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 20, 2003

Mayor Frey called the meeting to order at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; Building Inspector Conley; City Clerk Brower

2003-231. Mayor Frey advised of the following communications received at City Hall:

- A. Card from Brian Whalen of 1602 Mackinaw thanking Mayor Frey and the City Commissioners for the opportunity to participate in the selection of a new City Commissioner.
- B. Letter from Fred and Kathleen Burkhart of 1435 Woodlawn thanking the Public Safety Department for their professional and courteous assistance during a recent fire at their home.
- C. List of honorees from the upcoming Board of Education meeting.

2003-232. No public comment was received.

2003-233. Commissioner Lawless thanked the School District for honoring the Varsity Football Team and the Girls Tennis Team on their State championships. He also thanked the Grand Rapids Press for their coverage of the "We The People" team which recently won their third state title.

Commissioners Kremers and Mulhall noted the observance of Martin Luther King Jr.'s birthday.

Mayor Frey reported that a new advertising/tourism campaign featuring "Michigan's West Coast" would be starting soon in national television and print ads.

2003-234. Barbour-Shimko. Motion to approve the consent agenda as follows:

2003-234-A. The minutes of the regular meeting held January 6, 2003.

2003-234-B. Payroll disbursements in the amount of \$146,465.83; county and school disbursements in the amount of \$370,074.56; and total remaining disbursements in the amount of \$266,172.77, as reviewed by the Finance Committee.

Yeas: Barbour, Kremers, Lawless, Mulhall, Shimko and Frey – 6

Nays: -0-

2003-235. City Clerk Brower administered the oath of office to 3rd Ward City Commissioner John Baxter.

2003-236. A zoning variance hearing was held regarding the request of Mr. and Mrs. Jeff Hoppman of 2514 Hall to allow the construction of a covered porch, creating a side yard setback of 12'-0" instead of the required 20'-0".

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

Jeff Hoppman, 2514 Hall, was present to introduce and answer questions about the variance request.

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

2003-236-A. Mulhall-Baxter. That the request of Mr. and Mrs. Jeff Hoppman of 2514 Hall to allow the construction of a covered porch, creating a side yard setback of 12'-0" instead of the required 20'-0" be approved.

Commissioner Barbour expressed his support for this variance request because the porch previously existed in this location.

Commissioner Mulhall also supported the variance request and noted there were no problems with sight distance for cars on either street.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-237. Consider request to approve an appointment to the Interurban Transportation Partnership Board.

2003-237-A. Barbour-Shimko. That City Commissioner Donald Lawless be appointed to the Interurban Transit Partnership Board of Directors for a two-year term ending December 31, 2004.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-238. Consider request to approve the Community Development Block Grant Agreement with Kent County.

2003-238-A. Kremers-Mulhall. That the Mayor be authorized to sign the annual CDBG Program Agreement with Kent County as set forth in Exhibit "A" attached hereto, and that an application for funding in the amount of \$164,551 for handicap curb ramps on city sidewalks be approved as requested.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-239. Consider request to approve City Commission committee assignments.

Mayor Frey recommended that the prepared list of assignments be revised to add Commissioner Baxter to the Finance Committee to divide duties with Commissioner Lawless.

2003-239-A. Barbour-Shimko. That committee assignments as recommended by Mayor Frey be approved with the above change.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-240. Introduction of an ordinance amendment to Chapter 101 Title X of the City Code pertaining to the Uniform Traffic Code and increasing the size of the Traffic Commission.

City Attorney Huff explained that the adoption of this ordinance amendment would supplement the Michigan Vehicle Code currently used for traffic violations and would increase the size of the Traffic Commission from five to seven members.

2003-240-A. Kremers-Shimko. That Chapter 101 Title X of the City Code pertaining to the Uniform Traffic Code and increasing the size of the Traffic Commission be introduced as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-241. The preliminary minutes of the Parks & Recreation Commission meeting held December 9, 2002.

2003-242. The preliminary minutes of the Planning Commission meeting held December 10, 2002.

2003-243. The preliminary minutes of the Traffic Commission meeting held January 6, 2003.

Commissioner Kremers questioned the status of the resident traffic calming requests. City Manager Donovan reported that meetings had been scheduled with each neighborhood and proposed solutions would be taken to the Traffic Commission for consideration, and then brought to the City Commission for final approval.

2003-244. The Public Safety Department Report for the month of November 2002.

2003-245. The City Services Department Report for the months of November 2002.

2003-246. Kremers-Barbour. 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

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-247. The regular meeting adjourned at 7:55 p.m. subject to the call of the Mayor until February 3, 2003.

Karen K. Brower, City Clerk

Attachments: A - Community Development Block Grant Agreement
B - Ordinance amendment to Chapter 101 regarding the Uniform Traffic Code

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 3, 2003

Mayor Frey called the meeting to order at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Deputy Public Safety Director Herald; Public Safety Lieutenant Williams; City Clerk Brower

2003-248. Mayor Frey advised of the following communications received at City Hall:

- A. Letter from Tim Orlebeke of 1524 Rosalind thanking the City Commission for the opportunity to serve on the Interurban Transit Partnership Board for the last several years.
- B. E-mail from Scot Ferris supporting the proposal to move the library to the former Jacobson's building.
- C. E-mail from Greg and Kathy Forzley supporting the proposal to move the library to the former Jacobson's building.

2003-249. Connie Christenson, 915 San Jose, questioned whether the City had obtained any load-bearing capacity numbers relating to the Jacobson's building. Mayor Frey responded that this has not been acquired yet.

Martha Smart, KDL Director, introduced Pamela DeMusio as the new KDL Board representative for East Grand Rapids, Ada, Cascade and Grand Rapids Township. Ms. DeMusio also addressed the City Commission regarding her new position on the board and her interest in assisting East Grand Rapids with expansion plans.

2003-250. Mayor Frey thanked Commissioner Barbour for his recent Cadence article and reported that the annual "State of the City" letter will be sent to residents in their February water bills. Mayor Frey also asked the commissioners about participating in the Michigan Municipal League's Mayor's Exchange later this spring.

City Manager Donovan announced that the City of East Grand Rapids had received a Landscape Design award from the Michigan Recreation and Parks Association for the Collins Park project. Parks & Recreation Director Bunn presented the award to Mayor Frey and Parks & Recreation Commissioner Shimko for their role in the project.

Commissioner Baxter thanked his fellow commissioners and the City staff for their warm welcome and orientations over the last several weeks to familiarize him with City operations.

Commissioner Mulhall distributed an article regarding the efforts of Plymouth, Michigan to limit the height of buildings in their downtown area and asked the other commissioners to read over this material.

Commissioner Lawless reported on his first meetings with the Interurban Transit Partnership Boards and the exciting new projects and services planned for the next few years.

Commissioner Kremers asked staff to investigate water in the roadway in the 2400 block of Richards where there was significant icing because of the cold temperatures. He also thanked City staff for working with various neighborhood groups on traffic calming projects and looked forward to discussing these items during the upcoming budget process.

2003-251. Shimko-Baxter. Motion to approve the consent agenda as follows:

2003-251-A. The minutes of the regular meeting held January 20, 2003.

2003-251-B. Payroll disbursements in the amount of \$154,922.59; county and school disbursements in the amount of \$1,073,659.78; and total remaining disbursements in the amount of \$294,022.87, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-252. Finance Director VanderWall presented the quarterly financial report for the period ending December 31, 2002 and answered questions from the City Commission. She noted that several revenue sources had been adjusted for the mid-year report because of declining state revenues and other changes. She reported that due to a refund from the City of Grand Rapids and good cash flow, the loan from the General Fund to the Water/Sewer Fund for the Beechwood project may not be needed.

2003-253. Final Reading of an ordinance amendment to Chapter 101 Title X of the City Code pertaining to the Uniform Traffic Code and increasing the size of the Traffic Commission.

2003-253-A. Kremers-Shimko. That Chapter 101 Title X of the City Code pertaining to the Uniform Traffic Code and increasing the size of the Traffic Commission be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-254. Consider request to approve appointments to the Traffic Commission.

2003-254-A. Baxter-Mulhall. That Camille Donnelly of 854 Lakeside and William Green of 703 Cambridge be appointed to the two new positions on the Traffic Commission effective immediately with terms expiring June 30, 2003.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-255. Consider request to award a contract for a planning consultant to review planned unit developments.

City Manager Donovan reviewed the proposals received and the recommendation of the Personnel Committee who had evaluated the proposals.

2003-255-A. Baxter-Kremers. That a contract be awarded to Langworthy Strader LeBlanc & Associates of Grand Rapids and Royal Oak for planning consultant services for planned unit developments on an hourly basis per the fee schedule submitted.

Commissioner Baxter, Mayor Frey and City Manager Donovan spoke in favor of Langworthy Strader LeBlanc & Associates because of their combined experience and their previous work for the City in completing the Comprehensive Master Plan in 1999.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-256. Consider request to approve a Records Retention Policy and Schedule.

2003-256-A. Barbour-Shimko. That the proposed Records Retention Policy and Schedule be approved as set forth in Exhibit "B" attached hereto.

City Manager Donovan thanked employees Sally Bode, Marty Dorris, Maurine Harrington, Diane Ritzke, Betsy Stuart, Heather York and Karen Brower for assembling this policy and extensive retention schedule.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-257. Consider request to approve the purchase of computers and related equipment.

2003-257-A. Barbour-Mulhall. That the purchase of various computer hardware and software from Remex Corporation in the amount of \$7,674.00, and from Ocean Inc. in the amount of \$1,933.00 be approved as requested.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-258. Consider request to approve the purchase of an ice/water rescue boat for the Public Safety Department.

Public Safety Director Gallagher reviewed the needs of the Department for a year-round rescue vehicle and answered questions from the City Commission. He noted that in addition to budgeted funding and a donation from the Rotary Club, the proceeds from the sale of the old boat would be used to cover the cost of the vehicle. Any remaining funding would be taken from the Drug Seizure Fund.

2003-258-A. Baxter-Shimko. That the purchase of an ice/water rescue boat from Diamondback Airboats of Cocoa, Florida in the amount of \$30,952.00, with funding of \$20,000 from the FY 02-03 budget, \$3,000.00 from a private donation, and \$7,952.00 from the sale of the current watercraft and/or from the Drug Seizure Fund.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-259. Barbour-Shimko. 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

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-260. The regular meeting adjourned at 8:22 p.m. subject to the call of the Mayor until February 17, 2003.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Chapter 101 regarding the Uniform Traffic Code
B - Records Retention Policy and Schedule

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 17, 2003

Mayor Frey called the meeting to order at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation Director Bunn; Deputy Public Safety Director Herald; Public Safety Lieutenant Williams; Public Safety Lieutenant Lark; City Clerk Brower

2003-261. Mayor Frey advised of the following communications received at City Hall:

- A. Email from Craig and Gretchen Speck of 3200 Hall Street supporting the expansion of the current library site as opposed to relocating the operations.
- B. Email from Sally Albright of 2256 Estelle regarding the unsatisfactory service provided by her snowplowing contractor.

2003-262. No public comment was received.

2003-263. Mayor Frey reported that city staff was working with other municipalities in Kent County regarding public education and possible mosquito abatement programs to combat the West Nile virus. She also reported that the old aerial ladder fire truck had been shipped out on February 15th to its new home in Arizona. She noted that more than 80 third graders from Lakeside Elementary had visited City Hall on February 13th to learn about the mayor and local government operations.

Commissioner Barbour reported that the Planning Commission had recently reviewed a rezoning request for property in Grand Rapids Township adjacent to Manhattan Park. The Planning Commission recommended to the Grand Rapids Township Planning Commission that the property remain zoned residential because of the surrounding neighborhoods and parkland.

Commissioner Kremers thanked the Parks & Recreation Department for the Daddy Daughter Dance held on February 5th that he attended with his daughter. He questioned staff on the status of the water/ice situation on Richards from a sump pump drain. City staff is reviewing the situation. Commissioner Kremers also asked staff to continue working with residents on Englewood for possible methods to slow speeding traffic, and noted that several construction vehicles had been parked for an extended period at the corner of Hall and Lake Grove.

Commissioner Lawless thanked Mayor Frey for meeting with the Lakeside 3rd graders and sharing her experiences with them. He also asked fellow commissioners to consider supporting the "We The People" fundraiser currently in progress.

Commissioner Mulhall thanked City Manager Donovan for the informative articles regarding council functions.

Commissioner Shimko thanked all the members of the Streets & Utilities Department for their vigilance in keeping the streets as clear and passable as possible during the recent bout of winter weather.

2003-264. Shimko-Mulhall. Motion to approve the consent agenda as follows:

- 2003-264-A. The minutes of the regular meeting held February 3, 2003.

2003-264-B. Payroll disbursements in the amount of \$158,218.32; county and school disbursements in the amount of \$105,326.95; and total remaining disbursements in the amount of \$318,054.65, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-265. Mayor Frey noted that Streets & Utilities Superintendent Tom Keating was unable to attend the meeting due to illness. The recognition of his 25 years of service to the City of East Grand Rapids will take place at a future meeting.

2003-266. Consider request to award a contract for Parks & Recreation Master Plan consultant.

Commissioner Lawless questioned the current proposal versus the cost to prepare the plan in 1998 and whether these services had been competitively bid. City Manager Donovan reported that competitive bids for hourly rates had been sought for landscape design services in October 2000 and MC Smith Associates had received a three-year contract for landscape design work at that time based on the bids they submitted. It was reported that the cost to prepare the 1998 plan was \$9,800.00.

2003-266-A. Barbour-Shimko. That a contract be awarded to MC Smith Associates & Architectural Group to update the Parks & Recreation Master Plan at a cost not to exceed \$10,000.00.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-267. Consider request to approve the purchase of laser radar unit for the Public Safety Department.

2003-267-A. Barbour-Shimko. That the purchase of a laser radar unit from Laser Technology in the amount of \$3,050.00 be approved.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-268. Consider request to approve the purchase of fitness equipment for the Public Safety Department.

2003-268-A. Shimko-Lawless. That the purchase of a chin-up and dip machine from America Fitness of Grand Rapids in the amount of \$2,525.00 from the Drug Seizure Fund be approved.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-269. Consider request to approve the purchase of in-car video system for the Public Safety Department.

2003-269-A. Barbour-Baxter. That the purchase of an in-car video system from Mobile Vision of Boonton, New Jersey be approved in the amount of \$4,969.00 from the Drug Seizure Fund.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-270. Consider request to approve the purchase of replacement vehicles for the Streets & Utilities Department.

2003-270-A. Kremers-Mulhall. That the purchase of two pick-up trucks and one dump truck from Snethkamps Dodge of Lansing in the amount of \$62,396.34 be approved.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-271. Consider request to decide on alternate meeting date for spring break meeting of April 7, 2003.

2003-271-A. Baxter-Kremers. That the meeting currently scheduled for April 7, 2003 be rescheduled to Thursday, April 3, 2003 at 8:00 a.m.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-272. The preliminary minutes of the Library Commission meeting held November 25, 2002 were received.

2003-273. The preliminary minutes of the Traffic Commission meeting held February 3, 2003 were received.

2003-274. The preliminary minutes of the Parks & Recreation Commission meeting held January 13, 2003 were received.

2003-275. Kremers-Baxter. 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

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-276. The regular meeting adjourned at 8:05 p.m. subject to the call of the Mayor until February 17, 2003.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 3, 2003

Mayor Frey called the meeting to order at 7:33 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Deputy Public Safety Director Herald; City Clerk Brower

2003-264. Mayor Frey advised of the following communications received at City Hall:

- C. List of "We The People" honorees from the February 17, 2003 School Board meeting.
- D. Certificate of appreciation from the Michigan Community Blood Centers for participation in a blood drive.
- E. Article from the Gallup, New Mexico "Independent" detailing the donation of the aerial ladder fire truck to the Navaho nation.
- F. Article from the Seidman Business Review regarding home prices in East Grand Rapids.

2003-265. Mayor Frey introduced John Longford, an 8th grader from the Middle School, who was shadowing her during the evening to learn about careers in public office.

2003-266. Mayor Frey thanked Commissioner Baxter for his first article in the Cadence last week. She also related some interesting observations from her recent trip to South America on pedestrian paths and roller blading in the streets on weekends.

Commissioner Shimko noted the article in Cadence last week featuring Streets & Utilities Superintendent Tom Keating. He noted that the Streets & Utilities Department performs many duties often taken for granted and expressed his appreciation to the crew members for keeping the streets and sidewalks clear during the winter and all of the other tasks they complete.

Commissioner Mulhall complimented staff on the Spring 2003 News and Views Newsletter. He also noted that there is a group in place to consider development along the East Beltline such as dealt with recently by the Planning Commission.

Commissioner Lawless updated the City Commission on plans by the Interurban Transit Partnership to seek a millage renewal and possibly an increase at the November election.

Commissioner Baxter thanked City Manager Donovan, City Clerk Brower, Parks & Recreation Director Bunn and Public Safety Director Gallagher for their assistance during his orientation.

2003-267. Shimko-Baxter. Motion to approve the consent agenda as follows:

2003-267-A. The minutes of the regular meeting held February 17, 2003.

2003-267-B. Payroll disbursements in the amount of \$162,160.36; county and school disbursements in the amount of \$764,654.08; and total remaining disbursements in the amount of \$154,300.11, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-268. Mayor Frey reported that the zoning variance hearing for the request of Stuart Jacobson of 1401 Breton Road would be postponed to a future meeting because the applicants were out of town. No public comment was offered regarding this request.

2003-269. Introduction of an ordinance amendment to Section 10.66 of Chapter 103 of Title X of the City Code pertaining to Uniform Traffic Code violations.

City Attorney Huff briefly reviewed the provisions of the section and answered questions from the City Commission. He noted that the Traffic Commission had reviewed this issue at their meeting earlier in the evening and recommends approval by the City Commission.

Mayor Frey suggested that staff use the monthly water bill insert to educate residents on the ordinance provisions and the increase in penalties.

2003-269-A. Kremers-Shimko. That an ordinance amendment to Section 10.66 of Chapter 103 of Title X of the City Code pertaining to Uniform Traffic Code violations be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-270. Consider request to award a contract for the annual 4th of July fireworks show.

2003-270-A. Lawless-Kremers. That a contract in the amount of \$15,000 be awarded to Wolverine Fireworks Display for the annual 4th of July celebration fireworks.

Commissioner Lawless asked City Attorney Huff to insure that new regulatory requirements were addressed in the written contracts with Wolverine Fireworks Display.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-271. Barbour-Shimko. 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

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-272. The regular meeting adjourned at 7:51 p.m. subject to the call of the Mayor until March 17, 2003.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Chapter 103 regarding Uniform Traffic Code violations.

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 17, 2003

Mayor Frey called the meeting to order at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Deputy Public Safety Director Herald; City Clerk Brower; PSO Asher; PSO Naumcheff, Sgt. Schweitzer; Sgt. Smith ; PSO Brown; PSO Davis; PSO Gruizin; PSO Perez; PSO Holmes; Firefighter Hecker; Firefighter Hall

2003-277. Mayor Frey advised of the following communications received at City Hall:

- A. Grand Rapids Press article thanking Parks & Recreation Director Bunn and the City for hosting the Irish Jig road race when another location could not be found.
- B. Boca Raton News article supplied by Mayor Frey concerning the passage of a library millage in that city.
- C. Email from Dennis & Amy Donohue of 2019 Argentina regarding the need for increased plowing of sidewalks following snowstorms.

2003-278. Penny Pestle, EGR resident and director the Delta Strategy, was present to speak in favor of the Interurban Transit Partnership's millage election scheduled for November.

2003-279. Commissioner Shimko noted that this was City Services Director Bill Baragar's last City Commission meeting before his retirement at the end of March. He thanked Mr. Baragar for his 21 years of service to the City and stated that he would be sorely missed.

Commissioner Mulhall wished everyone a happy St. Patrick's Day and thanked Bill Baragar for his years of service. He also thanked Assessor Vicki Mesik, Office Clerk Teresa Potts, and the members of the Board of Review—Patsy Dodgson, Sam Helmrick, Paul Howland, Carl Reid and Don Lawless—for their long hours organizing and participating in the Board of Review process that wrapped up last week.

Commissioner Baxter thanked those who complimented his first Cadence article a few weeks ago.

Mayor Frey reported Jerry Felix has resigned as Director of the Grand Valley Metro Council and the search for a new director is beginning. She asked fellow commissioners to consider submitting recipes for a Kent District Library cookbook being organized. She also expressed good wishes to Bill Baragar on his retirement.

Commissioner Kremers congratulated Bill Baragar on his retirement and thanked him for his historical perspective on many of the issues that have faced the City Commission and other boards over the last several years and stated that his expertise in city operations will be missed.

Commissioner Lawless complimented the Parks & Recreation Director Bunn for hosting Irish Jig race. He also complimented Bill Baragar on his dedication to continual investment and replacement in the infrastructure of East Grand Rapids. He noted that the residents of East Grand Rapids will be seeing the benefits of this dedication for decades to come.

2003-280. Shimko-Baxter. Motion to approve the consent agenda as follows:
2003-280-A. The minutes of the regular meeting held March 3, 2003.

2003-280-B. Payroll disbursements in the amount of \$153,042.64; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$283,684.03, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-281. Tom Keating, Superintendent of the Streets & Utilities Division was recognized for his 25 years of service to the City of East Grand Rapids in the City Services Department.

2003-282. Chief Gallagher presented awards to members of the Public Safety Department for their outstanding efforts during a traffic accident on October 29, 2002 where officers saved the life of a young boy trapped underneath a vehicle. Receiving awards were:

Sergeant Timothy Schweitzer – Departmental Meritorious Service Medal.
Sergeant David Smith – Life Saving Award
Sergeant Jeffrey Metternich – Life Saving Award
Public Safety Officer Troy Brown – Life Saving Award
Public Safety Officer Brian Davis – Life Saving Award
Public Safety Officer Peter Gruizin – Life Saving Award
Public Safety Officer Matthew Perez – Certificate of Recognition
Public Safety Officer Ryan Holmes – Certificate of Recognition
Firefighter Michael Hall – Certificate of Recognition
Firefighter Warren Hecker – Certificate of Recognition

2003-283. A zoning variance hearing was held regarding the request of Mr. and Mrs. Fillipe Iorio of 2320 Argentina to allow the construction of an addition to the rear of the home creating a side yard setback of 5'-0" instead of the 7'-0" required and a rear yard setback of 7'-0" instead of the required 25'-0."

Elizabeth and Fillipe Iorio, 2320 Argentina, were present to introduce and answer questions about the request.

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

- Bill Meade, 2333 El Dorado	Opposed if applicants could not guarantee that drainage would not increase on their property.
- Kathy Padula, 2335 El Dorado	Concerned about drainage and the impact of a two-story garage looming over her property.
- Elaine Rongey, 2319 El Dorado	Opposed because of drainage and proximity of garage to property line.
- Barney Turner, 2330 Argentina	In Favor.

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

- David & Kathryn Padula, 2325 El Dorado	Opposed.
- Bill & Marcia Meade, 2333 El Dorado	Opposed.

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

Commissioner Barbour spoke in support of the variance because of the similarity to a corner lot and the adequate side yard of this property.

Commissioner Shimko expressed concern about the drainage issue and the proximity of the large addition to the properties behind this home.

Commissioner Lawless stated he would not be voting on this issue because of his professional relationship with Mr. Iorio, but asked City Attorney Huff whether a variance could be conditioned on the satisfactory resolution of the drainage issue. City Attorney Huff responded that a drainage plan could be part of granting a variance. Mr. Huff also spoke about the differences between attached and detached garages as outlined by the City Code.

Commissioners Mulhall and Baxter spoke against granting the variance because of the size of the addition, the distance to the rear property line and the height differential between the houses on Argentina and El Dorado.

2003-283-A. Barbour-_____. That the request of Mr. and Mrs. Fillipe Iorio of 2320 Argentina to allow the construction of an addition to the rear of the home creating a side yard setback of 5'-0" instead of the 7'-0" required and a rear yard setback of 7'-0" instead of the required 25'-0" be approved.

Motion failed due to lack of a second.

Commissioner Kremers spoke of tabling this request until the applicants can address neighbor's drainage concerns and possibly work on minimizing the rear yard setback.

Members of the audience again expressed their concerns about drainage and the closeness of the addition to the rear property line.

2003-283-B. Kremers-Baxter. That the request of Mr. and Mrs. Fillipe Iorio of 2320 Argentina to allow the construction of an addition to the rear of the home creating a side yard setback of 5'-0" instead of the 7'-0" required and a rear yard setback of 7'-0" instead of the required 25'-0" be tabled until a future meeting.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko and Frey – 6

Nays: -0-

Abstain: Lawless – 1

2003-284. A zoning variance hearing was held regarding the request of Mr. and Mrs. Robert Boylan of 712 Cambridge to allow the construction of an addition to the rear of the home creating a side yard setback of 5'-0" instead of the required 10'-0."

Gina Paul, architect and neighbor of Mr. and Mrs. Boylan, was present to introduce and answer questions about the variance request.

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

- Gina Paul, 721 Cambridge In Favor

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

- James P. Enright, 737 Cambridge In Favor

- Richard & Margaret Moritz, 750 Cambridge In Favor

- Kevin & Gina Paul, 721 Cambridge In Favor

- Mark & Mindy Bridgewater, 720 Cambridge In Favor

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

2003-284-A. Barbour-Lawless. That the request of Mr. and Mrs. Robert Boylan of 712 Cambridge to allow the construction of an addition to the rear of the home creating a side yard setback of 5'-0" instead of the required 10'-0" be approved.

Commissioner Barbour spoke in favor of the variance request because of the unique layout of the property.

Commissioner Lawless noted that there was ample room for the placement of a garage within the setbacks, but supported the variance because of the location and placement of the neighbors garage and the forward placement and minimal impact on the neighboring property.

Commissioners Mulhall and Kremers spoke against the request because the size of the lot would permit the addition without reducing the side yard setbacks. Commissioner Baxter also expressed concern about the proximity to the lot line when other options existed.

Yeas: Barbour, Baxter, Lawless and Frey – 4
Nays: Kremers, Mulhall, Shimko – 3

2003-285. Final Reading of an ordinance amendment to Section 10.66 of Chapter 103 of Title X of the City Code pertaining to Uniform Traffic Code violations.

City Attorney Huff reviewed revisions made to the amendment since its introduction on March 3, 2003 to remove the penalties for parking on a street less than 25 feet in width. He explained that the Public Safety Department had asked for this section to be removed because of the number of streets affected and the beneficial traffic calming effects.

2003-285-A. Lawless-Kremers. That an ordinance amendment to Section 10.66 of Chapter 103 of Title X of the City Code pertaining to Uniform Traffic Code violations be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Baxter spoke in favor of amending the City Code to provide for a larger fine for leaving a vehicle unattended while running.

2003-285-B. Baxter-Shimko. Motion to amend 2003-281-A. to raise the fine for UTC Section R28.1458 from \$20.00 to \$100.00.

Yeas: Baxter and Shimko – 2
Nays: Barbour, Kremers, Lawless, Mulhall and Frey – 5

2003-285-C. Mulhall-Baxter. Motion to amend 2003-281-A. to raise the fine for UTC Section R28.1458 from \$20.00 to \$50.00.

Yeas: Baxter, Mulhall and Shimko – 3
Nays: Barbour, Kremers, Lawless and Frey – 4

Vote on 2003-281-A.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-286. Introduction of an ordinance amendment to Section 10.13 of Chapter 101 of Title X of the City Code pertaining parking regulations.

2003-286-A. Kremers-Mulhall. That an ordinance amendment to Section 10.13 of Chapter 101 of Title X of the City Code pertaining parking regulations be introduced as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-287. Introduction of an ordinance amendment to Section 1.692 of Chapter 14 of Title I and Section 9.35 of Chapter 92 of Title IX of the City Code pertaining to the enforcement of animal control violations.

City Attorney Huff explained that this amendment would allow the Director of Public Safety to designate additional personnel, such as bike patrol cadets, to issue civil infraction citations for animal control violations.

2003-287-A. Barbour-Shimko. That an ordinance amendment to Section 1.692 of Chapter 14 of Title I and Section 9.35 of Chapter 92 of Title IX of the City Code pertaining to the enforcement of animal control violations be introduced as set forth in Exhibit "C" attached hereto.

Commissioner Lawless asked that this amendment be reviewed in one year in order to determine the effectiveness of this provision.

2003-287-B. Lawless-Kremers. Motion to amend 2003-283-A. to provide that the Public Safety Director's authority to designate such personnel expire in one year.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

Vote on 2003-283-A. as amended.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-288. Consider request to award a contract for portable toilets for city properties and events.

2003-288-A. Barbour-Shimko. That a contract in the amount of \$2,479.00 be awarded to Jons To Go Portable Restroom Service for special events and use at outdoor city properties.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-289. Consider request to award a contract for grounds maintenance services.

Parks & Recreation Director Bunn reviewed the bidding process and the evaluation of those submitting bids. He recommended awarding the contract to the second lowest bidder, D.J.'s Lawn Service, because the low bidder did not have sufficient equipment to perform the spring and fall clean-ups.

Roger Torres and Lissette Torres of Expo Landscaping were present to protest staff's decision and ask that they be awarded the contract as the low bidder. Mr. Torres reviewed his experience and stated he would be purchasing the necessary equipment if awarded the contract.

The City Commission discussed the situation and the possibilities of awarding a contract for less than three years to give Expo Landscaping an opportunity to perform the work.

2003-289-A. Barbour-Baxter. That a three-year contract be awarded to D.J.'s Lawn Service Inc. in the amount of \$56,047 for FY 2003-04, \$57,168 for FY 2004-05, and \$58,311 for FY 2005-06 for grounds maintenance services for city and school properties.

Yeas: Barbour, Baxter, Kremers and Frey – 4
Nays: Lawless, Mullhall and Shimko – 3

2003-290. Consider request to approve Public Safety Department physicals.

2003-290-A. Kremers-Barbour. That a contract for biennial physical exams and fitness testing for 33 members of the Public Safety Department be awarded to Med 1 of Grand Rapids in the amount of \$14,371.50.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-291. Consider request to award a contract for uniforms and mats for the Streets & Utilities Department.

2003-291-A. Baxter-Shimko. That a service agreement for Streets & Utilities union personnel uniforms and mats, runners and shop towels for city buildings be awarded to Grantex in the amount of \$823.80 per month.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-292. Consider request to award a contract for executive search services.

2003-292-A. Barbour-Shimko. That a contract with the Michigan Municipal League in the not-to-exceed amount of \$8,300.00 to provide search assistance for the City Services Director position be approved as requested.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-293. Consider request to award a contract for t-shirts for various Parks & Recreation Department programs.

2003-293-A. Shimko-Barbour. That a contract be awarded to Kel Graphics of Cadillac in the amount of \$27,762.50 for t-shirts for league sports, clinics, Safety Town, Reeds Lake Run and Reeds Lake Triathlon participants.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-294. Consider request to authorize staff to seek bids for summer road construction and water/sewer projects.

2003-294-A. Lawless-Kremers. That staff be authorized to seek bids for summer road construction and water/sewer projects as outlined.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-295. The preliminary minutes of the Library Commission meeting held January 27, 2003 were received.

2003-296. The preliminary minutes of the Library Commission meeting held February 24, 2003 were received.

2003-297. The preliminary minutes of the Traffic Commission meeting held March 3, 2003 were received.

2003-298. The preliminary minutes of the Parks & Recreation Commission meeting held February 24, 2003 were received.

2003-299. The preliminary minutes of the Planning Commission meeting held February 11, 2003 were received.

2003-300. The Public Safety Department Report for the month of December 2002 was received.

2003-301. The Public Safety Department Report for the month of January 2003 was received.

2003-302. The Public Safety Department Report for the month of February 2003 was received.

2003-303. The City Services Department Report for the months of December 2002 was received.

2003-304. The City Services Department Report for the months of January 2003 was received.

2003-305. Kremers-Mulhall. 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

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-306. The regular meeting adjourned at 9:35 p.m. subject to the call of the Mayor until April 3, 2003.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Chapter 103 regarding Uniform Traffic Code violations.
B - Ordinance amendment to Section 10.13 regarding parking violations.
C - Ordinance amendment to Section 1.692 and Section 9.35 regarding animal control enforcement.

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 April 3, 2003

Mayor Frey called the meeting to order at 7:35 a.m. in the City Commission Chambers at City Hall.

Present: Commissioners Baxter, Kremers, Lawless, Shimko and Mayor Frey

Absent: Commissioners Barbour and Mulhall

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Gallagher; Building Inspector Conley; Engineering Supervisor Kadzban; City Clerk Brower

2003-307. Mayor Frey advised of the following communications received at City Hall:

- A. Invitation from the Grand Valley Metro Council to a luncheon featuring information on the west Nile virus.
- B. Letter from Alex Yared of 1744 Alexander supporting the relocation of the library to the former Jacobson's property.
- C. Letter from County Clerk Mary Hollinrake urging the City to relocate the library to the former Jacobson's building.
- D. Letter from Daniel Mulhern inviting city officials to the "First Man's Forum" on Tuesday, May 6th to discuss leadership roles.

2003-308. No public comment was received.

2003-309. City Manager Donovan reported that city staff are working with other Kent County municipalities to implement a west Nile virus awareness program consisting of a tracking system and possibly spraying for mosquitos.

Commissioner Lawless noted that Charlie Denton was running for the School Board in the June 9th election. He also updated the City Commission on the status of the Interurban Transit Partnership's decision to place a millage renewal question on the November ballot. He asked that information regarding the issue be forwarded to the City Commissioners prior to the next meeting for discussion.

2003-310. Shimko-Baxter. Motion to approve the consent agenda as follows:

2003-310-A. The minutes of the regular meeting held March 17, 2003.

2003-310-B. Payroll disbursements in the amount of \$152,256.79; county and school disbursements in the amount of \$58,854.16; and total remaining disbursements in the amount of \$348,254.60, as reviewed by the Finance Committee.

Yeas: Baxter, Kremers, Lawless, Shimko and Frey – 5

Nays: -0-

2003-311. Final Reading of an ordinance amendment to Section 10.13 of Chapter 101 of Title X of the City Code pertaining to parking regulations.

2003-311-A. Lawless-Kremers. That an ordinance amendment to Section 10.13 of Chapter 101 of Title X of the City Code pertaining parking regulations be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Baxter, Kremers, Lawless, Shimko and Frey – 5

Nays: -0-

2003-312. Final Reading of an ordinance amendment to Section 1.692 of Chapter 14 of Title I and Section 9.35 of Chapter 92 of Title IX of the City Code pertaining to the enforcement of animal control violations.

2003-312-A. Shimko-Kremers. That an ordinance amendment to Section 1.692 of Chapter 14 of Title I and Section 9.35 of Chapter 92 of Title IX of the City Code pertaining to the enforcement of animal control violations be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Baxter, Kremers, Lawless, Shimko and Frey – 5
Nays: -0-

2003-313. Introduction of an ordinance amendment to Chapter 80 of Title VIII of the City Code pertaining to the Building Code.

2003-313-A. Lawless-Kremers. That an ordinance amendment to Chapter 80 of Title VIII of the City Code pertaining to the Building Code be introduced as set forth in Exhibit "C" attached hereto.

Yeas: Baxter, Kremers, Lawless, Shimko and Frey – 5
Nays: -0-

2003-314. Introduction of an ordinance amendment to Article I of Chapter 84 of Title VIII of the City Code pertaining to the property maintenance code.

2003-314-A. Shimko-Lawless. That an ordinance amendment to Article I of Chapter 84 of Title VIII of the City Code pertaining to the property maintenance code be introduced as set forth in Exhibit "D" attached hereto.

Yeas: Baxter, Kremers, Lawless, Shimko and Frey – 5
Nays: -0-

2003-315. Consider request to award a contract for the review of the Employee Flexible Benefit Plan.

2003-315-A. Kremers-Shimko. That a contract not-to-exceed \$19,000 be awarded to Kushner & Company of Kalamazoo to review the Employee Flexible Benefit Plan for possible funding alternatives.

Yeas: Baxter, Kremers, Lawless, Shimko and Frey – 5
Nays: -0-

2003-316. Consider request to award a contract for resident communications assistance.

2003-316-A. Shimko-Baxter. That Jones & Gavan LLC be hired for assistance with resident communications.

Yeas: Baxter, Kremers, Lawless, Shimko and Frey – 5
Nays: -0-

2003-317. Consider request to approve the painting of a mural on the concrete wall on Lakeside Drive at the track.

Becky Pobst, Jade Hoyer and Anna Geering were present to show the design for the four-seasons mural depicting the four seasons in East Grand Rapids that would be painted on the concrete retaining wall along Lakeside Drive at the high school track as a senior projects. They students estimated that with the polyurethane paints to be used the mural would last approximately five years. It is hoped that future students would continue to maintain the mural, but the city has the option to remove the mural if it is not maintained.

The City Commissioners expressed their satisfaction with the project and complimented the students on their design and research on this project.

2003-317-A. Kremers-Baxter. To approve the placement of a four-seasons mural on the concrete retaining wall within the City right-of-way on Lakeside Drive at the high school track.

Yeas: Baxter, Kremers, Lawless, Shimko and Frey – 5
Nays: -0-

2003-318. Kremers-Shimko. 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

Yeas: Baxter, Kremers, Lawless, Shimko and Frey – 5
Nays: -0-

2003-319. The regular meeting adjourned at 7:50 a.m. subject to the call of the Mayor until April 21, 2003.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Section 10.13 regarding parking violations.
B - Ordinance amendment to Section 1.692 and Section 9.35 regarding animal control enforcement.
C - Ordinance amendment to Chapter 80 regarding the Building Code.
D - Ordinance amendment to Chapter 84 regarding the property maintenance code.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held April 21, 2003

Mayor Frey called the meeting to order at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: Commissioner Baxter

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Gallagher; Finance Director VanderWall, Building Inspector Conley; Engineering Supervisor Kadzban; City Clerk Brower; Sgt. Bolen; PSO Weertman; PSO Smith; PSO Holmes; PSO Conklin; PSO Kolster

2003-320. Mayor Frey advised of the following communications received at City Hall:

- A. Letter from Claire Ludlow of Reeds Lake Blvd expressing concern for bicyclists who ride in the street instead of on the sidewalk.
- B. Invitation from Aquinas Community Leadership Institute to a speech by the Michigan Surgeon General.
- C. Information from the Interurban Transit Partnership regarding the millage situation.

2003-321. Jim Koetje, 86th District State Representative, updated the City Commission on several issues in Lansing and the current budget crisis.

Two troops of Webelos from Lakeside School were present to observe the City Commission meeting to obtain their citizenship badges.

2003-322. Mayor Frey noted several upcoming meetings and events and reported receiving several letters from Mr. Schweinger's fifth grade class at Wealthy Elementary with suggestions for city projects. She also thanked the employees of the City Services and Public Safety Departments for their outstanding efforts in coordinating the city's response to the recent ice storm during spring break.

City Manager Donovan thanked the residents of the city for their patience during the clean-up efforts and reported that Streets & Utilities crews were still working overtime to catch up on the collection of storm debris.

2003-323. Lawless-Shimko. Motion to approve the consent agenda as follows:

2003-323-A. The minutes of the rescheduled regular meeting held April 7, 2003.

2003-323-B. Payroll disbursements in the amount of \$157,451.38; county and school disbursements in the amount of \$16,469.45; and total remaining disbursements in the amount of \$243,887.55, as reviewed by the Finance Committee.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6

Nays: -0-

2003-324. Chief Gallagher recognized Sgt. Jerry Bolen for 25 years of service to the City of East Grand Rapids. The City Commissioners congratulated Sgt. Bolen on this milestone and thanked him for his dedication to the citizens.

2003-325. A zoning variance hearing was held regarding the request of Stuart Jacobson of 1401 Breton Road to allow the installation of a 4'-0" aluminum fence along the Breton and Rosalind Road right-of-ways.

Stuart Jacobson, 1401 Breton, was present to introduce and answer questions about the variance request.

Commissioner Barbour also expressed his support for the variance, in part because only a corner of the proposed residence will infringe into the setback and not the entire length of the home. He disclosed a business association with Mr. Bickley's company, but did not feel this would impede his judgment on the request.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-327. Final Reading of an ordinance amendment to Chapter 80 of Title VIII of the City Code pertaining to the Building Code.

2003-327-A. Barbour-Kremers. That an ordinance amendment to Chapter 80 of Title VIII of the City Code pertaining to the Building Code be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-328. Final Reading of an ordinance amendment to Article I of Chapter 84 of Title VIII of the City Code pertaining to the property maintenance code.

2003-328-A. Barbour-Lawless. That an ordinance amendment to Article I of Chapter 84 of Title VIII of the City Code pertaining to the property maintenance code be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-329. The City Commission discussed the information distributed by the Interurban Transit Partnership on the possibility of placing a millage question on the ballot for public vote in November.

Win Irwin, East Grand Rapids representative to the ITP Board, was present to give further details on the issue and answer questions from the City Commission.

2003-330. Consider request to award a contract for the annual road crack repair program.

2003-330-A. Lawless-Shimko. That a contract in the amount of \$19,992.00 be awarded to Scodeller Construction Company of South Lyons, Michigan for the crack repair program.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-331. Consider request to award a contract for the annual road construction program.

2003-331-A. Shimko-Barbour. That the contract for the summer road construction projects be awarded to Grant Tower Company of Grant in the amount of \$271,236.00, plus contingencies of \$26,600.00 for a total contract of \$297,836.00.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-332. Consider request to award a contract for the lane striping of various streets.

2003-332-A. Shimko-Barbour. That a contract be awarded to Michigan Pavement Markings in the amount of \$16,251.80 for the painting of lane and pavement markings on various city streets.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-333. Consider request to reject bids received for the adjustment of manhole castings.

2003-333-A. Lawless-Mulhall. That the bids received from vendors for the manhole casting adjustment program be rejected and staff be authorized to bid this project again at a later date.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-334. Consider request to approve the purchase of a wire welder for the Streets & Utilities Department.

2003-334-A. Barbour-Kremers. That the purchase of a wire welder for the Streets & Utilities Department from Purity Cylinder Gases of Grand Rapids in the amount of \$2,906.69 be approved as requested.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-335. Consider request to approve the purchase of accessory equipment for new dump trucks.

2003-335-A. Shimko-Mulhall. That the purchase of two snow plows from Allied Truck Equipment in the amount of \$5,878.00 and one dump box from Hoekstra Truck Equipment in the amount of \$4,130.00 for placement on the new dump trucks be approved with budget amendment of \$300.00 for this purchase.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-336. Consider request to approve the purchase of replacement water meter reading equipment.

2003-336-A. Barbour-Mulhall. That the purchase of a new Sensus water meter reader from Etna Supply Company in the amount of \$5,600.00 be approved.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-337. The preliminary minutes of the Library Commission meeting held March 31, 2003 were received.

2003-338. The preliminary minutes of the Parks & Recreation Commission meeting held March 10, 2003 were received.

2003-339. The Public Safety Department Report for the month of March 2003 was received.

2003-340. The City Services Department Report for the months of February 2003 was received.

2003-341. Kremers-Shimko. Motion to add to the agenda 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.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-342. Mulhall-Shimko. 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.

Yeas: Barbour, Kremers, Mulhall, Lawless, Shimko and Frey – 6
Nays: -0-

2003-343. The regular meeting adjourned at 8:25 p.m. subject to the call of the Mayor until May 5, 2003.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Chapter 80 regarding the Building Code
 B - Ordinance amendment to Chapter 84 regarding the property maintenance code.

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

UNOFFICIAL
Reference Only

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 5, 2003

Mayor Frey called the meeting to order at 7:32 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Mulhall, Shimko and Mayor Frey

Absent: Commissioner Lawless

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall, Building Inspector Conley; Streets & Utilities Superintendent Keating; Engineering Supervisor Kadzban; City Clerk Brower

2003-344. Mayor Frey advised of the following communications received at City Hall:

- A. Notice of the Michigan Municipal League's annual business meeting to be held September 16-19, 2003 in Detroit.
- B. Thank you letters to the Public Safety Department for assistance during a recent smoke alarm.
- C. Article from Grand Rapids Magazine regarding the rankings of various suburban areas.
- D. Letter from Irene VanHuisen of 639 Rosewood regarding the maintenance of gardens and flower beds owned by the City.
- E. Article from the Detroit News regarding fundraising efforts for public projects.

2003-345. No public comment was received.

2003-346. Mayor Frey noted that there would be a public meeting on Thursday, May 15, 2003 at 7:30 pm at the Middle School to outline the two proposals for expanding the library. She also reported that the high school play, Les Miserables, was a fantastic production. Mayor Frey reported the sad news of the death of Sean Reynolds, the son of East Grand Rapids resident Maureen Street, in an accident following the war in Iraq.

2003-346-A. Kremers-Mulhall. That a resolution of appreciation be sent to Maureen Street in gratitude of her son's service to the United States.

Yeas: Barbour, Kremers, Mulhall, Baxter, Shimko and Frey – 6
Nays: -0-

Commissioner Kremers congratulated the "We The People" team from the High School on their recent 4th place finish in the national competition.

Commissioner Baxter reported that he also attended the high school play and found it to be excellent.

2003-347. Shimko-Mulhall. Motion to approve the consent agenda as follows:

2003-347-A. The minutes of the regular meeting held April 21, 2003.

2003-347-B. Payroll disbursements in the amount of \$151,314.76; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$114,896.34, as reviewed by the Finance Committee.

Yeas: Barbour, Kremers, Mulhall, Baxter, Shimko and Frey – 6
Nays: -0-

2003-348. A zoning variance hearing was held regarding the request of David and Cara Cassard of 840 Floral to allow the installation of an 8'-0" privacy fence along a portion of the rear lot line instead of the permitted 6'-0".

Dave Cassard, 840 Floral, was present to introduce and answer questions about the variance request.

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

2003-348-A. Baxter-Barbour. That the request of David and Cara Cassard of 840 Floral to allow the installation of an 8'-0" privacy fence along a portion of the rear lot line instead of the permitted 6'-0" be approved.

Commissioner Barbour stated his support of the variance request because of the height difference between the backyards on Floral and Pinecrest.

Commissioner Mulhall stated that he would be voting against the request because he felt this was not a unique situation and that there were other remedies available to the homeowner.

Yeas: Barbour, Kremers, Baxter and Frey – 4

Nays: Mulhall and Shimko – 2

2003-349. A zoning variance hearing was held regarding the request of Mr. & Mrs. David Kammeraad, owners of 235 Gracewood, to allow the construction of a garage addition creating a front yard setback of 57'-0" instead of the required 63'-0."

Mark Shuart, architect for Mr. & Mrs. Kammeraad, was present to introduce and answer questions about the variance request.

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

2003-349-A. Barbour-Mulhall. That the request of Mr. & Mrs. David Kammeraad, owners of 235 Gracewood, to allow the construction of a garage addition creating a front yard setback of 57'-0" instead of the required 63'-0" be approved.

Yeas: Barbour, Kremers, Mulhall, Baxter, Shimko and Frey – 6

Nays: -0-

2003-350. A zoning variance hearing was held regarding the request of Mr. & Mrs. Tom DeLong of 2416 Maplewood to allow the construction of a two-story addition to the rear of the home approximately 3'-0" from the detached garage instead of the required 10'-0."

Neil Jones, architect for Mr. & Mrs. DeLong, was present to introduce and answer questions about the variance request.

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

2003-350-A. Shimko-Baxter. That the request of Mr. & Mrs. Tom DeLong of 2416 Maplewood to allow the construction of a two-story addition to the rear of the home approximately 3'-0" from the detached garage instead of the required 10'-0" be approved.

Commissioners Shimko and Mulhall expressed concern about proximity to the detached garage and whether adequate access could be gained from the other side of the home. Commissioner Mulhall stated his intent to vote against the request due to the availability of other options, including rebuilding the garage farther back on the lot.

Yeas: Barbour, Kremers, Baxter, Shimko and Frey – 5

Nays: Mulhall – 1

2003-351. Consider request to review the determination of the Building Inspector that there was no substantial change from a previous variance request for a lot split at 350 Manhattan.

Building Inspector Conley explained that a similar variance request for a lot split had been submitted and denied in 1993 by the previous owners of the property at 350 Manhattan. She noted that the only difference between the requests was that the width of the frontage on Manhattan Road had been increased from 20'-0" to 50'-0," but that the lot was still substantially undersized.

City Attorney Huff reviewed the provisions of the City Code for determining whether variance requests were substantially different (Section 5.172F) and again reviewed the two variance requests.

The following residents were present and expressed their opinions concerning this matter:

- | | |
|--------------------------------|--|
| - Barry Kane, 350 Manhattan | Reviewed the difference in road frontage and the changes in ownership since the original request. |
| - Casey Bartman, 336 Manhattan | Opposed to a reversal of the Building Inspector's determination because all lots in the area meet or exceed the A-1 zoning requirements. |
| - Susan Keulen, 405 Manhattan | Opposed because there have been no changes in circumstances within the neighborhood since the 1993 request. |

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

- | | |
|--|---|
| - Barry Kane, 350 Manhattan | Letter Appealing Decision of Building Inspector |
| - Cindy & Casey Bartman, 336 Manhattan | Opposed |
| - Susan Keulen, 405 Manhattan | Opposed |
| - Helen Bradford, 417 Manhattan * | Opposed |
| - "A Concerned Neighbor" | Opposed |
| - Jim Schumar, 322 Manhattan | Opposed |
| - Ed & Sarah Buck, 308 Manhattan | Opposed |
| - Barbara Keller, 439 Manhattan | Opposed |

2003-351-A. Barbour-Baxter. To uphold the decision of the Building Inspector determining that the zoning variance request submitted by Barry Kane and Becky Touchett relating to 350 Manhattan Road is essentially the same as the request submitted in 1993 by the previous owners of the property for a lot split and therefore ineligible for reconsideration.

Commissioners Barbour, Kremers and Baxter each noted that the current request was very similar to the first request and that the end result would not differ in either situation. They also noted that there had not been a substantial change in the character or development of the neighborhood.

Commissioner Mulhall agreed that the request was not substantially different, but felt the decision should be overturned so that specifics of the request could be heard and addressed.

Yeas: Barbour, Kremers, Baxter and Shimko – 4
Nays: Mulhall and Frey – 2

2003-352. Consider request to set dates for public hearings regarding the proposed budget and the placement of delinquent accounts on the tax roll.

2003-352-A. Kremers-Baxter. That June 2, 2003 be set as the public hearing date for the proposed budget and placement of delinquent accounts on the tax roll, and the date to hold a special meeting to adopt the budget.

Yeas: Barbour, Kremers, Mulhall, Baxter, Shimko and Frey – 6
Nays: -0-

2003-353. Consider request to approve a contract change order for the Wealthy Pool project.

2003-353-A. Shimko-Barbour. That Change Order #5 of the contract with Owen Ames Kimball in the amount of \$3,702.00 for the Wealthy Pool remodeling project be approved as requested.

Yeas: Barbour, Kremers, Mulhall, Baxter, Shimko and Frey – 6
Nays: -0-

2003-354. Consider request to authorize staff to solicit bids for replacement of the boiler unit at the municipal complex.

Commissioner Barbour asked that staff have the boiler inspected at the time that bids were solicited to determine if any other solutions were available.

2003-354-A. Mulhall-Shimko. That staff be authorized to seek bids for the replacement of the boiler unit at the municipal office complex and to commission an inspection of boiler at an approximate cost of \$500.00.

Yeas: Barbour, Kremers, Mulhall, Baxter, Shimko and Frey – 6
Nays: -0-

2003-355. City Manager Donovan announced that the request to authorize staff to solicit bids for the replacement of the waterproof covering on the water reservoir deck has been postponed until the next meeting.

2003-356. Consider request to approve program to combat the West Nile Virus.

Commissioner Mulhall asked staff to initiate a public education campaign about the effects of the larvicide, ways to prevent the spread of the virus, and how to report suspicious deaths of birds.

2003-356-A. Mulhall-Baxter. That a fund transfer of \$3,500 from the general fund ending balance to purchase liquid larvicide to combat the West Nile Virus be approved.

Yeas: Barbour, Kremers, Mulhall, Baxter, Shimko and Frey – 6
Nays: -0-

2003-357. The schedule of meeting dates for FY 2003-04 was received for information.

2003-358. Mulhall-Baxter. 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.

Yeas: Barbour, Kremers, Mulhall, Baxter, Shimko and Frey – 6
Nays: -0-

2003-359. The regular meeting adjourned at 8:40 p.m. subject to the call of the Mayor until May 19, 2003.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 19, 2003

Mayor Frey called the meeting to order at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall, Building Inspector Conley; Streets & Utilities Superintendent Keating; Building Inspector Conley; City Clerk Brower

2003-360. Mayor Frey advised of the following communications received at City Hall:

- A. Boiler inspection report from Hurst Industries as requested by the City Commission at its last meeting.
- B. Letter from Margit Sarne of 647 Lovett regarding the proposal to relocate the library.
- C. Letter from Michael Hoffman of Hoffman Jewelers supporting the relocation of the library to the Jacobson's building.
- D. Email from Joel Schultze of 933 Pinecrest regarding the format of the public meeting held May 15, 2003 on the library expansion proposals.
- E. Letter from Rick Chapla of 2056 Wilshire regarding the idea of moving the library to Jacobson's.
- F. Email from David Hooker of 2747 Bonnell concerning the placement of utility lines in Gaslight Village.
- G. Information presented at a recent City of Grand Rapids meeting regarding urban sprawl issues.

2003-361. No public comment was received.

2003-362. Mayor Frey commented on the good turnout and the information presented at the May 15th meeting to review both proposals to expand the library facilities. She reported that she and City Manager Donovan had met with representatives from WMEAC to go over the city's efforts to combat the West Nile Virus.

Commissioner Mulhall complemented architect Bob Olson and members of the staff for their preparation and execution of the public meeting on May 15th and thanked the City Services and Public Safety Departments for their work organizing the City's Clean-Up Day on May 17th.

City Manager Donovan noted an open house will be held on May 28th from 6:00 – 8:00 pm for public input on the Reeds Lake Trail plans. He also reported that a meeting is being organized with residents from Lansing Street who are interested in paving their street.

Commissioner Lawless thanked the City Commission for recognizing Sean Reynolds, a military serviceman whose mother lives in East Grand Rapids. He also noted the extremely heavy use of the school playgrounds as neighborhood parks by residents in the surrounding areas.

2003-363. Barbour-Baxter. Motion to approve the consent agenda as follows:

2003-363-A. The minutes of the regular meeting held May 5, 2003.

2003-363-B. Payroll disbursements in the amount of \$131,969.21; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$127,057.68, as reviewed by the Finance Committee.

Yeas: Barbour, Lawless, Mulhall, Baxter, Shimko and Frey – 6
Nays: -0-

2003-364. A zoning variance hearing was held regarding the request of Mr. & Mrs. Lee Kihnke, owners of 1118 Orchard, to allow the construction of an addition to the rear of the home approximately 4'-0" from the detached garage instead of the required 10'-0".

Bill Ferguson, builder, and Shelly Kihnke of 1118 Orchard were present to introduce and answer questions about the variance request.

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

2003-364-A. Lawless-Barbour. That the request of Mr. & Mrs. Lee Kihnke, owners of 1118 Orchard, to allow the construction of an addition to the rear of the home approximately 4'-0" from the detached garage instead of the required 10'-0" be approved.

Commissioner Lawless stated his intention to support the variance in spite of the relatively large size of the addition for the small lot.

Commissioner Mulhall spoke against granting the variance request because of the proximity to the garage and his belief that not every lot could support all types of development desired by homeowners.

Yeas: Barbour, Baxter, Lawless and Frey – 4
Nays: Mulhall and Shimko – 2

2003-365. A zoning variance hearing was held regarding the request of Matt Yadlowsky of 2235 Hall to allow the construction of a covered porch addition creating a side yard setback of 17'-0" instead of the required 20'-0".

Matt Yadlowsky, 2235 Hall, was present to introduce and answer questions about the variance request.

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

- Gerald & Margaret Strahan, 1161 Orchard Opposed

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

2003-365-A. Mulhall-Lawless. That the request of Matt Yadlowsky of 2235 Hall to allow the construction of an open-sided, covered porch addition creating a side yard setback of 17'-0" instead of the required 20'-0" be approved.

Commissioner Baxter questioned the applicant on the state of other projects underway at this time. Mr. Yadlowsky stated that the projects would all be completed by the fall.

Commissioners Lawless and Mulhall stated their support of the project because the porch would have open sides and would not create an enclosed space.

Commissioner Barbour noted that the corner lot created a unique situation in this request.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-366. A zoning variance hearing was held regarding the request of John Swain of 2630 Reeds Lake Blvd to allow a rear yard setback of 22'-0" instead of the required 25'-0" to facilitate a lot split.

Building Inspector Conley explained the variance request and reported that the applicant had been unable to attend the meeting. No public comment was received. Mayor Frey closed the public hearing.

City Attorney Huff noted that both of the lots in question would remain conforming lots if the variance were approved; however the structure on Lot 3 would become non-conforming because of the rear yard

setback. He stated that the variance request could be avoided by moving the platted lot line but that the applicant had decided to pursue a variance first because of access and other issues.

Commissioner Lawless related his conversation with the applicant and his intention to pursue a lot split if the variance were denied. Commissioner Lawless also stated his feelings that these properties would be redeveloped in the near future and that non-conforming issues could be addressed at that time.

2003-366-A. Lawless-Mulhall. That the request of John Swain of 2630 Reeds Lake Blvd to allow a rear yard setback of 22'-0" instead of the required 25'-0" to facilitate a lot split be approved.

Yeas: Barbour, Lawless, Mulhall, Shimko and Frey – 5
Nays: Baxter – 1

Commissioner Kremers arrived. Commissioner Lawless departed.

2003-367. Consider request to authorize staff to solicit bids for the replacement of the waterproof covering on the water reservoir deck.

Bob Olson of Cox Medendorp & Olson explained the water damage issues being caused by the leaking membrane currently covering the deck of the former water reservoir. He also outlined plans for a new waterproof covering with a drainage system and an optional green roof system to allow pedestrian traffic and aesthetic enhancements.

2003-367-A. Mulhall-Baxter. That staff be authorized to solicit bids for a waterproof covering for the water reservoir deck and the green roof system.

Commissioner Barbour spoke about the damage to the interior of the public safety building caused by rainwater and emphasized the need to address these problems.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-368. City Manager Donovan announced that the Kingswood sewer lift station issue had been postponed until a future meeting.

2003-369. Consider request to approve the purchase of a tire changer for the Streets & Utilities Department.

2003-369-A. Shimko-Baxter. That the purchase of a tire changer from Napa Auto Parts in the amount of \$3,679.00 for the streets & Utilities Department be approved.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-370. Consider request to approve the purchase of a tire wheel balancer for the Streets & Utilities Department.

2003-370-A. Shimko-Baxter. To approve the purchase of a wheel balancer for the Streets & Utilities Department from Snap On Tools in the amount of \$2,803.91.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-371. Consider request to approve ratify the emergency repair of sanitary sewer line.

2003-371-A. Barbour-Baxter. That the emergency repair of the sanitary sewer at 515 Plymouth in the amount of \$5,000.00 by Ryan's Sewer Cleaning Company be ratified as requested with funding to come from the Water/Sewer Fund ending balance.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko and Frey – 6
Nays: -0-

- 2003-372. Finance Director VanderWall presented the quarterly financial report for the period ending March 31, 2003.
- 2003-373. The preliminary minutes of the Parks & Recreation Commission meeting held April 14, 2003 were received.
- 2003-374. The City Services Department Report for the month of March 2003 was received.
- 2003-375. The City Commission discussed the tentative timeline for addressing the expansion of the library and the renovation of the municipal complex. Public hearings are scheduled for June 16th and July 7th in conjunction with regular City Commission meetings. June 30th was also discussed as a possible special meeting if needed. Commissioners suggested getting more information to residents with a special edition of the newsletter or a television show on the public access channel.
- 2003-376. The regular meeting adjourned at 9:01 p.m. subject to the call of the Mayor until June 2, 2003.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Special Meeting Held June 2, 2003

Mayor Frey called the meeting to order at 8:32 a.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Clerk Brower Nyal Deems (Special Counsel); Bob Olson (Architect); Scott Wierda and Brian DeVries (Jade Pig Ventures); Dawn Lewis, Connie Christenson, Pamela VanderPloeg, Joel Schultze (EGR Library representatives); Joe Gavan and Lisa Young (Jones & Gavan)

2003-377. Mayor Frey opened the meeting by stating that the purpose of the special session was to ask questions and determine the necessary steps and needed information if the City Commission decides to proceed with the proposal to relocate the library to the vacant Jacobson's building at 2255 Wealthy.

City Manager Donovan noted the City Commission was scheduled to take public input at their meetings on June 16th and July 7th before making a decision July 7th. Decisions on specific ballot language and other timing issues could be worked out by early August to place the issue on the November 2003 ballot.

City Attorney Huff noted more information on the purchase details, tenant mix, condominium documents, shared costs, etc. would also need to be addressed by early August. He also suggested the Planning Commission be involved as soon as possible to review the site plan and zoning details.

Mayor Frey suggested a decision could be reversed or revised even after July 7th if the details did not fall into place. City Manager Donovan noted this might affect the feasibility of a November election.

The following points were discussed with the highlights of each issue noted:

- Ø Scott Wierda distributed an executive summary of the purchase proposal and an analysis of investment and square footage allocations and reviewed both documents, which are attached to these minutes. He noted the City would own their portion of the building through the exterior walls with access to common areas and the parking structure. He estimated the total investment in the Jacobson's property to be \$16 million when complete.
- Ø Brian DeVries reviewed the preliminary site plan and stated the restaurant wing of the building would be torn down and new construction built in its place. A final site plan is being completed, and other documentation such as a development plan and closing documents can be developed over time. The cost estimate for library remodeling was based on a square foot formula and could be more or less depending on the finishes/fixtures chosen by the city and/or the bidding climate.
- Ø An independent appraisal of the building is possible at some point in this process.
- Ø The impact on city revenues was discussed with the agreement that the initial loss of approximately \$11,000 per year in taxes would be offset, erased or surpassed by higher revenues from the increased value of this and other surrounding properties.
- Ø The cost of \$14.5 million for proposal #2 included several estimates based on architect and engineer estimates for items such as mechanical/electrical work, floor span reinforcement and other items. These items may cost more or less than originally anticipated; however the higher numbers were used to ensure no surprises during construction.

- Ø The number of actual parking spaces needs to be determined, as well as the estimated number required for the different uses that will occupy the building.
- Ø The library representatives questioned the strength of the floor on both levels, the possibility of daylight in the lower level, elevators, the amount of space dedicated for mechanicals, and the final layout of the building. Scott Wierda offered to address specific questions directed to their offices in writing so that the engineers could answer them. The carbon fiber reinforcement solution was discussed at length, especially with the question of future flexibility to rearrange the book stacks. Scott Wierda will work with Bob Olson and Brian Donovan to get more details on this product and its uses.
- Ø Brian DeVries stated all development would take place simultaneously with the goal of opening all sections at roughly the same time. He stated the success of the entire site depends on the library issue—none of the possible tenants they have spoken with are interested in the project if the library does not move to this location, and the development of the condominiums at the Ramona Medical building will not take place either if the library is not relocated.
- Ø Commissioner Shimko relayed the concerns he has heard from residents about the high cost of purchase and developing the property given the state of the economy and current state revenues. Brian DeVries declined to address the specifics of their calculations or future plans, but stated that they will either rent below market value, let the building sit empty, or move on to the next tenant to fill the space if the city does not purchase the proposed location. He also expressed his dissatisfaction with the city's brochure outlining both proposals to the public because of the inflated amounts used and the assumption that all space at the municipal complex had to be remodeled if the library moved. He felt this was misleading and unnecessarily upset residents—many of whom called Jade Pig's offices to express their frustration—and did not include increased utility and maintenance costs for an expanded city hall.
- Ø A performance model may be commissioned to determine the feasibility and future impact of the proposed tenant mix.

2003-378. Mayor Frey again noted the public input sessions on June 16th and July 7th and asked that other questions to be addressed be forwarded to City Manager Donovan as soon as possible. The special meeting was adjourned at 9:53 a.m.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 2, 2003

Mayor Frey called the meeting to order at 7:32 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; Public Safety Director Gallagher; Building Inspector Conley; City Clerk Brower

2003-379. Mayor Frey advised of the following communications received at City Hall:

- A. Letter from Thomas Troy, 942 Bellclaire, regarding the library expansion proposals.
- B. Email from Christian Saylor, 1667 Lake Drive, supporting the relocation of the library to Jacobson's.
- C. Email from Lin VerMeulen, 2905 Pioneer Club, supporting the relocation of the library to Jacobson's.
- D. Email from John Dersch, 956 Lakeside Drive, advocating for expanding the library and municipal complex at the current site.

2003-380. No public comment was received.

2003-381. Commissioner Lawless reported that the Interurban Transit Partnership Board had voted on May 28th to place a millage request of .95 mills on the November 4, 2003 ballot for five-year funding needs to replace the shortfall in state funding. The East Grand Rapids City Commission will be asked for a resolution of support in the future.

Commissioner Barbour thanked the City Commission for the planter and wishes of supporting following the death of his father recently. He also congratulated the girl's golf team on their second place showing in the State Championship over the weekend. He then noted his satisfaction with the reconfiguration of the fence on Cambridge that was denied a variance by the City Commission last year.

City Manager Donovan reported that the storm water basins will be treated with the mosquito pesticide over the next few weeks and requested resident participation with other means of controlling the mosquito population. He also described a meeting with residents along the proposed extension of the Reeds Lake Trail and the final design work that was being completed prior to bidding the project. Construction is scheduled for 2004.

Commissioner Baxter noted that the EGR Lacrosse teams participated in the Cranbrook Jamboree tournament over the weekend and played very well. He also applauded the efforts of parent groups to raise funds for the school district to overcome the funding deficit caused by declining state revenues.

Commissioner Shimko congratulated the varsity lacrosse team that took second place in the State Championship over the weekend.

Mayor Frey reported the boy's tennis team had won the State Championship on Saturday and complimented the members and coaches of the team for their hard work and dedication.

2003-382. Barbour-Shimko. Motion to approve the consent agenda as follows:

2003-382-A. The minutes of the regular meeting held May 19, 2003.

2003-382-B. Payroll disbursements in the amount of \$152,448.83; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$296,990.60, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6

Nays: -0-

2003-383. A zoning variance hearing was held regarding the request of Mr. & Mrs. Alan Mracna of 1637 Pontiac to allow the construction of an attached garage creating a rear yard setback of 6'-0" instead of the required 25'-0," a side yard setback of 5'-6" instead of the 7'-0" required, and a combined side yard setback of 10'-6" instead of the required 18'-0."

Neil Jones, architect for Mr. and Mrs. Mracna, was present to introduce and answer questions about the variance request.

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

- Bob Goodrich, 826 Gladstone In Favor

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

2003-383-A. Baxter-Shimko. That the request of Mr. & Mrs. Alan Mracna of 1637 Pontiac to allow the construction of an attached garage creating a rear yard setback of 6'-0" instead of the required 25'-0," a side yard setback of 5'-6" instead of the 7'-0" required, and a combined side yard setback of 10'-6" instead of the required 18'-0" be approved.

Commissioner Baxter reported that the neighbors he spoke with in the area were very supportive of this project.

Commissioner Mulhall disclosed that he his company did business with Mrs. Mracna, but that he would be voting on this issue. He then spoke against the project because of the side yard setbacks on both sides of the house.

Commissioner Barbour spoke in favor of the request because of the distance to the neighboring home at 860 Gladstone.

Commissioner Lawless expressed concern about the distance of less than 6' on either side of the house and noted that this situation did not meet the ordinance requirements for a granting a variance.

Yeas: Barbour, Baxter, Lawless, Shimko and Frey – 5

Nays: Mulhall – 1

2003-384. A zoning variance hearing was held regarding the request of David & Julie Randolph of 2437 Hall to allow the construction of an addition to the attached garage creating a side yard setback of 3'-0" instead of the required 6'-0" and a combined side yard setback of 17'-0" instead of the required 18'-0."

Julie Randolph, 2437 Hall, was present to introduce and answer questions about the variance request.

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

2003-384-A. Shimko-Barbour. That the request of David & Julie Randolph of 2437 Hall to allow the construction of an addition to the attached garage creating a side yard setback of 3'-0" instead of the required 6'-0" and a combined side yard setback of 17'-0" instead of the required 18'-0" be approved.

Commissioner Kremers arrived.

Commissioners questioned the distance of 3'-0" for the side yard setback, the elevation, height and width of the proposed addition and asked that the applicants provide this information. It was also suggested that Mr. and Mrs. Randolph discuss these specific details with the neighbors to gain their input on the project.

2003-384-B. Lawless-Barbour. That the request of David & Julie Randolph of 2437 Hall be tabled until a future meeting to allow the applicants to provide additional information.

Yeas: Barbour, Baxter, Kremers, Lawless, Shimko and Frey – 6

Nays: Mulhall – 1

2003-385. Consider request to approve the division of a lot located at 1051 Wren.

Phil Stenger of 2945 Woodcliff was present to explain the request and answer questions concerning this issue.

2003-385-A. Kremers-Baxter. That the division of the lot located at 1051 Wren to deed approximately 1,474 square feet from this lot to 2945 Woodcliff Circle to facilitate driveway access 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: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-386. A public hearing was held on the special assessment roll of delinquent accounts for placement on the July 1, 2003 tax roll. No public comment was made.

2003-386-A. Baxter-Mulhall. That the special assessment roll of delinquent accounts totaling \$47,518.05 be certified and that these accounts be placed on the July 1, 2003 tax roll.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-387. A public hearing was held pertaining to the General Fund budget and the property tax levy for Fiscal Year 2003-2004. No public comment was made.

2003-388. Consider request to approve payment of supplemental pay to military reservists.

2003-388-A. Lawless-Shimko. That the payment of supplemental salary to PSO Joshua McConkie for a one-year period beginning with his deployment to Iraq in January 2003 be approved as outlined in the Letter of Understanding between the City and the Police Officers Labor Council.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-389. The regular meeting adjourned at 8:29 p.m. subject to the call of the Mayor until June 16, 2003.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Special Meeting Held June 2, 2003

Mayor Frey called the meeting to order at 8:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; Public Safety Director Gallagher; Building Inspector Conley; City Clerk Brower

2003-390. Consideration of a request to adopt a resolution adopting the FY 2003-04 budget and setting a millage rate for FY 2003-04.

2003-390-A. Baxter-Mulhall. That a resolution adopting the FY 2003-04 as amended during the budget worksession, and setting the millage rate at the maximum allowable millage rate under the Headlee amendment for FY 2003-04, be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Brennan, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-391. Consideration of a request to adopt a resolution establishing water/sewer rates for FY 2003-04.

2003-392. Shimko-Baxter. That a resolution setting water/sewer rates for the upcoming fiscal year be adopted as set forth in Exhibit "B" attached hereto

Yeas: Barbour, Brennan, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-393. The special meeting was adjourned at 8:31 p.m.

Karen K. Brower, City Clerk

Attachments: A - Resolution adopting FY 2003-04 budget and setting millage rate.
B - Resolution establishing water/sewer rates for FY 2003-04

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 16, 2003

Mayor Frey called the meeting to order at 5:34 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Lawless, Mulhall, Shimko and Mayor Frey

Absent: Commissioner Kremers

Also Present: City Attorney Huff; City Manager Donovan; Deputy Public Safety Director Herald; Parks & Recreation Director Bunn; Engineering Supervisor Kadzban; Building Inspector Conley; City Clerk Brower

2003-394. Mayor Frey advised of the following communications received at City Hall:

- A. Thank you card from Commissioner Barbour thanking the Mayor and commissioners for the plant sent after the recent death of his father.
- B. Letters from the West Michigan Environmental Action Council regarding the City's mosquito control program and an upcoming land use tour.

2003-395. No public comment was received.

2003-396. Mayor Frey thanked the students involved in the mural project on the retaining wall near the high school track. She congratulated Charles Denton and Stacy Trierweiler on their election to the East Grand Rapids School Board. She noted the hanging baskets on the new streetlights looked very nice. She also asked City Commissioners if they would be interested in serving on the Enhancement Fund Board because Commissioner Barbour was unable to attend meetings.

Commissioner Lawless noted the decline of milfoil in Reeds Lake and asked about the status of an action plan to combat the purple loosestrife plant and the Canadian goose population.

City Manager Donovan reported on the tour of the green roof at Bazanni Associates in the Wealthy Theater District, and noted that bids would be opened on June 19th.

Commissioner Baxter also reported on the green roof tour and how well the roof structure would fit the plaza application.

Commissioner Mulhall congratulated Charles Denton and Stacy Trierweiler on the results of the School Board election and congratulated the residents of East Grand Rapids for the outstanding 23% turnout at the polls—the highest in Kent County.

2003-397. Barbour-Baxter. Motion to approve the consent agenda as follows:

2003-397-A. The minutes of the regular and special meetings held June 2, 2003.

2003-397-B. Payroll disbursements in the amount of \$149,373.31; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$562,183.12, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Lawless, Mulhall and Frey – 5

Nays: -0-

2003-398. Engineering Supervisor Kadzban presented the 2003 Project Of The Year Award from the Michigan Chapter of the American Public Works Association for the Breton Road project that took place in 2001.

Representatives from OMM Engineering and Dykema Excavators were present to be recognized for their part in the project.

Lois Moseley, 1753 Breton, thanked the City Commission for the reconstruction of the road and reported the residents were very pleased with the traffic calming aspects incorporated into the project.

2003-399. A zoning variance hearing was held regarding the request of Joseph Kasperlik of 2035 Tenway to allow the construction of a detached garage with an 8'-0" overhang approximately 7'-6" from the residence instead of the required 10'-0."

Joe and MaryBeth Kasperlik, 2035 Tenway, were present to introduce and answer questions about the variance request.

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

2003-399-A. Lawless-Baxter. That the request of Joseph Kasperlik of 2035 Tenway to allow the construction of a detached garage with an 8'-0" overhang approximately 7'-6" from the residence instead of the required 10'-0" be approved.

Yeas: Barbour, Baxter, Lawless, Mulhall and Frey – 5
Nays: -0-

2003-400. Consider request to adopt a resolution for reimbursement from bond funding.

2003-400-A. Baxter-Barbour. That a resolution authorizing the City to recapture expenses relating to municipal complex improvements in future bond issues be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Baxter, Lawless, Mulhall and Frey – 5
Nays: -0-

Commissioner Shimko arrived.

2003-401. Consider request to adopt a resolution regarding the refinancing of the Silver Creek Drain bonds.

2003-401-A. Barbour-Mulhall. That a resolution authorizing the City Manager to proceed with the refinancing of the Silver Creek Drain Bonds (Series 1993 and 1995) be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-402. Consider request to approve the upgrade of the computer network operating system.

2003-402-A. Barbour-Baxter. That a the purchase and installation of a network operating system upgrade totaling \$24,015.00 with a related budget amendment of \$9,015.00 from the General Fund ending balance to the Finance Department capital account for this project.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-403. Consider request to award a contract for the upgrading of the Kingswood sewer lift station.

2003-403-A. Barbour-Baxter. That contracts totaling \$118,338.00 be awarded to Davis Construction Company, Ada Electric Company, Alpha Tran Electronics and Windemuller Electric for the upgrade of the Kingswood Sewer Lift Station with a related budget amendment of \$18,338.00 from the Water/Sewer Fund ending balance to the Water/Sewer Fund capital account for this project.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-404. Consider request to award a contract for replacement of boiler at municipal office complex.

Commissioner Barbour asked the City Commission to consider awarding the contract the lowest bidder on the original specifications or re-bid the project with the alternate equipment proposed by one of the bidders to preserve the integrity of the bid process. The City Commission reviewed the bidding process used to solicit the bids and questioned whether other vendors had the opportunity to submit quotes for alternate equipment. They also reviewed the efficiency rating of the proposed equipment and determined the higher efficiency of the original unit would pay for itself during the useful life of the new boiler.

2003-404-A. Barbour-Baxter. That a contract be awarded to River City Mechanical in the amount of \$90,550.00 for the replacement of the boiler at the municipal office complex, with a related budget amendment of \$16,000.00 from the Municipal Complex reserve account to the City Buildings capital account for this project.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-405. Consider request to award a contract for legal services.

2003-405-A. Shimko-Baxter. That the proposal of Law Weathers & Richardson for legal services as the City Attorney be approved as recommended with a monthly retainer fee of \$8,300 for FY 2003-04, \$8,550 for FY 2004-05, \$8,800 for FY 2005-06 \$9,065 for FY 2006-07, and \$9,330 for FY 2007-08.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-406. The preliminary minutes of the Library Commission meeting held May 27, 2003 were received.

2003-407. The preliminary minutes of the Traffic Commission meeting held June 2, 2003 were received.

Deputy Chief Herald reviewed the action of the Traffic Commission to allow approximately 10-12 parking spaces on the west side of Lakeside Drive from Wealthy Street north to the pedestrian crossing for a five-month trial period. He noted that parking was permitted in this area prior to 1983 when it was removed by the Traffic Commission. He reported the roadway is wide enough and there is adequate sight distance to permit parking in this area.

City Manager Donovan explained that motions passed by the Traffic Commission are subject to amendment or overruling by the City Commission. If the City Commission takes no action, the motion automatically goes into effect.

The following people were present to express their feelings concerning this action:

- Tom Etheridge, 2311 Wealthy #9	Opposed to allowing parking.
- Bonnie Helmholdt, 2311 Wealthy #26	Opposed to allowing parking.
- Eve VanderVelde, 2311 Wealthy #17	Felt more enforcement was needed with current restrictions.
- Lois Moseley, 1753 Breton	In Favor to allow more people to enjoy park.
- Eric Starck, Attorney for apartment owner	Neutral on this particular issue.
- John Willet, 2311 Wealthy #15	Opposed to allowing parking

Mayor Frey closed the public comment portion of the meeting.

Commissioner Mulhall questioned why the boat ramp was never moved north into the Hodenpyl Wood area as proposed. City Manager Donovan explained there was significant opposition to this plan from

many sportsmen and environmentalists. City Attorney Huff noted the realignment of Reeds Lake Blvd would need to be done at the same time, which required significant expense and engineering studies.

Commissioner Lawless spoke in favor of adding the additional parking spaces and stating that a broader community interest in using the Collins Park area should be addressed in this case. He also felt the five-month trial period was not long enough to evaluate the results, and asked for the restriction on parking vehicles with trailers be eliminated from the motion.

2003-407-A. Lawless-_____. Motion to amend the action of the Traffic Commission regarding parking on Lakeside Drive across from John Collins Park to eliminate the restriction on boat trailers and to extend the trial period to one year.

The motion failed due to lack of support.

Commissioner Mulhall suggested placing signs directing vehicles with trailers to park at the high school or middle school or requiring Rose's employees to park elsewhere, like the Jacobson's parking ramp. City Manager Donovan noted that the owners of Ramona Medical Center and Jacobson's had always allowed parking at their facilities, but private property is not a permanent solution to this issue since the circumstances can change.

2003-407-B. Shimko-_____. Motion to accept the recommendation of the Traffic Commission regarding parking zone on Lakeside Drive.

The motion failed due to lack of support.

Commissioner Baxter spoke about safety concerns in the area. City Manager Donovan noted the area in question was several hundred feet south of the boat ramp area where vehicles were maneuvering trailers and reiterated the width of the street met the standards for parking on both sides of the street.

2003-407-C. Barbour-Baxter. Motion to overturn the recommendation of the Traffic Commission and leave the parking restrictions currently in place.

Yeas: Barbour, Baxter and Mulhall – 3
Nays: Lawless Shimko and Frey – 3

2003-407-D. Lawless-_____. Motion to amend the Traffic Commission's motion to extend the trial period from five months to one year.

The motion failed due to lack of support.

City Attorney Huff explained that because the City Commission had failed to amend or overturn the recommendations of the Traffic Commission, the motions would take affect as originally stated by the Traffic Commission.

2003-408. The preliminary minutes of the Joint Facilities Committee meeting held May 22, 2003 were received.

2003-409. The Public Safety Department Report for the month of April 2003 was received.

2003-410. The City Services Department Report for the month of March 2003 was received.

2003-411. The 2003 Water Quality Report prepared by the City Services Department was received.

2003-412. The meeting was adjourned at 7:05 p.m. for a break. The meeting resumed at 7:32 p.m.

2003-413. Mayor Frey welcomed the residents present for the second portion of the meeting and outlined the two proposals for the expansion of the EGR Branch Library facility. She addressed the issue of the Boston Street church property by saying that the City may be interested in the property at some time in the future

for athletic fields, but was not interested in purchasing it from the court as a location for city or library buildings.

The following communications were received at City Hall concerning the two library expansion proposals (#1: expand the library/recreation operations at the current site, or #2: relocate library to former Jacobson's, remodel recreation and administration at Lakeside Drive location):

In Favor of Proposal #1

- Ø Phyllis Donor-Rice, 309 Lakeside
- Ø Margit Sarne, 647 Lovett
- Ø Evelyn Crawford, 533-B Lakeside
- Ø Camille Donnelly, 854 Lakeside
- Ø Win Irwin, 1860 Lake Drive
- Ø Pat Klimas-Reinhardt, 908 Maxwell
- Ø Erwin Johnson
- Ø Tom Sprich
- Ø Mary Lockwood, 1002 Lake Grove
- Ø Tina Sprich
- Ø Roland & Judith Schmidt, 2527 Lake Drive
- Ø Linda Powell, 1064 Santa Barbara
- Ø Sarah Dodgson
- Ø Paul Reinhardt, 908 Maxwell
- Ø Monica Randles & Andrew Maternowski, 1748 Alexander

In Favor of Proposal #2

- Ø Dave & Stephanie Whitford, 922 Plymouth
- Ø Dee McGraw, 926 Cambridge
- Ø Barbara Hohman
- Ø Jan Brander, 1030 Plymouth
- Ø Deborah Redding, 2705 Reeds Lake Blvd
- Ø Chris & Tina Streling, 434 Rosewood
- Ø C.D. Edholm
- Ø Bernard Pekelder, 922 Orchard
- Ø Al Youmans
- Ø Joe Force (non-resident)

Other Comments/Questions/Suggestions

- Ø Betsy Dole
- Ø Phil Haven
- Ø Christian Krupp II, 1441 Edgewood
- Ø Resident at 316 Pioneer Club

The following people were present to speak on this issue:

- | | |
|----------------------------------|---|
| - Alan Bobroff, 2634 Manor | Questioned many of the details of Proposal #2 and suggested an audit of engineering details and cost estimates. |
| - Chris Krupp, 1441 Edgewood | Felt purchase price of Proposal #2 was too high; suggested purchasing the Ramona building instead. |
| - Mike Hoffman, Hoffman Jewelers | Supported Proposal #2 to increase traffic in business district. |
| - Pat McCarthy, 2721 Albert | Supported Proposal #2 for the long-term benefit of EGR. |

- Sam Cummings, 250 Plymouth Supported Proposal #2 to benefit downtown area and increase tax base.
- Dave Mehney, 3049 Mary Felt Proposal #2 was too expensive for the community in current economy. Suggested working to reduce cost to approximately \$9.5 million.
- Tom Christenson, 1151 Conlon Questioned other aspects of downtown redevelopment, including condominium development details. Felt more info was needed before a decision can be made.
- Diane Cisler, 1062 Keneberry Way Supported Proposal #2 but wanted more justification on costs to purchase and renovate.
- Joel Schultze, 933 Pinecrest Supported Proposal #1 because library was not appropriate anchor for retail base. Questioned donation status from original proposal.
- Steve Edison, 2855 Elmwood Felt both proposals were very good, but felt acquisition cost was too high for Proposal #2. Asked that upgrades to municipal complex be done regardless of other issues.
- Gordon Jones, 325 Rosewood Requested details of condominium development and asked about interest rates used for cost estimates.
- Kate Mulumby-McCarthy, 2721 Albert Supported Proposal #2 because of attractiveness to younger age group.
- Tom Troy, 942 Bellclaire Supported Proposal #1 to avoid subsidizing private businesses.
- Monica Randles, 1748 Alexander Questioned square footage for each library proposal.
- Joe Finelli, 1050 San Lucia Opposed both proposals and suggested selling the Lakeside Drive site to a developer and moving all operations elsewhere.
- Fred Brassens, 551 Cambridge Asked City Commission to consider all options and come back with new proposal.
- Ken Matheson, 2130 Argentina Opposed Proposal #2 because of costs, annual condominium fees and small percentage of retail in total development.
- Constance Lord-Wintruba, 2806 Maplewood Opposed selling the Lakeside Drive site because of public access for future generations; felt there were too many questions yet to be answered to make a decision.
- Ruth Smith, 555 Lakeside Questioned if anyone was interested in purchasing Lakeside Drive property.
- Lois Moseley, 1753 Breton Felt fiscal responsibility was the main issue and asked the City Commission to give the voters three options.
- Amy Moore, 2445 Beechwood Felt both proposals were comparable, but supported Proposal #1 because of the lower cost.
- Cindy Bartman, 336 Manhattan Questioned the estimation of increased revenues from Proposal #2.

Brian DeVries of Jade Pig Ventures explained the total cost of acquisition for Proposal #2 as being representative of the completed project, not the current empty building. He offered to sell the City a portion of the empty building for \$1.5 million plus interior demolition costs incurred, but noted that this did not include any of the façade work that was proposed in the \$4.4 million cost. He stated the condominium development was not yet ready for details to be released.

Scott Wierda of Jade Pig Ventures answered many of the other questions raised by residents regarding extended development plans, lighting, reinforcements, condominium documents, and tax revenues. He stated that if the library did not occupy the proposed space, another type of commercial entity would likely lease the space.

City Manager Donovan reported that the \$1.2 million in donations pledged for the first proposal were still held by the City but donors had not yet been approached about deciding between the two plans. He answered other questions on the cost of needed repairs to the municipal complex, handicap accessibility, interest rates, utility costs and the value of the Lakeside Drive site.

Mayor Frey thanked everyone for attending and for their input on this issue and stated the City Commission would reconvene the discussion at their next meeting.

2003-414. The regular meeting adjourned at 9:29 p.m. subject to the call of the Mayor until July 7, 2003.

Karen K. Brower, City Clerk

Attachments: A - Resolution authorizing reimbursement of expenses from bond proceeds.
B - Resolution authorizing the refinancing of the Silver Creek Drain bonds.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held July 7, 2003

Mayor Frey called the meeting to order at 5:34 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; Building Inspector Conley; City Clerk Brower

2003-415. No public comment was received.

2003-416. Mayor Frey reported the Garden Art & Environment Committee would be planting a garden in front of D&W this week and thanked them for their efforts. She also complimented the Parks & Recreation Department staff on their excellent work on the Reeds Lake Run and the 4th of July events.

Commissioner Lawless noted the Blodgett Campus of Spectrum Health had closed their labor/delivery unit and moved its operations to the Butterworth Campus, thereby ending the generations of new babies born in East Grand Rapids.

Commissioner Kremers complimented all of the staff involved in the 4th of July events. He also spoke about the Traffic Commission minutes reviewed at the last City Commission meeting (Item 2003-403). He stated that had he been present at the meeting, he would have voted against overturning the Traffic Commission's recommendation, and would have voted in favor of extending the trial period from five months to one year.

Commissioner Baxter spoke about the wonderful community atmosphere in the area on the 4th of July and the wonderful activities and fireworks put on by the city.

Commissioner Mulhall also complimented the community events and noted that he and his family were able to walk to and from all of the events that day.

2003-417. Shimko-Baxter. Motion to approve the consent agenda as follows:

2003-417-A. The minutes of the regular and special meetings held June 16, 2003.

2003-417-B. Payroll disbursements in the amount of \$153,731.17; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$615,345.56, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-418. A zoning variance hearing was held regarding the request of Chris & Marie Gale of 647 Gladstone and Dave & Nicky Kooistra of 651 Gladstone to allow the construction of a detached garage with an average height of 16'-6" instead of the allowable 12'-0", and to allow the garage to be constructed across the property line as a shared garage instead of the 3'-0" side yard setback.

Dave Kooistra, 651 Gladstone, was present to introduce and answer questions about the variance request.

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

- Irene VanHuisen, 639 Rosewood

No objections

2003-421. Mr. Stephen Cole of 1112 Lake Grove was present to appeal charges incurred on his January 2003 water bill. Mr. Cole stated his feelings that city staff handled the whole situation poorly and should have automatically granted his request for a reduction in his bill because the amount was so small. Mr. Cole felt there should be a better process in place to handle these situations. He stated that the meter in his home had malfunctioned and created the higher water bill, not a leaking toilet as concluded by city staff.

Commissioner Lawless expressed regret that Mr. Cole felt he had been mistreated by staff, but noted there was no evidence of malfunction before or after the month in question or when the meter was tested. He noted the toilet was in a remote location that could have leaked without the family being aware of the problem.

Commissioners Barbour and Baxter spoke in favor of the current staff procedures and appeal process and recommended upholding the decision of the Finance Committee to deny this claim.

Mr. Cole again stated this process was a waste of time and that claims should be automatically approved if they are less than \$50.00.

2003-421-A. Barbour-Baxter. To affirm the decision of the Finance Committee to deny the appeal of Stephen Cole of 1112 Lake Grove for a reduction in the January 2003 water bill.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-422. Election of President of the City Commission for FY 2003-04.

2003-422-A. Shimko-Baxter. That Commissioner Lawless be elected president of the East Grand Rapids City Commission to assume leadership duties in the absence of the Mayor for FY 2003-04.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko and Frey – 6

Nays: -0-

Abstain: Lawless – 1

2003-423. Consider request to approve appointments to advisory commissions.

2003-423-A. Kremers-Baxter. That the FY 2003-04 commission appointments as recommended by Mayor Frey be approved.

Commissioner Mulhall noted that several applications were solicited for the openings on the Library Commission but were not used and questioned the process for making appointments. Mayor Frey replied she had tried to use the oldest applications on file for other boards to appoint those who had been waiting the longest for a chance to serve.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-424. Mulhall-Shimko. Motion to add to the agenda an executive session to discuss the acquisition of real estate. A roll call vote was taken.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-425. Baxter-Mulhall. 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.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-426. The meeting was adjourned at 6:21 p.m. for the executive session. The meeting resumed at 7:33 p.m.

2003-427. Mayor Frey welcomed the residents present for the discussion about the library and city hall/recreation operations. She reported the City has received over 100 letters and emails about the two proposals and the opinions are split on some issues, but unified on the issue of cost being an important factor in the final decision. She stated the City Commission's intention to continue working with architects and Jade Pig officials to review the cost of both proposals before making a decision on this issue. She invited residents to continue giving input to the Commissioners to be used in their decision-making process.

At the request of the Mayor, City Attorney Huff reviewed issues surrounding the placement of a millage question on the ballot for voter approval. He stated that there will always be a yes/no choice for voters, but placing both questions on the same ballot may be difficult because state law requires that more than 50% of voters must approve a millage request before bonds can be sold—placing both items on the same ballot may result in less than 50% of voters casting votes in favor of one proposal.

The following people were present to speak on this issue:

- Christine Byron, 959 Ogden Urged city to consider long-term space needs when planning for library facility since G.R. Public Library was already getting to small.
- Mary Swain, 514 Lakeside Supported Proposal #2 for future of downtown and asked that both proposals be put to the residents for a vote.
- Carol Donovan, 2944 Hall Reported Library Commission had voted 5-2 to support Proposal #1 with one member abstaining because they did not support either proposal. She also noted frustration with the process and the lack of communication with the Library Commission about the issues surrounding these proposals.
- Dawn Lewis, Library Manager Gave statistics on use of library and asked for an expansion to meet the growing demands of the population.
- Bob Schmidt, 805 Rosewood Asked whether the resident vote would be in November.
- Frank Spies, 2122 Tenway Favored Proposal #2 but felt the cost was too high.
- Chuck Sedam, 2236 Brighton Questioned the availability of federal or state funding to build a library. City Manager Donovan reported there was nothing currently available.
- Ken Matheson, 2130 Argentina Asked for more information on the negotiations. Commissioner Lawless anticipated answers within 4 weeks.
- Al Bobroff, 2634 Manor Suggested hiring an architect with more experience in library design and an independent engineer to check all construction.
- Barb Keller, 439 Manhattan Preferred Proposal #1 because of unknown future of adjacent sections of the Jacobson's building.
- Jack Wiese, 2311 Wealthy Preferred Proposal #1 because of location, new designs and natural daylight.
- John Stecco, 529 Rosewood Supported Proposal #2 for revitalization of downtown area.
- Larry Martin, 950 San Jose Doesn't want the library in a mall setting downtown; supported Proposal #1.
- Jordan Schwartz, 630 Cambridge Felt the library was not a draw for retail shoppers and wanted to leave library on the lake.

- | | |
|---------------------------------------|---|
| - Joel Schultze, 933 Pinecrest | Questioned whether the library size would be reduced to cut costs and felt no decision could not be made without the Library Commission's input on this important issue. |
| - Kathleen Underwood, 2637 Hampshire | Frustrated with continuing delays; asked that a decision be made soon. |
| - Kelly Stecco, 529 Rosewood | Questioned how much space the library staff felt was needed for operations. |
| - Bill Ryan, 965 Cambridge | Opposed any plan that would raise taxes because EGR tax rate is too high already. Questioned whether city needed to purchase Jacobson's to redevelop downtown. |
| - Dan Clappison, 1300 Woodcliff | Felt both proposals would be defeated now because of unanswered questions. Asked for Planning Commission input. |
| - Catherine Frerichs, 964 Kenesaw | Supported moving library to support village economic climate. |
| - Kim Hughes, Merchant Assn President | Voiced concern of several businesses closing in near future and stated support of Jade Pig Ventures to invest in downtown area by relocating library to attract more traffic. |
| - Cindy Bartman, 336 Manhattan | Felt there were advantages to Proposal #2 but felt more research and consideration were necessary before going to the voters with either plan. |
| - Louise Neller, 133 Rexford | Asked that space for the Friends of the Library book sale be incorporated into either proposal. |
| - Michael Fee, 950 Cambridge | Felt economic times and effects of Proposal A in 1994 created a need for higher values in business district to support revenues. |

The following communications were received at City Hall concerning the two library expansion proposals (#1: expand the library/recreation operations at the current site, or #2: relocate library to former Jacobson's, remodel recreation and administration at Lakeside Drive location):

In Favor of Proposal #1

- Ø John Baguley, 2625 Albert
- Ø John Wiese, 2311 Wealthy, #14
- Ø M. Arthur, 2127 Anderson
- Ø Polly Diven, 1727 Franklin
- Ø J. Paul Janis, 2467 Lake Drive
- Ø Janet Coryell, 529 Gladstone
- Ø Robert & Catherine Williams
- Ø Monica Randles & Andrew Maternowski, 1748 Alexander
- Ø Frank Blossom & Sam Helmrick, 984 Gladstone
- Ø Monica Cooke, 946 San Jose
- Ø Bernard Campbell, 2553 Berwyck
- Ø Earl Rollins, 348 Gladstone
- Ø Bill Green, 703 Cambridge
- Ø Martha & Jim Chalmers
- Ø Barbara Loveland
- Ø Craig & Gretchen Speck, 3200 Hall

In Favor of Proposal #2

- Ø R.H. Swain, 514 Lakeside

- Ø Eileen Chamberlin, 535 Cambridge
- Ø James & Betty Taber, 2700 Maplewood
- Ø Ellamae Braun, 1149 Lake Grove
- Ø Jim O'Connor, 601 Cambridge
- Ø Barb O'Connor, 601 Cambridge
- Ø Herbert Knape, 435 Edgemere
- Ø Brian & Susan Lennon, 804 Pinecrest
- Ø Libby Southworth
- Ø Margaret Steketee, 1624 Seminole
- Ø Larry Fisher
- Ø Marion Palmer
- Ø Phil, Beth, Lainey & Julia Skaggs, 2615 Hall

Other Comments/Questions/Suggestions

- Ø Richard Meek, 915 Plymouth
- Ø Dick & Marion VanderVeen, 621-B Lakeside
- Ø Saraabeth Carr
- Ø Eleanor Bryant
- Ø David Bennett
- Ø Bob Hoff, 860 Gladstone
- Ø Joe Walker, 2706 Hall
- Ø Kim VanDahm, 909 Floral
- Ø Ruth Smith
- Ø Amy Donahue
- Ø Maureen Paluska, 1516 Andover
- Ø Jon King, 1139 San Jose

Mayor Frey thanked everyone for attending and for their input on this issue and stated the City Commission would continue working on this issue with the hopes of making a decision at their August 4th meeting.

2003-428. The regular meeting adjourned at 8:40 p.m. subject to the call of the Mayor until July 21, 2003.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held July 21, 2003

Mayor Frey called the meeting to order at 7:34 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Mulhall, Shimko and Mayor Frey

Absent: Commissioner Lawless

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Gallagher; Building Inspector Conley; City Clerk Brower

2003-429. No public comment was received.

2003-430. Mayor Frey showed everyone pictures sent by the high school students who created the mural near the high school track. The students also wrote a thank you letter to the City Commission thanking the City for allowing them to do the project. Mayor Frey also congratulated City Manager Donovan on being recognized for 20 years of service to local governments and on receiving his accreditation from the International City/County Management Association. She reported receiving phone calls from residents in the city about continuing power shortages and asked City staff to research any assistance that could be given. Mayor Frey also reported that she had attended former President Ford's 90th birthday party at the White House on July 16th.

Commissioner Mulhall noted the landing of the seaplane on Reeds Lake recently and the article in the Grand Rapids Press about the pilot receiving a ticket for violating the ordinance. Chief Gallagher reported that the seaplane ban has been posted on several aviation websites and with various flying clubs.

City Manager Donovan reported that a draft of the updated Parks & Recreation Master plan is nearing completion and should be presented to the City Commission sometime this fall.

Commissioner Kremers congratulated East Grand Rapids resident and city employee Steven Schlatter on his perfect score on the ACT exam.

2003-431. Barbour-Shimko. Motion to approve the consent agenda as follows:

2003-431-A. The minutes of the special meeting held July 3, 2003 and the regular meeting held July 7, 2003.

2003-431-B. Payroll disbursements in the amount of \$160,590.93; county and school disbursements in the amount of \$1,765.22; and total remaining disbursements in the amount of \$135,493.38, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko and Frey – 6

Nays: -0-

2003-432. A zoning variance hearing was held regarding the request of Marcia Lewis of 1555 Lake Grove to allow the construction of a two-story addition to the rear of the home approximately 2'-0" from the side and rear lot lines and to allow an enclosed entry on the front of the home approximately 53'-6" from the center of the road instead of the required 58'-0."

Marcia Lewis, 1555 Lake Grove, was present to introduce and answer questions about the variance request.

The following people were present to comment on this variance request:

- Tom Battle of Battle Construction In Favor

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

2003-432-A. Baxter-Kremers. That the request of Marcia Lewis of 1555 Lake Grove to allow the construction of a two-story addition to the rear of the existing non-conforming home approximately 2'-0" from the side and rear lot lines and to allow an enclosed entry on the front of the home approximately 53'-6" from the center of the road instead of the required 58'-0" be approved.

Commissioners Baxter and Kremers spoke in support of the project as an attractive addition to the existing home. Commissioner Barbour spoke in support of the front porch addition as well. Commissioner Shimko asked the applicants to ensure that drainage from the new addition would not adversely affect neighboring properties.

Commissioner Mulhall spoke against the variance request because of the size of the addition and its proximity to the lot line. He was not opposed to the front porch variance.

Yeas: Barbour, Baxter, Kremers, Shimko and Frey – 5

Nays: Mulhall - 1

2003-433. Consider request to award contracts for green roofing system for water reservoir decking.

City Manager Donovan explained the leaking roof decking that was damaging rooms in the Public Safety Department and the concept of a waterproof membrane covering and landscaping materials that would be placed on this surface to correct the problems. He noted the Wege Foundation had agreed to let the City use the \$200,000 pledged during the library campaign to renovate the former water storage building.

Commissioner Barbour questioned whether any future remodeling of the municipal complex would require any modification to this investment. City Manager Donovan replied that the green roof would not be affected by any future remodeling and that the city's portion of the costs could be reimbursed by a bond issue.

All of the City Commissioners expressed their appreciation to the Wege Foundation and Peter Wege for their generosity on this project.

2003-433-A. Mulhall-Baxter. That a contract be awarded to Arrow Roofing in the amount of \$304,062.00 and to Bakhuyzen Inc. in the amount of \$19,996.00 for a total of \$324,058.00 for components of the green roofing system on the building behind the municipal complex with funding of \$200,000.00 from the Wege Foundation grant and \$124,058.00 from the designated fund for the municipal complex remodel.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko and Frey – 6

Nays: -0-

2003-434. Consider request to appoint a representative to the annual Michigan Municipal League business meeting.

None of the City Commissioners were planning to attend the meeting; therefore no representative was named.

2003-435. The preliminary minutes of the Parks & Recreation Commission meeting held June 9, 2003 were received.

2003-436. The Public Safety Department Report for the month of May 2003 was received.

2003-437. The City Services Department Report for the month of May 2003 was received.

2003-438. Mayor Frey asked the City Commission their preference on adding an executive session to the agenda to review new options in the potential acquisition of property.

2003-438-A. Barbour-Kremers. Motion to add to the agenda 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.

Yeas: Barbour, Kremers and Frey – 3
Nays: Baxter, Mulhall and Shimko – 3

The motion failed.

2003-439. The regular meeting adjourned at 8:15 p.m. subject to the call of the Mayor until August 4, 2003.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Special Meeting Held July 28, 2003

Mayor Frey called the meeting to order at 6:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Lawless, Mulhall, Shimko and Mayor Frey

Absent: Commissioner Kremers

Also Present: City Attorney Sluggett; City Manager Donovan, Nyal Deems, Dave Mehney

Barbour-Lawless. 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.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6

Nays: -0-

The special meeting adjourned at 9:30 p.m. to hold the executive session.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 4, 2003

Mayor Frey called the meeting to order at 7:35 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Mulhall, Lawless, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Sluggett; City Manager Donovan; Public Safety Director Gallagher; Deputy Public Safety Director Herald, Parks and Recreation Director Bunn, Building Inspector Conley; Recreation Account Clerk Ritzke

2003-440. Mayor Frey advised of the following communications received at City Hall:

- A. Email from Gretchen Birkbeck opposing the Nicola Variance Request
- B. Email from A.J. Birbeck on behalf of Benjamin & Gretchen Birbeck opposing the Nicola Variance Request
- C. Email from Peter & Anne Eardly in favor of the Nicola Variance Request
- D. Email from Natalie Kuras in favor of the Nicola Variance Request

2003-441. No public comment was received.

2003-442. Mayor Frey reminded people in attendance to sign in. She welcomed Jeff Sluggett, City Attorney filling in for the vacationing John Huff and Diane Ritzke who was filling in for City Clerk Karen Brower. She thanked Pat Mulhall for his article in the Cadence on the Green Roof. Mayor Frey asked if a meeting has been set up yet with Consumers Power regarding the numerous power outages occurring in East Grand Rapids (at this point a meeting date has not be set). She also received a call about a light at Franklin and Plymouth that is out. She reported that National Night Out is Tuesday, August 5th and there is also a Band Concert in the Park on Tuesday, August 5th.

Commissioner Lawless thanked Juanita for the article in the Grand Rapids Press on the Purple Loose Strife

2003-443. Shimko-Kremers. Motion to approve the consent agenda as follows:

2003-443-A. The minutes of the regular meeting held July 21, 2003.

2003-443-B. Payroll disbursements in the amount of \$169,143.12; county and school disbursements in the amount of \$1,029,068.46; and total remaining disbursements in the amount of \$370,923.78, as reviewed by the Finance Committee.

2003-443-C. A contract in the amount of \$4,200 to Strain Electric Company for the upgrade of School Alert Flashers.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7

Nays: -0-

2003-444. A zoning variance hearing was held regarding the request of Nick & Joann Nicola of 2721 Darby Ave. SE to allow the construction of an addition to the west side of the home creating a side yard setback of 11'-0" instead of the 24'-0" required.

Nick Nicola, 2721 Darby Ave. SE, was present to introduce and answer questions about the variance request.

Nick brought letters from John & Nancy Heiser, 2727 Bonnell Ave SE and from Joan Welch, 2747 Darby SE in favor of the variance.

The following people were present to comment on this variance request:

Ben Birbeck, 2701 Reeds Lake Blvd. SE	Opposed
Fritz Kruer, 2801 Lake Dr. SE	In Favor
Diane Bok, 2709 Oakwood Dr. SE	Concerned about environmental impact it would have

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

- Email from Gretchen Birkbeck opposing the Nicola Variance Request
- Email from A.J. Birkbeck on behalf of Benjamin & Gretchen Birkbeck opposing the Nicola Variance Request
- Email from Peter & Anne Eardly in favor of the Nicola Variance Request
- Email from Natalie Kuras in favor of the Nicola Variance Request

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

- 2003-445. Shimko-Lawless. That the request of Nick & Joann Nicola of 2721 Darby Ave., SE to allow the construction of an addition to the west side of the home creating a side yard setback of 11'-0" instead of the 24'-0" required be approved.

Commissioner Lawless asked what the required side yard setback in a zoning district was, Building Inspector Conley replied that it is 10 ft. if it is not a corner lot and 24 ft. on a corner lot.

Commissioner Kremers asked about the history of the section of Reeds Lake Blvd. that is in question. City Manager Brian Donovan replied to his question.

Commissioner Shimko spoke in favor of the variance saying that he had walked the property and feels very confident that the project will be done in a professional manner, water run off will be taken care of and also was impressed that the brush and trees were left on that side of the parcel. He supports the request.

In support of the motion Commissioner Lawless commented that the City's previous litigation regarding Reeds Lake Blvd. was intended to result in a hike and bike trail, not for public access to this area. He commented that this request meets the side yard setback of 10 ft. otherwise applicable; he doesn't believe the rationale for most corner lots applies in this situation and he doesn't see the character of the use changing as a result of granting the variance.

Commissioner Mulhall spoke in opposition to the variance request. He commented that it is unfortunate the construction project got to this point due to an oversight and acknowledged that it is more difficult to say no to this request because there is already a hole in the ground. He commented that because there is significant opposition from the neighbors and given the existing character of the neighborhood, he will not support this request.

Yeas: Barbour, Lawless, Kremers, Shimko and Frey – 5
Nays: Mulhall, Baxter - 2

- 2003-446. Consider request to approve a budget amendment for costs relating to library and municipal complex proposals.

- 2003-446-A. Baxter-Mulhall. That a budget amendment in the amount of \$46,331.42 from the Municipal Complex Reserve Fund Balance for costs relating to the Library/Municipal Complex Alternatives; \$12,076.94 from the Municipal Complex Reserve Fund Balance for engineering/architectural services on the plaza roofing project; and \$8,572.82 from Salaries and Wages for consulting Services for the City Services Director position be approved.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless, and Frey – 7
Nays: -0-

- 2003-447. Consider request to award a contract for the sidewalk replacement program.

2003-447-A. Kremers-Barbour. That a contract be awarded to Mike's Construction in the amount of \$50,305.00 plus contingencies of \$10,000.00 and additional expenses of \$14,695 for additional replacements, with a total not to exceed \$75,000.00 for sidewalk replacements.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless, and Frey – 7
Nays: -0-

2003-448. Consider request to approve funding for Sanitary Sewer Relining Project.

2003-448-A. Shimko-Baxter. That a contract be awarded to American Water Services, Inc., for the Breton Road Sanitary Sewer Relining Project in the amount of \$70,098.00 and a budget amendment from the water/sewer ending balance in the amount of \$5,100.00.

Commissioner Barber asked about a warranty on this project. Staff did reply that there is a warranty and will get back to the Commission on how long the warranty is.

Building Inspector Conley explained how the project would be done.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless, and Frey – 7
Nays: -0-

2003-449. Decide on proposals to renovate and/or expand the East Grand Rapids Library and Municipal Office Complex.

Mayor Frey explained that she would bring everyone up to date on the proposals, then there would be public comment, then comments from Commission, then comments from the public once more, then it will come back to the Commission for possible action.

Mayor Frey explained that in July 2003 City staff and members of the Commission went back to Jade Pig to look at different options for moving the Library to the Jacobson's site. Jade Pig came back with three different options, which were:

1. A variation of the plan that was originally presented
2. Remove part of the Jacobson's building and Jade Pig would then sell the City a pad that the City would own. This parcel would not be attached to the Jacobson's building. The price for this option would be \$2.1 million. The price on the original plan would be \$4.4 million. The square footage for this plan would be 24,000 sq. ft. compared to 32,000 in the original plan.
3. A variation of option 2 which also had reduced square footage and would be a separate parcel located more to the west.

After reviewing these three plans the consensus was that option 2 with the \$2.1 million price would be the plan that would bring the most interest to the Library people and City Commission. This plan, including the Library at Jacobson's and renovation at City Hall, would have a price of approximately \$9.95 million.

The plan to keep the Library on the Lake was also reviewed to bring the price down. The new plan brings the Library square footage down to 24,000 sq. ft. and reduces the price of this option to approximately \$6.8 million.

Mayor Frey also explained that she checked with Jade Pig about an annual fee if the City moved to a separate parcel on the Jacobson's site. Jade Pig said it would remove an annual fee unless the City was to make an arrangement to use the parking garage.

The following people were present to speak on this issue:

- Thomas Troy, 942 Bellclaire

Asked whether with the new option of the Library on the Lake, is anything else cut besides the square footage at the Library?

Staff answered that the new City Commission Chambers was cut and common areas between were removed. Asked about whether 24,000 sq. footage for Library purely Library use or is some of it shared space? Advised that most of it would be Library but there would be some shared space. In new proposal would there be dedicated parking for Library users. Told that no details have been worked out on this.

- Dawn Lewis, Manager EGR Library

Thanked City Commission and Library Commission for staying with this project. Does not want to hold up process, but does not feel the Library staff or Commission can make recommendation without seeing plans.

- Sam Cummings, 250 Plymouth SE

In favor of moving Library to Jacobson's site. This would be a unique opportunity to re-invest in the downtown district and increase tax base.

- Peter Wege, from across the lake

Encouraged the City to be very careful in planning the Library and to look at how much space is really needed. Doesn't think EGR needs huge library because EGR is not overly populated and with technology expanding a huge library is not needed. His thoughts on this are based on research he has done with the planning of the new library being planned at Aquinas College. He said if you could, should try to get along with expansion on current site.

- Scott Wierda – Jade Pig Ventures

This is an opportunity for a public/private partnership by moving Library to Jacobson's site best for the City. Now is chance to move forward with this new version of the plan to move Library to Jacobson's site. He did comment that the current site being discussed for 24,000 sq. ft. could be expanded up to 35,000 sq. ft.

- Joe Schutlze, 933 Pinecrest SE

Look at Wisconsin Study for Library space needed. Shared space with the Library on the Lake makes the most sense. Asked how the Commission can make a decision without seeing renderings or drawings on new plan at the Jacobson's site.

- PK Mason, 2157 Wealthy SE

As a business owner and resident, commented on the condition of Gaslight Village. As a business owner she is hoping for some kind of partnership between the City and business district. Suggests tabling this issue until new plans can be reviewed by the City Commission

Mayor and Commissioner Comments:

- Mayor Frey

Feels very strongly about moving Library to Jacobson's site. Thinks new proposal for 2.1 million and the square footage is very appealing. Moving the Library really attempts to address several unique problem areas the City has. We have a crowded Library, we have lack of space for recreation programs and a deteriorating Gaslight Village and if we can do something that can

address all of this, we should. She feels that if the Library stays on the lake, parking problems would be compounded. This would be against the Citizens' Task Force recommendation as there would be too much on one site. Concerning shared space, this still could be done if the Library is located at the Jacobson's site. Also feels very strongly that after listening to the Community for 6-8 weeks that leaving the Library on the Lake will have a terrible chance of being passed and wants something on the ballot that more than 51% of the voters want. Would like to see a conceptual vote that this is the direction to take in order to proceed with site plans and move through the planning stage.

- Commissioner Lawless

Commissioner Lawless prepared a memo dated 8/4/03 outlining his thoughts on the Library Expansion and Location. Commissioner Lawless gave a copy of his memo to the Mayor, each Commissioner, the media, City Attorney, City Manager and the Recording Secretary. [A copy of that memorandum is on file in the City offices.] He read to his Outline for the benefit of all in attendance. He concluded, as stated in Section IV of his memo, which read:

Section IV. Conclusion-Balance Opportunities and Risk

- A. Again, thank you to Jade Pig
- B. Mindful of community values
- C. Re-Commit to Library on Reeds Lake
- D. Re-examine Library at Jacobson's within next 60 days if:
 - 1. Price the same – \$7.0 million – a price reduction or written and credible fundraising commitments.
 - 2. Detailed site plan to determine, among other issues:
 - a. other issues
 - b. heights
 - c. appearance
 - d. traffic flow
 - e. parking usage analysis
 - 3. Development and Operation Agreements
 - 4. PUD process underway for Ramona Medical (to run concurrently with Jacobson's site plan review)
 - 5. No change in location or square footage for Library in development
 - 6. Engineering analysis of condition of the parking deck and its life expectancy

- Commissioner Kremers

Supports moving Library to Jacobson's site. Would like to see dialog to examine current option. He feels the good news on this plan includes: continuing with concept of Master Plan, load bearing issue has been resolved with the pad, cost has come down from \$14 million to \$10 million, annual fee eliminated because of the separate building, daylight issue resolved, potential to expand and the support of business district, drive up potential. Negative issues include: parking, cost still too high, need

for site plan to see big overall picture, elevation drawing needed, concern of percentage of retail space and the concern of the Citizen Task Force wanted a bond issue for no more than 1 Mil, we are close to what the Task Force wanted but aren't quite there yet.

- Commissioner Barbour

He felt that the Commission owes the citizens a direction tonight. In favor of putting the option before voters. His thoughts of this were: Upholds thrust of Task Force; yields one floor custom designed Library twice the size of present one; felt "no" vote of June 2001 told the City that they had to offer voters more value for same dollars or we had to offer the same value for less dollars – believes City has two proposals which accomplish just that and noting that the voters have already turned down the concept of keeping everything on the lake; feels the citizens are excited about the library moving to the Jacobson's site and the new proposal is a good value; this would help begin a redevelopment of Gaslight Village. He commented if we pass up this chance to move to the Jacobson's property as to what may go into the Jacobson's property. Given the direction to go with this option this means we would have increased taxable values and increased taxes as a result of this investment. We all need to stretch a little and think a little bit bigger and hopefully we can put all this energy into accomplishing something good for the Community. He also said that the new scaled down plan for the Library on the Lake is still a viable plan and he is not against the plan on the lake.

- Commissioner Baxter

Supports the Proposal for the Library on the Lake. He feels this plan is cost effective, environmentally sound, opportunity for shared space, and 65% of citizens he talked with prefer the option of Library on the Lake. He said that there is a significant opportunity for a public and private partnership with Jade Pig and other developers (if any) with landowner and merchants. With a marketing program that encompasses those three groups along with the City and Commission this will be far more valuable for the Community than moving the Library. More retail or medical development or a combination of these maximizes the potential retail spaces for the Community. In addition maintaining the municipal complex here with City Hall, Library, Recreation and Public Safety maintains the synergy with all four departments.

- Commissioner Mulhall

Supports Library on the Lake. His comments for supporting keeping the Library on the Lake were: likes synergy with Library, City Hall, Recreation and Public Safety; this option is better value for lower costs; we already own this property, parking issue will be a wash at either location; Friends of Library would be better off for their book sales and events; and thinks the lake view is important.

- Commissioner Shimko

Supports keeping Library on the Lake but supports Commissioner Lawless' suggestion of keeping option open for 60-90 days to allow for review of Jacobson's plan.

Opened Public Comment

- Brian Devries, 325 Lakeside

Both a community member and Jade Pig investor commented that plans can be drawn up now that the City is looking at an option for a stand alone building on a separate pad. He appreciates the support and faith in what they are trying to do for the Community.

- Camille Donnelly, 854 Lakeside

As a Task Force Member she reminded the Commission that the Task Force wanted the City to come back with a plan that would ask the voters for less than 1 Mil and their recommendation was not to move the Library from its current location.

- Connie Christenson, 915 San Jose

Asked that the City Commission get plans to Library professionals and Commission for review and asked that they have appropriate timing to do so.

- Gordon Jones, 325 Rosewood

Get more information on what will be put in Medical Arts Bldg. Asked who was on negotiating teams? Was told it was City Manager Brian Donovan, Mayor Frey, Commissioner Don Lawless, Commissioner Jack Shimko and Community Members David Mehney and Nyal Deems.

- Joe Schultze, 933 Pinecrest

Wondered what the opinion is tonight?

- Luis Solis, 2259 Audobon SE

Will there be a decision tonight?

- Scott Wierda, Jade Pig Investor

Asked what Commissioner Shimko's opinion? Commissioner Shimko answered he had not finalized his opinion yet.

- Michael Fee, 950 Cambridge

Asked that the Commission take a look at long-term value of the plan. Also is nervous about the success of a fundraising plan to bring the Jade Pig proposal down to \$7 million.

Public Hearing Closed

2003-449-A. Baxter-Mulhall. To authorize staff to begin preparations of plans and designs for an expansion and renovation of the Library on the Lake; provided, however, that the Commission will reconsider this direction if Jade Pig can satisfy conditions in Section IV, Subsection D of Commissioner Lawless' memo of August 4, 2003 regarding Library Expansion and Locations.

2003-449-B. Lawless-Shimko To amend 2003-447-A to modify time limits contained in Commissioner Lawless' August 4, 2003 memorandum so as to allow 60 days for subsection D.1. of Section IV and 90 days for subsections D. 2. through 6. of Section IV, regarding Library Expansion and Locations.

Vote on 2003-447-B.

Yeas: Barbour, Lawless, Kremers, Shimko, and Frey – 5

Nays: Baxter, Mulhall - 2

Vote on 2003-447-A, as amended

Yeas: Shimko, Kremers, Lawless, Baxter, Mulhall – 5
Nays: Barbour, Frey - 2

2003-450. The meeting adjourned at 10:02p.m. subject to the call of the Mayor until August 18, 2003.

Karen K. Brower, City Clerk

kp:6452

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Reference Only

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 18, 2003

Mayor Frey called the meeting to order at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Baxter, Kremers, Mulhall, Shimko, Lawless and Mayor Frey

Absent: Commissioner Barbour

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Deputy Director Mark Harmon; Building Inspector Conley; Recording Secretary Kathy Pearrow

2003-451. Mayor Frey advised there were no communications received at City Hall:

2003-452. Mayor Frey opened the meeting for any public comment. - Michael Fee of 950 Cambridge asked for an update on Commission's decision to go forward with locating the Library at the current location, any new information, decisions made, or any next steps identified. City Manager Donovan replied that Library supporters are working with the architects on the smaller area for the library. Nothing has been received from Jade Pig officials as of this date. Still working on schedule for elections.

2003-453. Mayor Frey opened the floor for comments from the Commissioners and the City Manager.

City Manager Donovan announced that the City Services Director retired. The Michigan Municipal League helped with the search for a replacement and all department heads and the Public Works Director of Kentwood helped during the interview phase. Approximately 40 or 50 candidates applied and Ken Feldt has accepted the position. Mr. Feldt has 13 years experience as City Services director for the city of Alma, Michigan; he is a civil engineer and has a strong background in both engineering applications and public works aspects of city government through his work at Lapeer and Ann Arbor. City Manager Donovan also announced that the corner of Plymouth and Hall will have a 4-way stop temporarily while they switch out the traffic signals. There is already one at Plymouth and Boston. These 4-way stops will be in effect for a couple of weeks only, while these much-needed upgrades are installed.

Mayor Frey noted that the last Concert in the Park will take place tomorrow night and encouraged all to attend. Next Monday at 7:00 p.m. the Library Committee, Library staff, and Bob Olson will meet in the Recreation Department. She had asked City Services to check out some signs which seemed oversized, but on inspection were found to be within the ordinance. She also had questioned whether the porta-johns at construction sites could be moved off the front of the area, but noted that there are no ordinances about this issue and some reasons to have them near the street. Mayor Frey requested input sessions on what would be the best course of action with the vacant lot that would be created if the Library was moved to the Jacobson site and the existing building was torn down. Some questions to address would be an appraisal of the site, the size of the area, etc.

Commissioner Mulhall addressed his concerns regarding trees obstructing pedestrian traffic. He asked the media to appeal to homeowners to keep their trees trimmed to approximately 10 feet above the surface (according to Chapter 32 of the City Ordinance).

Commissioner Kremers asked about the health of City Clerk Karen Brower and her new baby and was assured that all appears well with her and David. He also addressed concerns of citizens regarding Consumer Electric cutting down trees (primarily on Lake Grove, Richards and Maplewood). Residents see the need for this activity, but would appreciate better communication before the fact. He questioned whether the Public Safety trailer has been put up at Englewood, which has recently been paved, to discourage speeding. Public Safety Deputy Chief Herald noted that the trailer was put there and during

National Night Out safety officers met with citizens regarding traffic calming.

Commissioner Lawless commented that one area on Albert consistently has problems with power; the reliability of some circuits is not good and there needs to be a plan to improve this reliability by updating the system to alleviate this chronic problem. City Manager Donovan noted that the City has been working with Consumers Electric and communicating with them on the circuit reliability problem as well as the tree-trimming problem.

Mayor Frey advised that Karen had her baby August 4 and all Commissioners had contributed toward a gift for the new baby. She also expressed the board's sympathy to the family of Matt Hess who was killed recently in a traffic accident.

Commissioner Shimko lauded the fast action of City Manager Donovan and the Public Safety Department during a recent emergency with a young man who suffered heat-related illness while on the practice field with a freshman team that Commissioner Shimko coaches.

2003-454. Shimko – Mulhall. Motion to approve the consent agenda as follows with exceptions as noted:

2003-454-A. The minutes of the regular meeting held August 4, 2003.

2003-454-B. Payroll disbursements in the amount of \$162,736.78, county and school disbursements in the amount of \$998,141.74, and total remaining disbursements in the amount of \$93,420.41, as reviewed by the Finance Committee.

2003-454-C. Award a contract in the amount of \$ 3,467.32 to Michigan Police Equipment for the purchase of a Less Lethal Weapon System.

Commissioner Lawless requested an amendment to the minutes of August 4, 2003 meeting as follows:
p.5, paragraph D(2)[a] to read "other uses" vs. "other issues".

Commissioner Lawless requested Agenda Item 6 be removed from consent agenda in order to discuss prior to action.

Yeas: Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 6

Nays: -0-

Mayor Frey explained the term "consent agenda" for the young people in the audience (Boy Scout Troop 271 members).

2003-454-D. A discussion was held regarding award of a contract in the amount of \$3,467.32 to Michigan Police Equipment for the purchase of a Less Lethal Weapon System.

Commissioner Lawless asked Public Safety Deputy Chief Herald why the department preferred this system to the Taser-type system. Deputy Chief Herald said the Taser system had been investigated along with several other systems, and the Less Lethal Weapon System is very effective and fills their needs at this time. The shotguns for this system will have orange stocks and will be carried in each cruiser as a supplement to the regular shotguns and sidearms. This system shoots a round cloth wad ("bean bag"), which strikes the target with the same physical and psychological impact as a standard bullet but does not physically harm the target, as a Taser shot might. Ideally, one officer in tandem with another officer for backup would use the system.

2003-454-E. Lawless – Kremers. That a contract be awarded to Michigan Police Equipment in the amount of \$ 3,467.32 for the purchase of a Less Lethal Weapon System.

Yeas: Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 6

Nays: -0-

Lawless – Kremers. That the purchase of eleven (11) 100 foot sections of 5” supply line from Time Emergency Equipment L.L.C. in the amount of \$5,167.80 be approved.

Yeas: Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 6
Nays: 0

2003-457. The Public Safety Department Report for the month of June 2003 was received.

2003-458. The City Services Department Report for the month of June 2003 was received.

2003-459. Minutes of the Library Commission Special Meeting June 23, 2003.

2003-460. Kremers – Mulhall. Motion to enter into an executive session to consider a periodic personnel evaluation in accordance with Section 8(a) of the Open Meetings Act. A roll call vote was taken.

Yeas: Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 6
Nays: 0

2003-461. The meeting adjourned at 8:05 p.m. subject to the call of the Mayor until September 2, 2003.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 2, 2003

Mayor Frey called the meeting to order at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Mayor Frey

Absent:

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Peter Gallagher, Finance Director Laura VanderWall; Building Inspector Conley; Streets & Utilities Director, Tom Keating; Recording Secretary Kathy Pearrow

2003-462. Mayor Frey advised the following communications were received at City Hall:

- Letter from Emily Sebastian and Andrew Molesta, 1026 Lake Grove Ave., in favor of the Johnson Garage Height Variance.
- Note from Tony Dolinka, 1720 Conlon, in favor of Hoane Fence Setback Variance.
- Letter from Perry & Karen Abbs, 1731 Danby Lane, in favor of Haone Fence Setback Variance

2003-463. Mayor Frey opened the floor for public comment.

- Pam Caspari – 2747 Maplewood SE – voiced her opinion that the four commissioners who have aligned themselves with a mayoral candidate in the public press before the election, have performed a disservice to the citizens and owe an apology to the current mayor and the citizens of East Grand Rapids.

2003-464. Mayor Frey advised the Commissioners that Karen Brower had sent a thank you note for the fruit basket that was sent to her and her family just after the birth of the baby. Mayor Frey noted that she had received a letter from Dave Warren, Chair of Kent County Board of Commissioners, looking for citizens who would like to be on Kent County boards, which is a good way to get involved in the community.

Commissioner Lawless requested follow-up from City Manager Donovan and staff at the next commission meeting regarding action taken and any correspondence received at City Hall regarding the sporadic power outages on Albert, Berwyck, and San Lu Rae.

Commissioner Barbour noted the death of Billy Swaney last week. Mr. Swaney had a great many friends in the community and his passing is a tragedy for his family and friends in East Grand Rapids.

Commissioner Baxter welcomed Public Safety Officer Josh McConkie back to duty after his tour in Iraq and thanked him for his service to the community. Public Safety Director Gallagher introduced PSO McConkie and his fiancé, noting that everyone is delighted to have him back safe and sound and that he is a high-quality young man who will serve this city for a long time. Each member of the commission, the mayor, and other attendees congratulated PSO McConkie.

Councilman Kremers congratulated and welcomed Major Scott Smith (2614 Richards) on his return to East Grand Rapids from his tour of duty in Djibuti, East Africa.

2003-465. Kremers – Lawless. Motion to approve the consent agenda as follows with exceptions as noted:

2003-465-A. The minutes of the regular meeting held August 18, 2003.

2003-465-B. Payroll disbursements in the amount of \$155,355.92, county and school disbursements in the amount of \$5,876,659.23, and total remaining disbursements in the amount of \$214,335.28, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: -0-

- 2003-442. A zoning variance hearing was held on the request of Gail Heathcote, of 215 Rexford Drive SE, to allow the construction of a covered front porch, which will create a front yard setback of approximately 60'-0" from the center of the street instead of the 63'-0" required.

Gail Heathcote was present to introduce and answer questions about the variance request. She noted that the neighborhood was excited about the porch. Building Inspector Conley noted that the house is on a hill and the next closest house is situated in such a way that there are no visibility issues involved.

No communications were received at City Hall concerning this variance request.

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

- 2003-442-A. Lawless – Barbour. That a zoning variance be granted to Gail Heathcote of 215 Rexford Drive SE, to allow the construction of a covered front porch, which will create a front yard setback of approximately 60'-0" from the center of the street instead of the 63'-0" required.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: -0-

- 2003-443. A zoning variance hearing was held to consider request of Andrew Chuba and Rebecca Robson, of 2544 Indian Trail SE, that a variance from Chapter 50, Article XII, Section 5.133C be granted to allow the construction of a 18'-0" x 23'-0" family room addition to the side of the house creating a 6'-0" side yard setback instead of the 10'-0" required.

Andrew Chuba was present to introduce and answer questions about the variance request. He noted that adjoining neighbors are in favor of the variance. Building Inspector Conley said only a very small portion of the addition would be within required setback and the structure would be 8'-3" from the lot line, not the 6'-0" originally noted (due to a misunderstanding).

There was no communication received at City Hall concerning this variance request:

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

- 2003-443-A. Mulhall – Simko. That a zoning variance from Chapter 50, Article XII, Section 5.133C be granted to Andrew Chuba and Rebecca Robson of 2544 Indian Trail SE, to allow the construction of a 18'-0" x 23'-0" family room addition to the side of the house creating a 8'-3" side yard setback instead of the 10'-0" required.

Commissioner Lawless noted that his approval of this variance was based on the unique circumstances of the lot shape (pie shape). Mayor Frey also noted that the adjacent home had no windows on that side.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: -0-

- 2003-444. A zoning variance hearing was held on the request of Darrell and Cherie Johnson, of 1015 Lake Grove Avenue SE, to allow the construction of a new detached garage with an average height of 16'-0" instead of the allowable 12'-0"

Darrell Johnson was present to introduce and answer questions about the variance request. He noted that the existing four-vehicle carport, shared with the Blanchards, is an eyesore and will be taken down. The Blanchards plan to build a garage at a future time, which will be set back deeper in the lot than the

Johnson's structure. The Johnsons feel their garage will be balanced by the height of their house, and the additional half-story will be used for storage, etc..

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

In Favor

Opposed

- Kurt & Anne Clark – 2501 El Dorado Dr.
- Chris & Laurie Blanchard – 1011 Lake Grove Ave.
- Kristi Merritt – 1010 Lake Grove SE
- Letter from Emily Sebastian and Andrew Molesta, 1026 Lake Grove Ave.

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

2003-444-A. Lawless – Kremers. That a zoning variance be granted to Darrell and Cherie Johnson of 1015 Lake Grove Avenue SE to allow the construction of a new detached garage with an average height of 16'-0" instead of the allowable 12'-0".

Commissioner Kremers thanked the Johnsons for obtaining written correspondence from all the affected neighbors.

Commissioner Lawless noted that his support is based on the fact that the garage does reflect the house in height and pitch.

Commissioner Mulhall noted that there had recently been three similar requests for 16'-0" garages and he approved only one. He believes the size of the proposed garage is too much for this lot and therefore opposes the variance.

Yeas: Barbour, Baxter, Kremers, Shimko, Lawless and Frey – 6

Nays: Mulhall - 1

2003-445. A zoning variance hearing was held regarding the request of Thomas and Susan Hoane, of 1748 Danby Lane SE, for a variance from Chapter 83 Article 1 Section 8.61(B) to allow the 6'-0" high wood privacy fence on the south lot line abutting a street right of way, along Norfolk Road, instead of the required 15'-0" setback.

Tom Hoane was present to introduce and answer questions about the variance request. The fence has already been erected due to a misunderstanding between the City and the contractor. Most, if not all, of the neighbors have comparable fences and there are no driveways or sidewalks in this area.

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

In Favor

Opposed

- Wendy & Nate Blyveis – 1746 Vesta Lane SE
- Arlene Loby – 1746 Danby Lane
- Elizabeth Headrick – 1714 Danby Lane
- Note from Tony Dolinka, 1720 Conlon
- Letter from Perry & Karen Abbs, 1731 Danby Lane

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

2003-445-A. Mulhall – Simko. That a variance from Chapter 83 Article 1 Section 8.61(B) be granted to Thomas and Susan Hoane of 1748 Danby Lane SE, to allow the 6'-0" high wood privacy fence on the south lot line abutting a street right of way along Norfolk Road, instead of the required 15'-0" setback.

Commissioner Lawless noted that he wanted to make good on any misunderstanding, but thinks this fence

is three or four feet forward from the rest in the neighborhood.

Commissioner Barbour said that his vote is influenced by the fact that there is no vision line problem or sidewalk in the area.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: -0-

2003-446. A hearing was held on the request of Tim Feagan of 3137 Bonnell Avenue SE to allow a lot split (enclosed – 29 notices sent).

Tim Feagan was present to introduce and answer questions about the lot split request. He is aware of the conditions recommended by staff in the memorandum requesting approval. This will be a front-to-back lot split, rather than the usual side-to-side split. Building Inspector Conley noted that notices were sent to all home owners in the area, including those who reside in Grand Rapids Township.

Commissioner Kremers asked that the three recommendations of staff regarding water and sewer, road maintenance, and emergency fire fighting response time, including the recommendation for fire suppression systems be made part of the motion.

No communications were received at City Hall concerning this variance request:

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

2003-446-A. Shimko – Lawless. That a variance be granted to Tim Feagan of 3137 Bonnell Avenue SE to facilitate a lot split of a portion of platted lots 60 & 61 of Woodcliff Park to create a second parcel behind the property known as 3137 Bonnell Avenue, with the following conditions recorded with Kent County Register of Deeds within 90 days of approval: 1) The expenses to install and maintain the water and sewer services to the lot are to be run through an easement across the southerly portion of lot 61 also known as 3137 Bonnell Ave. at the sole expense of the owner/developer of the property; 2) The portion of Reeds Lake Blvd. adjacent to the front of the property will be maintained at its current level of service by the City of East Grand Rapids; and 3) Due to the possible delays in providing fire fighting services because of the distance from the closest fire hydrant, it is strongly recommended that a fire suppression system be installed in any residential dwelling built on this property to help protect the occupants.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: -0-

2003-447. A request to award a contract for City Hall Lift Station Replacement was held.

City Manager Donovan noted that the current lift station is 35 years old and badly in need of replacement. The budget allows \$40,000 for this project. The contingency amount requested is to cover telemetry work.

No communications were received at City Hall concerning this request:

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

2003-448. Baxter – Lawless. That a contract be awarded to FHC, Inc., of Wyoming, MI in the amount of \$8,227.00 for the City Hall Sanitary Sewer Lift Station Project, and project contingency amounts of \$1,100.00.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: -0-

2003-449. A request to approve the purchase of a replacement truck loader was discussed.

The purchase was budgeted last year, but no acceptable bids were received. This year, the low bidder was Nortrax of Grand Rapids. Commissioner Baxter asked whether this type of equipment should be leased by the City. City Manager Donovan explained that purchase works better due to the amount of time the City keeps the equipment.

- 2003-450. Lawless - Mulhall. That the purchase of a John Deere TC62H model loader from Nortrax of Grand Rapids, MI be approved in the amount of \$119,900.

Commissioner Lawless noted that he would like to have seen the specifications written more broadly in order to obtain more bids. Streets & Utilities Director Keating noted that the specifications were broadened after the first request for bid was unsuccessful. Various vendors in the area were contacted and they advised they did not have a model to fit the requested range.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: -0-

- 2003-451. The Public Safety Department Report for the month of July 2003 was received.

Public Safety Director Gallagher noted that First Emmanuel Church on the East Beltline allowed Public Safety the use of their large parking lot in order to train all officers in defensive driving techniques, thus saving the City a considerable amount of money.

- 2003-452. The City Services Department Report for the month of July 2003 was received.

- 2003-453. Mayor Frey read a proclamation denoting the month of September, 2003 as Literacy Action Month.

- 2003-454. Kremers - Shimko. Motion to enter into an executive session to discuss collective bargaining in accordance with Sections 8(c) of the Open Meetings Act. A roll call vote was taken.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: 0

- 2003-455. The meeting adjourned at 8:10 p.m. subject to the call of the Mayor until September 15, 2003.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 15, 2003

Mayor Frey called the meeting to order at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Mayor Frey

Absent:

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Peter Gallagher, City Services Director Ken Feldt,; Building Inspector Conley; Recording Secretary Kathy Pearrow

2003-466. Mayor Frey advised the following communications were received at City Hall:

- Ray & Nancy Loeschner – 2565 Frederick Dr SE – in favor of library proposal #1 (leaving library on Lakeside Drive)
- Peter & Kim Canepa – 633 Manhattan Rd SE – withdrawing support for any candidate
- Mary T. Dersch, Curator, EGR History Room – seeking support for History Room and new, expanded EGR Library

2003-467. Mayor Frey opened the floor for public comment.

- Richard Hearn, 839 Ross Court, requested staff look into lack of “no parking” sign on Ross Court as students are now parking on both sides of that street and making through travel very difficult.
- Michael Fee, 950 Cambridge, requested an update on the library plan. City Manager Donovan said there has been no response so far from Jade Pig. He invited all concerned citizens to attend the next Library Commission meeting September 22, 2003 at 7:00 p.m. in the City Commission chamber.

2003-468. Mayor Frey reported on a Friends of the Transit meeting she attended September 14. She advised commission members that they may be approached to endorse the campaign for a renewal of the millage and a slight increase (no higher than a total of 4.95 mills) at the November election. She also noted the apparent record number of people in East Grand Rapids last Friday night, possibly the largest crowd for a game which was not a play-off.

City Manager Donovan introduced and welcomed Ken Feldt as the new City Services Director. He also noted that staff has been in meetings with Consumers Energy regarding the power outages and requested that he be advised of any other addresses having power outage problems. He will report any progress regarding notification of residents of tree trimming activities, etc.

Commissioner Baxter introduced Janice Rocque. He invited her to attend this meeting and praised her on her work with the East Grand Rapids High School “We the People” constitutional law team. This team, comprised of students in her honors Government program, has won the state competition and placed in the top 10 in national competition the last three years. These competitions require the participants to answer tough questions on freedom of religion, freedom of the press, judicial review, equal protection and the structural nature of the constitution. He displayed a copy of the Flair section of the September 14, 2003 edition of *The Grand Rapids Press*, which contained several articles about Ms. Rocque’s team, her dedication to her students, and her passion for the Constitution. Ms. Rocque praised the citizens of East Grand Rapids for their great support of the team.

Commissioner Mulhall complimented City Manager Donovan and Streets and Utilities Superintendent Keating on the quick action taken regarding the removal of trees and shrubs his neighbor had cut down and placed for collection.

Commissioner Kremers commended the East Grand Rapids High School marching band and cheerleaders

and praised the work of the Public Safety team at the game.

Commissioner Lawless noted that Ms. Rocque's students are so well prepared that they could pass any law school constitutional law exam, participate in moot court, and are able to pass the state bar exam. He again commended Ms. Rocque on her program and her students' accomplishments. He asked City Manager Donovan about any results from the Bike Path meeting, issues, and/or follow-up action taken. City Manager Donovan noted that most of the discussion was regarding the route of the path. Most of the questions and comments were from Grand Rapids Township residents. Two meetings have been held, as well as meetings with individuals. The Kent County Road Commission has set the route. He said that the path cannot run down Reeds Lake Boulevard since that is still a road and has not been abandoned.

2003-469. Shimko – Baxter. Motion to approve the consent agenda as follows with exceptions as noted:

2003-469-A. The minutes of the regular meeting held September 2, 2003.

2003-469-B. Payroll disbursements in the amount of \$157,634.30, county and school disbursements in the amount of \$140,786.99, and total remaining disbursements in the amount of \$500,619.24, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7

Nays: -0-

2003-456. A zoning variance hearing was held on the request of Nancy Mulvihill of 2247 Anderson Dr. SE to allow construction of a 7'-0" x 22'-0" addition to the existing carport and turn the carport and addition into a garage with a side yard setback of 3'-0" instead of the required 7'-0".

Nancy Mulvihill was present to introduce and answer questions about the variance request. This will be a single story, one-and-a-half stall garage on a single story home needed for more secure storage and enabling her to remove the old storage shed in the backyard. The 3'-0" setback would be on the driveway side and the neighbor on that side says that is OK.

No communications were received at City Hall concerning this variance request.

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

2003-456-A. Lawless – Kremers. That a zoning variance be granted to Nancy Mulvihill of 2247 Anderson Dr. SE to allow the construction of a 7'-0" x 22'-0" addition to the existing carport and turn the carport and addition into a garage, as long as the roof line follows that of the existing roof, with a side yard setback of 3'-0" instead of the required 7'-0".

Commissioner Lawless noted that his approval is based on the condition that the addition will follow the existing roof line and asks that this condition be part of his motion (Commissioner Kremers agreed to the change in the motion). He believes there is no practical way to go deeper into the lot at the back. He said he believes the circumstances of this application are unique and he feels the commission should allow this application.

Commissioner Baxter noted that he would normally be against this request, but feels that he can agree since it is a property with no basement and especially since the neighbor has no problem with it.

Commissioner Kremers said he had spoken with the immediate neighbor, Kevin Burns, and that this neighbor has no problem with the addition.

Commissioner Mulhall was concerned that it will be too close to the neighbor and asked whether a one-stall garage would be acceptable. Ms. Mulvihill responded that a one-stall garage would be enough for the automobile, but would not allow any space for secure storage.

Yeas: Baxter, Kremers, Shimko, Lawless and Frey – 5

Nays: Barbour, Mulhall -2-

2003-457. A zoning variance hearing was held to consider request of Steve & Billi Sue Potter of 1534 Groton Road SE to allow the construction of a 2 story addition to the side of the home approximately 12'-0" x 16'-0" creating a side yard, along a side street, of 9'-6" instead of the required 20'-0". There was a zoning variance granted at this address to a previous owner in July, 2002 for an addition to the back of the house, which was never used and has since expired.

Neal Jones, architect for the Potters as well as for the previous owners, was present to introduce and answer questions about the variance request. This addition would enlarge the master bedroom and add a second full bath to the upper story, with an open porch on the first level, which would allow the open visual corridor down the street to remain. The plans were drawn with intentions of being sensitive to the existing architecture, sensitive to the neighbors, and having negligible impact on the visual corridor.

Commissioner Baxter asked whether the addition could be moved further to the back of the house, adding 1.5' to 2' to the setback. Mr. Jones noted that it would be prohibitive to do the addition without encroaching on the set back.

Steve Potter, owner of the home, noted the main reason for the addition is to get a second full bath and more storage space and the addition should increase the value of the home. He noted that they have been in the area only since February 2003, and have bonds with neighbors on all sides.

There was no communication received at City Hall concerning this variance request:

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

2003-457-A. Kremers – Shimko. That a zoning variance from Chapter 50, Article XI, Section 5.123C be granted to Steve and Billi Sue Potter of 1534 Groton Rd. SE to allow the construction of a two-story addition to the side of the home approximately 12'-0" x 16'-0" creating a side yard, along a side street, of 9'-6" instead of the required 20'-0".

Commissioner Mulhall said that, from the photographs submitted by Mr. Jones, he believes the open corridor from the side would be obstructed.

Commissioner Baxter welcomed the Potters to the area and noted he has a problem with the distance into the set back.

Commissioner Lawless commended the architect on the professionalism of his presentation, but noted that he did not support the request based on his belief that this addition will change the profile of the block, that this addition has a different character, and that he believes the porch will be screened in at some point, perhaps totally enclosed, and will intrude on the visual corridor.

Discussion was held regarding adding a condition to the motion requiring the first floor porch remain open air, but it was decided this would not be sufficient to guarantee the visual corridor

Yeas: Barbour, Kremers, Shimko – 3
Nays: Mulhall, Baxter, Lawless, Frey -4

2003-458. A request to approve the purchase of two in-car video systems was considered.

City Manager Donovan noted that the current budget allows for only one system. The current request is for two systems, but additional systems will be requested next year. He also noted that there is only one source for these systems.

2003-459. Baxter – Mulhall. That the purchase of two (2) In Car Video Systems from Mobile Vision located in Boonton, New Jersey, in the amount of \$9,997.85 be approved and the budget be amended to allow

transfer of an additional \$5,000 from drug seizure funds.

Commissioner Baxter noted that he knows the vendor and notes they have a very good reputation. He believes that every patrol car needs to have a working system in place, with a spare.

Commissioner Barbour asked whether this purchase required a budget amendment. City Manager Donovan and City Attorney Huff agreed that it did require an amendment. Commissioners Baxter and Mulhall agreed to make the budget amendment part of the motion.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: -0-

2003-460. An emergency ordinance to readopt the Michigan Vehicle Code which the city uses for its driving laws.

The purpose of this readoption is to incorporate changes which have been made in the code since the city adopted it dealing with the blood alcohol level necessary for certain drinking and driving offenses. Since the new state law provisions go into effect on October 1, it is necessary to adopt this ordinance as an emergency ordinance so that the city code provisions will also be effective on October 1. The new law lowers the blood alcohol level for a driving while intoxicated ticket from .10 grams per 100 milliliters of blood to .08 grams per 100 milliliters of blood.

2003-460-A. Baxter – Kremers. That an Ordinance to Amend Section 10.1 of Title X of the Code of the City of East Grand Rapids pertaining to the blood alcohol level necessary for certain drinking and driving offenses be adopted effective October 1, 2003.

Yeas: Barbour, Baxter, Kremers, Mulhall, Shimko, Lawless and Frey – 7
Nays: -0-

Mayor Frey noted that the number of variance requests has begun to diminish. She also noted that the article on tax limits in the City Manager's memo was well worth reading and noted that copies would be sent to The Grand Rapids Press reporter and the Cadence reporter.

2003-461. The meeting adjourned at 8:30 p.m. subject to the call of the Mayor until October 6, 2003.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held October 6, 2003

Mayor Frey called the meeting to order at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Baxter, Kremers, Mulhall, Shimko, Lawless and Mayor Frey

Absent: Commissioner Barbour

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

2003-503. Mayor Frey advised of the following communications received at City Hall:

- A. Memo from Deputy Chief Herald outlining preparations for the homecoming parade on October 10th.
- B. Email from Sue Vesely of 1941 Ridgemoor regarding possible uses for the former Jacobson's building.

2003-504. Mayor Frey opened the floor for public comment.

Eugene Williams, 2143 Lansing, asked that something be done about the condition of the gravel surface on Lansing Street. He stated the city's maintenance plan was inadequate and requested continued work on this issue.

Gretchen Speck, 3400 Hall, read a prepared statement outlining her concerns on the proposed bike trail project around Reeds Lake and asked the City Commission to carefully review the plans and the issues raised by property owners along the road.

Luis Solis, 2258 Audobon, submitted a request from the Library Commission asking the City Commission to address the status of the library expansion issue.

Lois Moseley, 1753 Breton, stated her displeasure with the tree trimming done along Breton Road by the Consumers Energy Company. She asked that the City Commission review the policies being used by Consumers Energy and work with the company to minimize the impact of the trimming on the area residents. Commissioner Lawless responded that although it has been difficult to find a balance between trimming trees to correct recurring power outages and maintaining the beauty and privacy provided the city's tree-lined streets, the city continues to work on this issue.

2003-505. Mayor Frey asked for a report on the effectiveness of the West Nile Virus prevention program. She reported that Crisan's Coffee Shop in Gaslight Village had closed and that the demolition of the Jacobson's building was scheduled for the next few weeks. She urged everyone to take the time visit Millennium Park and noted an architectural review committee was reviewing a request to create a miniature Ramona Park somewhere within the new park. Mayor Frey also suggested exploring the possibility of placing a \$2 million bond issue before the voters to address accessibility and infrastructure concerns regarding the municipal office complex.

City Manager Donovan reported that homecoming events for the EGR High School would take place on Friday, October 10th with the parade kicking off at 4:30 p.m.

Commissioner Lawless reminded everyone of the diversity forum being held by the School District on October 21st and urged attendance. He asked that a discussion of the Library Commission's request for an update on the expansion issue and Mayor Frey's suggestion for a minimal bond issue be placed on the next

City Commission agenda. Commissioner Lawless also requested the addition of a resolution supporting the transit millage be added to the end of the current agenda.

Commissioner Kremers thanked the City Services Department for assisting the family of a military member serving in Iraq and Deputy Chief Herald for his assistance with a recent personal issue.

Commissioner Shimko noted that the Halloween trick-or-treating would take place on October 31st, as would a possible football playoff game. He thanked the Public Safety Department for addressing traffic and safety concerns at an early date to minimize problems.

Commissioner Mulhall reported the green roof project at city hall was progressing well and soil and plants would be brought in soon. He expressed an interest in comparing the city's water quality report with the fish population report that will be done in future years. He congratulated Streets & Utilities employees Marty Kroes and Jeff Stults on their 9th place finish in the National Snowplow Roadeo. He asked that discussions on the bike trail project and the tree-trimming program continue to work out resident concerns.

Commissioner Baxter congratulated Marty Kroes and Jeff Stults on their finish in the Snowplow Roadeo and thanked members of the Public Safety Department for their assistance after his daughter was hurt on the school playground.

2003-506. Kremers-Mulhall. Motion to add to the end of the agenda a request to adopt a resolution supporting the transit millage request on the November 4, 2003 ballot. A roll call vote was taken.

Yeas: Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-507. Kremers-Shimko. Motion to approve the consent agenda as follows:

2003-507-A. The minutes of the regular meeting held September 15, 2003.

2003-507-B. Payroll disbursements in the amount of \$152,069.68, county and school disbursements in the amount of \$309,038.98, and total remaining disbursements in the amount of \$631,982.94, as reviewed by the Finance Committee.

Yeas: Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-508. Mike Smith of M.C. Smith Associates presented the preliminary version of the Parks & Recreation Master Plan as developed by the Parks & Recreation Commission and asked for input from the City Commission on the components of the plan.

Commissioner Lawless suggested including projects such as the Gaslight Village Streetscape and the Mehney Field artificial turf replacement in the Plan for future reference or for possible grant funding. He noted that items such as the gardens at school facilities and other reinvestment of current facilities should be mentioned in some capacity. He also requested developing guidelines for working with community groups who approach the city to donate or fundraise for specific capital projects.

Commissioner Mulhall suggested soliciting volunteer groups to assist with the ongoing maintenance of the plantings and gardens at city and school facilities.

2003-509. Introduction of an ordinance amendment to Section 9.51 and Section 9.60 of Chapter 93 of Title IX of the City Code pertaining to miscellaneous offenses.

2003-509-A. Mulhall-Baxter. That an amendment to Section 9.51 and Section 9.60 of Chapter 93 of Title IX of the Code of the City of East Grand Rapids be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-510. Request to approve an agreement for water meter reading services.

Lisa Johnson of Consumers Energy answered questions from the City Commission regarding liability issues and the integrity of the data transmitted to the city for the meter readings.

2003-510-A. Baxter-Lawless. That a five-year contract be awarded to Consumers Energy Company for monthly reading of the water meters in the City of East Grand Rapids.

Yeas: Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-511. Finance Director VanderWall presented the quarterly financial report for the period ended June 30, 2003, and answered questions from the City Commission.

Commissioner Baxter complimented Finance Director VanderWall and City Manager Donovan for their extraordinary work in managing the resources of the City.

2003-512. The preliminary minutes of the Traffic Commission meeting held on September 2, 2003, were received. The City Commission took no action to modify or overturn the Traffic Commission's motion to install signage and painted white lines on Hall Street east of Breton Road for traffic calming measures; therefore the motions will take effect immediately.

2003-513. The Public Safety Department Report for the month of August 2003 was received.

2003-514. A report on City equipment purchase versus leasing was received.

2003-515. Consider request to adopt a resolution supporting the transit millage request on the November 4, 2003 ballot.

Commissioner Lawless reviewed the millage proposal and asked that the City Commission endorse the request.

2003-515-A. Mulhall-Baxter. That a resolution of support encouraging voters to approve the request of the Interurban Transit Partnership's millage request on November 4, 2003 be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-516. The meeting adjourned at 9:00 p.m. subject to the call of the Mayor until October 20, 2003.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Sections 9.51 and 9.60 of Chapter 93.
B - Resolution in support of Interurban Transit Partnership Millage request.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held October 20, 2003

Mayor Frey called the meeting to order at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Mulhall, Shimko, Lawless and Mayor Frey

Absent: Commissioner Kremers

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

2003-517. Mayor Frey advised of the following communications received at City Hall:

- C. Letter from Ethan Ross of 1050 Eastwood suggesting that the City purchase the Ramona Medical Building as a site for the library.
- D. Article from Detroit Free Press submitted by Pete Eardley of 2737 Bonnell regarding the use of trained dogs to chase geese from city parks.

2003-518. Jim Koetje, State Representative for the 86th District, was present to update the City Commission on several budget issues currently being discussed in Lansing.

Eugene Williams, 2143 Lansing, requested the City address the paving issue on Lansing Street and stated one of the businesses at the end of the street was responsible for a majority of the traffic on this dead-end street.

2003-519. Mayor Frey reported that Deputy City Clerk Sally Bode was now recuperating at home following surgery this summer and wished her a speedy recovery. Mayor Frey also noted that fencing had been erected around the Jacobson's site for the demolition which will begin soon.

City Manager Donovan reported on his trip to Lansing to meet with legislators concerning the budget deficit and proposed cuts to state-shared revenues over the next fiscal year.

Commissioner Baxter thanked City Manager Donovan and Finance Director VanderWall for their leadership of the city's fiscal health in light of the strained budgeting situation in the past few years. He also urged everyone to visit the roof-top garden being installed over the water tank and public safety garage behind City Hall and thanked the Wege Foundation for their generous contributions to this project.

Commissioner Mulhall shared quotes from a Business Direct Weekly article that featured the green roof being built at City Hall and thanked the Grand Rapids Press for their coverage of this project also.

Commissioner Shimko reported that a meeting has been scheduled between representatives of the EGR Ski Club and Cannonsburg Ski Area to find solutions to the problems experienced at Cannonsburg.

Commissioners Lawless reminded everyone of the diversity forum scheduled for October 21st by the School District. He also asked that the library issue be moved up on the agenda since there were so many people in attendance for this item. Everyone concurred with this suggestion.

2003-520. Barbour-Baxter. Motion to approve the consent agenda as follows:

2003-520-A. The minutes of the regular meeting held October 6, 2003.

2003-520-B. Payroll disbursements in the amount of \$154,210.50, county and school disbursements in the amount of \$-0-, and total remaining disbursements in the amount of \$465,619.81, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

- 2003-521. A zoning variance hearing was held regarding the request of Terry Stiemann of 2100 Burchard to allow the reconstruction of a detached garage approximately 2'-0" from the side lot line instead of the required 3'-0."

Terry Stiemann, 2100 Burchard, was present to introduce and answer questions about the variance request.

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

- Al Youmans, 1112 San Jose No objection

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

- 2003-521-A. Shimko-Lawless. That the request of Terry Stiemann of 2100 Burchard to allow the reconstruction of a detached garage approximately 2'-0" from the side lot line instead of the required 3'-0" be approved.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

- 2003-522. A zoning variance hearing was held regarding the request of Michael Bird of 1715 Whitfield to allow the placement of a storage shed approximately 1'-6" from the side and rear property line.

Roberta Bird, 1715 Whitfield, was present to introduce and answer questions about the variance request.

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

- Gloria Haebich, 1706 Asbury No objection.

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

- 2003-522-A. Lawless-Barbour. That the request of Michael Bird of 1715 Whitfield to allow the placement of a storage shed approximately 1'-6" from the side and rear property line be approved.

Commissioner Baxter spoke against this variance request because the contractor had been warned that the shed was not in compliance prior to the completion of the building and had finished the structure anyway.

Commissioner Mulhall also stated his intention to vote against the variance because of the relative ease of moving the shed to a location that complies with the ordinance.

Yeas: Barbour, Lawless, Shimko and Frey – 4
Nays: Baxter, Mulhall – 2

- 2003-523. Mayor Frey opened the discussion regarding the renovation and/or expansion of the East Grand Rapids library and recreation operations and asked for reaction to the Library Commission's request for direction on this issue.

Commissioners Mulhall, Shimko, Lawless and Baxter spoke about the need to move forward with the August 4th decision to renovate and expand the operations at the Lakeside Drive site. These commissioners stated their feelings that since the 60-day deadline for alternate proposals from JadePig Ventures had expired with no new information presented, the City should begin the development of detailed plans and schedules for the renovation. They also spoke against a suggestion to ask voters for \$2 million in infrastructure improvements that does not address the program space needs of the library and recreation department or facility access for the disabled.

Commissioner Barbour also spoke about moving forward to place the issue before voters.

Mayor Frey stated her feelings that there was still more information to gather regarding the two proposals discussed over the last several months and also suggested getting an appraisal of the Lakeside Drive site. She felt that a bond issue for the expansion of the municipal complex would not succeed.

The following people were present to speak on this issue:

- Dave Mehney, 1049 Mary
Estimated the entire municipal lakefront property was worth approximately \$5 million and that purchasing other land and building new facilities would cost far more than renovating on site.
- Barney Turner, Chair of Parks & Rec. Commission
Advocated for renovated space for the recreation department and activity rooms in the empty water reservoir building.
- Steve Edison, 2855 Elmwood
Spoke in favor of making municipal buildings safe and accessible and of the efficiency of housing library and recreation in the same facility.
- Carol Donovan, 2944 Hall
Disappointed with all the delays and urged moving forward with the decision made in August.
- Joel Schultze, on behalf of the Library Commission
Requested that the City Commission give clear direction to the Library Commission and staff to proceed with the final design of the agreed-upon plan with the reduction in square footage.
- Mary Dersch, 954 Lakeside
Favored renovating all operations on site because of space efficiencies.
- Kyle Irwin, 1860 Lake Drive
Felt the property on the lake should remain in public hands for all to enjoy.
- Connie Christenson, 915 San Jose
Spoke against the \$2 million maintenance option and urged the City to reaffirm to the residents and the Library Commission the intention to begin planning the expansion without further delay.
- Barbara Hoag, 1059 Eastwood
Stated citizens were unsure of the state of the library plans and needed a unified voice from the leadership.
- Pamela VanderPloeg, 1030 San Jose
Reported that library staff had begun working with architects to reduce the size of the library from the earlier proposals and were excited about having a new facility.
- Michael Fee, 950 Cambridge
Spoke against keeping the library and recreation operations as one unified proposals because of the possibility of both issues failing with voters. Favored splitting the question into multiple parts.
- Dawn Lewis, EGR Library Manager
Expressed excitement about moving ahead with a proposal to expand the library.

City Commissioners then spoke about the process of developing plans and working together to bring plans to the residents and schedule an election at some point in the future.

2003-524. Final Reading of an ordinance amendment to Section 9.51 and Section 9.60 of Chapter 93 of Title IX of the City Code pertaining to miscellaneous offenses.

2003-524-A. Mulhall-Barbour. That an amendment to Section 9.51 and Section 9.60 of Chapter 93 of Title IX of the Code of the City of East Grand Rapids be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-525. Consider request to adopt a resolution authorizing the installation of a streetlight at 1734 Pontiac Road.

2003-525-A. Shimko-Lawless. That a resolution authorizing the installation of a streetlight at 1734 Pontiac Road be adopted as set forth in Exhibit "B" attached hereto.

Commissioner Mulhall questioned whether the tree at this location had been examined in regard to the streetlight placement. City Services Director Feldt responded that the City's arborist had inspected the tree and found it to be in poor health and in need of replacement within the next several years; therefore the decision was made to remove the tree prior to the installation of the streetlight.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-526. Consider request to adopt a resolution authorizing prepay checks.

2003-526-A. Baxter-Barbour. That a resolution authorizing staff to prepare disbursements prior to approval by the City Commission be adopted as set forth in Exhibit "C" attached hereto..

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-527. Consider request to accept ownership of the East Grand Rapids historical collection.

City Manager Donovan explained that the City of East Grand Rapids will legally own the collection of historical documents and artifacts, but will not be responsible for funding future acquisitions or staffing needs. Volunteers will continue to curate the collection and purchases will be made with donated funds or by special request to the City Commission.

2003-527-A. Mulhall-Shimko. That ownership of the historical collection housed at the East Grand Rapids Library and tended by volunteers be accepted as the responsibility of the City of East Grand Rapids.

Mayor Frey suggested forming a historical society to oversee the collection and other issues surrounding the history of the City.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-528. Consider request to award a contract for a water system leak detection survey.

2003-528-A. Baxter-Barbour. That a contract be awarded to Severn Trent Inc. in the amount of \$6,000.00 for a city-wide water system leak detection survey and that a related budget amendment of \$6,000.00 from the Water/Sewer Meter Reading Capital Fund to the Mains and Hydrants Fund be approved.

Commissioner Barbour commended City staff for finding ways to control costs in light of the severe budget constraints.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-529. Consider request to award a contract for the performance of a sergeant examination process for the Public Safety Department.

2003-529-A. Baxter-Lawless. That a contract in the amount of \$9,000.00 be awarded to EMPCO, Inc. of Troy, Michigan to conduct the sergeant examination process at the Public Safety Department.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-530. Consider request to award contracts for property and liability insurance.

Finance Director VanderWall requested an extension of the Employment Practices Liability coverage until competitive bids could be received, but noted the other coverages should be approved as outlined.

2003-530-A. Shimko-Barbour. That a contract be awarded to Arthur J. Gallagher Company with the following premiums: \$149,739 for property and liability coverage, \$2,306 for terrorism coverage, and \$1,900 for a 30-day extension of the Employment Practices Liability coverage.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-531. Consider request to award a contract for the annual tree-planting program.

2003-531-A. Barbour-Baxter. That a contract be awarded to Tepper Nursery Co of Grand Rapids in the amount of \$6,950.82 for the City's annual tree-planting program.

Michael Fee, 950 Cambridge, urged the City Commission to remove ash trees from the Tree Planting Program because of the insect problems.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-532. Consider request to approve the purchase of accounting software.

2003-532-A. Lawless-Mulhall. That the purchase of accounting software from BS&A Software in the amount of \$32,235 and the purchase of related hardware from Ocean Inc. in the amount of 4,858 be approved as requested.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-533. The preliminary minutes of the Planning Commission meeting held July 8, 2003 were received.

2003-534. The preliminary minutes of the Parks & Recreation Commission meeting held July 14, 2003 were received..

2003-535. Barbour-Mulhall. Motion to enter into an executive session to discuss pending litigation and an attorney's opinion in accordance with Sections 8(e) and 8(h) of the Open Meetings Act. A roll call vote was taken.

Yeas: Barbour, Baxter, Lawless, Mulhall, Shimko and Frey – 6
Nays: -0-

2003-536. The meeting adjourned at 9:50 p.m. subject to the call of the Mayor until November 3, 2003.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Sections 9.51 and 9.60 of Chapter 93.
B - Resolution authorizing a streetlight at 1734 Pontiac
C - Resolution accepting ownership of the EGR historical collection.

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

UNOFFICIAL
Reference Only

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 3, 2003

Mayor Frey called the meeting to order at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Deputy Public Safety Director Herald; Finance Director VanderWall; Parks & Recreation Director Bunn; City Services Director Feldt; Building Inspector Conley; City Clerk Brower

2003-537. Mayor Frey advised of the following communications received at City Hall:

- A. Information from the Michigan Association of Community Arts Agencies concerning an event on November 6, 2003 spotlighting arts and culture in community development.
- B. Letter from Tom & Diane Northway concerning the library expansion proposals.

2003-538. Wayne Creelman, candidate for the 86th District of the House of Representatives, introduced himself and spoke about his experience and platform.

Pam Caspari, 2747 Maplewood, spoke about her quotes used by the Grand Rapids Press concerning the library expansion issue.

2003-539. Mayor Frey reported she had received thank you letters from the 3rd grade classes at Lakeside Elementary following their visit to City Hall last week. She also reported attending a meeting on land use issues attended by representatives from several communities at which the Governor warned everyone of upcoming reductions in State shared revenues.

Commissioner Shimko responded to a story in the Grand Rapids Press regarding the mayoral candidates and pledged to work together on upcoming issues regardless of the outcome of the election.

City Manager Donovan complimented the Public Safety Department on their work at a house fire on Pinecrest earlier in the day. Deputy Chief Herald reviewed the situation and also commended the officers who were on the scene within minutes of the alarm.

Commissioner Kremers thanked members of the city staff and the City Commission for their assistance during his term of office. He also noted that he had not endorsed either mayoral candidate and expressed his disappointment in the tone of discussions over the last several weeks regarding the library issue and the election. Commissioner Kremers thanked the Parks & Recreation staff for the fantastic Halloween Hoot event held on November 1st. He also congratulated the girls' cross country team on their recent State championship and varsity football kicker Rob Huff (son of City Attorney Huff) on his new State record of 94 extra points in two seasons.

Commissioner Lawless also spoke about the circumstances surrounding the last several weeks and his regret for any inappropriate statements or negative implications. He also pledged to work with fellow commissioners and the citizens on the expansion plans in the upcoming months.

2003-540. Shimko-Mulhall. Motion to approve the consent agenda as follows:

2003-540-A. The minutes of the regular meeting held October 20, 2003.

2003-540-B. Payroll disbursements in the amount of \$155,326.45, county and school disbursements in the amount of \$92,529.67, and total remaining disbursements in the amount of \$231,461.75, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-541. A zoning variance hearing was held regarding the request of Frank Krhovsky of 605 Manhattan to allow the construction of an air conditioning unit in the front yard.

Dr. Krhovsky, 605 Manhattan, was present to introduce and answer questions about the variance request.

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

2003-541-A. Kremers-Lawless. That the request of Frank Krhovsky of 605 Manhattan to allow the construction of an air conditioning unit in the front yard be approved.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-542. A zoning variance hearing was held regarding the request of Chris & Laurie Blanchard of 1011 Lake Grove to allow the construction of a detached garage with an average height of 15'-0" instead of the allowable 12'-0."

Chris Blanchard, 1011 Lake Grove, was present to introduce and answer questions about the variance request.

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

- Emily Sebastian & Andrew Molesta, 1026 Lake Grove No objection.

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

2003-542-A. Baxter-Lawless. That the request of Chris & Laurie Blanchard of 1011 Lake Grove to allow the construction of a detached garage with an average height of 15'-0" instead of the allowable 12'-0" be approved.

Commissioner Mulhall stated his feelings that this garage was too tall given the large size of the structure and that roof height could be lowered and still create a sufficient amount of storage.

Yeas: Barbour, Baxter, Kremers, Lawless, Shimko and Frey – 6
Nays: Mulhall – 1

2003-543. Eric VanDop, Doug Plamondon and Randy Novotny of Hoffman Steensma & Plamondon were present to review the FY 2002-03 audited financial statements and answer questions from the City Commission.

2003-544. Parks & Recreation Director Bunn briefly outlined changes made to the Parks & Recreation Master Plan since the initial presentation to the City Commission.

A public hearing was held regarding the Parks & Recreation Master Plan. No public comment was received. Mayor Frey closed the public hearing.

2003-544-A. Lawless-Baxter. That a resolution approving the Parks & Recreation Master Plan developed by MC Smith Associates be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-545. Consider request to adopt a resolution designating a Street Administrator for gas tax revenues.

2003-545-A. Kremers-Barbour. That a resolution designating City Services Director Ken Feldt as the Street Administrator for the City of East Grand Rapids with the Michigan Department of Transportation be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-546. Introduction of an ordinance amendment to Chapter 4 of Title I of the City Code pertaining to the City Library Commission.

The City Commission discussed the Library Commission's recommendation to change the City Commission liaison from a voting member to a non-voting member. The City Commission felt all liaisons to advisory boards should be voting members of those boards to allow for better discussion and input on issues. The ordinance amendment has been drafted to reflect this policy.

2003-546-A. Kremers-Baxter. That an ordinance amendment to Chapter 4 of Title I of the City Code pertaining to the City Library Commission be introduced as set forth in Exhibit "C" attached hereto.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-547. Consider request to approve an appointment to the Traffic Commission.

2003-547-A. Lawless-Shimko. That James Sears of 2220 Burchard be appointed to the Traffic Commission to fill a vacant term ending June 30, 2003.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

Commissioner Lawless thanked the members of the Traffic Commission and the city staff for developing traffic calming programs to address resident concerns.

2003-548. Consider request to approve an appointment to the Interurban Transit Partnership Board.

2003-548-A. Lawless-Barbour. That Earle "Win" Irwin be reappointed to the Interurban Transit Partnership Board for a two-year term ending December 31, 2005.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-549. Consider request to award contracts for the employee health care administration.

2003-549-A. Baxter-Kremers. That renewal contracts for employee health care coverage with the current providers be approved as outlined in the memorandum from the Finance Director.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-550. Consider request to approve the purchase of a training ammunition system for the Public Safety Department.

2003-550-A. Shimko-Barbour. That the purchase of Simunitions Training Equipment in the amount of \$6,474.00 from Michigan Police Equipment of Charlotte, Michigan be approved as requested.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-551. Consider request to award a contract for the purchase of salt for winter maintenance operations.

2003-551-A. Lawless-Kremers. That a three-year contract for road salt be awarded to the IMC Salt Company at a per-ton price of \$29.11 for the first year, \$29.98 for the second year, and \$30.88 for the third year.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-552. Consider request to approve the purchase of an underbody scraper for the Streets & Utilities Department.

2003-552-A. Baxter-Barbour. That the purchase of an underbody scraper from Truck and Trailer Specialties at a cost of \$4,890.00 be approved.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-553. The City Commission recognized City Manager Donovan for his ten years of service to the citizens of East Grand Rapids and thanked him for his dedication and hard work over the last decade.

2003-554. The meeting adjourned at 8:44 p.m. subject to the call of the Mayor until November 17, 2003.

Karen K. Brower, City Clerk

Attachments: A - Resolution adopting Parks & Recreation Master Plan
B - Resolution designating a Street Administrator
C - Ordinance amendment to Chapter 4 of Title I regarding the Library Commission

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 17, 2003

Mayor Frey called the meeting to order at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Mayor Frey

Absent: None

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

2003-555. No communications or public comment was received.

2003-556. Mayor Frey congratulated Cindy Bartman, John Baxter, John Barbour and Bob Horn on being elected to the City Commission.

Commissioner Mulhall noted that 42% of East Grand Rapids voters cast ballots in the recent election and complimented the residents on such a high percentage turnout.

Commissioner Baxter read a letter to the editor of the Grand Rapids Press regarding the upper peninsula of Michigan.

City Manager Donovan noted that fall leaf pick-up is continuing but that crews were not on the regular daily schedule due to the volume of leaves. He also reported on a rally held at Wyoming City Hall earlier in the day where local government leaders advocated to the legislature to minimize upcoming revenue reductions.

Commissioner Barbour reported that residents of Frederick had asked city staff to have the gravel re-graded on their street because of potholes. He also thanked the residents of Ward 1 for reelecting him to another four-year term as City Commissioner.

Commissioner Kremers thanked Mayor Frey for her four years of service as Mayor and her many years of commitment to the community. He also congratulated those elected to office on November 4th.

Commissioner Lawless expressed his congratulations to the newly elected Mayor and City Commissioners.

2003-557. Shimko-Mulhall. Motion to approve the consent agenda as follows:

2003-557-A. The minutes of the regular meeting held November 3, 2003.

2003-557-B. Payroll disbursements in the amount of \$156,218.35, county and school disbursements in the amount of \$-0-, and total remaining disbursements in the amount of \$261,293.30, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-558. Final Reading of an ordinance amendment to Chapter 4 of Title I of the City Code pertaining to the City Library Commission.

2003-558-A. Lawless-Mulhall. That an ordinance amendment to Chapter 4 of Title I of the City Code pertaining to the City Library Commission be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-559. Consider request to approve an agreement for a donation for the Reeds Lake Trail project.

City Manager Donovan reported that Grand Rapids Township officials were still reviewing the agreement and stated it would be brought back to the City Commission if any major changes were made by Grand Rapids Township.

2003-559-A. Baxter-Barbour. That a grant agreement accepting a donation to the Reeds Lake Trail project be approved as set forth in Exhibit “B” attached hereto.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7
Nays: -0-

2003-560. The preliminary minutes of the Traffic Commission meetings held October 6, 2003 and November 3, 2003 were received. The City Commission made no changes to the motions adopted by the Traffic Commission.

2003-561. The preliminary minutes of the Parks & Recreation Commission meeting held October 13, 2003 were received.

2003-562. The preliminary minutes of the Library Commission meetings held September 22, 2003, October 15, 2003 and October 27, 2003 were received.

2003-563. The City Services Department Report for the months of August 2003 and September 2003 were received.

2003-564. The Public Safety Department Report for the month of September 2003 was received.

2003-565. The meeting adjourned at 7:41 p.m. subject to the call of the Mayor until December 1, 2003.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Chapter 4 of Title I regarding the Library Commission
B - Donation Agreement for the Reeds Lake Trail.

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 1, 2003

Mayor Frey called the meeting to order at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Baxter, Horn, Kremers, Lawless, Mulhall, Shimko and Mayors Frey and Bartman

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Gallagher; City Services Director Feldt; Deputy Public Safety Director Herald; Building Inspector Conley; City Clerk Brower

2003-566. No communications were received.

2003-567. No public comment was received.

2003-568. Mayor Frey congratulated the varsity football team on their State Championship victory on Saturday evening. She then spoke about her four years as Mayor and her efforts to bring citizen involvement to many of the issues being discussed. She expressed anxiety about the future of Gaslight Village, the library and the budget issues facing the city and pledged to stay involved in many of these issues. She thanked City Manager Donovan, the city staff, commission members and the residents of East Grand Rapids for their support during her time as mayor.

Commissioner Kremers expressed his appreciation to fellow commissioners and staff for their efforts during his term of office. He also welcomed Bob Horn to the City Commission and noted several improvements to city facilities over the last few weeks.

Commissioners Mulhall, Baxter, Barbour and Lawless each took the opportunity to express their appreciation for the commitment of Mayor Frey and Commissioner Kremers over the last four years and to wish them well in their future endeavors.

Commissioner Barbour also reminded everyone of the Team Boosters Christmas Tree Sale.

2003-569. Kremers-Shimko. Motion to approve the consent agenda as follows:

2003-569-A. The minutes of the regular meeting held November 17, 2003.

2003-569-B. Payroll disbursements in the amount of \$156,212.72, county and school disbursements in the amount of \$34,118.02, and total remaining disbursements in the amount of \$233,620.37, as reviewed by the Finance Committee.

Yeas: Barbour, Baxter, Kremers, Lawless, Mulhall, Shimko and Frey – 7

Nays: -0-

2003-570. City Clerk Brower administered the oath of office to First Ward Commissioner John Barbour, Second Ward Commissioner Bob Horn, Third Ward Commissioner John Baxter, and Mayor Cindy Bartman. The new officials were seated at the commission table.

Mayor Bartman presented an engraved clock to Commissioner Steve Kremers for his years of service to the City and unveiled a mounted “stop” sign as a gift for his advocacy of traffic calming measures in residential neighborhoods.

Mayor Bartman then presented Judy Frey with a clock commemorating her years of service and announced that a permanent plaque would be placed in the flower garden at Collins Park to honor her dedication to beautification projects throughout the city during her term.

Mayor Bartman thanked the residents for giving her the opportunity to serve as Mayor and fellow commissioners and staff members for their assistance in working out transition plans. She outlined the process to begin work on the library renovation issue and other matters in the upcoming months. She invited citizens to become involved in these issues and welcomed their input.

Mayor Bartman also reported that Hal Childs, father-in-law of Planning Commissioner David Smith and an involved member of the rotary and other service groups, had died just prior to Thanksgiving.

City Manager Donovan announced that the water leak detection program had begun in the northern section of the city, and the relining of the Breton Road sewer line would commence later in the week and possibly cause some minor traffic delays.

2003-571. Consider request to grant a variance to EGR Firehouse Grill, 2150 Wealthy, regarding hours of operation.

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

- Patrick VanDuinen, owner of 2168 Wealthy	No objection.
- Mark Bremer, 2663 Reeds Lake Blvd.	In Favor.

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

2003-571-A. Lawless-Baxter. That the request of Karie Koster of the EGR Firehouse Grill to allow the serving of alcohol until 12:30 a.m. on Thursday, January 1, 2004 with all guests off the premises by 1:00 a.m. for New Year's Celebrations be approved.

The City Commission asked staff to develop an ordinance amendment for consideration at a future meeting to allow businesses to remain open longer on New Year's Eve only.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-572. A zoning variance hearing was held regarding the request of Mr. & Mrs. Craig Glowney 624 Rosewood to allow the construction of an addition to the rear of the home creating a side-yard setback of approximately 3'-0" instead of the 7'-0" required.

Craig and Rosalee Glowney were present to introduce and answer questions about the variance request.

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

- Irene VanHuisen, 639 Rosewood	No objections.
- Brad Morris and Shannon Zentall, 628 Rosewood	In Favor.

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

2003-572-A. Baxter-Shimko. That the request of Mr. & Mrs. Craig Glowney 624 Rosewood to allow the construction of an addition to the rear of the home creating a side-yard setback of approximately 3'-0" instead of the 7'-0" required be approved.

Commissioner Lawless spoke in favor of the request noting that the house currently had only two bedrooms.

Commissioner Mulhall expressed his objection to the variance request because of the proximity of a two-story addition to the property line and the small lot size that would be made smaller by the construction of a larger addition to the home.

Yeas: Barbour, Baxter, Horn, Lawless, Shimko and Bartman – 6
Nays: Mulhall – 1

2003-573. Consider request to approve committee assignments.

2003-573-A. Baxter-Mulhall. That the commission appointments and committee assignments recommended by the Mayor be approved.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-574. Consider request to approve a budget amendment for costs relating to the operation of the pools.

City Manager Donovan explained the invoice from the EGR Public Schools and noted the delay in determining full-year costs and estimates for some items not metered separately.

2003-574-A. Lawless-Shimko. That budget amendments of \$42,116.27 for FY 2002-03 and \$77,000.00 for FY 2003-04 for costs relating to the operation of the pools be approved as outlined by staff.

Commissioner Lawless requested that staff continue to explore separate meters for the pools for more accurate costs and work with the schools on future budgeting of these items.

Commissioner Barbour questioned whether revenues could be increased to offset the subsidy being made to the pool costs or whether changes were needed in the computation formula to better reflect the usage and programming. Parks & Recreation Director Bunn responded that there were limited opportunities for more revenue given the heavy scheduling needs and personnel costs. He noted that memberships were selling well.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-575. Consider request to award a contract for lake management services.

2003-575-A. Mulhall-Baxter. That the contract with Professional Lake Management be extended for one year at a cost of \$20,000 for lake management services.

Commissioner Lawless asked staff to research the amount of liability insurance coverage provided by the contractor and the curly-leaf pond weed treatment options.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-576. Consider request to approve an extension of the Reeds Lake Trail engineering contract.

2003-577. Baxter-Mulhall. That a \$10,000 extension of the contract with Moore & Bruggink for additional services in designing Phase I of the Reeds Lake Trail project be approved.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-578. The meeting adjourned at 8:25 p.m. subject to the call of the Mayor until December 15, 2003.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 15, 2003

Mayor Bartman called the meeting to order at 7:29 p.m. in the City Commission Chambers at City Hall. Brownie Troop 1628 from Wealthy School led the audience in the Pledge of Allegiance.

Present: Commissioners Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Mayor Bartman

Absent: None

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

2003-579. Mayor Bartman reported the following communications had been received at City Hall:

A. Email from Rick Morris asking the City Commission to turn on the Christmas lighting in Gaslight Village. Mayor Bartman noted that the lights had been turned on last week.

2003-580. No public comment was received.

2003-581. Commissioner Baxter congratulated Grand Valley State University on their recent national football championship and thanked the city staff for their work in getting the lights working in Gaslight Village.

Commissioner Horn reported receiving many numerous positive comments from the business owners in Gaslight Village about the Christmas lighting.

Commissioner Lawless announced that 76.8% of East Grand Rapids voters who voted in the November 3rd election had supported the Interurban Transit Partnership millage, the highest percent of any city in the metro area. He also noted that the ITP had secured funding for their reverse community system for the next five years.

City Manager Donovan reported the legislature was projecting a 5% reduction in state shared revenues to balance the State budget in the next fiscal year. This will amount to a reduction of about \$50,000 for East Grand Rapids. He also reported the Urban Cooperation Board had reduced next year's dues to its member units in recognition of the budget constraints everyone is dealing with. City Manager Donovan also distributed a listing of the accomplishments made in 2003.

Mayor Bartman highlighted the fundraising activities of the city staff during the holiday season to benefit area charities. She reported she had attended her first Grand Valley Metro Council meeting on December 4th and had been sworn in as the new city representative. She thanked Jade Pig Ventures and other business owners for their assistance in decorating Gaslight Village for the holiday season.

2003-582. The minutes of the regular meeting held December 1, 2003 were received as submitted.

2003-583. Lawless-Bartman. That payroll disbursements in the amount of \$156,183.08, county and school disbursements in the amount of \$23,365.45, and total remaining disbursements in the amount of \$368,492.16, as reviewed by the Finance Committee be approved.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7

Nays: -0-

2003-584. Consider request to authorize staff to proceed with documents and hearing notices regarding an assessment district to improve Lansing Street.

2003-584-A. Barbour-Shimko. That staff be authorized to prepare documents and publish notices for the creation of a special assessment district for the improvement of Lansing Street with the first hearing of necessity scheduled for January 19, 2004.

Diane Lange, 2150 Lansing, was present to speak in support of the plan to pave Lansing Street.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-585. Consider request to establish a Community Center Concept Team for the library and municipal office renovation project.

2003-585-A. Shimko-Baxter. That a Community Center Concept Team be created to make recommendations regarding the library and community center renovations with the members suggested by Mayor Bartman.

Pamela VanderPloeg of the Kent District Library staff pledge the support of the staff in working with this committee on the renovation plans.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-586. Consider request to award a contract for Ski Club transportation.

2003-586-A. Lawless-Mulhall. That a contract be awarded to Dean Trailways of Michigan in the amount of \$490 per unit for transportation for the Ski Club season.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-587. Consider request to award a contract for landscape design and architectural services.

2003-587-A. Shimko-Baxter. That a three-year contract for landscape design and architectural services be awarded to MC Smith Associates & Architectural Group with hourly rates as submitted by MC Smith Associates.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-588. The preliminary minutes of the Parks & Recreation Commission meeting held November 10, 2003 were received.

2003-589. The preliminary minutes of the Planning Commission meeting held November 12, 2003 were received.

2003-590. The Public Safety Department Report for the month of October 2003 was received.

2003-591. Mulhall-Shimko. Motion to enter into an executive session to discuss collective bargaining in accordance with Section 8(c) of the Open Meetings Act. A roll call vote was taken.

Yeas: Barbour, Baxter, Horn, Lawless, Mulhall, Shimko and Bartman – 7
Nays: -0-

2003-592. The meeting adjourned at 8:01 p.m. subject to the call of the Mayor until January 5, 2004.