

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 8, 2001

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

Present: Commissioners Barbour, Bartman, Brennan, Lawless, Shimko and Mayor Frey

Absent: Commissioner Kremers

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Baragar; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Streets & Utilities Superintendent Keating; City Clerk Brower

2001-194. The minutes of the regular meeting held December 18, 2000 were received as submitted.

2001-195. Mayor Frey advised of the following communications received at City Hall:

- A. Letter from Margit Sarne of 647 Lovett expressing concern over the alternate plan for expansion of the EGR Library.
- B. Letter signed by 31 residents opposing the development of a tennis center facility on the grounds at the Woodcliff Administration Building.

2001-196. No other public comment was received.

2001-197. Lawless-Barbour. That payroll disbursements in the amount of \$178,972.01; county and school disbursements in the amount of \$219,881.66; and total remaining disbursements in the amount of \$178,329.94, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Barbour, Brennan, Lawless, Shimko and Frey – 5
Nays: -0-

2001-198. Introduction of an ordinance amendment to add Section 25 of Title II of the City Code pertaining to public utility emergency response.

Commissioner Bartman arrived.

Commissioner Lawless asked that the ordinance amendment be revised to include payment of fees by telecommunications providers or other services located within the right of way.

2001-198-A. Lawless-Brennan. That an ordinance amendment to add Section 25 of Title II of the City Code pertaining to public utility emergency response be introduced as set forth in Exhibit "A" attached hereto and that the City Attorney be directed to make the changes noted above prior to the final reading.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6
Nays: -0-

2001-199. Introduction of an ordinance amendment to amend Chapter 74 of Title VII of the City Code pertaining to Tavern licenses.

City Manager Donovan explained that the Class C liquor licenses are already bound by the provision requiring that not more than 50% of revenues come from the sale of alcoholic beverages, and that most of the tavern license holders have already agreed to this provision on an informal basis.

2001-199-A. Brennan-Bartman. That an ordinance amendment to amend Chapter 74 of Title VII of the City Code pertaining to Tavern licenses and Class C liquor licenses be introduced as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6

Nays: -0-

2001-200. Consideration of a request to approve a consent agreement with Adelpia Business Solutions.

City Attorney Huff reported that a provision requiring Adelpia to provide the City with information to be used in the new GIS system should be added to the agreement.

2001-200-A. Lawless-Shimko. That a telecommunications consent agreement between the City and Adelpia Business Solutions Operations, Inc. which includes the provision noted above be approved as set forth in Exhibit "C" attached hereto.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6

Nays: -0-

2001-201. Consideration of a request to approve landscaping projects throughout the city.

2001-201-A. Bartman-Shimko. That additional landscaping projects as outlined by staff be approved at a cost of \$10,000 to be split between the City and the East Grand School District, and that the funding be moved from the contingency account to the appropriate budget account.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6

Nays: -0-

2001-202. Consideration of a request to approve the purchase of a claw bucket for the Streets & Utilities Department.

2001-202-A. Bartman-Shimko. That the purchase of a claw bucket from Hoekstra Truck Equipment Company of Grand Rapids at a cost of \$7,171.00 be approved as requested.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6

Nays: -0-

2001-203. Consideration of a request to ratify the emergency purchase of an underbody scraper for plowing equipment at the Streets & Utilities Department.

2001-203-A. Bartman-Brennan. That the purchase of an underbody scraper from Truck & Trailer Specialties in the amount of \$4,890.00 be approved.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6

Nays: -0-

2001-204. Consideration of a request to reject bids for replacement of trees on Gladstone Avenue.

2001-204-A. Bartman-Brennan. That the bids received for the replacement of trees on Gladstone Avenue be rejected because of failure to meet specifications, and that staff be authorized to solicit new bids with revised specifications.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6

Nays: -0-

2001-205. Consideration of a request to award a contract for the design and construction of an aerial ladder fire apparatus for the Public Safety Department.

Deputy Public Safety Director Spencer reviewed the process for selecting the new equipment and highlighted several of the new features that the new truck would contain. He stated that it would take approximately 11 months to build and deliver the new truck.

2001-205-A. Lawless-Shimko. That a contract in the amount of \$623,188.00 be awarded to Ferrara Fire Apparatus of Holden, Louisiana for the design and construction of an aerial ladder fire truck.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6

Nays: -0-

2001-206. Consideration of a request to approve the purchase of a camera and monitor package for the new aerial ladder fire truck.

2001-206-A. Shimko-Bartman. That the purchase of a camera and monitor package in the amount of \$4,922.00 from Ferrara Fire Apparatus be approved as requested.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6

Nays: -0-

2001-207. City Manager Donovan passed out information on the amounts spent on winter maintenance so far during this very snowy winter and stated that the City Services Department and the Public Safety Department had done an outstanding job keeping up with the inclement weather during December.

Mayor Frey presented a schedule for “citizen input sessions” which will be held prior to the second commission meeting of each month to allow residents to voice opinions or ask questions on various matters of concern. She also noted that the Parks & Recreation Commission had concluded decisions on the budget of the Collins Park renovations and would be reporting to the City Commission soon.

Mayor Frey reported that the West Michigan Strategic Alliance had kicked off it’s program and is looking for volunteers to serve in many capacities.

Several Commissioners noted that they would be out of town for Spring Break in April and that the meeting on April 2nd may not have a quorum. A new meeting date will be selected at an upcoming City Commission meeting.

Commissioner Bartman reported receiving several phone calls concerning the proposal to locate a tennis center facility with eight courts at the Woodcliff property owned by the School District, and asked the status of this project in relation to the Joint Facilities Committee and about the future treatment of the new facility. Residents in the area are concerned about the loss of greenspace in their neighborhood and about potential traffic and parking problems. The City Commission discussed the situation at length and gave input to the members of the Joint Facilities Committee on their feelings on this issue. The Joint Facilities Committee will be making a recommendation to the City Commission and School Board in the near future.

2001-208. Bartman-Shimko. Motion to enter into an executive session to discuss an attorney’s opinion in accordance with Section 8(h) of the Open Meetings Act. A roll call vote was taken.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6

Nays: -0-

2001-209. The regular meeting was adjourned at 8:48 p.m. subject to the call of the Mayor until February 5, 2001.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to add Section 25 of Title II regarding public utilities.
B - Ordinance amendment to Chapter 74 regarding tavern licenses.
C - Telecommunications consent agreement with Adelphia Business Solutions.

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 15, 2001

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

Present: Commissioners Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Baragar; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Building Inspector Conley; City Clerk Brower; Sgt. Bolen; PSOs Tessaro, Holmes, Davis, Asher and Clark

2001-210. The minutes of the regular meeting held January 8, 2001 were received as submitted.

2001-211. Mayor Frey advised of the following communications received at City Hall:

- C. Letter from Judy Zinser expressing concern about people jogging in the street and the potential danger of the situation.
- D. Letter from Lee & Anita Carter of 2856 Woodcliff Circle expressing opposition to placing a tennis center on the Woodcliff Administration Building property.

2001-212. No other public comment was received.

2001-213. Lawless-Barbour. That payroll disbursements in the amount of \$181,776.25; county and school disbursements in the amount of \$382,221.66; and total remaining disbursements in the amount of \$78,084.35, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2001-214. Eric Tessaro and Ryan Holmes were sworn in as Public Safety Officers of the City of East Grand Rapids by City Clerk Brower.

2001-215. Public Safety Director Gallagher presented a certificate of recognition to Mr. Dean Cohen for his actions that led to the arrest of several suspects.

2001-216. Win Irwin and Jim Fetzer were present to update the City Commission on the progress of the new Interurban Transit Partnership on achieving the promises made prior to the millage being passed. They reported that evening and weekend routes had been increased and expanded and that an initiative to assist workers in getting to their place of employment was underway. Mr. Fetzer reviewed the new Passenger Adaptive Suburban Service program that will begin this summer to allow passengers to be picked up in vans from sites without line haul service and taken to hubs where they can then take the regular bus service.

2001-217. A zoning variance hearing was held regarding the request of Lakeshore Club Condominium Association of 2311 Wealthy Street to allow the installation of a 6'-0" iron fence 1'-6" behind the sidewalk instead of the required 15'-0."

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

- 2001-217-A. Barbour-Bartman. That the request of Lakeshore Club Condominium Association of 2311 Wealthy Street to allow the installation of a 6'-0" iron fence 1'-6" behind the sidewalk instead of the required 15'-0" be approved.

Commissioner Lawless asked the condominium association to consider the aesthetics of the area by placing the fence behind the existing mature trees so as not to limit the existing sidewalk and create a walled-in effect. He felt that this area was widely used by pedestrians and felt it should have an open, promenade feel. He stated that he would be voting against the request to place the fence so close to the sidewalk.

Tom Etheridge and Frank Musto, residents of the condominiums, were present to support the variance request. They spoke in favor of placing the fence in front of the trees and declined to consider placing the fence behind the trees.

Yeas: Barbour, Bartman, Brennan, Kremers, Shimko and Frey – 6
Nays: Lawless – 1

- 2001-218. Public Hearing and Final Reading of an ordinance amendment to Chapters 50 and 54 of Title V of the City Code pertaining to land divisions.

Mayor Frey opened a public hearing on this ordinance amendment. No public comment was received. Mayor Frey closed the public hearing.

- 2001-218-A. Lawless-Bartman. That the version of the ordinance amendment to Chapters 50 and 54 of Title V of the City Code recommended by the Planning Commission pertaining to land divisions be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

- 2001-219. Final Reading of an ordinance amendment to add Chapter 25 to Title II of the City Code pertaining to public utility emergency response.

- 2001-219-A. Bartman-Kremers. That an ordinance amendment to add Chapter 25 to Title II of the City Code pertaining to public utility emergency response be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

- 2001-220. Final Reading of an ordinance amendment to amend Chapter 74 of Title VII of the City Code pertaining to Tavern licenses.

- 2001-220-A. Barbour-Bartman. That an ordinance amendment to amend Chapter 74 of Title VII of the City Code pertaining to Tavern licenses be adopted as set forth in Exhibit "C" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

- 2001-221. Consideration of a request to approve design plans for the renovations at John Collins Park.

Mike Smith of MC Smith Associates was present to review the three final plans that were considered by the Parks & Recreation Commission and its recommendation to the City Commission. The Parks & Recreation Commission recommends the "Plan B" option which includes all of the turf and drainage improvements, walkways, patios and benches while using the more expensive brick pavers only in certain key areas of the park. Plan B will include an entryway arch, pavers on the boat ramp but will not include

the fishing pier into the lake or the pavilion. The Parks & Recreation Commission further recommends that additional paving materials, the pavilion atop the restroom building and the fishing pier be bid as separate alternates that could be added into the contract if bids come in under budget or if additional funding becomes available.

Several City Commissioners expressed their appreciation for the many hours of work that the Parks & Recreation Commissioners, Staff members and MC Smith Associates have spent on this project.

City Manager Donovan reported that the Joint Facilities Committee would discuss the issue of ownership of the crew building and a make recommendation to the School Board and City Commission.

Commissioner Lawless asked that every consideration be given to the schedule for closing the boat launch area since it is so heavily used by residents.

The City Commission discussed the option of adding streetscape improvements such as decorative lighting, sidewalks, etc. to the bidding specifications at this time as an alternate item to be decided upon if bids for the main portion of work came in lower than expected. However, because of the short time available to adequately prepare the specifications for such work, and the need to respect the other priorities established by the Parks & Recreation Commission for additional options, the City Commissioners agreed that it was not an appropriate time to add the streetscape improvements to the plan.

2001-221-A. Lawless-Barbour. That the recommendation of the Parks & Recreation Commission for final designs of the renovations at John Collins Park be approved as presented, with the alternates mentioned to be included in the bid specifications and discussed when the contract is awarded.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

Commissioner Kremers asked that the Parks & Recreation Commission review the preliminary streetscape plans and make any further recommendations they felt necessary prior to the awarding of the contract.

2001-222. Consideration of a request to approve an appointment to the Library Commission.

2001-222-A. Bartman-Lawless. That Ms. Dawn Peterson of 2605 Richards Drive be appointed to the Library Commission to fill the open term following the resignation of Mr. Jim Kipp.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-223. Consideration of a request to approve the purchase of two patrol vehicles for the Public Safety Department.

2001-223-A. Bartman-Lawless. That the purchase of two patrol vehicles from Shaheen Ford Mercury of Portland, Michigan in the amount of \$41,904.00 for both vehicles be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-224. Consideration of a request to approve the purchase of an administrative vehicle for the Public Safety Department.

2001-224-A. Brennan-Shimko. That the purchase of an administrative police vehicle from Shaheen Ford Mercury of Portland, Michigan for the sum of \$20,820.00 be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-225. Consideration of a request to approve the purchase of a replacement vehicle for the City Services Department.

2001-225-A. Brennan-Shimko. That the purchase of a Dodge pick-up truck from Snethkamps Lansing Dodge of Lansing, Michigan in the amount of \$17,485.78 be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-226. Consideration of a request to award a contract for cellular phone service.

2001-226-A. Bartman-Shimko. That a contract be awarded to Nextel Communications for the use of 25 cellular phones at a cost of \$42.99 per month for a one-year period effective January 16, 2001.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-227. Consideration of a request to authorize the installation of an additional streetlight.

2001-227-A. Bartman-Kremers. That a resolution authorizing Consumers Energy to install an additional streetlight at 1721 Whitefield at a cost of \$100 for the installation and operating expenses of \$8.63 per month be adopted as set forth in Exhibit "D" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-228. Consideration of a request to authorize the purchase of additional equipment for the water meter reading program.

2001-228-A. Bartman-Shimko. That the purchase of a hand-held interrogator unit, charging stand and auto-touch gun from Etna Supply Company of Grand Rapids in the amount of \$5,600.00 with a related fund transfer of \$1,100.00 from the Water/Sewer Fund be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-229. Consideration of a request to the Community Development Block Grant Agreement and to authorize an application for the use of block grant funds.

2001-229-A. Shimko-Bartman. That the annual Community Development Block Grant Program agreement be approved as set forth in Exhibit "E" attached hereto, and that the application to use \$200,000 in funding for the installation of handicap curb ramps on City sidewalks be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-230. The preliminary minutes of the Joint Facilities Committee meeting held December 7, 2000 were received.

2001-231. The preliminary minutes of the Traffic Commission meeting held January 5, 2001 were received.

2001-232. The preliminary minutes of the Parks & Recreation Commission meetings held December 11, 2000 were received.

2001-233. The preliminary minutes of the Planning Commission meeting held January 9, 2001 were received.

2001-234. The City Services Department Report for the month of December 2000 was received.

2001-235. The Public Safety Department Report for the months of October and November 2000 were received.

2001-236. Mayor Frey reported that School Superintendent Jim Morse had undergone heart surgery that morning and was reportedly doing well.

Commissioner Barbour noted that he had observed Streets & Utilities crew members salting intersections on a recent Sunday afternoon when icy conditions were forecast for later in the day. He complimented them for their proactive approach and their dedication to keeping streets clean and safe.

Commissioner Bartman commended Parks & Recreation Director Bunn for taking the time to organize a discussion with area teens (her son was a participant) on a possible mentoring program. She felt the project was a worthy one and thanked him for organizing it. She also noted that it was Martin Luther King Day and urged everyone to reflect on the impact that Dr. King had on our society and his continued legacy.

Commissioner Lawless thanked press reporter Juanita Westaby for the article she wrote on his wife, Sherri Jones, and her expertise in antique stichery.

Commissioner Brennan announced that East high school students had won the State "We the People Constitutional Law Competition" recently, and will be representing Michigan in Washington, DC in April for the national competition.

2001-237. The regular meeting was adjourned at 9:24 p.m. subject to the call of the Mayor until February 5, 2001.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Chapters 50 and 54 pertaining to land divisions
B - Ordinance amendment to Section 25 of Title II pertaining to emergency response
C - Ordinance amendment to Chapter 74 pertaining to tavern licenses
D - Resolution authorizing the installation of a streetlight
E - Community Development Block Grant Agreement

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Special Meeting Held January 29, 2001

The meeting was called to order by Mayor Frey at 7:00 p.m. in the City Commission Chambers at City Hall.

City Commissioners

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

Traffic Commissioners

Present: Commissioners Bartman, Huff, Stuhlreyer and Saltsman

Also Present:

City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Baragar; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Building Inspector Conley; City Clerk Brower

2001-238. The purpose of the special meeting between the City Commission and the Traffic Commission was to discuss a traffic-calming program.

Assistant to the City Manager Branyan presented definitions of traffic calming and current data for major and local streets in East Grand Rapids. He outlined a proposed policy for dealing with resident requests for speed control measures and answered questions from the commissioners.

After discussion, there was consensus among those present that a scoring mechanism to evaluate requests should be developed and that a research period should be established to gather information and make decisions about various devices and funding sources. A research period will also allow time to assess the success of the design elements incorporated into the Breton Road reconstruction.

Several commissioners added that driver education/awareness needed to be an integral part of the design of the program and asked staff to include this when developing the plan.

2001-239. The special meeting was adjourned at 8:23 p.m. subject to the call of the Mayor until February 19, 2001.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 5, 2001

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

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

Absent: Commissioner Brennan

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Baragar; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Building Inspector Conley; Deputy Public Safety Director Spencer; Streets & Utilities Sup't Keating; City Clerk Brower

2001-240. The minutes of the regular meeting held January 15, 2001 were received as submitted.

2001-241. Mayor Frey advised of the following communications received at City Hall:

- A. Thank you letter from Dr. Jim Morse thanking the City Commission for the fruit basket sent to his home after his recent surgery.
- B. Note from School Board President Brian Ellis thanking the City for stationing a police officer at the pedestrian crossing in front of the high school to assist students in the morning hours.
- C. Letter from Lee Carter opposing the proposed Tennis Center at Woodcliff.

2001-242. No other public comment was received.

2001-243. Barbour-Lawless. That payroll disbursements in the amount of \$140,999.55; county and school disbursements in the amount of \$978,566.02; and total remaining disbursements in the amount of \$583,563.74, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2001-244. Consideration of a request approve the division of a lot located at 563 Belvedere.

City Attorney Huff reviewed the ordinance governing lot splits and answered questions from the City Commission regarding the criteria for approving or denying a lot split.

Mayor Frey reported that Carl Reid of 519 Edgemere had telephoned her and expressed opposition to having a house built on the new lot.

2001-244-A. Lawless-Shimko. That the request to allow a portion of Lot 50 to be added to Lot 39 of Fisk Lake Gardens to create a conforming parcel while the remaining portion of Lot 50 and a portion of Lot 40 would continue as a conforming parcel containing the existing home, 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, Bartman, Kremers, Lawless, Shimko and Frey – 6

Nays: -0-

2001-245. Consideration of a request to decide on an alternate meeting date for spring break meeting of April 2, 2001.

The City Commission agreed that the meeting scheduled for April 2, 2001 be rescheduled and held on Friday, March 30, 2001 at 8:00 a.m. following the regularly scheduled Finance Committee meeting.

2001-246. Consideration of a request to approve the relocation of the storm sewer and the placement of a screening chamber in connection with the renovation of John Collins Park.

City Services Director Baragar explained the design of the new chamber and its placement at Collins Park. Commissioners Lawless and Bartman commended city staff for researching innovative ways to preserve the quality of Reeds Lake.

2001-246-A. Lawless-Shimko. That the detention chamber concept be approved and that this project be added to the summer construction program.

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

2001-247. Consideration of a request to authorize staff to solicit bids for the 2001 road construction and water/sewer projects.

2001-247-A. Kremers-Bartman. That staff be authorized to solicit bids for summer water and sewer construction projects with estimated funding of \$496,700 for road resurfacing and \$451,000 for water/sewer projects.

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

2001-248. Finance Director VanderWall presented the quarterly financial reports for the period ending December 31, 2000 and answered questions from the City Commission.

2001-249. Consideration of a request to approve the purchase of a replacement vehicle for the School Liaison Officer.

2001-249-A. Bartman-Shimko. That the purchase of a Dodge Durango from Snethkamps Lansing Dodge for the sum of \$23,198.84 be approved.

Commissioner Barbour reported that the Finance Committee had reviewed this purchase and asked that the City Commission consider not placing the vehicle in the MERF schedule for eventual replacement because of the nature of the vehicle and the type of assignments it will be used for. They felt that the replacement should come from the Drug Seizure Fund when needed. Commissioner Lawless also spoke about the type of vehicle and that this is an ideal way to use drug seizure assets.

2001-249-B. Lawless-Barbour. Motion to amend 2001-249-A. to restrict MERF funding to routine maintenance only and not replacement of this vehicle.

Commissioner Bartman spoke in favor of placing the vehicle in the MERF replacement schedule and letting a future commission decide on the future funding issue. She felt that this vehicle was a complement to an essential position in the city and should be replaced by the city.

Commissioner Barbour expressed his opposition to purchasing the largest, most expensive vehicle for this purpose when there are other similar vehicles available on the State bidding list. Deputy Chief Spencer outlined the reasons for requesting a larger vehicle that has more cargo space than other vehicles.

Vote on 2001-249-B.

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

Vote on 2001-249-A. as amended.

Yeas: Bartman, Kremers, Lawless, Shimko and Frey – 5
Nays: Barbour – 1

2001-250. Consideration of a request to approve an appointment to the Board of Review.

2001-250-A. Shimko-Bartman. That Mr. Carl Reid of 519 Edgemere be appointed to the Board of Review to fill the open term following the resignation of Ms. Barb Moore.

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

2001-251. Introduction of ordinance amendments to add Chapter 55 to Title V and to add Chapter 75 of Title VII of the City Code pertaining to adult businesses.

City Attorney Huff reviewed both amendments and their provisions regarding the locations permissible for this type of business and the definitions and registration requirements.

2001-251-A. Lawless-Kremers. That ordinance amendments to add Chapter 55 to Title V and to add Chapter 75 of Title VII of the City Code pertaining to adult businesses be introduced as set forth in Exhibits "A" and "B" attached hereto and to send Chapter 55 to the Planning Commission for review and a recommendation.

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

2001-252. Consideration of a request to approve the purchase of a dump truck for the Streets & Utilities Department.

2001-252-A. Shimko-Bartman. That the purchase of a dump truck from Freightliner of Grand Rapids in the amount of \$48,711.00 be approved.

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

2001-253. Mayor Frey noted that Juanita Westaby is celebrating her fifth year of covering East Grand Rapids for the Grand Rapids Press and had brought refreshments for everyone.

Mayor Frey also announced that she had written a "State of the City" letter outlining current issues that would be mailed to residents in their water bills.

Commissioner Lawless reported that the Joint Facilities Committee would be meeting on February 8th to discuss the tennis center proposal and invited other commissioners to attend or call him with comments.

2001-254. Bartman-Lawless. Motion to enter into an executive session to discuss the acquisition of real estate in accordance with Sections 8(d) of the Open Meetings Act. A roll call vote was taken

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

2001-255. The regular meeting was adjourned at 8:29 p.m. subject to the call of the Mayor until February 19, 2001.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Chapter 55 pertaining to adult businesses
B - Ordinance amendment to Chapter 75 pertaining to adult businesses

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 19, 2001

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

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

Absent: Commissioner Bartman

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Baragar; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Building Inspector Conley; Deputy Public Safety Director Spencer; Engineering Supervisor Kadzban; Assistant to the City Manager Branyan; City Clerk Brower

2001-256. The minutes of the regular meeting held February 5, 2001 were received as submitted.

2001-257. Mayor Frey advised of the following communications received at City Hall:

D. A book and medal were received as a gift from the French students visiting East Grand Rapids for the next three weeks as part of the Back-To-Back Exchange Program through the EGR Schools. Fourteen third graders came to City Hall today to meet the Mayor and tour the Public Safety Department.

2001-258. No other public comment was received.

2001-259. Barbour-Shimko. That payroll disbursements in the amount of \$139,897.81; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$345,957.96, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2001-260. Consideration of a request to review various plans for the expansion of the EGR Library & Community Center.

City Manager Donovan presented an outline of the past several years and the process used to develop the City's plans for the Library & Community Center expansion. Bob Olson of Cox Medendorp & Olson then reviewed the highlights of the original plan to double the size of the library building, expand the Parks & Recreation Department's program/activity space, and to add community and historical rooms. In addition to more space, the proposal would create a new common entrance and enhance the entire site with gardens, seating areas, and a waterfront activity area.

Mike Corby of 2663 Hall Street and John Sukenik of 2946 Pioneer Club then presented the vision of the "Gateway Group" to create an open area on the Lakeside Drive site that would give greater views of Reeds Lake to the people of the community. The group began four months ago with people who wanted to remove the barrier between the lake and the street and to create a park-like setting in its place.

Representatives of the group approached City officials with a plan to accomplish the goal and began a process of working with Mayor Frey and other officials on their vision. Mr. Sukenik asked the City Commission to stop the existing proposal and continue working toward a different plan for the site.

Mayor Frey opened a public hearing on this issue. The following people were present and expressed their opinions on the matter:

- Deb Mankoff, 3131 Southshire Liked the idea of opening up more space on the lake; concerned about handicap accessibility of City plan and made suggestions for circular traffic patterns and access.
- Cathy Clair, Library Branch Manager Asked the City Commission to move ahead with original plan because of the Library's urgent need for expansion; also expressed concern about placing library in a multi-story building for safety and workflow reasons.
- Claudia Muller, KDL Director Stated the KDL was prepared for additional staffing related to the City's plan but was unsure if they would be able to provide any additional staffing under another plan.
- Dave Mehney, 3049 Mary Felt we have plenty of public park space on the lake currently and the alternate plan cost too much money for a small additional park; also liked having Public Safety Department between the Middle and High Schools.
- Connie Christensen, 915 San Jose Spoke in favor of the current library's central location and the need for an expansion of the existing building. Referred to excerpts from a letter written by Library Commission Chairman Shawn Gotch supporting the City's plan.
- Julie Klein, 2932 Pioneer Club Supported more space for the library but favored Gateway Plan to achieve; wanted more views of lake.
- Ralph Garlick, 2743 Reeds Lake Blvd. Liked having Public Safety in the center of city; also felt that Gateway plan was too expensive. Favored improving Collins Park and Gilmore property instead.
- Jim Kipp, 1098 Idema Asked the City to go ahead with original plans and work on traffic and ADA issues.
- Ann Peterson, 3052 Midland (GR Twp) Favored working with the Gateway Group and not rushing to decisions.
- Amna Seibold, 2809 Woodcliff Circle Stated that years had been spent developing this plan and it should be followed and enhanced where possible; disliked the idea of moving Public Safety Department.
- Bob Saltsman, 2905 Reeds Lake Blvd. Likes having municipal buildings near the center of town and felt other plan was too expensive.
- Marty Buschle, 25 Morningside (GR Twp) Disappointed in the amount of current access to Reeds Lake and favored solving now by tearing down buildings; also concerned about traffic on Lakeside Drive.
- Mary Swain, 514 Lakeside Asked if the Library could be expanded now and the remainder of the issue studied over time.

Mayor Frey closed the public hearing. The City Commission then discussed the issue at length.

Commissioner Brennan felt that it was not too late to work with the Gateway Group to develop the details of their plan and favored waiting to go forward until this could be done. Suggested having both plans on the ballot later in the year.

Commissioner Kremers stated that he had been on the Planning Commission for five years and has addressed various aspects of the future of the City on several occasions with hundreds of members of the public. He felt this that was now was the time to ask the public to vote on the original plan.

Commissioner Lawless stated that this proposal has been developed over several years and that many options have already been considered and not pursued for various reasons. He felt that having the Public Safety Department in its current location was an essential community-policing tool, and that Collins Park is an excellent natural resource and provides residents with views and access to Reeds Lake. He appreciated the Gateway Group's perspective and insight on the issue, but felt that the original plan was a great opportunity to improve the community center at a reasonable cost to the residents.

Mayor Frey expressed her uncertainty as to what the residents of East Grand Rapids wanted on this site and her conviction that the original plan should be put on the ballot for them to decide. She stated concerns about the time and expense of developing the Gateway plan to a comparable level of detail, but asked the group to continue working on their ideas and with the City on ways to improve the community.

Commissioner Barbour supported putting the original plan on the ballot because it had been well researched and because there was a definite need for the library and the recreation department for more space. He felt that it was up to the residents to weigh the merits of the proposal and make their decision. He also stated that Collins Park was an exceptional place to enjoy the lake, and putting another park so close was both redundant and too expensive.

Commissioner Shimko stated that during his eight years on the Parks & Recreation Commission, he has seen the need for additional space in the recreation department and the efforts to expand the programs offered without having adequate or appropriate space. He felt that there had been many groups that had studied the expansion of the complex from various angles and received input from citizens on numerous occasions to develop the current plan.

2001-260-A. Shimko-Lawless. That staff be authorized to proceed with the development of ballot language for the expansion plan as originally developed by the City for an election on June 11, 2001.

Mayor Frey allowed audience members to comment on the motion before a vote was taken. The following comments were made:

Mike Corby, 2663 Hall Street

Stated his disappointment in the City Commission's reaction to their vision for the community and stated that early dollar figures for the Gateway plan should not have been used in the decision making. Agreed that the library should be expanded but felt current plan was not the way to accomplish it.

Karen Schousen, 340 Briarwood

Favored waiting and working with the Gateway Group to avoid starting over later.

Oakley Sovereign, 2663 Berwyck

Supported the motion; felt now was the time for action after years of planning.

Tom Ainsworth, 1628 Andover

Expressed disappointment over attitude toward the Gateway Group and predicted that ballot issue would fail.

Ken Kendall, 1919 San Lu Rae

Stated that Gateway was not trying to force people to decide between plans but to work with City to develop a better plan. Asked again that decision be delayed.

Mayor Frey closed the public comment portion of this issue and asked commissioners for final comments.

Commissioner Barbour stated that many meetings had been held with Gateway representatives and that their concept had been discussed and debated at length but that common ground could not be reached. He reminded everyone that Gateway did present specific plans at the beginning and the cost estimates used were from City architects who had been asked to estimate the costs.

Commissioner Kremers agreed that many discussions with Gateway have taken place. He also stated his intention to validate the visions of everyone who had come forward over the years to give input by voting to go forward with the original plan.

Commissioner Brennan expressed her disappointment that this could not be worked out to everyone's satisfaction.

Commissioner Shimko added that the Infrastructure Committee had done part of the research on this proposal and had brought the discussion to the City Commission for final discussion because of the need for a larger discussion.

Vote on motion 2001-260-A.

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

Nays: Brennan – 1

2001-261. The meeting was adjourned at 9:28 p.m. for a short break. The meeting resumed at 9:32 p.m.

2001-262. Consideration of a request to allow the construction of a Crew Club storage building at Collins Park.

Martha Tuthill, 449 Edgemere, was present to ask that the City Commission approve the construction of a storage building at the south end of Collins Park to house crew club equipment, and that the Joint Facilities Committee take over ownership and maintenance of the building after construction. The Crew Club has started raising funds for the structure that will be built this year in connection with other construction at the park.

2001-262-A. Shimko-Lawless. That the donation of a boathouse/storage building for the East Grand Rapids Crew Club be accepted, and that the building be added to the joint facilities agreement upon completion for future maintenance and repairs.

Betsy Welch, 524 Lakeside, questioned why the building was not being placed at the middle school since this was a sport associated with the schools. Parks & Recreation Director Bunn answered that there was not enough room along the shore by the middle school for a building of this size to be placed next to Mehney Field.

Bill Green, 703 Cambridge, a representative of the Grand Rapids Yacht Club, was present to support the request and report that the Yacht Club would be working with the Crew Club for parking and access to the building.

Tom Carey, West Michigan Environmental Action Council, asked how big the building would be. Mrs. Tuthill gave the dimensions of the building.

Tom Getz, 655 Plymouth, reviewed the size, layout and proposed content of the building.

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

Nays: -0-

2001-263. Consideration of a request to approve a chemical treatment for weed growth in Reeds Lake.

City Services Director Baragar reported that the annual weed-harvesting program has not been sufficient over the last several years to combat the spread of water milfoil, an exotic non-native plant that chokes out other plant life. Staff has researched a product called Sonar, which is a whole-lake herbicide to treat the milfoil, and its effect on other plants and wildlife. Staff feels that this product is safe when applied correctly and is the best option to combat the milfoil problem.

The following people were present to express their opinions about this matter:

- | | |
|--------------------------------------|--|
| Bob Stokes, 2905 Bonnell | Questioned how long the treatment lasts and whether other measures would be necessary in the interim. Building Inspector Conley reported that Sonar is expected to last 6-8 years and may require an algae treatment. Mechanical weed harvesting may also be used after the first 2-3 years. |
| David Faichney, 2107 San Lu Rae | Questioned the safety of the product. Asked staff to conduct additional research and check references before deciding. |
| Ralph Garlick, 2743 Reeds Lake Blvd. | Reported similar problems on Whitefish Lake had to be treated with chemicals when other methods failed. Sonar may not be totally effective the first few years either, but something has to be done. |
| Tom Carey, WMEAC | Felt something should be done to protect the ecosystem from further invasion by the milfoil, but urged caution and additional research. |
| Carla Waite, 518 Lakeside | Favored the treatment because the problem was getting out of control. |
| Jim Kuras, 2737 Darby | Favored treatment. |
| Nick Nicola, 2721 Darby | Favored treatment but asked that the product be monitored carefully. |
| Gordon Jones, 325 Rosewood | Recommended additional research and also urged a public education campaign about the use of fertilizer containing phosphorus. |
| Bill Green, 703 Cambridge | Recommended careful application, monitoring and additional research. |
| Dave Mehney, 3049 Mary | Supported using this product. |
- Building Inspector Conley answered questions from the City Commission about the product, its use and dosage and stated that because permits had to be obtained from the Department of Environmental Quality, the process had to be started soon to be effective this year.

2001-263-A. Lawless-Kremers. That a contract be awarded to Professional Lake Management for the application of a whole-lake herbicide treatment to Reeds Lake in the amount of \$46,470.00, and that related budget amendment in the amount of \$27,460.00 for this project be approved.

Commissioner Lawless asked staff to investigate placing an insert in an upcoming water bill to educate the public on the fertilizer issue.

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

2001-264. Consideration of a request to award a contract for portable toilets.

2001-264-A. Shimko-Kremers. That a contract be awarded to Plumbers Portable Toilets in the amount of \$2,745.00 for portable toilets to be used for special events this season.

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

2001-265. Consideration of a request to approve the purchase of computer equipment to replace the file server.

2001-265-A. Barbour-Brennan. That the purchase of a Compaq ProLiant Server from Troy Tech services in the amount of \$10,516.47, the purchase of a Watchguard LiveSecurity System FireboxII from Ocean Omega Systems in the amount of \$3,288.17, and the purchase of 21 data cartridges from Computer Products & Resources in the amount of \$1,536.00 be approved.

Commissioner Lawless expressed concern about the lack of qualified bids received and asked staff to continue making every attempt to get more vendors involved in the bidding process.

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

2001-266. Consideration of a request to award a contract for professional computer consulting services.

2001-266-A. Brennan-Shimko. That a contract in the amount of \$10,250.00 be awarded to Remex Corporation for consulting services to perform a fileserver upgrade and internet connectivity project.

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

2001-267. Consideration of a request to award a contract for internet connection services.

2001-267-A. Shimko-Kremers. That a 24-month contract with Covad Business Solutions to provide dedicated SDSL services in the amount of \$325.00 per month be approved as requested.

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

2001-268. The preliminary minutes of the Joint Facilities Committee meeting held January 9, 2001 were received.

2001-269. The preliminary minutes of the Parks & Recreation Commission meetings held January 8, 2001 were received.

2001-270. The preliminary minutes of the Library Commission meeting held January 22, 2001 were received.

2001-271. The City Services Department Report for the month of January 2001 was received.

2001-272. Commissioner Kremers commended the Public Safety Department on their handling of several difficult situations recently.

2001-273. The regular meeting was adjourned at 10:21 p.m. subject to the call of the Mayor until March 5, 2001.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 5, 2001

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

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

Absent: Commissioner Brennan

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Baragar; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Building Inspector Conley; Streets & Utilities Superintendent Keating; City Clerk Brower

2001-274. The minutes of the regular meeting held February 19, 2001 were received with the following correction:

The last sentence on page 2 (Item 2001-260.) should read "He felt that now was the time to ask the public to vote on the original plan."

2001-275. Mayor Frey advised of the following communications received at City Hall:

E. Invitation to an open house at the Kent District Library's new location at 814 West River Center NE on Thursday, March 29th from 4:00 – 6:00 pm.

2001-276. No other public comment was received.

2001-277. Lawless-Barbour. That payroll disbursements in the amount of \$141,416.06; county and school disbursements in the amount of \$266,388.14; and total remaining disbursements in the amount of \$99,706.27, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2001-278. A zoning variance hearing was held regarding the request of Mr. and Mrs. Terry McGovern of 2445 Hall Street SE to allow the construction of an attached garage with a family room above, creating a rear yard setback of 18'-0" instead of the required 25'-0."

Terry McGovern, 2445 Hall, was present to answer questions about the variance request.

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

- Petition signed by 13 neighbors. In Favor

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

2001-278-A. Shimko-Bartman. That the request of Mr. and Mrs. Terry McGovern of 2445 Hall Street SE to allow the construction of an attached garage with a family room above, creating a rear yard setback of 18'-0" instead of the required 25'-0" be approved.

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

Nays: -0-

Commissioner Kremers asked that consideration be given to replacing the high school courts with parking spaces.

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

2001-282. Consideration of a request to adopt a resolution approving a grant application for funds to reconstruct the boat launch at Collins Park.

2001-282-A. Kremers-Shimko. That a resolution authorizing the Parks & Recreation Director to submit a grant application to the Department of Natural Resources for grant funds to be used toward boat launch improvements at Collins Park be adopted as set forth in Exhibit "A" attached hereto.

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

2001-283. Consideration of a request to approve an appointment to the Board of Review.

2001-283-A. Kremers-Bartman. That Ms. Sam Helmrick of 984 Gladstone be appointed to the Board of Review to fill the open term following the resignation of Mr. Bob Janei.

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

2001-284. Consideration of a request to approve an appointment to the Interurban Transit Partnership Board.

2001-284-A. Bartman-Shimko. That Mr. Tim Orlebeke of 1524 Rosalind Road be appointed to the Interurban Transit Partnership Board of Directors as a representative of East Grand Rapids to fill the two-year term ending December 31, 2002.

Commissioner Lawless asked that the City Commission receive periodic reports from the ITP Board representatives.

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

2001-285. Consideration of a request to approve costs for engineering services for the repair of the salt storage building.

2001-285-A. Bartman-Shimko. That a contract in the amount of \$6,500.00 be awarded to Comprehensive Engineering for professional services to design the repairs needed at the Streets & Utilities salt storage building.

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

2001-286. Consideration of a request to award a contract for the relining of various sanitary sewers.

2001-286-A. Bartman-Lawless. That a contract in the amount of \$38,675.00 be awarded to Insituform Technologies USA of Owosso for the relining of various sanitary sewers.

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

2001-287. Consideration of a request to award a contract for physicals for members of the Public Safety Department.

2001-287-A. Bartman-Kremers. That a contract for costs associated with physicals for members of the Public Safety Department be awarded to Spectrum Health Services in the amount of \$15,381.50.

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

2001-288. Consideration of a request to award a contract for construction management services for Collins Park renovations.

City Manager Donovan explained that hiring a construction manager to oversee the project would give the City the benefit of outside expertise and ensure that more bids are received on each component of the construction. More bids should correlate into lower bid prices and an overall cost savings.

2001-288-A. Bartman-Shimko. That a contract in the amount of \$66,540.00 be awarded to CD Barnes Associates for construction management services for the renovations at Collins Park.

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

2001-289. Consideration of a request to award a contract for traffic engineering services.

2001-289-A. Kremers-Shimko. That a contract be awarded to URS Corporation in the amount of \$66,540.00 for traffic engineering services to study four intersections in order to address congestion and pedestrian safety, and that the related budget amendment in the amount of \$8,000.00 from the General Fund Undesignated Account be approved.

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

2001-290. Consideration of a request to award a contract grounds maintenance services for city and school properties.

2001-290-A. Bartman-Kremers. That a two-year contract be awarded to DJ's Lawn Service for grounds maintenance of City and School properties in the amount of \$56,409.50 each year of the two-year agreement.

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

2001-291. Consideration of a request to approve the purchase of trench shoring equipment for the Streets & Utilities Department.

2001-291-A. Bartman-Lawless. That the purchase of trench shoring equipment and a transport trailer in the amount of \$6,720.60 from Efficiency Production of Mason, Burke Equipment of Grand Rapids and Grandville Tractor of Grandville.

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

2001-292. Consideration of a request to approve the purchase of a plasma cutter for the Streets & Utilities Department.

2001-292-A. Bartman-Shimko. That the purchase of a plasma cutter and cart from Airgas-Michigan of Grandville in the amount of \$4,975.00 be approved.

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

2001-293. Consideration of a request to award a contract for the replacement of trees on Gladstone Avenue.

2001-293-A. Kremers-Bartman. That a contract in the amount of \$16,970.00 be awarded to Bouma Brothers Landscape of Byron Center for the replacement of trees on Gladstone Avenue following the reconstruction project last season.

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

2001-294. Consideration of a request to decide on alternate meeting date for spring break meeting of April 2, 2001.

The City Commission agreed that the meeting scheduled for April 2, 2001 be rescheduled and held on Tuesday, March 27, 2001 at 8:00 a.m.

2001-295. Mayor Frey reported that Commissioner Brennan had undergone surgery last week and wished her a speedy recovery. She also noted that she and other officials had met with Spectrum Health representatives last week to discuss the future of the East Grand Rapids campus and that the local control issue is again coming to the forefront of the political scene.

Commissioner Bartman voiced her support for the City Commission's decision regarding the expansion of the Library & Community Center and thanked everyone for taking the time to address this issue.

Commissioner Kremers reported that the Library Commission is gearing up for the campaign to support the library expansion and that the Planning Commission is preparing to study the issue of the future of Bagley Street.

Commissioner Lawless related a story about one of the attorney's in his firm who moved to East Grand Rapids and was very complimentary of the Public Safety Department and their response to a recent emergency at her home.

Commissioner Shimko asked about the status of the Remington Project. Parks & Recreation Director Bunn reported that the restroom/storage building had to be relocated slightly because of the overhead electrical lines, but that work was progressing and expected to be completed this spring.

Commissioner Shimko also announced that he would be running for re-election to the City Commission in November for another four-year term. Everyone congratulated him on this decision.

Mayor Frey reported that the Joint City/School Marketing Committee was working toward a marketing/identity campaign for East Grand Rapids and would have recommendations soon.

2001-296. The regular meeting was adjourned at 8:46 p.m. subject to the call of the Mayor until March 19, 2001.

Karen K. Brower, City Clerk

Attachments: A - Resolution authorizing grant application for Collins Park boat launch funding

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 19, 2001

The meeting was called to order by Commission President Bartman at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Barbour, Bartman, Kremers, Lawless and Shimko

Absent: Commissioner Brennan and Mayor Frey

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; City Services Director Baragar; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Building Inspector Conley; Streets & Utilities Superintendent Keating; City Clerk Brower

2001-297. The minutes of the regular meeting held March 5, 2001 were received with the following correction:

Commissioner Lawless asked that the second paragraph of Item 2001-279-A. be amended to add the following sentence at the end of the paragraph: "Commissioner Lawless commented that the appropriateness of this variance application was significantly influenced by the distance and placement of the neighboring property to the east."

2001-298. President Bartman advised of the following communications received at City Hall:

- A. Card from Commissioner Brennan thanking the Commission for the flowers sent to her after her recent surgery.
- B. Press Release from Chief Gallagher regarding a recent criminal investigation.
- C. Letter from Spectrum Health President Richard Breon updating the community on the hospital's future plans for the East Grand Rapids campus.

2001-299. No other public comment was received.

2001-300. Barbour-Lawless. That payroll disbursements in the amount of \$134,936.40; county and school disbursements in the amount of \$356,468.02; and total remaining disbursements in the amount of \$228,260.17, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-

2001-301. Consideration of a request to adopt a resolution setting ballot language for the June 11, 2001 bond election.

2001-301-A. Barbour-Kremers. That a resolution setting the language for the bond election on June 11, 2001 establishing the additional millage required for the expansion of the Library & Community Center and the renovation of the Wealthy Pool facility be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-

2001-302. Consideration of a request to adopt a resolution analyzing the impact of adult uses.

City Attorney Huff reviewed summaries of various studies analyzing the impact of adult-oriented businesses on communities and neighborhoods. He also reported that the Planning Commission had held a

public hearing on the ordinance amendments regarding this issue and recommends that the City Commission adopt these ordinances.

President Bartman opened a public hearing on the subject of adult-oriented businesses and the proposed ordinance amendments. No public comment was received. President Bartman closed the public hearing.

2001-302-A. Lawless-Barbour. That a resolution adopting the legislative findings regarding the secondary effects of adult-oriented businesses be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-

2001-303. Final Reading of an ordinance amendment adding Chapter 55 to Title V and amending Chapter 75 of Title VII of the City Code pertaining to adult businesses.

2001-303-A. Lawless-Shimko. Based on the City Commission's approval of the Resolution adopting the Legislative Findings Regarding the Secondary Effects of Adult-Oriented Businesses, and for the purpose of mitigating the negative secondary effects of adult-oriented businesses as discussed in those Findings, I move that the City Commission adopt the ordinance known as An Ordinance To Amend The Code Of The City Of East Grand Rapids By Adding A New Chapter 75 To Title VII Of Said Code, as drafted. On the same basis, I move adoption of the ordinance known as An Ordinance To Amend The Code Of The City Of East Grand Rapids By Adding A New Chapter 55 To Title V Of Said Code, also as drafted and in the form recommended by the Planning Commission On March 13, 2001 as set forth in Exhibits "C" and "D" attached hereto.

Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-

2001-304. Consideration of a request to adopt a resolution accepting State funding for the reconstruction of Breton Road.

2001-304-A. Lawless-Shimko. That a resolution accepting State funding for the reconstruction of Breton Road and authorizing the Mayor and City Clerk to sign agreements pertaining to this construction be adopted as set forth in Exhibit "E" attached hereto.

Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-

2001-305. Consideration of a request to award a contract for the upgrade of pedestrian crossing signals.

2001-305-A. Kremers-Shimko. That a contract be awarded to Strain Electric Company of Walker in the amount of \$15,960.00 for the upgrading of pedestrian crossing signals at the Lake Drive/Plymouth Road and the Lake Drive/Breton Road intersections.

Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-

2001-306. Consideration of a request to award a contract for lake sampling services.

2001-306-A. Lawless-Shimko. That a contract to perform lake sampling on Reeds Lake be awarded to Artemis Environmental, Inc. of Grand Haven in the amount of \$4,275.00

Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-

2001-307. Consideration of a request to award a contract for fireworks for the annual 4th of July celebration.

- 2001-307-A. Shimko-Lawless. That a contract in the amount of \$15,000.00 be awarded to Pyrotecnico of New Castle, Pennsylvania for the annual 4th of July fireworks show.
- Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-
- 2001-308. Consideration of a request to adopt a resolution approving a change to the Grand Valley Metro Council Articles of Incorporation.
- 2001-308-A. Lawless-Shimko. That a resolution approving Amendment #25 to the Grand Valley Articles of Incorporation be adopted as set forth in Exhibit "F" attached hereto.
- Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-
- 2001-309. Consideration of a request to approve a budget for the fundraising campaign.
- 2001-309-A. Kremers-Lawless. That a budget not-to-exceed a total of \$70,000 for expenses relating to the fundraising campaign for the Library & Community Center be approved as requested.
- Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-
- 2001-310. Consideration of a request to award a contract for the annual crack repair program for city streets.
- 2001-310-A. Lawless-Barbour. That a contract in the amount of \$20,760.00 be awarded to Key Construction Company of Grand Rapids for crack repair of asphalt streets within the City.
- Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-
- 2001-311. Consideration of a request to award a contract for the annual lane striping program.
- 2001-311-A. Shimko-Kremers. That a contract in the amount of \$13,678.90 be awarded to Michigan Pavement Markings of Wyoming for the repainting of lane markings and crossings within the City.
- Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-
- 2001-312. The preliminary minutes of the Joint Facilities Committee meeting held February 8, 2001 were received.
- 2001-313. The preliminary minutes of the Parks & Recreation Commission meeting held February 12, 2001 were received.
- 2001-314. The preliminary minutes of the Library Commission meeting held February 26, 2001 were received.
- 2001-315. The preliminary minutes of the Traffic Commission meeting held March 2, 2001 were received.
- 2001-316. Library Manager Cathy Clair presented the Annual Report of the EGR Branch Library and answered questions from the City Commission.
- 2001-317. The City Services Department Report for the month of February 2001 was received.
- 2001-318. The Public Safety Department Reports for the months of January and February 2001 were received.
- 2001-319. Kremers-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, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-

2001-320. The meeting recessed at 8:13 p.m. to conduct the Executive Session. The meeting resumed at 8:41 p.m.

2001-321. Consideration of a request to approve a collective bargaining agreement with the PSO Unit of the Police Officers Labor Council.

2001-321-A. Lawless-Shimko. That a collective bargaining agreement with the PSO Unit of the Police Officers Labor Council effective July 1, 2000 through June 30, 2003 be approved as outlined.

Commissioner Lawless thanked the members of the negotiating teams from both the City staff and the PSO Union for their work on resolving this contract issue so quickly.

Yeas: Barbour, Bartman, Kremers, Lawless, Shimko – 5
Nays: -0-

2001-322. The regular meeting was adjourned at 8:45 p.m. subject to the call of the Mayor until March 27, 2001.

Karen K. Brower, City Clerk

Attachments: A - Resolution setting ballot language for June 11, 2001 bond election
B - Resolution analyzing the impact of adult uses.
C - Ordinance Amendment adding Chapter 55 pertaining to adult businesses.
D - Ordinance Amendment amending Chapter 75 pertaining to adult businesses.
E - Resolution accepting State funding for Breton Road.
F - Resolution approving Amendment 25 to GVMC Articles of Incorporation.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Rescheduled Regular Meeting Held March 27, 2001

The meeting was called to order by Mayor Frey at 8:04 a.m. in the City Commission Chambers at City Hall.

Present: Commissioners Brennan, Lawless and Shimko and Mayor Frey

Absent: Commissioner Barbour, Bartman and Kremers

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

2001-323. The minutes of the regular meeting held March 19, 2001 were received as submitted.

2001-324. Mayor Frey advised of the following communications received at City Hall:

A. Four letters received from students at Wealthy Elementary asking questions on various items of interest.

2001-325. No other public comment was received.

2001-326. Lawless-Shimko. That payroll disbursements in the amount of \$137,821.76; county and school disbursements in the amount of \$37,009.96; and total remaining disbursements in the amount of \$99,891.15, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Brennan, Lawless, Shimko and Frey – 4

Nays: -0-

2001-327. Mayor Frey asked the other commissioners for their input in drafting responses to the letters written by the Wealthy Elementary students.

Commissioner Lawless reported that he will be sending a letter of welcome to the new President of Grand Valley State University when he and his family move into the president's home this summer.

City Manager Donovan reported that good bids have been received for various summer road construction projects. Bids are being solicited for the Collins Park improvements and everything is coming together to begin that project in mid-May.

2001-328. The regular meeting was adjourned at 8:29 a.m. subject to the call of the Mayor until April 16, 2001.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held April 16, 2001

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

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

Absent: Commissioner Bartman

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Finance Director VanderWall; Public Safety Director Gallagher; Parks & Recreation Director Bunn; Deputy Public Safety Director Spencer; Engineering Supervisor Kadzban; Building Inspector Conley; City Clerk Brower

2001-328. The minutes of the regular meeting held March 19, 2001 were received as submitted.

2001-329. Mayor Frey advised of the following communications received at City Hall:

- B. Invitation to Growing Communities Conference sponsored by the Grand Valley Metro Council.
- C. Letter and Certificate of Appreciation from the Census Bureau for the assistance of staff during the 2000 census count.
- D. Letter from Elaine Hannink, 1819 Plymouth Terrace in Grand Rapids, complaining about a traffic ticket she recently received in East Grand Rapids.

2001-330. No other public comment was received.

2001-331. Barbour-Lawless. That payroll disbursements in the amount of \$134,967.97; county and school disbursements in the amount of \$249.12; and total remaining disbursements in the amount of \$257,662.21, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2001-332. A zoning variance hearing was held regarding the request of Mr. Jonathan VanHekken of 535 Manhattan Road to allow the construction of an addition containing a master bedroom and additional garage space, partially in place of existing retaining walls, creating a front yard setback of 57'-0" instead of the required 63'-0."

Jon VanHekken, 535 Manhattan Road, was present to answer questions about the variance request.

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

- P.J. Gallagher, 2958 Reeds Lake Blvd. In Favor

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

2001-332-A. Lawless-Shimko. That the request of Mr. Jonathan VanHekken of 535 Manhattan Road to allow the construction of an addition containing a master bedroom and additional garage space creating a front yard setback of 57'-0" instead of the required 63'-0" be approved.

2001-194-E. Barbour-Shimko. That contracts for watermain materials for the Breton Road project be awarded to: East Jordan Iron Works in the amount of \$76,915.80; Underground Pipe & Valve in the amount of \$5,955.00; and Etna Supply in the amount of \$7,321.00.

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

2001-338. Consideration of a request of a request to award a contract for watermain materials for other construction projects.

2001-194-F. Lawless-Kremers. That materials contracts for other watermain projects be awarded to East Jordan Iron Works in the amount of \$25,780.60 and Etna Supply in the amount of \$6,737.00.

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

2001-339. Consideration of a request of a request to award a contract for 2001 road construction projects.

2001-194-G. Shimko-Barbour. That a contract in the amount of \$263,493.48 and additional funding of \$28,989.92 for contingencies for a total of \$292,483.40 be awarded to Diversco Construction for 2001 road construction projects.

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

2001-340. Consideration of a request of a request to award a contract for manhole casting adjustments.

2001-194-H. Lawless-Brennan. That a contract in the amount of \$13,800.00 be awarded to Diversco Construction for manhole casting adjustments, and that a related fund transfer of \$3,800 from the Water/Sewer Fund ending balance be approved.

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

2001-341. The preliminary minutes of the Parks & Recreation Commission meeting held March 12, 2001 were received.

2001-342. The preliminary minutes of the Planning Commission meeting held March 13, 2001 were received.

2001-343. The EGR Branch Library quarterly report was received.

2001-344. Commissioner Brennan questioned whether the Crew Club had been notified about the herbicide treatment planned for Reeds Lake. Building Inspector Conley has spoken with one of the coaches and will be sending them information about the treatment dates.

Commissioner Lawless announced his candidacy for a second 4-year term as Second Ward City Commissioner. Everyone applauded this announcement.

Commissioner Kremers congratulated both Commissioner Lawless and Commissioner Shimko on their decisions to seek re-election. He also noted that the Planning Commission will be sending a survey to residents in their water bills about the future of Bagley Street. In addition, the Traffic Commission is working on standards for a traffic-calming program.

2001-345. Kremers-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, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

2001-346. The regular meeting was adjourned at 8:03 p.m. subject to the call of the Mayor until May 7, 2001.

Karen K. Brower, City Clerk

Attachments: A - Ordinance Amendment amending Chapter 93 pertaining to miscellaneous offenses.
B - Resolution approving Amendment 26 to GVMC Articles of Incorporation.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 7, 2001

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

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

Absent: Commissioner Brennan

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Finance Director VanderWall; Public Safety Director Gallagher; Parks & Recreation Director Bunn; Deputy Public Safety Director Spencer; Engineering Supervisor Kadzban; Streets & Utilities Sup't Keating; City Clerk Brower

2001-347. The minutes of the regular meeting held April 16, 2001 were received as submitted.

2001-348. Guests were introduced to the City Commission:

- A. Tolly and Dick Stiffler, 302 Lakewood, were present to address the City Commission concerning gravel roads.
- B. Larry Blouse, 1630 York, was present to observe the meeting for a Cub Scout group.

2001-349. Dick Stiffler, 302 Lakewood, reported that residents of Pioneer Club Road and Lakewood Drive have signed a petition asking for better maintenance of the gravel roads. Mayor Frey responded that the petition had not been received yet, but that the issue would be placed on a future City Commission meeting for discussion.

2001-350. Lawless-Shimko. Motion to add to the end of the agenda a discussion of the resident proposal to relocate the Parks & Recreation Department to the St. Nicholas church property. A roll call vote was taken.

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

2001-351. Lawless-Bartman. That payroll disbursements in the amount of \$158,709.12; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$242,677.43, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

2001-352. Introduction of an ordinance amendment to Section 9.63 of Chapter 93 of Title IX of the City Code pertaining to curfew provisions offenses.

2001-352-A. Bartman-Barbour. That an ordinance amendment to Section 9.63 of Chapter 93 of Title IX of the City Code pertaining to curfew provisions be introduced as set forth in Exhibit "A" attached hereto.

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

2001-353. Finance Director VanderWall presented the quarterly financial reports for the period ending March 31, 2001.

2001-354. Consideration of a request to set dates for public hearings regarding the proposed budget and placement of delinquent accounts on the tax roll.

2001-354-A. Bartman-Kremers. That June 4, 2001 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, Bartman, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

2001-355. Consideration of a request to approve a defined contribution plan for POLC PSO Union employees.

2001-355-A. Kremers-Shimko. That a resolution and adoption agreement establishing a defined contribution plan for PSO Union employees be adopted as set forth in Exhibits “B” and “C” attached hereto.

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

2001-356. Consideration of a request to award contracts for the reconstruction of Breton Road.

2001-356-A. Kremers-Shimko. That a contract in the amount of \$1,198,343.11 be awarded to Dykema Excavators of Grand Rapids for the reconstruction of Breton Road and the replacement of water and sewer mains, and that the related budget amendments of \$21,236.40 from the Major/Local Street Fund and \$11,085.00 from the Water/Sewer Fund be approved.

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

2001-357. Consideration of a request to award a contract for engineering fees to design a storm water management program for compliance with NPDES requirements.

2001-357-A. Bartman-Kremers. That a not-to-exceed contract in the amount of \$6,500.00 be awarded to Fishbeck Thompson Carr & Huber of Grand Rapids to prepare a storm water pollution prevention plan and to inspect and certify the results in 2002.

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

2001-358. Consideration of a request to authorize the installation of additional streetlights.

2001-358-A. Shimko-Bartman. That a resolution authorizing new streetlights at Lakeside and Wealthy; Lake Drive east of Bagley; and in front of 319 Kingwood be adopted as set forth in Exhibit “D” attached hereto.

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

2001-359. Consideration of a request to approve the construction of replacement sewer lift control panels.

2001-359-A. Bartman-Barbour. That a contract in the amount of \$26,894.00 be awarded to Alpha-Tran Engineering of Nunica for the construction of sewer lift control panels.

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

2001-360. Discussion of proposal to relocate Parks & Recreation Department to the St. Nicholas Church property.

Mayor Frey outlined the proposal by a resident asking the City to purchase the St. Nicholas Church property for the purpose of relocating the Parks & Recreation Department and expanding the Library into the empty space. A petition is being circulated, but has not been presented to staff or officials. She further noted that City architects had reviewed the proposal’s estimates and found that the cost of purchasing and

renovating/building the site would be substantially more than estimated. In addition, the proposal gives the library less room than requested and does not address other issues at the municipal complex site.

Commissioner Lawless stated his feelings that the recreation services should not be moved away from the central location. He also felt the proposal did not provide the library with enough space and did not address the empty water tank or site improvements. He felt the city's current proposal would provide quality services for at least the next 30 years. He thanked the residents for communicating new ideas for consideration but felt the city should continue moving forward with the original plan.

Commissioner Shimko stated that the city's proposal offered the most complete package to address all of the needs of the community and had been researched and planned for several years considering all alternatives. He stated his interest in looking at the church property for greenspace and/or athletic fields, but did not support moving the Parks & Recreation Department to a separate site.

Commissioners Kremers and Barbour also thanked the residents for presenting their ideas but felt that the city should continue with the original plan.

Commissioner Bartman felt that it would be a mistake to separate the services offered currently in one complex close to the schools and shopping area. She also felt that it was important for all city management and their staffs to work closely together.

Mayor Frey stated that the costs presented in the alternate proposal were not realistic and that the city's proposal offered a better comprehensive solution to the many needs of the community.

2001-361. Report of the Mayor and City Commissioners.

Commissioner Lawless thanked Cadence reporter Lindsay Ackerman for the article alerting residents to the new enforcement of regulations by those riding motorized scooters.

Commissioner Kremers noted that the Traffic Commission was developing standards and recommendations for a traffic calming program and would be presenting its findings to the City Commission soon.

Commissioner Bartman reviewed the situation with the gravel roads and asked staff to place this on an upcoming agenda when the petition is received. She also related a story of an EGR police officer playing basketball with a group of kids outside St. Stephens school recently and noted that this type of action was community policing at its best.

Chief Gallagher noted that it was "Police Officers Memorial Week" and asked that everyone remember our own PSO Bruce VanPopering who died in July 1994 from injuries received while directing traffic after the 4th of July fireworks show.

2001-362. Bartman-Shimko. Motion to enter into an executive session to discuss a personnel evaluation in accordance with Sections 8(a) of the Open Meetings Act. A roll call vote was taken

2001-363. The regular meeting was adjourned at 8:16 p.m. subject to the call of the Mayor until May 21, 2001.

Karen K. Brower, City Clerk

Attachments: A - Ordinance Amendment to Section 9.63 of Chapter 93 pertaining to curfew provisions
B - Resolution establishing a defined contribution plan for PSO Union
C - Adoption agreement for defined contribution plan for PSO Union
D - Resolution authorizing additional streetlights

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

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

2001-369-A. Bartman-Lawless. That the request of Mr. & Mrs. Damian Maher of 105 Honey Creek to construct a new home at 3132 Northshire with an average height of 40'-0" instead of the allowable 35'-0" be approved.

Commissioner Lawless noted that the need for this variance was due to the natural slope of the land and that from the street, this home would not appear significantly taller than other homes in the surrounding neighborhood.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-370. Final Reading of an ordinance amendment to Section 9.63 of Chapter 93 of Title IX of the City Code pertaining to curfew provisions offenses.

2001-369-B. Bartman-Kremers. That an ordinance amendment to Section 9.63 of Chapter 93 of Title IX of the City Code pertaining to curfew provisions be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-371. Consideration of a request to approve appointments to the Board of Directors of the "City of East Grand Rapids Library & Community Center Fund."

2001-369-C. Kremers-Shimko. That the following residents be appointed to the City of East Grand Rapids Library & Community Center Fund" Board of Directors effective immediately.

Susan Armstrong	2552 Hampshire
Diane Bartoszewicz	2505 Albert
Susan Richards	3111 Bonnell
Richard VanderZyden	727 Plymouth Road
Steve Wert	2895 Lake Drive
Kip VanderHyde	1011 San Lucia
Amy Keane	940 San Jose
Brian Donovan, City Manager	2512 Beechwood
Judy Frey, Mayor	2011 San Lu Rae
Donald Lawless, Commissioner	2539 Albert
John Barbour, Commissioner	2540 Indian Trail

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-372. Consideration of a request to adopt a resolution approving a change to the Grand Valley Metro Council Articles of Incorporation.

2001-369-D. Shimko-Bartman. That a resolution approving a change to the Grand Valley Metro Council Articles of Incorporation. be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-373. Consideration of a request to award contracts for the reconstruction of Collins Park.

Parks & Recreation Director Bunn reviewed the bid process and the results and explained the timelines for completion of this project. He also stated that the Parks & Recreation Commissioners had discussed the

alternate items and had asked that any extra funding be given consideration in the following order:
additional brick pavers, streetscape improvements and fishing pier/pavilion roof.

2001-369-E. Bartman-Lawless. That the following be approved:

1. Contracts for the qualified low bids submitted by the subcontractors totaling \$612,806 plus contingencies of \$30,000 for a total of \$642,806 for the renovation of John Collins Park. Funding is available in the amount of \$637,000 for this project. The attached bid tabulation describes each bid package and amount.
2. A contract for the Vortechs Stormwater System at a cost of \$173,501. The Vortechs System will be funded through a \$160,000 donation and \$13,500 in City funds.
3. A contract to the qualified low bidder for the construction of the Crew Club Boathouse in the amount of \$139,396. Private funding is available for this portion of the project and will be reimbursed to the City as expended.

Commissioner Lawless commended the staff on their work securing grants from the Department of Environmental Quality of \$338,000 and from the Wege Foundation of over \$160,000. He also noted that a decision was still pending on a grant to provide funding for the boat launch reconstruction.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-374. Connie Christenson, Pamela VanderPloeg and Cathy Clair from the Kent District Library were present to discuss the new telephone system being installed at all branches by the KDL administration. Ms. Christenson stated that the new system would allow better communication between branches and improved customer service to citizens. There will be no cost to the city for the installation or maintenance of the new equipment. The KDL will also provide additional equipment and phone lines for future expansions.

2001-369-F. Kremers-Bartman. To approve the new telephone system as proposed by the Kent District Library.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

Commissioner Bartman commended Connie Christenson, Pamela VanderPloeg and Cathy Clair for the dedication to the library system and their tireless work on behalf of the East Grand Rapids Library expansion project.

2001-375. Consideration of a request to approve the installation of electrical control panels for sewer lift stations.

2001-369-G. Shimko-Bartman. That a contract in the amount of \$8,613.00 be awarded to Ada Electric of Ada for the installation of electrical control panels at the Briarwood and Streets & Utilities sewer lift stations.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-376. Consideration of a request to award a contract for workers' compensation coverage.

2001-369-H. Shimko-Lawless. That a contract in the amount of \$78,158.00 be awarded to the Michigan Municipal League Workers' Compensation Fund for the coverage period July 1, 2001 through June 30, 2002.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-377. The preliminary minutes of the Library Commission meeting held March 26, 2001 were received.

2001-378. The preliminary minutes of the Parks & Recreation Commission meeting held March 12, 2001 were received.

- 2001-379. The preliminary minutes of the Joint Facilities Committee meeting held April 19, 2001 were received.
- 2001-380. The City Services Department Report for the month of March 2001 was received.
- 2001-381. The City Services Department Report for the month of April 2001 was received.
- 2001-382. The Public Safety Department Report for the month of March 2001 was received.
- 2001-383. The Public Safety Department Report for the month of April 2001 was received.
- 2001-384. Mayor Frey reported that Peter Varga of the Interurban Transit Partnership had provided her with information on the new services provided by the ITP and was interested in making a presentation to the City Commission later in the year. Mayor Frey also noted that there were many year-end school events in the next few weeks and urged everyone to be patient and understanding with the parking issues. She also announced that the Fundraising Campaign for the Library & Community Center expansion was at \$1.2 million.

Commissioner Bartman thanked the members of the City Services Department for all their work on the City Clean-Up Day on May 19th. Hundreds of residents turned out for the event and employees helped unload and discard thousands of pounds of materials. Commissioner Bartman also commended PSO Doxtader for his receipt of the M.A.D.D. award and noted that this was the 4th year that PSO Doxtader had been awarded this honor.

Commissioner Kremers reported that the Planning Commission was conducting a survey of resident desires for Gaslight Village through an insert in the monthly water bills and that results would be available later in the summer.

Mayor Frey also thanked the members of the Garden, Art & Environment Committee for putting on the 2nd annual "Clean Green Day" to clean up Reeds Lake and surrounding natural areas and the Girl Scout Troop that sold environmentally-friendly fertilizer to residents during the recent Clean-Up Day.

- 2001-385. Bartman-Brennan. Motion to add to the end of 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, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

- 2001-386. Barbour-Bartman. 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, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

- 2001-387. The regular meeting was adjourned at 8:20 p.m. subject to the call of the Mayor until June 4, 2001.

Karen K. Brower, City Clerk

Attachments: A - Ordinance Amendment to Section 9.63 of Chapter 93 pertaining to curfew provisions
B - Resolution approving change to GVMC Articles of Incorporation

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 4, 2001

The meeting was called to order by President Bartman at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Barbour, Brennan, Kremers, Lawless and Shimko

Absent: Mayor Frey

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Finance Director VanderWall; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Building Inspector Conley; Assistant to the City Manager Branyan; City Clerk Brower

2001-388. The minutes of the regular meeting held May 21, 2001 were received as submitted.

2001-389. President Bartman advised of the following communications received at City Hall:

- A. Letter from Jonathon Miller of 1345 Breton Road praising the Public Safety Department for their quick response and excellent handling of a fire at his home on Memorial Day.
- B. Memo from Kyle Brieschaft, President of the EGR Police Officers Labor Council, endorsing the bond proposals scheduled for the June 11th election.
- C. Letter from the Census Bureau announcing EGR's demographic information from the 2000 Census.

2001-390. No other public comment was received.

2001-391. Lawless-Barbour. That payroll disbursements in the amount of \$138,829.78; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$376,600.69, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Barbour, Bartman, Brennan, Lawless and Shimko – 5

Nays: -0-

2001-392. A zoning variance hearing was held regarding the request of Mr. and Mrs. Gerald Nystrom of 950 Lakeside Drive to allow: 1) an above ground swimming pool to remain 2'-0" from the side lot line instead of the required 10'-0"; 2) a storage shed to remain 1'-0" from the side and rear lot lines instead of the required 3'-0"; and 3) a pool heating unit to remain in the side yard instead of the rear yard as required.

Jerry Nystrom, 950 Lakeside, was present to answer questions about the variance request.

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

- | | |
|------------------------------|---------|
| - Mrs. Seibold, 943 Lakeside | Opposed |
| - Mary Dersch, 956 Lakeside | Opposed |

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

- | | |
|---|---------|
| - John and Mary Dersch, 956 Lakeside Drive SE | Opposed |
|---|---------|

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

2001-392-A. Lawless-Brennan. That the request of Mr. and Mrs. Gerald Nystrom of 950 Lakeside Drive to allow an above ground swimming pool to remain 2'-0" from the side lot line instead of the required 10'-0" be approved.

Leonard VanProoyen, 2239 Brighton, was present to answer questions about the variance request.

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

2001-394-A. Lawless-Shimko. That the request of Leonard VanProoyen of 2239 Brighton to allow the construction of an addition to the rear of the home creating a 5'-6" side yard instead of the required 7'-0" be approved.

Commissioner Barbour spoke in favor of this variance request, stating that it would be an improvement in the neighborhood.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6
Nays: -0-

2001-395. A zoning variance hearing was held regarding the request of Bill & Melissa Marsh of 2448 Beechwood to allow the construction of a dormer on the west side of the roof structure creating a third-floor living space.

Bill Marsh, 2448 Beechwood, was present to answer questions about the variance request.

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

- Brian Donovan, 2512 Beechwood In Favor

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

2001-395-A. Shimko-Brennan. That the request of Bill & Melissa Marsh of 2448 Beechwood to allow the construction of a dormer on the west side of the roof structure creating a third-floor living space be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6
Nays: -0-

2001-396. A public hearing was held on the special assessment roll of delinquent accounts for placement on the July 1, 2001 tax roll. No public comment was made.

2001-369-I. Kremers-Shimko. That the special assessment roll of delinquent accounts totaling \$41,039.1 be certified and that these accounts be placed on the July 1, 2001 tax roll.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6
Nays: -0-

2001-397. A public hearing was held pertaining to the General Fund budget and the property tax levy for Fiscal Year 2001-2002. No public comment was made.

2001-398. The schedule of meeting dates for FY 2001-02 was received for information.

Commissioner Lawless suggested moving the Finance Committee meetings to Thursday mornings. The committee will make this decision based on member availability.

2001-399. Consideration of a request to approve a new fee schedule for plumbing, electrical and mechanical permits issued by Cascade Township.

2001-369-J. Kremers-Brennan. That the new fee schedule for plumbing, electrical and mechanical permits issued by Cascade Township be approved as requested.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6

Nays: -0-

2001-400. Consideration of a request to adopt a resolution regarding casualty insurance escrow accounts for the repair or rebuilding of damaged structures

2001-369-K. Lawless-Barbour. That a resolution regarding casualty insurance escrow accounts for the repair or rebuilding of damaged structures be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6

Nays: -0-

2001-401. Consideration of a request to award a contract for sidewalk reconstruction and repair.

2001-369-L. Brennan-Shimko. That a contract for sidewalk reconstruction and repair be awarded to in'tHout Concrete Construction of Caledonia in the not-to-exceed amount of \$115,000.00 for the specified areas and any additional areas possible within this dollar amount.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6

Nays: -0-

2001-402. Consideration of a request to approve the placement of school flashers on Breton Road at Breton Downs Elementary.

2001-369-M. Kremers-Barbour. That a contract be awarded to Strain Electric of Grand Rapids in the amount of \$4,196.00 for the replacement of school crossing flashers on Breton Road near Breton Downs School.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6

Nays: -0-

2001-403. Commissioner Lawless reported that the Fundraising Committee had received pledges of \$1,234,230 towards renovations at the East Grand Rapids Library—almost halfway to their goal of \$3 million. Commissioner Lawless also welcomed the Sherman Street Church to their new meeting place on Boston Street.

Commissioner Bartman asked staff to monitor the newly planted trees on Gladstone because some of them contained thorns and may injure someone if the branches drooped low over the sidewalk.

Commissioner Bartman also encouraged residents to remember to vote on June 11th.

2001-404. The regular meeting was adjourned at 8:14 p.m. subject to the call of the Mayor until June 18, 2001.

Karen K. Brower, City Clerk

Attachments: A - Resolution establishing escrow accounts for damaged structures

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Special Meeting Held June 4, 2001

The meeting was called to order by President Bartman at 8:14 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Barbour, Brennan, Kremers, Lawless and Shimko

Absent: Mayor Frey

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Finance Director VanderWall; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Assistant to the City Manager Branyan; City Clerk Brower

2001-405. Consideration of a request to adopt a resolution adopting the FY 2001-02 budget and setting a millage rate for FY 2001-02.

2001-405-A. Kremers-Lawless. That a resolution adopting the FY 2001-02 as amended during the budget worksession, including the addition of \$68,000 for brick pavers in Collins Park, and setting the millage rate at 14.8295 for FY 2001-02, be adopted as set forth in Exhibit "A" attached hereto

Commissioner Barbour noted that although he opposed the addition of the pavers at Collins Park, he favored the overall budget.

Commissioner Lawless thanked the City staff for all of their work putting the budget together.

President Bartman noted that the millage rate of 14.8295 for FY 2001-02 was actually lower than the millage rate when she took office in 1993. She noted several large projects that had been completed over the last several years without requiring any debt to be levied. She commended the elected officials and staff for working continuously to provide better service to the citizens while keeping the millage rate as low as possible.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6

Nays: -0-

2001-406. Consideration of a request to adopt a resolution establishing water/sewer rates for FY 2001-02.

2001-369-N. Kremers-Shimko. That a resolution setting water/sewer rates for the upcoming fiscal year be adopted as set forth in Exhibit "B" attached hereto

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6

Nays: -0-

2001-407. The special meeting was adjourned at 8:17 p.m.

Karen K. Brower, City Clerk

Attachments: A - Resolution adopting FY 2001-02 budget.
B – Resolution establishing water/sewer rates for FY 2001-02.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 18, 2001

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

Present: Commissioners Bartman, Barbour, Brennan, Kremers, Lawless, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; Finance Director VanderWall; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Engineering Supervisory Kadzban; Building Inspector Conley; Assistant to the City Manager Branyan; City Clerk Brower

2001-408. The minutes of the regular and special meetings held June 4, 2001 were received with the following correction. City Clerk Brower advised that the votes for both items 2001-392-A. and 2001-392-C. incorrectly indicated that the motions passed. The minutes should have read:

Yeas: -0-

Nays: Barbour, Bartman, Brennan, Kremers, Lawless and Shimko – 6

2001-409. Mayor Frey advised of the following communications received at City Hall:

D. Memo from Chief Gallagher detailing the arrest of a suspect in several recent burglaries.

E. E-mail from Tom Myers of 1504 Lake Grove concerning the increase in cars along his street because of the Breton Road closure.

F. E-mail from Dennis Hoban of 967 Gladstone containing suggestions for traffic flow on Lakeside Drive after the Collins Park renovations.

2001-410. No other public comment was received.

2001-411. Barbour-Bartman. That payroll disbursements in the amount of \$145,193.86; county and school disbursements in the amount of \$376.76; and total remaining disbursements in the amount of \$207,533.40, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Barbour, Bartman, Brennan, Kremers, Shimko and Frey – 6

Nays: -0-

2001-412. Continuation of zoning variance request of Mrs. and Mrs. Gerald Nystrom of 950 Lakeside Drive to allow a storage shed to remain 1'-0" from the side and rear lot lines instead of the required 3'-0.

City Attorney Huff explained that Mayor Frey needed to cast her vote on this issue to break the tie from the last meeting.

Mayor Frey stated that she had reviewed the materials, listened to the tape of the previous meeting and visited the site. She then cast her vote in favor of approving the variance request.

Final vote on 2001-392-B. (storage shed)

Yeas: Barbour, Bartman, Shimko and Frey - 4

Nays: Brennan, Kremers and Lawless – 3

2001-413. A zoning variance hearing was held on the requests of Dean Cohen of 1750 Whitfield to 1) to allow the construction of a 4'-0" x 24'-6" addition to the front of the existing garage creating a front yard setback of 54.8' rather than the required 58'-0" and 2) to allow the construction of 2'-0" x 14'-6" addition to the south side of the existing garage that will create a total side yard setback of 17'-0" rather than the required 18'-0."

Dean Cohen, 1750 Whitfield, was present to answer questions about the variance request. Mr. Cohen explained that he would be able to use the garage if just the addition to the front of the garage was approved.

The following individuals were present to express their opinions concerning this variance request:

- Dave MacKenzie, 1764 Whitfield	In Favor
- Fred Ditmar, 1759 Whitfield	In Favor
- Gordon Barber, 1756 Whitfield	In Favor
- Jim Palozolo, 1779 Whitfield	In Favor

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

- Wilbur Baumruk, 1758 Asbury	No objection
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No other public comment was received. Mayor Frey closed the public hearing.

2001-369-O. Bartman-Shimko. That the request of Dean Cohen of 1750 Whitfield to allow the construction of a 4'-0" x 24'-6" addition to the front of the existing garage creating a front yard setback of 54.8' rather than the required 58'-0" be approved, and that the request to allow the construction of 2'-0" x 14'-6" addition to the south side of the existing garage be denied.

Commissioner Lawless arrived.

Commissioner Kremers spoke in favor of the variance request.

Commissioner Lawless stated that he would be voting in favor of this variance request because of the unusual circumstance in the garage being built too small to accommodate regular vehicles, but that he was generally opposed to such variance requests because the Comprehensive Master Plan discouraged the encroachment of front yard setbacks.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-414. A zoning variance hearing was held regarding the request of Robert and Theresa Petko of 1535 Edgewood to allow the construction of a two-story addition connecting the house to the existing detached garage creating a side yard setback of 4'-9" instead of the required 7'-0."

Bob Petko, 1535 Edgewood, was present to answer questions about the variance request.

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

2001-369-P. Lawless-Bartman. That the request of Robert and Theresa Petko of 1535 Edgewood to allow the construction of a two-story addition connecting the house to the existing detached garage creating a side yard setback of 4'-9" instead of the required 7'-0" be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-415. Consideration of a request to award a contract for engineering services for pedestrian curb extensions on Lake Drive at Bagley.

2001-369-Q. Kremers-Bartman. That a contract be awarded to URS Corporation in the amount of \$3,800.00 to design and bid pedestrian curb extensions to be installed on Lake Drive at the Bagley intersection in accordance with the Traffic Commission's recommendations.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-416. Introduction of an ordinance amendment to Section 9.57 of Chapter 93 of Title IX of the City Code pertaining to picketing regulations.

2001-369-R. Bartman-Shimko. That an ordinance amendment to Section 9.57 of Chapter 93 of Title IX of the City Code pertaining to picketing regulations be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-417. A public hearing was held on the proposed cable consent agreement between the City of East Grand Rapids and AT&T Broadband. No public comment was received. Mayor Frey closed the public hearing.

City Attorney Huff reviewed the summary points of the agreement. Leslie Brogan, negotiator for the cable company, was present to speak about the proposed agreement and answer questions from the City Commission.

Mayor Frey asked that staff contact the school district to make them aware of the new contract and any revisions to the current arrangements.

Commissioner Lawless applauded the negotiating team for working together with the cable company and all concerned municipalities to minimize duplication of effort and produce an agreement beneficial to all parties.

2001-369-S. Bartman-Brennan. That a resolution approving the cable consent agreement between the City of East Grand Rapids and AT&T Broadband be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2001-418. Consideration of a request to award a contract for benches and other site amenities for John Collins Park renovations.

Commissioner Lawless reviewed the differences between the two low bidders and asked the City Commission to consider awarding the bid for benches to the second-lowest bidder, Engan-Tooley-Doyle & Associates because of their 20-year warranty versus the 5-year warranty on the Titan benches.

Commissioner Barbour spoke against awarding the contract to Engan-Tooley-Doyle & Associates because he felt the integrity of the bid process should be maintained by using the satisfactory bid of the low bidder.

2001-369-T. Lawless-Bartman. That contracts be awarded to Engan-Tooley-Doyle & Associates in the amount of \$20,652.00 for 20 park benches, 8 table/chair sets and 10 trash receptacles to be placed at Collins Park during the renovation process.

Yeas: Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: Barbour – 1

- 2001-419. Consideration of a request to approve the purchase of network computer equipment to upgrade the existing computer network.

Assistant to the City Manager Branyan explained the need to upgrade portions of the computer network to accommodate future plans for improvements and expansion. The FY 2000-01 budget contains \$7,000.00 for portions of this project; however it was discovered that additional hardware was needed to bring all equipment up to current standards.

- 2001-369-U. Bartman-Shimko. That the purchase of computer hardware in the amount of \$13,342.00 from Remex Corporation for the upgrade of the computer network server and a related budget amendment in the amount of \$6,342.00 from the General Fund Undesignated balance be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

- 2001-420. The preliminary minutes of the Traffic Commission meeting held May 4, 2001 were received.

Mayor Frey noted that traffic calming expert Dan Burden was featured in a recent article in Time Magazine.

- 2001-421. The preliminary minutes of the Library Commission meeting held April 23, 2001 were received.

- 2001-422. The preliminary minutes of the Planning Commission meeting held April 10, 2001 were received.

Commissioner Kremers reported that the results of the Planning Commission's survey had been compiled and reviewed by the Planning Commission. Staff will make sure that everyone gets a copy of the results.

- 2001-423. The preliminary minutes of the Parks & Recreation Commission meeting held April 9, 2001 were received.

- 2001-424. The preliminary minutes of the Joint Facilities Committee meeting held May 24, 2001 were received.

Commissioner Barbour questioned when the tennis court resurfacing and the football field bleachers would be completed. Parks & Recreation Director Bunn reported that the tennis courts would be done by early July and that the bleachers were scheduled to begin soon and be completed by the first home football game.

- 2001-425. Mayor Frey announced that the Mayor's Exchange with the City of Grandville would take place on Tuesday, June 19th and invited all commissioners to participate.

Mayor Frey also thanked the residents for approving renovations to the Wealthy Pool facility and expressed disappointment with the results of the Library & Community Center vote. She stated that the library expansion still needed to be addressed and that this would begin soon.

Commissioner Bartman asked staff to review the procedures and policies for yard debris pick-up. She stated that household trash containers were not allowed to sit on the curb; however yard debris containers often sit out for several days awaiting their scheduled pick-up day.

Commissioner Kremers also expressed his regret that the library millage was defeated and urged everyone to continue working on a solution for the library's expansion need.

Commissioner Shimko agreed that the yard-waste issue needed to be addressed. He suggested that an insert be placed in an upcoming water bill detailing the requirement that yard-waste not be left on the curb prior to the evening before pick-up.

Commissioner Lawless thanked everyone for all of their work on the bond proposals and praised the voter turnout rate of 40%. He expressed his interest in continuing to work toward a modified proposal that everyone could support.

2001-426. The regular meeting was adjourned at 8:37 p.m. subject to the call of the Mayor until July 2, 2001.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 9.57 pertaining to picketing regulations
B – Resolution approving cable consent agreement with AT&T Broadband

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held July 2, 2001

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

Present: Commissioners Barbour, Brennan, Lawless, Shimko and Mayor Frey

Absent: Commissioner Bartman and Kremers

Also Present: Assistant City Attorney Sluggett; City Manager Donovan; Finance Director VanderWall; Parks & Recreation Director Bunn; Building Inspector Conley; Administrative Secretary Harrington

2002-1. The minutes of the regular meeting held June 18, 2001 were received as submitted.

2002-2. Geoff Hughes, 260 Hodenpyl, spoke about the improvements planned at the hospital buildings and his feelings that money should be spent on medical equipment and not on buildings. He urged the City Commission to concentrate on this issue instead of on the EGR library building issue.

Mary Swain, 514 Lakeside, spoke about the 1972 resident survey concerning the quality of life in East Grand Rapids and her interpretation that residents don't want taxes raised even for a new library.

2002-3. Barbour-Lawless. That payroll disbursements in the amount of \$143,186.72; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$400,147.84, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2002-4. A variance hearing was held on the request of the East Grand Rapids High School to allow the placement of a sign closer to the street than otherwise permitted, to permit the dimension of the sign to be 13'-6" above grade instead of the permitted 8'-0," and to allow the sign to contain a lighted section for text and graphics.

Craig Newhouse, URS Corporation, was present to answer questions about the variance request. He distributed drawings of the proposed sign, reviewed its materials and functions, and discussed the placement of the sign at the corner.

The following individuals were present to express their opinions concerning this variance request:

- Jonathan Thoits, 927 Ogden	Not opposed to sign, but preferred it be smaller.
- Geoff Hughes, 260 Hodenpyl	Concerned about distraction to drivers. Suggested referring to Traffic Commission.
- Diane Lange, 2150 Lansing	Concerned about size of sign in a residential neighborhood.
- Richard Sursma, 546 Greenwood	Concerned about location and distraction.
- Steve Bratschie, 250 Pioneer Club	In Favor.

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

- Linda Carrington/Gregory Krupp, 2262 Lake Drive Opposed

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

The City Commission discussed the variance request and the sign ordinance requirements. Commissioner Barbour suggested tabling this issue because of the timing during a holiday week and the fact that many residents were on vacation and not aware of the issue. Commissioner Lawless suggested putting the sign at Lakeside and Lake Drive and improving the intersection to make it a community bulletin board.

Commissioner Shimko and Mayor Frey were concerned about the safety of this intersection and about distracting drivers and obstructing sight distance.

2002-4-A. Lawless-Barbour. That the request of East Grand Rapids High School to allow the placement of a sign closer to the street than otherwise permitted, to permit the dimension of the sign to be 13'-6" above grade instead of the permitted 8'-0," and to allow the sign to contain a lighted section for text and graphics be tabled until placement, size/height and other questions can be addressed.

Yeas: Barbour, Brennan, Lawless, Shimko and Frey – 5
Nays: -0-

2002-5. A zoning variance hearing was held regarding the request of Richard Elias III of 535 Greenwood to allow the building to be used as an attorney's office.

Steve Bratschie, 250 Pioneer Club, was present to answer questions about the variance request on behalf of the applicant. He stated that the building has been used as a medical office space for several years and is now being proposed for a law office, and that there would be substantially less traffic under the new use than the previous use as a medical/dental office.

The following individuals were present to express their opinions concerning this variance request:

- Gene Williams, 2143 Lansing

Inquired why this needed action now when it was always used as office space. City Manager Donovan responded that the change from a non-conforming medical office to a different type of non-conforming use triggered the need for City Commission review and approval.

- Richard Siersma, 546 Greenwood

Not opposed to office use, but concerned about parked vehicles obstructing sight distance surrounding his driveway. Asked for signs or enforcement of parking rules.

- Diane Lange, 2150 Lansing

Concerned about traffic on Lansing entering and exiting parking lot.

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

- Maggie VanHoudt, 547 Greenwood

In Favor.

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

Building Inspector Conley noted that there were several building code issues related to this building that need to be addressed to bring the building into compliance with current building codes.

2002-5-A. Lawless-Brennan. That the request of Richard Elias III of 535 Greenwood to allow the structure to be occupied by an attorney's office be approved.

Yeas: Barbour, Brennan, Lawless, Shimko and Frey – 5
Nays: -0-

2002-6. Election of President of the City Commission for FY 2001-02.

2002-6-A. Shimko-Brennan. 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 2001-02.

Yeas: Barbour, Brennan, Lawless, Shimko and Frey – 5
Nays: -0-

2002-7. Consideration of a request to establish a Citizen's Task Force to address the facility needs of the East Grand Rapids Library and Recreation operations.

2002-7-A. Lawless-Shimko. That a Citizen Task Force be established to research the facility needs of the East Grand Rapids Library and Parks & Recreation Department and to make recommendations to the City Commission for modifications to the expansion proposal and that the City Commission provide guidance prior to their first meeting about the structure and the expectations from the Task Force.

Mayor Frey asked citizens interested in participating to call City Hall at 949-2110 to put their names on the mailing list for the first meeting when it is set. The Task Force is open to all residents.

Yeas: Barbour, Brennan, Lawless, Shimko and Frey – 5
Nays: -0-

Geoff Hughes, 260 Hodenpyl, spoke against expanding the library because it is large enough for current needs. He suggested that the fundraising continue toward raising \$3 million and that this money be used for any improvements to the existing structure.

2002-8. Final Reading of an ordinance amendment to Section 9.57 of Chapter 93 of Title IX of the City Code pertaining to picketing regulations.

2002-8-A. Barbour-Shimko. That an ordinance amendment to Section 9.57 of Chapter 93 of Title IX of the City Code pertaining to picketing regulations be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Brennan, Lawless, Shimko and Frey – 5
Nays: -0-

2002-9. Report on sidewalk materials at John Collins Park.

City Manager Donovan explained the previous discussions of concrete paths vs. concrete pavers being placed at Collins Park. Parks & Recreation Director Bunn reported on the long-term maintenance and durability of the two materials as requested by the City Commission during the budget process. He concluded that it would be less expensive in the long-term to use the brick pavers that could be adjusted, reused and/or replaced in smaller sections than the concrete paving.

Commissioner Barbour thanked the staff for researching this issue and providing the requested information.

2002-10. Mayor Frey commended the Parks & Recreation Director Bunn on the organization of the Reeds Lake Run and on the various landscaping projects throughout the City.

City Manager Donovan reminded everyone that the 4th of July activities would take place at the high school track/football field, and that the parade route would be along Lake Drive instead of Breton Road because of the construction projects this summer. He asked for volunteers to ride in the City trucks and hand out candy.

Commissioner Lawless thanked Parks & Recreation Director Bunn for the lacrosse camp put on for area kids recently.

2002-11. Lawless-Brennan. 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, Brennan, Lawless, Shimko and Frey – 5
Nays: -0-

2002-12. The regular meeting adjourned subject to the call of the Mayor until July 16, 2001.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 9.57 pertaining to picketing regulations

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

UNOFFICIAL
Reference Only

Mayor Frey noted that City officials had met with school administrators after the last City Commission meeting about the proposed size, placement and use of the sign. Following that meeting, it was felt that the High School was responsive to the concerns about using non-moving messages about driving safety during peak pedestrian times and about shutting off the sign at night to minimize the intrusion to neighboring properties.

Pat Cwayna, High School Principal, was present to answer questions. He pledged to work with students, parents, neighbors and city officials to create an acceptable schedule and policy regarding the use of the messages on the sign.

Commissioner Shimko spoke in favor of granting the variance for the sign because of the agreement to turn the sign off at night and the fact that the sign's range of sight would not interfere with vehicles at the critical point of the intersection.

Commissioner Bartman also stated her intention to vote in favor of the sign because the High School's pledge to work with everyone concerned about the sign and its acceptable use policy. She stated that she felt this was a unique situation because of the community-oriented purpose of the sign and the recourse available through the elected school board officials if there were problems in the future. She felt this situation warranted granting a variance because it was not a commercial venture but a community bulletin board.

Mayor Frey noted that the School District would be paying for the sign with private donations—not with public tax dollars.

2002-16-B. Shimko-Bartman. That the requests of East Grand Rapids High School to 1) allow the placement of a sign closer to the street than otherwise permitted, 2) to permit the horizontal length of the sign to be 13'-6" instead of the permitted 8'-0," 3) to permit the vertical height of the sign to be 6'-3" instead of the permitted 4'-0," and 4) to allow the sign to contain a lighted section for text and graphics be approved.

Commissioner Kremers stated his opposition to the electronic message board portion of the proposed sign because of the intrusion on the surrounding properties and the possible distraction to drivers. He felt that a written letter of understanding between the City and School District should be drawn up prior to the approval of a variance, and suggested that the City Commission consider granting the first three portions of the variance request and approving the lighted message board after an agreement is reached.

Commissioner Barbour stated that although this location was not the ideal placement in his opinion, he was willing to support the request and to give the School the latitude to decide the best location to suit their needs. He also felt that this was a unique circumstance because of its community use.

Commissioner Lawless noted that the City Commission has the responsibility of administering the ordinances and protecting the rights of everyone in the community and his feeling that this was not the best possible location in the community for this type of sign. He felt the intersection of Lake Drive and Breton would have been a more visible location seen by more commuters while keeping the sign as far as possible from surrounding residential properties.

2002-16-C. Bartman-Lawless. Motion to refund the \$75 variance application fee paid by the High School.

Vote on 2002-16-C.

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

Vote on 2002-16-B. as amended.

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

2002-17. A zoning variance hearing was held regarding the request of Catherine Puetz of 1779 Oxford to allow the construction of an addition to the home creating a separation of 3'-4" from the existing detached garage instead of the required 10'-0."

Dennis Dusendang, 9920 Wolven, was present to answer questions about the variance request on behalf of the homeowner.

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

2002-17-A.Kremers-Bartman. That the request of Catherine Puetz of 1779 Oxford to allow the construction of an addition to the home creating a separation of 3'-4" from the existing detached garage instead of the required 10'-0" be approved.

Commission Lawless stated that his support of this variance request was with the understanding that the home and the garage remain unattached as required by the ordinance.

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

Nays: -0-

2002-18. Consideration of a request to approve advisory commission appointments for FY 2001-02.

2002-18-A.Bartman-Shimko. That the FY 2001-02 commission appointments as recommended by Mayor Frey be approved.

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

Nays: -0-

2002-19. Consideration of a request to adopt a resolution designating a representative to the annual meeting of the Michigan Municipal League.

2002-19-A.Bartman-Shimko. That Mayor Frey be appointed the official representative of the City of East Grand Rapids to the annual Michigan Municipal League business meeting in September of 2001, and that City Manager Donovan be appointed as the alternate representative

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

Nays: -0-

2002-20. Consideration of a request to award a contract for installation of fiber optic cable for internet connections.

2002-20-A.Kremers-Bartman. That the installation of fiber optic cable between the Municipal Complex and the Middle School by Shareco Communications in the amount of \$6,945.00 and professional computer consulting services of Remex Corporation in the amount of \$2,500.00 with a related budget amendment of \$5,245.00 be approved as requested.

Larry Goldsmith, 2311 Wealthy, inquired if the fiber installation would require any street construction. City Manager Donovan replied that the cabling would be installed behind the City Complex and the Middle School and would not require any disruption on the street.

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

Nays: -0-

2002-21. The preliminary minutes of the Planning Commission meeting held June 12, 2001 were received.

2002-22. The preliminary minutes of the Parks & Recreation Commission meeting held June 11, 2001 were received.

- 2002-23. The preliminary minutes of the Library Commission meeting held May 29, 2001 were received.
- 2002-24. The Public Safety Department Report for the month of April 2001 was received.
- 2002-25. The City Services Department Report for the month of May 2001 was received.
- 2002-26. Commissioner Shimko thanked staff for their prompt response to the request to remind residents about the yard debris regulations. He had received several comments from neighbors about the reminder.

Commissioner Kremers asked staff to look at the placement of signs on Boston Street warning motorists of the Breton Road closure because residents in the area felt the warnings were coming too late for people to make detours. He also asked that the Parks & Recreation Department staff consider an entrance sign and/or plantings at the corner of Reeds Lake Blvd and Robinson Road because of the natural beauty of the road and the nice entrance into East Grand Rapids.

Mayor Frey commended the Parks & Recreation Department staff for all of their efforts in making the Reeds Lake Run and the 4th of July activities such a success. The two events were a mere four days apart and required considerable work by the staff members to administer.

Commissioner Bartman noted that there were several spots on the high school track that were wearing through to the base material and asked Parks & Recreation Director Bunn to check on patching these areas. She also noted that there are a few areas of deterioration in the slope stabilization near the "rock" on Reeds Lake Blvd. City Services Director Baragar reported that the contractor is coming back to repair these areas. Commissioner Bartman also asked the status of the residents' request to research the lot size issue in the Edgemere/Belvedere area. City Manager Donovan replied that the Planning Commission would be considering this issue at an upcoming meeting. Commissioner Bartman asked that surrounding neighbors be notified of any meeting where this is discussed.

- 2002-27. The regular meeting adjourned at 8:45 p.m. subject to the call of the Mayor until August 6, 2001.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 9.57 pertaining to picketing regulations

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 6, 2001

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

Present: Commissioners Barbour, Bartman, Brennan, Kremers, Lawless, 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; Streets & Utilities Sup't Keating; Engineering Supervisor Kadzban; Assistant Parks & Recreation Director Perry; City Clerk Brower

Mayor Frey announced that the request to approve the division of the lot located at 601 Cambridge had been withdrawn from the agenda.

2002-28. Barbour-Shimko. Motion to add to the end of 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, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7

Nays: -0-

2002-29. The minutes of the regular meeting held July 16, 2001 were received as submitted.

2002-30. Mayor Frey advised of the following communications received at City Hall:

G. An update written by City Services Director Baragar to the residents along Breton Road about the progress of the construction.

H. Letter from John Fischer of 2028 El Dorado thanking the Public Safety Officers Weertman and Asher for their assistance during a recent medical emergency at her home.

I. Letter from Mrs. Eleanor Whitfield commending the Public Safety Department for their consideration and quick action during a fire at her home recently.

J. Card from Rich Stekettee of MichCon thanking all of the City staff (Engineering and Public Safety) for their professional handling during the gas main emergency on July 24th at Breton and Hall.

2002-31. Geoff Hughes, 260 Hodenpyl, was present to ask if the Wealthy Pool design was final or if there was still 7a chance to make changes. City Manager Donovan stated that there would be a final design phase with public input in the next few months.

Lois Moseley, 1753 Breton, was present to ask that Breton Road be completely blocked off during the paving scheduled for this week so that the road would not be damaged while the asphalt cured. City Manager Donovan answered that the City would make every effort to keep traffic off the new surface until it was safe to travel on.

2002-32. Barbour-Lawless. That payroll disbursements in the amount of \$310,079.44; county and school disbursements in the amount of \$973,561.67; and total remaining disbursements in the amount of \$852,161.92, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2002-33. Consideration of a request to designate a representative to the annual meeting of the Municipal Employees' Retirement System meeting.

2002-33-A.Kremers-Shimko. That Laura VanderWall be appointed as the Officer Delegate and Brian Donovan as the Alternate Officer Delegate to the annual meeting of the Municipal Employees' Retirement System.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-34. Consideration of a request to adopt a resolution authorizing the issuance of bonds for Wealthy Pool renovations.

2002-34-A.Barbour-Bartman. That a resolution authorizing the issuance of unlimited tax general obligation bonds in an amount not-to-exceed \$2,000,000 for the renovation of Wealthy Pool be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-35. Consideration of a request to award a contract for t-shirts for recreation programs and events.

2002-35-A.Bartman-Brennan. That a contract in the amount of \$25,021.25 be awarded to Kel Graphics of Cadillac for screen printing of t-shirts for Parks & Recreation Department programs for the upcoming year.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-36. Consideration of a request to award a contract for materials for the landscaping project at Breton Downs Elementary.

Commissioner Kremers asked that the designer who prepared the original plan check the plantings done by City staff when finished to make sure everything was done as designed.

Commissioner Lawless asked that the grounds maintenance staff make sure the plantings were well watered during the first year to protect the investment.

2002-36-A.Barbour-Kremers. That a contract for the landscaping materials in the amount of \$4,871.00 be awarded to Rooks Landscaping Inc. for the landscaping project at Breton Downs Elementary in accordance with the grounds maintenance agreement.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-37. Consideration of a request to joint the Grand Valley Metro Council in an application for a watershed planning grant.

City Manager Donovan explained that the GVMC was spearheading the effort to create an area-wide watershed to solve various issues without duplication or wasted effort. He stated that grants were available to help establish the watershed, and that other grants would be available for member communities in the future when the watershed was in place.

2002-37-A.Lawless-Bartman. That staff be authorized to join the Grand Valley Metro Council in an application for a watershed planning grant from the State of Michigan, and that the City's commitment of \$2,850.00 for the application process be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-38. Consideration of a request to award a contract for architectural services relating to the final design and preparation of specifications and bid documents for the remodeling at Wealthy Pool.

2002-38-A. Barbour-Bartman. That a contract not-to-exceed \$140,000.00 be awarded to URS Corporation for the design and preparation of bid documents relating to the renovations at Wealthy Pool.

Commissioner Lawless asked that staff make an effort to solicit proposals for professional services on an entire project basis instead of seeking only the portions currently needed. He felt that better pricing could be obtained when asking for the entire range of services to be quoted from the beginning of each project.

Geoff Hughes, 260 Hodenpyl, suggested that the city research pre-formed pool linings for the existing pool instead of having the renovations done on a custom basis.

Parks & Recreation Director Bunn reported that a public input session to begin the final design stage for the remodeling would be held at 6:45 p.m. on Monday, August 13, 2001 following the Parks & Recreation Commission meeting.

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

Nays: -0-

2002-39. Consideration of a request to approve the purchase of a pavement grinder for the Streets & Utilities Department.

2002-39-A. Bartman-Barbour. That the purchase of a cold planer pavement grinder in the amount of \$7,500.00 from Carleton Equipment of Byron Center be approved as requested.

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

Nays: -0-

2002-40. Consideration of a request to award a contract for the construction of curb extensions on Lake Drive at Bagley Avenue.

2002-40-A. Kremers-Barbour. That a contract for the construction of curb extensions and a pedestrian crosswalk on Lake Drive at Bagley Avenue be awarded to Diversco Construction of Grand Rapids in the amount of \$23,100.80.

City Manager Donovan explained that bids had been solicited from the two companies currently under contract with the city for various road projects in order to expedite the construction for completion before the start of the school year.

The City Commission discussed the project budget, timelines, and the bidding process. Mayor Frey felt that the project could be delayed until later in the school year to obtain better construction prices. Other commissioners spoke about their wish to complete this project before school begins instead of having the road under construction later in the school year when dark mornings and school events could create hazardous conditions.

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

Nays: -0-

2002-41. Parks & Recreation Director Bunn updated the City Commission on the progress of the construction project at John Collins Park: the Vortech stormwater system was installed today, the boat launch is underway, and the brick pavers and other aspects are on schedule to be completed by early October. The park will be cleaned up and made safe for use during the annual triathlon.

Mayor Frey asked for an update on the Traffic Commission meeting held on August 3rd. Commissioner Kremers reported that the Traffic Commission had discussed several issues including two resident requests for city action and the traffic calming program currently under development. The Traffic Commission has

also directed staff to create a "grand re-opening" for Breton Road later this month to highlight the various design and safety elements included in Breton Road.

Mayor Frey reported receiving communications from residents near the Aquinas College theater construction site about their concerns about the proposed theater, increased traffic and the lighting. She has obtained information from Aquinas and is working with neighbors on this issue.

She also noted that the Sherman Street Church body had made the transition to their new location on Boston. The move was made on Sunday morning, July 30th, with police escorts from both Grand Rapids and East Grand Rapids. Commissioner Lawless suggested issuing a proclamation welcoming the church to East Grand Rapids and presenting it at an upcoming meeting.

Commissioner Kremers thanked City Services Director Baragar and the bike patrol cadets for the "construction news update" delivered to residents along the Breton Road construction.

Commissioner Lawless asked city staff to make sure that the residents along Groton Road were notified about the Traffic Commission's decision on their request for a cul-de-sac.

Commissioner Shimko welcomed the two young men who were attending the City Commission meeting to obtain their eagle scout merit badges.

2002-42. Bartman-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, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7

Nays: -0-

2002-43. The regular meeting adjourned at 8:40 p.m. subject to the call of the Mayor until August 20, 2001.

Karen K. Brower, City Clerk

Attachments: A – Resolution authorizing bonds for Wealthy Pool renovations

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 20, 2001

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

Present: Commissioners Bartman, Brennan, Kremers, Lawless, Shimko and Mayor Frey

Absent: Commissioner Barbour

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Building Inspector Conley; City Clerk Brower

2002-44. The minutes of the regular meeting held August 6, 2001 were received as submitted.

2002-45. Mayor Frey advised of the following communications received at City Hall:

- A. Letter from Elizabeth Tjoelkes thanking Lt. Lark, Detective Brown and PSO Kolster of the Public Safety Department for their recent assistance at her home.
- B. Letter from William Wier, 1728 Breton, complimenting the construction crews and City Services staff members who worked on the Breton Road project.

2002-46. Bill Poisson, 2718 Richards, was present to complain about the AT&T cable television rates and urge the City Commission to foster competition in East Grand Rapids.

2002-47. Lawless-Shimko. That payroll disbursements in the amount of \$148,699.80; county and school disbursements in the amount of \$2,813,871.49; and total remaining disbursements in the amount of \$335,258.99, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

2002-48. A zoning variance hearing was held regarding the request of Mark Harcek of 1109 Kenesaw to allow the placement of a hot tub approximately 1'-0" from the side property line instead of the required 10'-0," to allow an air conditioning unit to be installed on the south side of the house approximately 12'-0" from the side property line, and to waive the \$75.00 application fee.

Mark Harcek, 1109 Kenesaw, was present to introduce and answer questions about the variance request.

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

- Sara and George D' Archangel, 1115 Kenesaw	Opposed
- Janice Hurley, 1120 Kenesaw	No objection
- Chad Gould, 1114 Kenesaw	No objection
- Dave Kackley, 6350 N. Middleville	Testifying about use of hot tub.

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

- Dorothy Allen, 1064 Kenesaw	No objection
- George & Sara D' Archangel	Opposed

City Attorney Huff reviewed the ordinance requirements regarding hot tubs and answered questions from the City Commission.

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

2002-48-A.Lawless-Kremers. That the request of Mark Harcek of 1109 Kenesaw to allow the placement of a hot tub approximately 1'-0" from the side property line instead of the required 10'-0" be approved.

2002-48-B.Lawless-Kremers. That the request of Mark Harcek of 1109 Kenesaw to allow an air conditioning unit to be installed on the south side of the house approximately 12'-0" from the side property line be approved.

The City Commission discussed the ordinance requirements and the specific aspects of this variance request including other possible locations on the property to place the hot tub and the mechanics involved in moving the unit.

Commissioners Bartman, Shimko and Lawless spoke about their empathy for the applicant being given misinformation when contacting the City about the requirements prior to installing the tub, but felt that the ordinance requirements must be upheld because of the impact on surrounding properties. Several commissioners noted that although these types of pools/tubs are an attractive addition to a home, not every yard is able to accommodate such a unit because of size and layout.

Vote on 2002-48-A. (placement of hot tub). Roll call vote.

Yeas: Lawless – 1
Nays: Bartman, Brennan, Kremers, Shimko and Frey – 5

Vote on 2002-48-B. (air conditioning unit)

Yeas: Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

2002-48-C.Lawless-Kremers. Motion to refund the variance application fee of \$75.00 already paid by Mr. Harcek, and, upon submission of qualified invoices, to approve the payment of up to \$250.00 to Mr. Harcek for costs involved in moving and reinstalling the hot tub unit to a location that complies with the ordinance.

Yeas: Bartman, Brennan, Kremers, Lawless, and Frey – 5
Nays: Shimko – 1

Commissioner Bartman asked City staff to educate residents on these requirements using the City newsletter and any other avenues available.

2002-49. Consideration of a request to approve appointments to the Library Commission for FY 2001-02.

2002-49-A.Bartman-Kremers. That Martha Kiander and Kirk Morgan be appointed to the Library Commission to fill two vacant positions expiring June 30, 2002.

Yeas: Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

2002-50. Consideration of a request to approve the purchase of a copy machine for the Public Safety Department.

2002-50-A.Bartman-Shimko. That the purchase of a copy machine from Applied Imaging Office Solutions at a cost of \$6,500.00 be approved as requested.

Yeas: Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

2002-51. Consideration of a request to approve the purchase of a defibrillator for the Public Safety Department.

2002-51-A.Shimko-Bartman. That the purchase of a defibrillator from Laerdal Medical Corporation in the amount of \$2,652.10 be approved as requested.

Geoff Hughes, 260 Hodenpyl, was present to ask where the defibrillator would be located. City Manager Donovan replied that the equipment would be located on one of the fire engines. Mr. Hughes suggested that another unit be purchased to be used at Wealthy Pool when it reopens in the future.

Yeas: Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

2002-52. The preliminary minutes of the Planning commission meeting held July 10, 2001 were received.

Commissioner Lawless commented on the results of the Planning Commission's resident survey regarding the future of Gaslight Village. He suggested that staff obtain a copy of the documentary on new urbanism aired recently on public television. Mayor Frey noted that she may be able to obtain a copy.

2002-53. The preliminary minutes of the Traffic Commission meeting held August 3, 2001 were received.

2002-54. The Public Safety Department Report for the month of May 2001 was received.

2002-55. The Public Safety Department Report for the month of June 2001 was received.

2002-56. Bartman-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: Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

2002-57. The meeting recessed at 8:19 p.m. to conduct the Executive Session. The meeting resumed at 8:30 p.m.

2002-58. Consideration of a request to approve a collective bargaining agreement with the AFSCME City Services Union.

2002-58-A. Lawless-Bartman. That a collective bargaining agreement with the AFSCME City Services Union effective July 1, 2001 through June 30, 2004 be approved as outlined.

City Manager Donovan thanked the members of the negotiating teams from both the City staff and the AFSCME Union for their work on resolving this contract issue so quickly.

Yeas: Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

2002-59. City Manager Donovan announced that a ribbon-cutting ceremony would be held on Saturday, August 25th at 10:00 a.m. at the south city limits on Breton Road to celebrate the completion of the construction project and the reopening of the road to traffic. Everyone is invited to attend.

Commissioner Kremers thanked staff members for all of their work in getting the road completed as quickly as possible and for coordinating the reopening events.

Commissioner Brennan asked about the progress of the pedestrian crosswalk in front of the high school. This project is on schedule and should be completed soon.

Mayor Frey noted that the Citizen Task Force would be convening soon to begin research expansion possibilities for the library and recreation operations.

2002-60. The regular meeting adjourned at 8:36 p.m. subject to the call of the Mayor until September 4, 2001.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 4, 2001

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

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

Absent: Commissioner Brennan

Also Present: Assistant City Attorney Longworth; City Manager Donovan; Finance Director VanderWall; Parks & Recreation Director Bunn; Public Safety Director Gallagher; City Services Director Baragar; Building Inspector Conley; City Clerk Brower

2002-61. The minutes of the regular meeting held August 6, 2001 were received as submitted.

2002-62. Mayor Frey advised of the following communications received at City Hall:

- A. Thank you note from School Superintendent Jim Morse thanking the City for opening Breton Road prior to the start of school.
- B. Card from Erica Dunten thanking PSO Gary Parker for his kindness during a recent traffic accident in East Grand Rapids.

2002-63. No other public comment was received.

2002-64. Lawless-Shimko. That payroll disbursements in the amount of \$152,689.26; county and school disbursements in the amount of \$3,676,184.22; and total remaining disbursements in the amount of \$354,115.37, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2002-65. A zoning variance hearing was held regarding the request of Robert Stokes of 2905 Bonnell SE to allow the construction of a detached garage and gazebo with an average height of 14'-0" instead of the allowable 12'-0."

Bob Stokes, 2905 Bonnell, was present to introduce and answer questions about the variance request. Mr. Stokes stated that the foundations for both structures had been constructed with the proper permits in 1993; however the garage and gazebo were not completely designed or built at that time. He stated that he was requesting a height variance to allow the garage and gazebo to match the style of the house.

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

2002-65-A. Bartman-Kremers. That the request of Robert Stokes of 2905 Bonnell SE to allow the construction of a detached garage and gazebo with an average height of 14'-0" instead of the allowable 12'-0" be approved.

Commissioner Lawless stated his intention to vote in favor of the variance because the garage would be on south side of the road against the hill and would not impede the view of the lake.

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

Nays: -0-

2002-66. A zoning variance hearing was held regarding the request of Mike and Sheryl VanderBaan of 255 Hodenpyl to allow the construction of an addition to the existing attached garage creating a 5.9' side yard instead of the required 9.0.'

Mike VanderBaan, 255 Hodenpyl, was present to introduce and answer questions about the variance request.

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

2002-66-A.Bartman-Kremers. That the request of Mike and Sheryl VanderBaan of 255 Hodenpyl to allow the construction of an addition to the existing attached garage creating a 5.9' side yard instead of the required 9.0' be approved.

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

Nays: -0-

2002-67. A zoning variance hearing was held regarding the request of Curtis Hagberg of 2050 Tenway to allow the construction of an attached garage creating a side yard setback of 15'-0" instead of the required 20'-0."

Curtis Hagberg, 2050 Tenway, was present to introduce and answer questions about the variance request.

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

2002-67-A.Lawless-Shimko. That the request of Curtis Hagberg of 2050 Tenway to allow the construction of an attached garage creating a side yard setback of 15'-0" instead of the required 20'-0" be approved.

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

Nays: -0-

2002-68. Consideration of a request to award a contract to provide facilitation services for the group process work of the Citizen's Task Force.

George Heartwell of the Aquinas College Community Leadership Institute was present to answer questions.

2002-68-A.Lawless-Barbour. That a contract with the Aquinas College Community Leadership Institute for the services of George Heartwell to facilitate the Citizens Task Force Committee at a cost not-to-exceed \$3,000.00 be approved.

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

Nays: -0-

2002-69. Consideration of a request to award a contract for the construction and installation of signs at park properties.

2002-69-A.Kremers-Shimko. That a contract in the amount of \$8,530.00 be awarded to Advanced Signs for the construction and installation of signage at Collins Park following the renovation project, and at Manhattan and Hodenpyl Woods.

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

Nays: -0-

2002-70. Consideration of a request to approve the installation of a dehumidification system for the Public Safety Building.

2002-70-A. Bartman-Kremers. That the proposal of Hurst Industries to provide labor and materials to install a dehumidification control system for the evidence storage and men's locker room areas of the Public Safety Building at a cost not-to-exceed \$4,500.00 be approved as requested.

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

2002-71. Consideration of a request to award a contract for consulting services relating to the City's Employee Flexible Benefit Plan.

2002-71-A. Bartman-Lawless. That a contract be awarded to Kushner & Company for flexible benefit plan consulting regarding the employee flexible benefit plan at a cost not-to-exceed \$13,500.00.

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

2002-72. Mayor Frey thanked all of the staff and contractors who worked on this project for their efforts to open the road as soon as possible. She asked City staff to work with residents who were having trees planted this fall who were interested in paying the difference to have larger trees planted. She also noted that the Citizen Task Force would begin meeting on Thursday, September 6th at 7:00 p.m. Mayor Frey noted that trees and shrubs are overhanging the sidewalks in several areas of the city and asked residents to prune back the vegetation to allow those using the sidewalks to pass by safely.

Planning Commission Chairman Bill Graham was present to request a joint meeting between the City Commission and the Planning Commission to discuss a request to increase minimum lot sizes. Staff will poll the Commission to determine if October 8th or October 9th will work for a joint meeting.

City Manager Donovan announced that a public input session would be held on Wednesday, September 5, 2001 at Lakeside Elementary to review the preliminary plans for the reconstruction of Hall Street from Breton west to the city limits. Everyone is welcome to attend.

Commissioner Bartman thanked the staff for their work on the ribbon cutting and festivities on Saturday, August 25th to re-open Breton Road. Over 150 residents attended the opening and everyone had a good time. Commissioner Bartman also noted that a recent article in the Grand Rapids Press had some interesting insight on traffic calming. The article will be copied for all commissioners.

Commissioner Lawless congratulated the cross country team on their first season with a home practice area and thanked the Parks & Recreation Department for their efforts in making the Manhattan area useable for the team.

2002-73. The regular meeting adjourned at 8:10 p.m. subject to the call of the Mayor until September 17, 2001.

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 17, 2001

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

Present: Commissioners Barbour, Bartman, Brennan, Kremers, Lawless, 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; City Services Director Baragar; Building Inspector Conley; Streets & Utilities Superintendent Keating; Assistant to the City Manager Branyan; City Clerk Brower

Mayor Frey asked for a moment of silence in honor of the victims of the terrorist attacks in New York, Washington and Pennsylvania on September 11, 2001.

2002-74. The minutes of the regular meeting held September 4, 2001 were received as submitted.

2002-75. No public comment was received.

2002-76. Barbour-Lawless. That payroll disbursements in the amount of \$147,132.86; county and school disbursements in the amount of \$42,667.63; and total remaining disbursements in the amount of \$198,349.10, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2002-77. A zoning variance hearing was held regarding the request of John Venlet of 700 Rosewood to allow the construction of a detached garage approximately 2'-0" from the rear lot line and 2'-4" from the side lot line instead of the required 3'-0."

John Venlet, 700 Rosewood, 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	In Favor
- David Sarnacki & Bridgett Flynn, 720 Rosewood	In Favor

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

2002-77-A. Shimko-Brennan. That the request of John Venlet of 700 Rosewood to allow the construction of a detached garage to replace an existing garage at a location approximately 2'-0" from the rear lot line and 2'-4" from the side lot line instead of the required 3'-0" be approved.

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

Nays: -0-

2002-78. A zoning variance hearing was held regarding the request of Mike Staal, owner of 351 Gladstone, to allow the construction of a covered front porch creating a front yard setback of approximately 38'-0" instead of the 58'-0" allowed.

Mike Staal, 1197 East Paris, was present to introduce and answer questions about the variance request. He noted that there had previously been a similar porch on this home.

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

2002-78-A.Lawless-Bartman. That the request of Mike Staal of 1197 Gladstone to allow the construction of a covered front porch creating a front yard setback of approximately 38'-0" instead of the 58'-0" allowed be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-79. Finance Director VanderWall reviewed the quarterly financial report for the period ending June 30, 2001 and answered questions from the City Commission.

2002-80. Consideration of a request to approve the purchase of a band saw for the Streets & Utilities Department.

2002-80-A.Bartman-Shimko. That the purchase of a horizontal band saw from Industrial Machinery Company of Kalamazoo in the amount of \$4,867.50 be approved as requested.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-81. Consideration of a request to approve the purchase of washer and dryer units for the Streets & Utilities Department.

2002-81-A.Kremers-Brennan. That the purchase of washer and dryer units for the Streets & Utilities Department from Universal Laundry Machinery of Detroit in the amount of \$5,723.00 be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-82. Consideration of a request to approve the purchase of computer equipment for various city departments.

2002-82-A.Brennan-Bartman. That the purchase of various computer equipment and peripherals be approved from the following vendors: Remex Corporation in the amount of \$16,518.00; Omega Systems in the amount of \$12,860.00; Troy Tech Services in the amount of \$496.00; and GovStreet USA in the amount of \$1,958.89 for a total of \$31,832.97.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-83. Consideration of a request to approve change orders to the contract for renovations at Collins Park.

2002-83-A.Bartman-Lawless. That change orders to the contract with C.D. Barnes totaling \$19,277.00 for aspects of the John Collins Park renovation project be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-84. The preliminary minutes of the Parks & Recreation Commission meeting held August 13, 2001 were received.

2002-85. The Public Safety Department Report for the month of July 2001 was received.

2002-86. The City Services Department Report for the month of July 2001 was received

2002-87. Wayne Creelman, 1620 Sage Court, was present to introduce himself as a candidate for the new legislative district that will be created for the Michigan House of Representatives.

Mayor Frey noted that the Reeds Lake Triathlon went well in spite of the fact that Collins Park is under construction. Parks & Recreation Director Bunn noted that 600 athletes participated this year and the department is looking for ways to increase the number of spots available for those who want to take part.

Mayor Frey reported that the Citizen Task Force held its first meeting on September 6th with 43 people in attendance. The Task Force will meet every two weeks for the next few months.

City Manager Donovan announced that City employees had collected \$459 at a luncheon on Friday, September 14th to aid the victims of the terrorist attacks in New York and Washington last week. He also noted that the Public Safety Department was interested in a longer fundraising campaign to aid the families of those police officers and firefighters who were hurt or killed in the attacks. He also noted that the joint meeting between the Planning Commission and City Commission will take place on Monday, October 8th at 7:00 pm to discuss the request to review the city's zoning district requirements.

Commissioner Bartman extended her care and concern to the members of the Public Safety Department on the loss of their fellow law enforcement and firefighting personnel.

Commissioner Kremers thanked the many members of the community who had placed flowers in front of the fire truck bearing an American flag in front of the Public Safety Department to show their support and patriotism. Commissioner Kremers reported that he, Commissioner Lawless and their families had attended one of the great services held last week at the Bible Way Outreach Ministries to celebrate their new home at 2148 Boston. He also thanked the members of Miss Lisa's Young Five Class at Breton Downs Elementary for their letter about the new landscaping at their school and thanked the Grounds Maintenance Staff for installing the plantings.

Commissioner Lawless suggested that the Public Safety Department contact the Widows & Orphans Fund established several years ago to benefit the families of public safety personnel who die in the line of duty. He also commented on the services held at Bible Way Outreach Ministries and expressed his appreciation for their hospitality and eagerness to participate in the community. He complimented the Grounds Maintenance staff for their work at Breton Downs school. He asked city staff to consider any other topics for the joint meeting between the City Commission and Planning Commission. He also noted that the city staff would begin their United Way campaign soon and urged participation.

Commissioner Brennan noted several outstanding academic achievements and awards recently announced by the EGR High School: the EGR High School was named the top Class B school in Michigan for the State Merit Scholarship; 17 students qualified as finalists (equivalent to 10% of the class) for the National Merit Finalists; and the perfect ACT score earned by Dan Wohns.

Commissioner Bartman asked staff to continue working with residents on Hall Street regarding their concerns about the newly designed intersection. She also reported that students at the High School had raised over \$1,000 in the last week for victims of the terrorist attacks and commended them for their efforts.

Commissioner Kremers asked staff to prepare an official welcome proclamation for the Bible Way Outreach Ministries.

2002-88. Bartman-Kremers. Motion to enter into an executive session to discuss pending litigation and collective bargaining in accordance with Sections 8(c) and 8(e) of the Open Meetings Act. A roll call vote was taken.

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

Nays: -0-

Commissioner Brennan departed.

2002-89. The meeting recessed at 8:15 p.m. to conduct the Executive Session. The meeting resumed at 9:06 p.m.

- 2002-90. Consideration of a request to approve a collective bargaining agreement with the Command Unit of the Police Officers Labor Council.
- 2002-91. Lawless-Bartman. That a collective bargaining agreement with the Command Unit of the Police Officers Labor Council effective July 1, 2000 through June 30, 2003 be approved as outlined.

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

City Manager Donovan and Commissioner Lawless thanked the members of the negotiating teams from both the City staff and the Command Union for their work on resolving this contract issue so quickly.

- 2002-92. The regular meeting adjourned at 9:09 p.m. subject to the call of the Mayor until October 1, 2001.

Karen K. Brower, City Clerk

Building Inspector Conley noted that a similar request had been approved in May 1980. Following that approval, only the concrete slab was installed. The remainder of the garage was never built and the variance expired after one year. The applicant is now requesting a renewal of the variance.

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

2002-98-A.Lawless-Bartman. That the request of Eric Doerfer of 2236 Estelle to allow the construction of a detached garage approximately 1'-0" from the side lot line instead of the required 3'-0" be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-99. Consideration of a request to award contracts for property and liability insurance.

Finance Director VanderWall reviewed the bidding process and the bids that were received. She explained that there were two important changes to the insurance coverages for the upcoming term. First, liability for sewer back-up claims is no longer available because of recent court decisions. It is recommended that the City establish a reserve to pay these claims in the future. Second, the consulting firm is recommending that certain coverages be switched from a "date of occurrence" basis to a "date of claim" basis. Ken Beres of Ken Beres Consulting Inc. was present to explain the difference in coverages and answer questions from the City Commission. He felt that the savings outweighed the potential liability for the limited categories affected by this change. Doug Kniewick of Arthur J. Gallagher Company was also present to explain the coverages and answer questions.

Gene Williams, 2143 Lansing, was present and questioned whether the amount placed in reserve was sufficient to pay the claims that might arise following very heavy rainfall event. City Manager Donovan explained that the amount would be reviewed each year during the budget process.

2002-99-A.Brennan-Lawless. That a contract for property liability coverage be awarded to Arthur J. Gallagher Company at an annual cost of \$110,456, and that a reserve be established in the amount of \$100,000 to be used for sewer back-up liability claims.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-100. Consideration of a request to approve Wealthy Pool designs.

Recreation Aquatic Supervisor Welscott reviewed the designs for the renovation of Wealthy Pool and explained the changes made after review with the Parks & Recreation Commission and several citizen groups who use the pool. Dave Messner of URS Corporation was also present to review the updated cost estimates and answer questions.

2002-100-A. Bartman-Shimko. That the preliminary plans as designed by URS Corporation for the Wealthy Pool renovations be approved as submitted, and that URS Corporation be authorized to proceed with final design documents and bid specifications.

Commissioner Lawless asked that the Parks & Recreation Commission be given an opportunity to review the final plans for any input or suggestions the members may have.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-101. Consideration of a request to approve a right-of-way agreement with MCI Metro.

2002-101-A. Bartman-Lawless. That a right-of-way agreement between the City of East Grand Rapids and MCI Metro be approved as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-102. Mayor Frey announced that the Stage Boosters group would be having a meeting on October 9th to discuss the new performing arts center; she asked for a City Commissioner to attend that meeting and relay information. Mayor Frey noted that the Kent County Commission is seeking volunteers for various advisory boards and urged everyone to pass this information along to anyone interested. Bibleway Outreach Ministries held their formal dedication on Saturday, September 22nd. The Mayor issued a proclamation in honor of their celebration.

Commissioner Kremers reported that the Traffic Commission would be reviewing sample criteria for a comprehensive traffic-calming program and will be reporting back to the City Commission soon. He also reminded all commissioners about the joint City Commission/Planning Commission meeting on Monday, October 8th at 7:00 p.m.

Commissioner Bartman stated that she was very pleased with the final look and feel of Breton Road. She has heard many positive comments from commuters and residents. She also noted that the renovations are complete at the Woodcliff Administration Building and that she was very impressed with the improvements made. She also noted a recent experience with the animal shelter and humane society with a lost dog and asked staff to review the arrangements with lost and found pets to see if the communication could be improved.

Commissioner Bartman reported that she and Mayor Frey had recently attended the funeral of Doris “Chris” VanAllsburg who served on the East Grand Rapids City Commission from 1968-1972. Ms. VanAllsburg was also instrumental in the early development of the Gaslight Village business district and the founder of the Jersey Junction business. Commissioner Bartman suggested that the City work with the merchants association to create a lasting memorial to Chris VanAllsburg, perhaps in the form of a garden in Gaslight Village.

Commissioner Barbour noted that Herb Remien, another former City Commissioner, had also died recently.

Commissioner Lawless reported that he and his family had used the boat launch at Collins Park this weekend and were very pleased with the new design. He also reported hearing many positive comments about the Breton Road design.

2002-103. The regular meeting adjourned at 9:09 p.m. subject to the call of the Mayor until October 15, 2001.

Karen K. Brower, City Clerk

Attachments: A – Right-Of-Way Agreement with MCI Metro

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

CITY OF EAST GRAND RAPIDS
PROCEEDINGS OF THE JOINT MEETING
BETWEEN THE
PLANNING COMMISSION AND CITY COMMISSION

Special Meeting Held October 8, 2001

The meeting was called to order by Mayor Frey at 7:08 p.m. in the City Commission Chambers at City Hall.

City Commissioners

Present: Commissioners Barbour, Bartman, Brennan, Lawless, Shimko and Mayor Frey

Planning Commissioners

Present: Commissioners Bogo, Davis, Dills, Faichney, Peterson, Seibold and Chairperson Graham

Others Present:

City Attorney Huff; City Manager Donovan; City Services Director Baragar; City Clerk Brower

- 2002-104. Mayor Frey opened the meeting by welcoming those present for this joint meeting. Chairperson Graham reported that the purpose of the special meeting was to review a request by residents of the Belvedere/ Edgemere/Lake Pointe neighborhoods to address concerns about the size of buildable lots in their area.
- 2002-105. City Attorney Huff reviewed the lot size and setback requirements for the city's three residential zoning districts. He noted that the Planning Commission and City Commission had studied this issue in 1994 but decided against making changes following public hearings where residents asked that no changes be made. He stated that there were disadvantages to creating another zoning district or changing the requirements of existing districts, including the fact that many lots would become non-conforming and would then be subject to additional restrictions when changes were made to these properties. City Attorney Huff answered questions from the commissioners on various aspects of the ordinances, State laws, and possible solutions.

City Services Director Baragar reported that a preliminary review of the lot sizes in this area indicated that several residences in this neighborhood would become non-conforming if the lot size requirements were changed significantly.

Commissioner Lawless suggested evaluating whether this area be changed to be included in the A-1 District which already has larger lot size requirements.

Chairperson Graham proposed a review of all vacant lots in the city to see if there were other clusters of open space that may need similar protection. City Attorney Huff noted that in addition to currently vacant land, redevelopment of large lots may become an issue in the future.

Carl Reid of 519 Edgemere and Judy Zinser of 2044 Lake Pointe were present to reiterate their request to protect their neighborhood from additional homes that do not meet the character of the neighborhood.

Commissioners Lawless and Peterson recognized that expansion and redevelopment in compliance with the existing zoning ordinance and in character with the neighborhood can positively impact the neighborhood and tax base.

Chairperson Graham summarized that the members of the Planning Commission and the City Commission would like to research this issue further and asked staff to begin preparing a specific analysis of this area and a general analysis of other vacant lots in East Grand Rapids. The Planning Commission will begin working on this in the months ahead and will make a recommendation to the City Commission when finished. Public input sessions will be held during this process.

- 2002-106. The special meeting adjourned at 8:27 p.m

Karen K. Brower, City Clerk

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held October 15, 2001

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

Present: Commissioners Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Parks & Recreation Director Bunn; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Public Safety Lieutenant Radakovitz; Public Safety Lieutenant Lark; Public Safety Lieutenant Williams; Public Safety Sergeant Buikema; Public Safety Officer Doxtader; Public Safety Officer Kenyon; Public Safety Officer Perez; Public Safety Officer Asher; Public Safety Officer Olney; City Clerk Brower

2002-107. The minutes of the regular meeting held October 1, 2001 were received as submitted.

2002-108. Mayor Frey advised of the following communications received at City Hall:

- C. Thank You note from Jay Shimko for the food basket sent after a recent surgery.
- D. Thank You card from Library Manager Cathy Clair for the floral arrangement and support following her recent surgery.
- E. Letter from West Michigan Strategic Alliance announcing a public presentation of their purpose and goals on October 30th from 4:30 to 6:30 p.m.

2002-109. No public comment was received.

2002-110. Lawless-Bartman. That payroll disbursements in the amount of \$142,930.95; county and school disbursements in the amount of \$173,012.50; and total remaining disbursements in the amount of \$264,314.49, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 6
Nays: -0-

Commissioner Barbour arrived.

2002-111. Chief Gallagher presented PSO Brent Doxtader with lifesaving award pins for his quick response and medical care to an East Grand Rapids resident after a fall. Mrs. Amy Doxtader pinned the award on her husband's uniform. PSO Scott Kolster also received the award although he was not present. The officers are credited with saving the resident's life because of their care.

Steve & Debbie Locke were present to thank Officers Doxtader and Kolster for their assistance and commend the Public Safety Department for their dedication to the residents of East Grand Rapids.

2002-112. Chief Gallagher announced the promotion of Sgt. Brian Williams to the position of Lieutenant effective October 4, 2001. Mrs. Joanna Williams was present to pin the new bars on her husband's uniform.

2002-113. Introduction of an ordinance amendment to Section 2.41 of Chapter 23 of Title II concerning the sanitary sewer lateral connection to the sanitary sewer main.

City Attorney Huff reviewed the ordinance provisions and answered questions from the City Commission. Commissioner Lawless asked that the revised sewer policy also be presented to the City Commission

when it is finalized. Mayor Frey asked staff to communicate to the residents through newsletter articles and inserts in new resident packets the importance of maintaining the pipes connecting their homes to the sewer system. Commissioner Bartman suggested notifying the plumbing contractors in the area about the East Grand Rapids regulations that differ from other cities so that they can pass this information to their customers.

2002-113-A. Bartman-Kremers. That an ordinance amendment to Section 2.41 of Chapter 23 of Title II concerning the sanitary sewer lateral connection to the sanitary sewer main be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-114. Consideration of a request to approve an appointment to the Library Commission.

2002-114-A. Shimko-Kremers. That Barbara Ludlow of 671 Manhattan be appointed to the Library Commission to fill a vacant term ending June 30, 2001.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-115. Consideration of a request to allow staff to seek donations for landscaping beds at Collins Park.

Parks & Recreation Director Bunn explained that previous landscaping projects within the city had been obtained for lower prices in exchange for recognition of the firm donating portions of the project and asked for permission to again work with local contractors for planting beds at Collins Park.

The Commissioners agreed that these projects needed to be reviewed on an individual basis because of the size and scope variations and suggested a letter of understanding between the contractor and the city to avoid misunderstandings. Commissioner Shimko stated that recognition in such a public place in East Grand Rapids was very desirable and urged staff to work with vendors to get the best arrangement for the City.

2002-115-A. Lawless-Barbour. That a budget amendment of up to \$2,000 be approved and that, as an alternative, staff be authorized to solicit donations in exchange for an appropriate one-year recognition for the design, materials and/or installation of landscaping beds at Collins Park.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-116. Consideration of a request to award a contract for the annual tree planting program.

2002-116-A. Bartman-Shimko. That a contract be awarded to Landscape Design Services of Holland in the amount of \$10,530.00 for the annual tree planting program.

Commissioner Lawless noted that this year's tree planting program allowed residents the option to pay the additional cost to plant a larger tree than the standard size if they chose to.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-117. The preliminary minutes of the Traffic Commission meeting held September 7, 2001 were received.

2002-118. The preliminary minutes of the Parks & Recreation Commission meeting held September 10, 2001 were received.

Parks & Recreation Director Bunn gave a progress report on the construction at Collins Park.

2002-119. The Public Safety Department Report for the month of August 2001 was received.

2002-120. The Public Safety Department Report for the month of September 2001 was received.

2002-121. The City Services Department Report for the month of August 2001 was received.

Commissioner Lawless asked the City Services Department for a year-end report on the chemical treatment applied to Reeds Lake this year. This report should be available by the end of November.

2002-122. Mayor Frey thanked all of the staff members who are currently working on improving the City's Emergency Operations Plan to make sure the community members are safe in the event of any manmade or natural disasters.

Commissioner Barbour reported that he attended a meeting of the Stage Boosters last week to discuss the new performing arts center at the high school. The group has many plans for the future of the theater and he felt it would be a great addition to the community.

Commissioner Bartman asked that the City of East Grand Rapids take a more active role in working with officials of the Spectrum Health Blodgett campus in light of recent reports of changes that may be made to this facility over the next several years. She stated that the hospital and its services were a great asset to the community and hoped to work with the hospital to maintain these benefits. Commissioner Bartman also congratulated everyone involved in this year's great homecoming parade last week. She also reported that City Manager Donovan had participated in a program on healing racism in the community and thanked him for his dedication and leadership to the city in this respect.

Commissioner Kremers asked staff to look at the traffic light at Boston and Breton because of a burned out yellow light. He also reported speaking with resident Jerry Subar of 2605 Hampshire about his concern about the traffic calming measures introduced on Breton Road this year. Mr. Subar felt the turning radius on several intersections was too small.

Commissioner Kremers thanked the residents of East Grand Rapids for participating in the Public Safety Department's campaign to raise money for the victims of the events of September 11, 2001. More than \$17,000 was raised in only a few short days.

Commissioner Shimko thanked every member of the Public Safety Department for their dedication to the safety and security of our community and stated that many residents had a new appreciation for law enforcement and firefighting personnel in the recent weeks.

City Manager Donovan reported that the program he attended on healing racism was very valuable experience and thanked the Commission for the opportunity to attend.

2002-123. Bartman-Shimko. Motion to enter into an executive session to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act. A roll call vote was taken.

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

Nays: -0-

2002-124. The regular meeting adjourned at 8:28 p.m. subject to the call of the Mayor until November 5, 2001.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment regarding connections to sanitary sewer.

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 5, 2001

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

Present: Commissioners Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Parks & Recreation Director Bunn; Deputy Public Safety Director Spencer; Streets & Utilities Sup't Keating; Building Inspector Conley; City Clerk Brower

2002-125. The minutes of the special meeting held October 8, 2001 and the regular meeting held October 15, 2001 were received as submitted.

2002-126. Jim Koetje, candidate for the new 86th Michigan House of Representatives District, was present to introduce himself and to familiarize himself with issues in the East Grand Rapids area.

2002-127. Lawless-Barbour. That payroll disbursements in the amount of \$146,900.00; county and school disbursements in the amount of \$78,219.37; and total remaining disbursements in the amount of \$880,965.36, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2002-128. Final Reading of an ordinance amendment to Section 2.41 of Chapter 23 of Title II concerning the sanitary sewer lateral connection to the sanitary sewer main.

City Attorney Huff summarized the change to the ordinance and noted that this amendment clarified the ordinance and eliminated any non-conformity with the long-standing city policy regarding the responsibility for this connection.

2002-128-A. Bartman-Kremers. That an ordinance amendment to Section 2.41 of Chapter 23 of Title II concerning the sanitary sewer lateral connection to the sanitary sewer main be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Bartman reiterated that this was not a change in the City's policy on handling these types of connections but rather a further step to ensure that the ordinance matched the City's policy to avoid any confusion. She also stated that the connection to the city's sewer line could not be maintained by City crews and therefore places the responsibility for the repair and maintenance on the property owner who has access to the connection.

Commissioner Lawless confirmed additional rationale for the ordinance including that the homeowner taps into the City line with the "Y" connection and there is no other logical place up the lateral line to divide the responsibility.

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

Nays: -0-

2002-129. Consideration of a request to adopt a resolution approving the transfer of a Class C liquor license from BJR, Inc. to Josjacanna, Inc. for a new restaurant to be located at 2150 Wealthy Street.

City Clerk Brower explained that the applicant has changed the nature of their request to ask for approval to apply for one of the unissued licenses instead of a transfer of the BJR license. Josjacanna's request for a transfer was denied by the Michigan Liquor Control Commission because the BJR license was issued less than three years ago.

Karie Koster and Chris Perkey, owner and chef of the proposed restaurant, were present to explain the concept for their restaurant, the menu style and the theme. They also answered questions from the City Commissioners about improvements to the building, parking requirements, timelines for opening the business and other issues.

Commissioner Kremers noted that the EGR Public Schools had been notified about the proposed restaurant and it's request for a liquor license and that they had no objections to the granting of the license.

2002-129-A. Bartman-Brennan. That a resolution approving the application of Josjacanna, Inc. for a new Class C liquor license to be used for a restaurant to be located at 2150 Wealthy Street be adopted as set forth in Exhibit "B" attached hereto.

Commissioners Bartman, Lawless and Kremers spoke in favor of granting the liquor license approval and their support of this restaurant concept in the Gaslight Village area.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

Commissioner Kremers left the meeting briefly.

2002-130. A zoning variance hearing was held regarding the request of Damian Walters of 1121 Keneberry Way to allow the construction of an addition to the rear of the home creating a rear yard setback of 24'-0" instead of the required 25'-0."

Building Inspector Conley introduced the variance and answer questions from the City Commission. The applicant was not present at the meeting.

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

2002-130-A. Bartman-Shimko. That the request of Damian Walters of 1121 Keneberry Way to allow the construction of an addition to the rear of the home creating a rear yard setback of 24'-0" instead of the required 25'-0" be approved.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6
Nays: -0-

2002-131. Consideration of a request to approve an amendment to the Urban Cooperation Agreement.

2002-131-A. Bartman-Shimko. That the First Amendment to the Urban Cooperation Agreement concerning the contribution for municipalities not entirely within the utilities service district be approved as set forth in Exhibit "C" attached hereto.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6
Nays: -0-

2002-132. Consideration of a request to adopt a resolution approving a change to the Grand Valley Metro Council Articles of Incorporation

2002-132-A. Bartman-Lawless. That resolutions approving Amendments #28 removing the City of Plainwell and Amendment #29 adding Allendale Township to the Grand Valley Metro Council Articles of Incorporation be adopted as set forth in Exhibits "D" and "E" attached hereto.

Yeas: Barbour, Bartman, Brennan, Lawless, Shimko and Frey – 6
Nays: -0-

Commissioner Kremers returned.

2002-133. Consideration of a request to approve the purchase of patrol vehicles for the Public Safety Department.

2002-133-A. Lawless-Brennan. That the purchase of two Ford Crown Victoria police patrol vehicles from Shaheen Ford Mercury of Portland, Michigan in the amount of \$20,952.00 each, and the installation of police package accessories from Time Emergency Company and Michigan Police Equipment in the amount of \$10,000.00 for a total of \$51,904.00.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-134. Consideration of a request to approve the purchase and installation of electrical equipment for the Edgemere sewer lift station.

2002-134-A. Barbour-Brennan. That the purchase and installation of equipment for sewer lift stations from Alpha-Tran Engineering in the amount of \$21,712.00 and from Ada Electric in the amount of \$4,850.00 for a total of \$26,552.00 be approved.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-135. Lawless-Bartman. Motion to add to the agenda a request to approve costs relating to the renovation of an equipment bay at the Public Safety Building. A roll call vote was taken.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-136. Consideration of a request to approve costs relating to the renovation of an equipment bay at the Public Safety Building.

2002-136-A. Kremers-Bartman. That the remodeling of the ladder truck equipment bay at the Public Safety Building to accommodate the new ladder truck be approved from various contractors at a cost not-to-exceed \$6,700.00, and that a related budget amendment from the undesignated fund balance be approved for this project.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-137. Mayor Frey reported that the GVMC Model Stormwater Ordinance is being developed and will be brought to a future City Commission meeting for discussion and approval. In addition, the Grand Valley Metro Council's Board meetings will be televised on the local cable channels starting in January. She also noted that the most recent economic slowdown has resulted in proposed cuts to the revenue sharing funds for local governments; therefore the East Grand Rapids revenues may be lower this year than anticipated.

Commissioner Lawless announced that the Crew Club had held an open house at their new boathouse under construction at Collins Park. The boats have been moved into the building and the team is very excited about their storage facility. Commissioner Lawless also noted that the City's general election would be held tomorrow, November 6, 2001, and urged everyone to make their voices heard at the polls.

Commissioner Bartman urged all commissioners to visit a stretch of Tecumseh Street near Burton and Plymouth to view the traffic calming measures installed in that neighborhood and to observe the fact that many drivers are ignoring the efforts to slow vehicles down.

Commissioner Bartman also thanked Commissioner Lawless, Commissioner Shimko and Pat Mulhall on their decision to run for City Commission terms and their dedication to the local government process in East Grand Rapids.

Commissioner Barbour asked for a report on the open house held last week with residents along Hall Street concerning the construction next year. City Manager Donovan stated that there were 12-15 people in attendance who were very positive about the preliminary designs for the construction and that City staff had also been working with Grace Episcopal Church about coordinating work on the church property while the road work was in progress.

Commissioner Shimko encouraged everyone to visit the Woodcliff site to see the progress of the Canepa Tennis Center and the completed playgrounds. He stated that he was very pleased with the work being done and looked forward to seeing the finished product.

2002-138. The regular meeting adjourned at 8:38 p.m. subject to the call of the Mayor until November 19, 2001.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment regarding connections to sanitary sewer.
B – Resolution approving a liquor license for Josjacanna, Inc.
C – First Amendment to Urban Cooperation Agreement.
D – Resolution approving Amendment 28 of GVMC Articles of Incorporation
E – Resolution approving Amendment 29 of GVMC Articles of Incorporation

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 19, 2001

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

Present: Commissioners Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Mayor Frey

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Public Safety Director Gallagher; Finance Director VanderWall; Deputy Public Safety Director Spencer; Streets & Utilities Sup't Keating; Assistant to the City Manager Branyan; City Clerk Brower

2002-139. The minutes of the regular meeting held November 5, 2001 were received as submitted.

2002-140. No public comment was received.

2002-141. Lawless-Barbour. That payroll disbursements in the amount of \$239,821.57; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$494,807.00, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-142. Commissioner Lawless introduced the Webelos Cub Scout Troop from Breton Downs Elementary. He reported that the troop had visited the Streets & Utilities Department earlier in the evening, had learned about voting at City Hall, and were now attending a City Commission meeting. He asked that one of the purchase recommendations on the agenda be moved up so that the scouts could hear the discussion before departing. Mayor Frey agreed to the change in agenda and welcomed the scouts to the City Commission meeting.

2002-143. Consideration of a request to approve the purchase of training equipment for the Public Safety Department.

2002-143-A. Lawless-Bartman. That the purchase of a wrestling mat for self-defense training from Resilite Company in the amount of \$2,505.00 be approved as requested.

Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-

2002-144. Warren Creamer of Robert W. Baird & Co., the City's financial consultant for the bond issue, was present to announce that the City has received a AA+ bond rating from Standard & Poors and Fitch Investor Services for the upcoming sale of bonds for the Wealthy Pool remodeling. Everyone was very pleased with this rating and congratulated Finance Director VanderWall and City Manager Donovan for their work on this project.

2002-145. Eric VanDop of Hoffman Steensma & Plamondon was present to review the FY 2000-01 audited financial statements and answer questions from the City Commission.

2002-146. Dean May of OMM Engineering, the City's consulting engineering firm, was present to review the preliminary designs for the reconstruction of Hall Street during the summer of 2002. He answered questions from the City Commissioners and took input on the design elements.

- Rick Chapla, 2056 Wilshire, was present to comment on the designs. He complimented the engineer's on the improvements for vehicle and pedestrian safety and stormwater runoff. He asked the City to consider sidewalk replacements and additional trees or landscaping during the construction phase to minimize more construction at a later time.
- 2002-147. Consideration of a request to approve an agreement with Kent County for WAN services.
- 2002-147-A. Bartman-Shimko. That the Kent County Systems Access Agreement for the provision of computer database access be approved as set forth in Exhibit "A" attached hereto, and that the payment of \$1,442.00 for costs associated with this agreement be approved.
- Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-
- 2002-148. Consideration of a request to award a contract for bus transportation for the Ski Club season.
- 2002-148-A. Lawless-Shimko. That a contract for bus transportation for the Ski Club 2001-02 season be awarded to Great Lakes Motor Coach Inc. in the amount of \$315 per unit and a show-up charge of \$100 per bus.
- Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-
- 2002-149. Consideration of a request to approve the purchase of office furniture for the Public Safety Department.
- 2002-149-A. Barbour-Bartman. That the purchase of a bookcase and file stand from Custer Office Environments in the amount of \$3,575.00 and a related budget amendment of \$1,700.00 from the Drug Seizure Fund be approved as requested.
- Yeas: Barbour, Bartman, Brennan, Kremers, Lawless, Shimko and Frey – 7
Nays: -0-
- 2002-150. The preliminary minutes of the Traffic Commission meeting held October 5, 2001 were received.
- Commissioner Lawless asked about the status of a report being compiled on the Breton Road project. City Services Director Baragar reported that the report would be ready in December.
- Commissioner Bartman asked about the wooden sign posts at the pedestrian crossing in front of the high school and suggested that the City investigate flashing lights to alert motorists to the crossing.
- 2002-151. The preliminary minutes of the Library Commission meetings held September 18, 2001 and October 22, 2001 were received.
- 2002-152. The preliminary minutes of the Parks & Recreation Commission meeting held October 8, 2001 were received.
- 2002-153. The preliminary minutes of the Joint Facilities Committee meeting held November 1, 2001 were received.
- 2002-154. Mayor Frey congratulated Commissioners Shimko and Lawless on their re-election to the City Commission on November 6, 2001. She also congratulated Patrick Mulhall on winning the First Ward seat. He will be sworn in at the next meeting.
- Mayor Frey invited everyone to attend the annual tree lighting ceremony in Gaslight Village on Friday, November 23rd at 7:00 p.m. There will be hayrides, caroling, and hot chocolate.
- Commissioner Shimko announced that the annual Christmas tree sale to benefit the Athletic Team Boosters would begin soon at Memorial Field.

Commissioner Lawless thanked City Manager Donovan, City Services Director Baragar and Streets & Utilities Superintendent Keating for hosting the Webelos Troop earlier in the evening.

City Manager Donovan announced that the Christmas gathering would be held on December 3rd at Gibson's following the City Commission meeting. He also reported that a video tape of the public television documentary on urban sprawl had been purchased and was available for viewing.

Commissioner Kremers thanked Cindy Bartman for her dedication to the residents of East Grand Rapids and her mentorship during his first two years on the City Commission.

Commissioner Bartman thanked her constituents from Ward 1 for their confidence in her and thanked her fellow commissioners for working together on many difficult issues. She also thanked the city staff and presented gifts to the department directors for all their help and support.

Mayor Frey then read the following poem commemorating Commissioner Bartman's eight years in office:

A Grand Commissioner

November 19, 2001

Commissioner Bartman you have done good deeds
You served your City and the citizens needs.

You know what's under the streets and grounds
You've been with the Chief as he makes his rounds.

You've supported with vigor the crews on the streets
They surely will miss your homemade treats!

We heard your pleas for a skateboard park
So who will continue to make that bark?

You've learned so much in these past eight years
I take off my hat and offer you cheers!

What I treasure most is your ability to share
You are open and honest and I know that you care.

Your knowledge, your history and concern for detail
Helps fellow commissioners resign to not fail.

Five boys, two Pugs and a husband named Casey
You still got to meetings and didn't act crazy.

As you move on to do more good deeds
We are left in this room to follow your creeds.

It has been my privilege to have worked with you
And as we move forward, I will follow your cue.

We'll miss your smile, and laugh and mug in hand
But Cindy, please know you have been just Grand!

All members of the commission and audience then took part in a look back at Commissioner Bartman's tenure. The review was hosted by Streets & Utilities Superintendent Keating and reminisced about many humorous and significant events. The other City Commissioners also offered their thanks, memories and well wishes to her as she leaves office. The meeting adjourned with a round of applause and a standing ovation.

2002-155. The regular meeting adjourned at 9:22 p.m. subject to the call of the Mayor until December 3, 2001.

Karen K. Brower, City Clerk

Attachments: A – Kent County Systems Access Agreement

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 December 3, 2001

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

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

Absent: Commissioners Bartman and Kremers

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Public Safety Director Gallagher; Finance Director VanderWall; Deputy Public Safety Director Spencer; Assistant Parks & Recreation Director Perry; Assistant to the City Manager Branyan; City Clerk Brower

2002-156. The minutes of the regular meeting held November 19, 2001 were received as submitted.

2002-157. No public comment was received.

2002-158. Lawless-Barbour. That payroll disbursements in the amount of \$152,023.68; county and school disbursements in the amount of \$41,224.17; and total remaining disbursements in the amount of \$233,621.46, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: -0-

2002-159. City Clerk Brower administered the oath of office to First Ward Commissioner Patrick Mulhall, Second Ward Commissioner Don Lawless, and Third Ward Commissioner Jack Shimko. The new officials were seated at the commission table.

2002-160. A zoning variance hearing was held regarding the request of the East Grand Rapids Public Schools to allow the placement of a ground sign in front of the Woodcliff Administration building at 2915 Hall Street.

Building Inspector Conley outlined the request and answered questions from the City Commission.

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

2002-160-A. Barbour-Shimko. That the request of the East Grand Rapids Public Schools to allow the placement of a ground sign in front of the Woodcliff Administration building at 2915 Hall Street be approved.

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

Nays: -0-

2002-161. A zoning variance hearing was held regarding the request of Dr. and Mrs. Jay LaBine of 2335 Wilshire to allow the construction of an attached garage and a second floor addition over the garage creating a sideyard setback of 2'-0" instead of the required 7'-0."

Building Inspector Conley noted that a similar request had been approved in May 2000. The addition was never built and the variance expired after one year. The applicant is now requesting a renewal of the variance. City Attorney Huff explained the conditions for granting a renewal of the original variance.

Jay LaBine, 2335 Wilshire, was present to introduce and answer questions about the variance request.

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

2002-161-A. Brennan-Lawless. That the request of Dr. and Mrs. Jay LaBine of 2335 Wilshire to allow the construction of an attached garage and a second floor addition over the garage creating a sideyard setback of 2'-0" instead of the required 7'-0" be approved.

Commissioner Lawless stated his intention to vote in favor of the variance request in light of the fact that there had been no knowledge of a change in the circumstances surrounding this request.

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

2002-162. Consideration of a request approve the division of a lot located at 3188 Bonnell.

Jimmy Jones, 3188 Bonnell, was present and questioned the request. He stated that he purchased the property at 3188 Bonnell within the last month and was unaware of any proposed division of the property in question.

Mary Ann Byam, 1114 Idema, was present and stated that she had purchased the portion of land at the rear of her property in April of 2001 from the previous owner of 3188 Bonnell in order to gain maintenance access to portions of her property.

City Attorney Huff advised that this request be tabled until staff can review the deeds and determine when the split was made and which property owner has the legal right to request the division of the land.

Commissioner Lawless agreed that the request should be tabled until all pertinent information could be collected.

2002-162-A. Lawless-Barbour. That the request allow a portion of 3188 Bonnell to be added to 1114 Idema be tabled until ownership information can be determined.

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

2002-163. Consideration of a request to approve funding for GASB 34 implementation.

Eric VanDop of Hoffman, Steensma & Plamondon, PLC, was present to answer questions from the City Commission on the implementation of the new regulations.

2002-163-A. Shimko-Brennan. That funding not-to-exceed \$4,000.00 be approved to Hoffman, Steensma & Plamondon, PLC, for implementation of GASB 34 financial reporting standards, and that this amount be removed from the budget contingency and made available for this project.

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

2002-164. Finance Director VanderWall presented the quarterly financial reports for the period ending September 30, 2001, and answered questions from the City Commission. She noted that State shared revenues and interest incomes are expected to be lower than originally budgeted and that each City department was reviewing their budgets to make accommodations for the lower revenues.

2002-165. Consideration of a request to adopt resolutions and approve agreements relating to a defined contribution plan for Public Safety Command Unit employees.

2002-165-A. Barbour-Brennan. That resolutions and agreements relating to a defined contribution plan for Public Safety Command Unit employees be adopted as set forth in Exhibit "A" attached hereto.

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

- 2002-166. Consideration of a request to approve a policy regarding background checks of Parks & Recreation Department volunteers.

Commissioner Lawless asked that the written policy be revised to include more details on which volunteers participating in which programs would undergo the background checks. He also asked that provisions be included to ensure that all volunteers covered by the policy were treated equally with regard to having the checks done.

Commissioner Barbour expressed concern that all drug related offenses automatically disqualified volunteers without any consideration for the nature and age of the offense. He felt that each instance should be considered individually and that a minor conviction many years ago should not totally prohibit someone from being involved in some way.

Bill Lewis, 1063 San Lucia, was present and stated that good volunteers are very hard to find and should not always be disqualified from participating if an offense was minor and several years old. He felt that perhaps additional rules could be implemented in certain situations.

- 2002-166-A. Barbour-Brennan. That the request to approve a policy approving background checks for Parks & Recreation Department volunteers be tabled and that staff be asked to incorporate the above suggestions for a more detailed policy for consideration.

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

- 2002-167. Consideration of a request to award contracts for components of the employee flexible benefit plan.

- 2002-167-A. Barbour-Mulhall. That the proposals of ASR Corporation for all flexible benefit administration; and National Insurance Services for life insurance and long-term disability coverages approved as requested.

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

- 2002-168. Consideration of a request to approve the purchase of a thermal imaging unit for the Public Safety Department.

- 2002-168-A. Brennan-Shimko. That the purchase of a thermal imaging unit and related accessories from West Shore Fire Services of Allendale in the amount of \$24,050.00 be approved with the related budget amendment of \$2,550.00 from savings on other purchases.

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

- 2002-169. Consideration of a request to approve the purchase of portable radios for the Public Safety Department.

- 2002-169-A. Barbour-Lawless. That the purchase of four portable radios from T & W Electronics in the amount of \$3,150.00 be approved.

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

- 2002-170. Consideration of a request to approve the purchase of tactical entry vests for the Public Safety Department.

- 2002-170-A. Brennan-Barbour. That the purchase of four tactical entry vests from Michigan Police Equipment in the amount of \$4,540.00 be approved.

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

2002-171. Mayor Frey reported that the Citizen's Task Force is continuing to meet and discuss possible expansion of the library and recreation facilities and that a report is expected in January or February. She also reported on a conference she was attending on the future of downtown areas and noted that libraries are becoming focal points of community activities in many cities around the nation.

All of the other commissioners welcomed Pat Mulhall and offered their assistance if needed.

Commissioner Mulhall thanked everyone for their hospitality and good wishes and stated that he looked forward to working with everyone. He also introduced his wife Erin and children, Nick, Conrad and Frannie and his parents who were present at the meeting.

2002-172. The regular meeting adjourned at 8:19 p.m. subject to the call of the Mayor until December 17, 2001.

Karen K. Brower, City Clerk

Attachments: A – Resolutions for POLC Command Unit Defined Contribution Plan

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

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 17, 2001

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

Present: Commissioners Barbour, Brennan, Kremers, Lawless, Mulhall and Shimko

Absent: Mayor Frey

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Public Safety Director Gallagher; Finance Director VanderWall; Streets & Utilities Superintendent Keating, Building Inspector Conley, Aquatics Supervisor Welscott, Lieutenant Williams, PSO Kolster, PSO Doxtader, PSO Olney, City Clerk Brower

2001-173. The minutes of the regular meeting held December 3, 2001 were received as submitted.

2001-174. No public comment was received.

2001-175. Barbour-Brennan. That payroll disbursements in the amount of \$145,901.00; county and school disbursements in the amount of \$31,489.01; and total remaining disbursements in the amount of \$317,869.11, as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Barbour, Brennan, Lawless and Mulhall – 4

Nays: -0-

Commissioner Shimko arrived.

2001-176.

2001-177. Chief Gallagher presented PSO Scott Kolster with lifesaving award pins for his quick response and medical care to an East Grand Rapids resident after a fall. He and PSO Doxtader are credited with saving the resident's life because of their care. President Lawless presented a certificate of appreciation. Jennifer Kolster attached the award pins on her husband's uniform.

Commissioner Kremers arrived.

2001-178. A zoning variance hearing was held regarding the request of John Amato of 125 Rexford to allow the parking of commercial vehicles in a residential zone outside of an enclosed building.

John Amato, 125 Rexford, outlined the request and answered questions from the City Commission.

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

- Geoff Hughes, 260 Hodenpyl Concerned that he did not receive notice of request.

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

- Doug Chase, 2640 Cascade	Opposed
- Louise Neller, 133 Rexford	In Favor
- Dixie Anderson & Doyle Hayes, 2706 Robinson	Opposed
- Sandy & Dorothy Shank, 141 Rexford	Opposed
- David Torrez, 130 Rexford	Opposed
- John & Tina Dyksma, 2645 Cascade	Opposed
- Donna Bergagnini, 144 Rexford	Opposed
- Robert Parente, 2655 Cascade	Opposed

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

- 2001-369-V. Barbour-Shimko. That the request of John Amato of 125 Rexford to allow the parking of commercial vehicles in a residential zone outside of an enclosed building be approved.

Commissioner Barbour stated that while he sympathized with the applicant's need for vehicle storage, he did not feel that this request met any of the four conditions set forth by the ordinance for granting a variance. He noted that the applicant's business is the cause of the request, neighbors feel it would be a detriment to the area, the applicant's situation is not unique and use of the property would not be hindered if the request is not granted. He felt that granting this variance would set a precedent for other requests that would not be well received by surrounding neighbors. Commissioners Brennan, Kremers and Lawless agreed with Commissioner Barbour's assessment of the issues.

Yeas: -0-

Nays: Barbour, Brennan, Kremers, Lawless, Mulhall and Shimko – 6

- 2001-179. Consideration of a request to adopt a resolution approving changes to the Employee Flexible Benefit Plan document.

- 2001-369-W. Shimko-Barbour. That a resolution approving changes to the Employee Flexible Benefit Plan document be adopted as set forth in Exhibit "A" attached hereto.

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

Nays: -0-

- 2001-180. Introduction of an ordinance amendment to Section 5.24 of Chapter 50 of Title V concerning cellular antenna towers.

City Attorney Huff explained that recent court cases and changes in technology have necessitated an updating of the City's ordinance concerning cellular antenna towers.

President Lawless asked City Attorney Huff to review Section E-5 requiring construction of towers to permit co-location.

- 2001-369-X. Kremers-Brennan. That an ordinance amendment to Section 5.24 of Chapter 50 of Title V concerning cellular antenna towers be introduced as set forth in Exhibit "B" attached hereto and sent to the Planning Commission for review and recommendation.

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

Nays: -0-

- 2001-181. Introduction of an ordinance amendment to add a Chapter 28 to Title II as a Stormwater Ordinance.

City Attorney Huff explained that a committee of municipal representatives from across Kent County had developed the new ordinance exclusively to address storm water issues in response to State and Federal regulations that will go into effect soon. He noted that although East Grand Rapids does not have significant available land for development, the new ordinance would give City officials additional tools when large developments or areas of redevelopment do occur. He also reported that the Grand Valley Metro Council and the Kent County Drain Commission had participated in the development of the ordinance and have now endorsed the proposed ordinance.

President Lawless asked that references be added to explain and protect Reeds Lake and Fisk Lake, and that the maintenance agreement mentioned on page 10 of the proposed agreement be detailed and explained. City Attorney Huff will prepare sample language for these changes and present them to the City Commission for possible inclusion in the final reading of the ordinance.

2001-369-Y. Brennan-Shimko. That an ordinance amendment adding Chapter 28 to Title II as a Stormwater Ordinance be introduced as set forth in Exhibit "C" attached hereto.

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

2001-182. Consideration of a request to approve membership rates for Community Pool and Wealthy Pool.

Geoff Hughes, 260 Hodenpyl, was present to suggest that the City investigate obtaining an installment loan from a local bank instead of issuing bonds and increasing property taxes to pay for the renovations at Wealthy Pool. Finance Director VanderWall answered that the City could not obtain loans for this type of project.

The City Commission discussed the proposed membership rates for the pools. There was concern that the increase in prices would deter some citizens from purchasing memberships. Parks & Recreation Director Bunn was asked to provide interim updates on the status of the pool memberships once the facilities were again operational.

2001-369-Z. Barbour-Brennan. That membership rates for Community Pool and Wealthy Pool be adopted as set forth in Exhibit "D" attached hereto, and that a status report and financial analysis be provided after the pools have been reopened for a one-year period.

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

2001-183. Consideration of a request to ratify the emergency purchase of tires for equipment at the Streets & Utilities Department.

2001-369-AA. Shimko-Barbour. That the purchase of four tires in the amount of \$6,715.65 from Jerry's Tire & Auto Service of Lake Odessa be ratified as requested and that the same amount be transferred from the MERF Fund balance to the MERF Operating Supplies Account for this purchase.

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

2001-184. Consideration of a request to approve assignments of City Commissioners to city boards and committees.

2001-369-BB. Barbour-Kremers. That assignments to city boards and committees be approved as requested by Mayor Frey.

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

2001-185. Consideration of a request to approve an appointment to the Library Commission.

2001-369-CC. Brennan-Kremes. That Mr. Luis Solis of 2258 Audobon be appointed to the Library Commission to fill the vacant position.

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

2001-186. The preliminary minutes of the Parks & Recreation Commission meeting held November 13, 2001 were received.

2001-187. The preliminary minutes of the Traffic Commission meeting held December 3, 2001 were received.

2001-188. The preliminary minutes of the Library Commission meeting held November 26, 2001 were received.

- 2001-189. The City Services Department Report for the month of September 2001 was received.
- 2001-190. The City Services Department Report for the month of October 2001 was received.
- 2001-191. The Public Safety Department Report for the month of October 2001 was received.
- 2001-192. Parks & Recreation Director Bunn noted that Collins Park construction has been completed for the season. The grass will be started and the minor details finished in the spring when weather permits.

Commissioner Lawless asked City Services Director Baragar for a final report at the next meeting on the weed treatment applied to Reeds Lake over the summer season.

Commissioner Barbour asked City staff to work with the School District to have the erosion fencing removed from the shores of Reeds Lake that was put up during the construction and renovations a few years ago.

City Manager Donovan reported that city employees have raised over \$1,000 for local charities through small coffee breaks and luncheons during the holiday season.

Commissioner Mulhall reported that the library staff will be reducing the number of participants in several children's programs at the library because of safety concerns in the cramped space. He also noted that staff is having to make interim repairs by placing duct tape on worn out carpeting to avoid accidents.

Commissioner Shimko wished everyone a happy and safe holiday season and reported that the Athletic Boosters Annual Christmas Tree Sale had been a success.

- 2001-193. The regular meeting adjourned at 8:55 p.m. subject to the call of the Mayor until January 7, 2002.

Karen K. Brower, City Clerk

Attachments: A – Resolution approving changes to Employee Flexible Benefit Plan document
B – Ordinance amendment to Section 5.24 concerning cellular antenna towers
C – Ordinance amendment adding Chapter 28 concerning Stormwater
D – Membership rates for Wealthy Pool and Community Pool

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