

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 3, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems

Absent: None

Also Present: City Manager Allard, Controller & Clerk Justin, Assistant City Manager & City Engineer McMann, Director of Public Safety Gallagher, and City Attorney Huff.

219. The minutes of the meeting held December 19, 1988 were approved as written.

220. Edison-Williamson. That disbursement vouchers in the amount of \$80,294.67, disbursements to forward taxes in the amount of \$611,353.91 and payroll vouchers in the amount of \$77,669.89 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7

Nays: -0-

221. The City Attorney submitted a proposed modification to the City's Ordinance for granting business licenses.

221-A. Williamson-Edison. That the following ordinance be introduced:

AN ORDINANCE  
TO AMEND CHAPTER 71 OF TITLE VII OF THE CODE  
OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Chapter 71 of Title VII of the Code of the City of East Grand Rapids is amended to read as follows:

Chapter 71

LICENSES

Sec. 7.1 License Required.

No person, as owner, agent, manager, employee, or otherwise, shall operate, conduct, maintain or otherwise be engaged in the carrying on of any trade, business, profession, occupation, amusement, activity, or privilege for which any license is required by any provision of this Code without first obtaining a license from the City in the manner provided for herein. Any person duly licensed on the effective date of this Code shall be deemed licensed hereunder for the balance of the current license year.

Sec. 7.2 Multiple Licenses Required.

The granting of a license or permit to any person operating, conducting, maintaining, or otherwise carrying on any trade, profession, business, occupation, amusement, activity or privilege which contains within itself, or is composed of, trades, professions, businesses or privileges which are required by this Code to be licensed, shall not relieve the person to whom such license or permit is granted from the necessity of securing individual licenses or permits for each such trade, profession, business, amusement, or privilege.

Sec. 7.3. State Licensed Businesses.

The fact that a license or permit has been granted to any person by the State of Michigan to engage in the operation, conduct or carrying on of any trade, profession, business, occupation, amusement, activity or privilege shall not exempt such person from the necessity of securing a license or permit from the City if such license or permit is required by this Code. No license required by this Code shall be issued to any person who is required to have a license or permit from the State of Michigan until such person shall submit evidence of having obtained the required state license or permit and having paid all fees appertaining thereto.

Sec. 7.4. License Application

Unless otherwise provided for by law or in this Code, every person required to obtain a license as provided for in this Code shall make application for such license on forms provided or prescribed by the city clerk. The application shall require such information to be provided as will enable the clerk, to determine whether the applicant, if licensed, will serve the public in a fair, honest, safe and competent manner and in compliance with the requirements of this Code and all other applicable federal, state and local laws, ordinances, rules and regulations. The person making application for any license shall state under oath or affirmation that the information provided on such application is true and shall provide such other information relative to the granting of the license or to the applicant's qualifications as the clerk may require. No person shall make a false statement or false representation on any license application or in connection with the application for any license.

Sec. 7.5. License Period.

Except as otherwise herein provided as to certain licenses, the license period shall begin May 1 of each year and shall terminate at midnight on April 30 of the following year. Licenses shall be issued for any part of a license period at the full license fee. License applications for license renewal shall be accepted and licenses issued during this period of fifteen (15) days prior to the annual expiration date. In all cases where the provisions of this Code permit the issuance of licenses for periods of less than

one (1) year, the effective date of such licenses shall be for the period provided on the face of the license by the clerk.

Sec. 7.6. Conditions for Issuance.

No license shall be issued to any applicant until such applicant has complied with all the provisions of this Code.

Sec. 7.7. Agreement by Applicant.

All licenses are issued subject to the following conditions, which shall be noted on the application form:

- (1) The applicant agrees to permit inspection of the licensed premises and/or activity at reasonable times by any properly identified official or employee of the City.
- (2) The applicant agrees to the temporary suspension of the license without prior notice or hearing when, in the judgement of the appropriate officials, such a suspension is necessary to preserve the public health, safety or welfare.
- (3) The applicant agrees that he or she will keep aware of and comply with all applicable federal, state and local law, ordinances, rules and regulations during the term of the license.
- (4) The applicant agrees that he or she will not engage in the licensed trade, business, profession, occupation, amusement, activity or privilege at any time after the license has expired without having been reissued, or at any time when the license is suspended or revoked.
- (5) No license shall be issued unless and until the applicant has paid all personal property taxes assessed him or her and unless the applicant has paid all other debts due and owing to the City.

Each applicant shall sign a statement indicating that he or she has read the foregoing and agrees with its provisions prior to the issuance of any license.

Sec. 7.8. Certification Required.

In each case where the certification by any of the following officials or employees shall be required prior to the issuance of the license by the city clerk, such certification shall be based upon such inspection or investigation as may be deemed appropriate by the official or employee named and shall indicate a determination that the applicable requirements have been complied with. No license shall be granted until the required certification is made.

- (1) Public Safety Director: That the provisions of the fire code and all other applicable regulations and requirements of the City and the State of Michigan relative to fire safety have been complied with and that the criminal history of the applicant, if any, has been

checked and that there is no public in the licensed area in a fair, honest and open manner.

- (2) Health Officer: That all applicable health and sanitary requirements of the city, county and state have been complied with.
- (3) Building Inspector: That the building requirements of this Code and of the State of Michigan have been complied with and that the zoning and other land use provisions of this Code will permit the licensed activity at its proposed location.

#### Sec. 7.9. Bonds.

Where a provision of this Code requires that the applicant for any license or permit furnish a bond, such bond shall be furnished in an amount deemed adequate by the proper city official or, where the amount thereof is specified in this Code, in the amount so required; the form of such bond shall be acceptable to the city attorney. In lieu of a bond, an applicant for a license or permit may furnish one or more policies of insurance in the same amounts and providing the same protection as called for in any such bond; any such policies of insurance shall be approved as to substance by the city official issuing said license or permit and as to form by the city attorney.

#### Sec. 7.10. When Fees Paid.

The fee required by this Code for any license or permit shall be paid at the office of the City Treasurer upon or before the granting of said license or permit.

#### Sec. 7.11. License Renewals.

It shall be the responsibility of all persons engaging in any trade, business, profession, occupation, amusement, activity or privilege required to be licensed to obtain all licenses required by this Code prior to engaging in or continuing in the licensed trade, business, profession, occupation, amusement, activity or privilege. To assist in the renewal of licenses to license holders, the city clerk may send a license renewal application and invoice for the license fee to license holders prior to the end of a license year. Upon receipt of the completed application and the appropriate fee, and after such investigation as he or she deems necessary, the clerk may issue a license for the following year. If a licensee fails to file an application for renewal and/or fails to pay the license renewal fee prior to the expiration of a license year, that application shall be considered to be an application for a new license and compliance with the provisions of Section 7.12 shall be required prior to the granting of a license.

#### Sec. 7.12. Late Renewals.

All fees for the renewal of any license which are not

paid at the time said fee shall be due, shall be paid as late fees with an additional twenty-five percent (25%) of the license fee required for such licenses under the provisions of Chapter 72 for the first fifteen (15) days that such license fee remains unpaid and thereafter the license fee shall be that stipulated for such licenses under Chapter 72, plus fifty percent (50%) of such fee. No new or renewal license shall be issued until such fee shall have been paid.

Sec. 7.13. Exempt Persons.

No license fee shall be required from any person exempt from such fee by state or federal law. Such persons shall comply with all other provisions of this Chapter. The city clerk shall in all such cases issue to such persons licenses which are clearly marked as to said exemption and the reasons therefor.

Sec. 7.14. Suspension or Revocation.

- (1) Any license issued by the city may be suspended or revoked by the city manager for cause as herein defined. Any permit issued by the City may be suspended or revoked by the issuing official for cause as herein defined. In either case, a hearing shall be scheduled to be held by the city manager or the city manager's designee or the issuing official, that a written request for a hearing is filed with the city clerk within five (5) days after receipt of such suspension or revocation. Depending upon the necessity for prompt action, the hearing shall be held in accordance with one of the following provisions.
  - (a) If there is no immediate threat to the public health, safety or welfare, the hearing shall be held to determine whether the license or permit should be suspended or revoked. The holder of the license or permit shall be notified of the time, date and place of the hearing and shall be notified of the reason or reasons for the proposed suspension or revocation. The license or permit holder shall be entitled to be represented by counsel, to submit evidence, to cross-examine testifying witnesses, and to make arguments concerning the factual and legal issues. The hearing officer or body shall render a written decision stating the reasons for the decision within five (5) days.
  - (b) If there is an immediate threat to the public health, safety, or welfare, the license or permit may be suspended prior to the hearing. If a license or permit is suspended prior to the hearing, the hearing shall be commenced as soon as is practical, but in no case more than ten (10) days after suspension. The hearing shall be held to determine whether to terminate or extend the suspension or whether the suspension should be converted into a revocation of the license or permit. The holder of the license or permit shall be notified of the time, date and place of the hearing and shall be notified

of the reason or reasons for the already imposed suspension and for any contemplated future action. The license or permit holder shall be entitled to be represented by counsel, to submit evidence, to cross-examine testifying witnesses, and to make arguments on factual and legal issues. The hearing officer or body shall render a written decision stating the reasons for the decision within five (5) days.

- (2) In any hearing held pursuant to the provisions of this Chapter, the rules of evidence shall be followed as far as practicable. The hearing officer or body may admit evidence of a type commonly relied upon by reasonably prudent people in the conduct of their affairs. Irrelevant, immaterial or unduly repetitious evidence may be excluded. Notice may be taken of facts within the general knowledge of the community.
- (3) Any person dissatisfied with the decision of the city manager or other appropriate hearing officer or body may appeal to the city commission, provided that a written request for such an appeal shall be filed within seven (7) days of the date of the decision to be appealed.

The city commission shall schedule a hearing on the appeal within fifteen (15) days of the receipt of the request for appeal by the city clerk. The hearing shall be scheduled and held before the entire city commission or a committee thereof, as the city commission shall determine. The factual record made in the hearing below shall constitute the basic record for the appeal. Argument as to relevant factual and legal issues shall be permitted. The decision of the city commission shall be by majority vote. The commission may affirm, reverse or modify any action taken relative to a license. The decision of the city commission shall be final.

Sec. 7.15. Cause Defined.

The term "cause" as used in this Chapter shall include the doing or omitting of any act, the permitting of any condition to exist in any trade, business, profession, occupation, amusement, activity or privilege for which a license is provided under the provisions of this Code, or upon the premises or facilities used in connection therewith, which act, omission or condition is:

- (1) Contrary to the health, morals, safety or welfare of the public;
- (2) A violation of any applicable federal, state or local law, ordinance, rule or regulation;
- (3) Unlawful, fraudulent or deceptive in nature;
- (4) Unauthorized or beyond the scope of the license or permit granted;
- (5) An abandonment of the licensed trade, business, profession, occupation, amusement, activity or privilege;

- (6) A failure to communicate with customers regarding complaints.

Sec. 7.16. Issuance of License.

Where proper application is made for a license or permit and the conditions, requirements and prerequisites for the issuance of the license or permit have been met, the license or permit applied for shall be issued by the city clerk, provided that no cause, as that term is defined herein, exists for denial of the license.

Sec. 7.17. Denial of a License.

Where proper application is made for a license or permit and such a license or permit is denied by the city clerk or other issuing person or body, the applicant shall have the right to appeal such a denial. For purposes of this section, denial of a license shall include refusal to issue an original license or refusal to renew or reissue an existing license. Within ten (10) days of notification of denial of a license from the city clerk, an applicant shall file with the city clerk a written notice of appeal. The clerk shall refer a copy of this notice to the city manager. Upon receipt of a notice of appeal, the city clerk shall confer with the city manager or the city manager's designee to set a hearing time as soon as is practical but not later than ten (10) days after the filing of the notice of appeal with the city clerk. The hearing provided for may be conducted by the city manager or the city manager's designee and it shall be conducted as provided for in Section 7.14 except that the issue to be determined is whether the denial of the license was proper. The person conducting the hearing shall render a written decision stating the reasons for the decision within five (5) days.

Sec. 7.18. Exhibition of a License.

Where certain premises are licensed or where a licensed trade, business, profession, occupation, amusement, activity or privilege is carried on at a fixed place or establishment, all licenses shall be conspicuously displayed upon the premises, or at the fixed place or establishment in an area that is open to the public. Where there is no premises, fixed place or establishment, the licensee shall display the license or licenses on his or her person at all times when conducting, carrying on, or otherwise engaging in the licensed trade, business, profession, occupation, amusement, activity or privilege.

Sec. 7.19. Exhibition on Vehicle and Machine.

Each license granted for a vehicle or machine as required under this Code shall include the issuance of a tag, insignia, or sticker which shall be prominently displayed on the vehicle or machine.

Sec. 7.20. Displaying Invalid License and Surrender of Invalid License.

No person shall display any expired license, any license for which a duplicate has been issued, or any license which has been suspended or revoked, nor shall any person display any license which has not been duly and regularly issued to or on behalf of the person displaying it for the trade, business, profession, occupation, amusement, activity or privilege in, at, or for which the license is displayed. It shall be the duty of every licensee or any employee, agent or representative of a licensee to surrender to any properly identified representative of the City, upon demand, any license which is expired, suspended, revoked, altered, amended, modified, changed or damaged or any license for which a duplicate has been issued.

Sec. 7.21. Transfer, Alteration or Misuse of a License.

No license issued under the provisions of this Code shall be transferable or assignable unless specifically authorized by this Code. No person shall transfer or assign or attempt to transfer or assign any license and no person shall receive or attempt to receive a transferred or assigned license. No person shall, except as authorized by the city clerk, write upon, alter, amend, modify, change or damage any license.

Section 2. This Ordinance shall be effective on \_\_\_\_\_ 1989.

Section 3. Notice of adoption of this Ordinance shall be published within ten (10) days after its enactment by publication of the following digest, summary or statement of the purposes of the Ordinance as provided in Chapter VIII, Section 5(2), of the Charter of the City of East Grand Rapids:

Notice of Adoption of Ordinance by The City of East Grand Rapids

Notice is hereby given that the City Commission of the City of East Grand Rapids adopted a revised Chapter 71 of Title VII of the East Grand Rapids City Code entitled "Licenses" on \_\_\_\_\_, 1989. The purpose of the new Chapter is to set forth a procedure for the issuance, suspension, and revocation of licenses issued by the City of East Grand Rapids. The full text of such Chapter is available for inspection by and distributed to the public at the office of the city clerk. No further or additional publication of the new Chapter is required or contemplated.

Dated: \_\_\_\_\_, 1989

Jeffrey A. Justin  
East Grand Rapids City Clerk

Vote on the introduction of the preceding ordinance amendment:

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7

Nays: -0-

222. The City Clerk & Controller presented an informational report concerning FY 90 computer options under consideration for the Public Safety department.

223. Preliminary minutes of Traffic Commission meeting of December 20, 1988 were presented. With regard to the raising of the speed limit on Robinson Road, it was noted that the Kent County Road Commission, not the City of East Grand Rapids, has jurisdiction over that speed limit. Several citizens spoke in opposition to raising the Robinson Road speed limit: Mary Barr, 2150 Robinson Rd.; James and Marylou Conway, 2060 Robinson Rd.; David Hecht, 2020 Robinson Rd.; Richard Mitchell, 2002 Robinson Rd.; Frederick Stiles, 2100 Robinson Rd.; and Richard and Marian VanderVeen, 2050 Robinson Rd.

223-A. Moseley-Mehney. That this Commission recommend that the speed limit on Robinson Road be maintained at its current level, and that a letter, strongly recommending this, be sent to the Kent County Road Commission and County Commissioner Glenn Lorch.

Yeas: Edison, Mehney, Moseley, Williamson, Young, Deems --7

Nays: -0-

223-B. No action being taken by the City Commission, the recommendation of the Traffic Commission to install a "yield" sign on Asbury becomes effective.

224. The City Engineer presented a report on the September 22, 1988 rainstorm evaluating the effectiveness of the City's sewers. The City Manager presented the staff recommendation to deny all claims from the storm presented to date except a total of seven still under study. The City Attorney stated that the instances of flooding were the result of excessive rain, not an intrusion caused by the City. The following persons spoke: Michelle Dolmyer, 2656 Elmwood; Ed Gray, 1115 Lakeside; John Reinartz, 2417 Maplewood; Paul Weirich, 1145 Cambridge; and Attorney Peter Walsh, representing the Dolmyers and the Camerons, 2664 Elmwood.

224-A. Young-Edison. That this Commission deny all claims presented to date as a result of the September 22, 1988 rainstorm excepting those on the streets of Manhattan, Richards, and Albert, which are under further study.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7

Nays: -0-

225. Notice was made of a January 18, 1989 public hearing in Grand Rapids concerning Combined Sewer Overflow \*Control.

226. Notice was made of the January 9, 1989 meeting of the Metro Water and Sewer Study Committee, and minutes of recent meetings were received.

227. There was no public comment by persons in attendance.

228. Com. Moseley reminded citizens to place Christmas trees on the curb without a plastic bag for City pickup by January 15, 1989.

229. The meeting was adjourned, subject to the call of the Mayor, until January 16, 1989.

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City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 16, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mertz, Moseley, Williamson, Young and Mayor Deems  
Absent: Com. Mehney.

Also Present: City Manager Allard, Controller & Clerk Justin, Assistant City Manager & City Engineer McMann, Director of Public Safety Gallagher, Recreation Department Director Rhodes, Recreation Commission Chairperson Janyce Huff, and City Attorney Huff.

219. The minutes of the meeting held December 19, 1988, were approved as written.

220. Young-Edison. That disbursement vouchers in the amount of \$67,132.15, disbursements to forward taxes in the amount of \$1,717,213.31, and payroll vouchers in the amount of \$88,186.08, as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mertz, Moseley, Williamson, Young, Deems --6  
Nays: -0-

221. A hearing was then held on the request of James Bull, 2117 Coronado SE, to install a central air conditioner condensing unit on the west side yard of his residence rather than the rear as required by the Zoning Ordinance. Mr. Bull was present.

221-A. Moseley-Williamson. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by James Bull, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mertz, Moseley, Williamson, Young, Deems --6  
Nays: -0-

222. A hearing was then held on the request of David Sobota, 861 Pinecrest SE, to construct a new residence on the vacated Maplewood Street, east of Kingswood Street off Cascade Road, to within fifteen feet of Maplewood's center line rather than sixty-three feet as required by the Zoning Ordinance. Mr. Sobota was present.

222-A. Mertz-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by David Sobota.

222-B. Mertz-Williamson. That the approval of this variance be contingent upon entering into an agreement for City's right-of-way for utilities.

222-C. Moseley-Edison. That this variance be tabled until the next meeting in order to determine what arrangements need to be made with regard to the City's right-of-way for utilities.

A roll call vote was taken.

Yeas: Edison, Moseley, --2  
Nays: Mertz, Williamson, Young, Deems --4

222-D. A vote was then taken on the amendment regarding the right-of-way.

Yeas: Edison, Mertz, Moseley, Williamson, Young, Deems --6  
Nays: -0-

222-E. A vote was then taken on the main motion, as amended.

Yeas: Mertz, Moseley, Williamson, Young, Deems --5  
Nays: Edison --1

223. Recreation Director Rhodes presented a special-event application for the City-sponsored Reeds Lake Run, scheduled for June 10, 1989.

223-A. Moseley-Young. That this Commission approve the special-event permit application for the Reeds Lake Run to be held June 10, 1989.

Yeas: Edison, Mertz, Moseley, Williamson, Young, Deems --6  
Nays: -0-

224. City Attorney Huff presented the modification to the License Ordinance which was introduced at the last meeting.

224-A. Edison-Young. That the proposed modification to the License Ordinance, summarized as follows, be approved with the effective date of January 27, 1989.

Notice of Adoption of Ordinance by  
the City of East Grand Rapids

Notice is hereby given that the City Commission of the City of East Grand Rapids adopted a revised Chapter 71 of Title VII of the East Grand Rapids City Code entitled "Licenses" on January 16, 1989. The purpose of the new Chapter is to set forth a procedure for the issuance, suspension, and revocation of licenses issued by the City of East Grand Rapids. The full text of such Chapter is available for inspection by and distribution to the public at the office of the City Clerk. No further or additional publication of the new Chapter is required or contemplated.

Jeffrey A. Justin  
City Clerk & Controller

Yeas: Edison, Mertz, Moseley, Williamson, Young, Deems --6  
Nays: -0-

225. The City Attorney submitted a proposed modification to Chapter 73 of the City Code, concerning transient merchants.

225-A. Williamson-Edison. That the following ordinance be introduced:

AN ORDINANCE  
TO AMEND CHAPTER 73 OF TITLE VII OF THE CODE  
OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Chapter 73 of Title VII of the Code of the City of East Grand Rapids is amended to read as follows:

Chapter 73

TRANSIENT MERCHANTS

SEC. 7.35. Definitions.

As used in this chapter, the phrase "transient merchant" shall mean any "canvasser," "peddler," "solicitor," or "hawker" as defined herein below:

(1) "Canvasser" shall mean "solicitor" as herein defined.

(2) "Peddler" means any person who travels by foot, wagon, vehicle or other conveyance, from place to place, house to house, or street to street, carrying, conveying or transporting goods, wares and merchandise, displaying, offering and exposing the same for sale or lease with option to purchase or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale or lease with option to purchase from a wagon, vehicle, conveyance, stand, temporary structure or any building which is occupied or leased for a period of thirty (30) days or less per year.

(3) "Solicitor" means any person who travels either by foot, wagon, vehicle, or other conveyance, from place to place, house to house, or street to street, taking or attempting to take orders for the sale of goods, wares and merchandise, books or magazines, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed, whether or not such a person has, carries or exposes for sale a sample of the subject of such sale or whether such person is collecting advance payments on such sales or not, and such definition shall include any person who, for himself, or for another person, hires, leases, uses or occupies any building, structure, tent, boat, lodging house, apartment, shop, or any other place within the City for the sole purpose of exhibiting samples and taking orders for future delivery. The word "solicitor" shall include the word "canvasser."

(4) "Hawker" means any person who offers goods, property or services for sale in the streets, highways, thoroughfares or public rights-of-way of the City by crying out, signals, music or other noise.

(5) "Person" means an individual, corporation, or partnership.

SEC. 7.36. License and Identification Card Required.

No person shall engage in the business of being a transient merchant without first having obtained a license therefor. No such license shall be granted except upon certification of the Director of Public Safety, as provided in Section 7.8 of this Code, and upon satisfaction of other requirements and conditions as set forth herein. Each transient merchant shall be required to obtain from the City a transient merchant identification card, and shall pay such fees as required for the furnishing thereof. Such identification card shall be conspicuously displayed at all times while any person is engaging in the business of being a transient merchant.

**SEC. 7.37. Bonds.**

The City Clerk shall determine whether the nature of the business to be conducted under such license requires that a bond be furnished for the protection of the City or the public and may require the posting of a bond with sureties satisfactory to the City in an amount, to be determined by the City Clerk in accordance with a schedule of fees adopted by the City Commission.

**SEC. 7.38. License Application.**

Persons desiring a license as provided for in this chapter shall file an application pursuant to Chapter 71 of the City Code.

**SEC. 7.39. License Fee.**

The fees for a license pursuant to the provisions of this chapter shall be as specified in Chapter 72 of this Code.

**SEC. 7.40. Fixed Stands Prohibited.**

No person or transient merchant shall stop or remain in any one location in any street, alley or public place within the City to conduct business as a transient merchant except to make a sale to a bona fide customer and for only as long as is necessary to make a sale to a bona fide customer wishing to engage in a transaction.

A transient merchant using a vehicle shall place the vehicle parallel to and within twelve (12) inches of the curb when stopped and shall depart from such place immediately after he or she has completed sales with bona fide customers actually present.

**SEC. 7.41. Prohibited Areas.**

No person or transient merchant shall obstruct any street, alley, sidewalk or driveway except as may be necessary and reasonable to consummate a sale to a bona fide customer wishing to exchange in a transaction.

Business shall be transacted in such a manner that customers of or traders with transient merchants do not congregate, occupy or stand within the limits of any street, lane, highway, alley or public place within the City.

No person or transient merchant shall remain, barter, sell, offer or expose for sale any goods, wares or merchandise adjacent to any property against the wish or desire of the property owner or the tenant or occupant of such property nor within 500 feet of the entrance of any school building between the hours of 8:00 a.m. and 5:00 p.m. on the days when school is in session nor on those portions of streets on which a public park abuts. No person shall engage in the business of being a transient merchant on any street, alley or public place after having been requested to desist by any public safety officer of the City because of congested or dangerous traffic conditions.

**SEC. 7.42. Practices Prohibited.**

No transient merchant shall, while in any public place, shout or cry out his or her goods or merchandise, nor blow any horns, ring any bell, broadcast or play any sound, or use any other similar device to attract the attention of the public in a loud or offensive manner.

No transient merchant shall appear at any dwelling or residence without an appointment except between the hours of 9:00 a.m. and 8:00 p.m. on any day of the week. No transient merchant shall appear without an appointment at any dwelling or residence where a sign is displayed stating "no peddlers, no solicitors, no salesmen, no trespassing," or words of similar import or meaning.

**SEC. 7.43. Indebtedness to the City.**

No license shall be granted to any person owing any personal property taxes or other indebtedness to the City, or who contemplates using any personal property on which personal property taxes are owing, in the operation of being a transient merchant.

**SEC. 7.44. Exempt Persons.**

The following persons shall be exempt from Sections 7.36, 7.37, 7.38, 7.39 and 7.43 of this chapter, but shall be subject to all other sections of this chapter.

(1) Any person under 18 years of age, when engaged in the business of being a transient merchant on foot in the neighborhood of his or her residence under the direct supervision of any school or recognized charitable organization, religious organization or nonprofit organization.

(2) Any person exempt from the licensing requirements of this chapter by virtue of state or federal law.

(3) Persons licensed as food establishments by the County Health Department.

(4) Any person who is the duly authorized representative or agent of any church, charitable, educational, fraternal or nonprofit organization, and who is seeking funds or membership or contacting members or electors.

**SEC. 7.45. Rules and Regulations.**

The City Manager shall promulgate and may amend, from time to time, rules and regulations to be followed to insure compliance with the provisions of this chapter. Such regulations shall include, but not be limited to, hours and methods of operation, and the manner of compliance with the requirements of this chapter. Such rules and regulations and any changes therein shall be filed with the City Commission. Unless reversed or modified by the City Commission at the first meeting after such filing with the City Commission, the rules and regulations shall take effect immediately after said first meeting of the City Commission.

**SEC. 7.46. Violations; Penalty.**

Upon a violation of any provision of this Chapter, including any rule or regulation promulgated pursuant to Section 7.46, the City may seek criminal prosecution and

may seek legal and/or equitable relief in a court of competent jurisdiction. Any person who shall violate any provision of this Chapter shall be guilty of a misdemeanor punishable by a fine not exceeding Five Hundred Dollars (\$500) or by imprisonment not exceeding ninety (90) days or both such fine and imprisonment. Each day that a violation occurs or continues shall constitute a separate offense.

Section 2. This Ordinance shall be effective on \_\_\_\_\_, 1989.

Section 3. Notice of adoption of this ordinance shall be published within ten (10) days after its enactment by publication of the following digest, summary or statement of the purposes of the ordinance as provided in Chapter VIII, Section 5(2) of the Charter of the City of East Grand Rapids:

Notice of Adoption of Ordinance by  
the City of East Grand Rapids

Notice is hereby given that the City Commission of the City of East Grand Rapids adopted a revised Chapter 73 of Title VII of the East Grand Rapids City code entitled "Transient Merchants" on \_\_\_\_\_, 1989. The purpose of this new chapter is to provide for the regulation and licensing of persons who act as transient merchants within the City of East Grand Rapids. The full text of such chapter is available for inspection by and distribution to the public at the office of the City clerk. No further or additional publication of the new chapter is required or contemplated.

Dated: \_\_\_\_\_, 1989

\_\_\_\_\_  
Jeffrey A. Justin  
East Grand Rapids City Clerk

Vote on the introduction of the preceding ordinance amendment:

Yeas: Edison, Mertz, Moseley, Williamson, Young, Deems --6  
Nays: -0-

226. The City Controller presented a memorandum recommending that the City fund early payments prior to June 30 for street construction by transferring the needed amount to the Major and Local street funds.

226-A. Edison-Young. That the transfer of funds from the General to the Major and Local Street funds take place to cover payments on street construction before June 30, with a budget recommendation to be received at the time of bidding and an amount then to be approved for transfer as needed.

Yeas: Edison, Mertz, Moseley, Williamson, Young, Deems --6  
Nays: -0-

227. A memorandum from the Engineering Department was received, comparing actual project costs for each 1988 project to estimated cost at time of bidding. At a total of \$490,248.04, actual cost is \$17,841.96 below estimated cost.

228. The Chairperson of the Recreation Commission, Janyce Huff, presented her Commission's report, East Grand Rapids Recreational Facilities Plan. A variety of facilities were recommended, along with cost figures for construction and operation, with some of those facilities recommended to be voted upon by the citizens.

229. Preliminary minutes of the Recreation Commission meeting of December 21, 1988 were received.

230. Preliminary minutes of the Metropolitan Water and Sewer Study Committee meeting of December 19, 1988 were received.

231. The Building Inspection Report for the month of December, 1988 was received.

232. The Public Safety Report for the month of December, 1988 was received.

233. There was no public comment by persons in attendance.

234. The meeting was adjourned, subject to the call of the Mayor, until February 6, 1989.

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City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 6, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Williamson, Young and Mayor Deems.  
Absent: Com. Moseley.

Also Present: City Manager Allard, Controller & Clerk Justin, Assistant City Manager & City Engineer McMann, Director of Public Safety Gallagher, and City Attorney Huff.

235. The minutes of the meeting held January 16, 1989, were approved as written.

236. Williamson-Young. That disbursement vouchers in the amount of \$317,208.86, disbursements to forward taxes in the amount of \$1,144,007.21, and payroll vouchers in the amount of \$86,484.18, as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

237. A hearing was then held on the request of George and Michelle Slikkers, 1901 Argentina SE, to install a central air conditioner condensing unit on the east side yard of their residence rather than the rear as required by the Zoning Ordinance. Mr. & Mrs. Slikkers were present.

237-A. Williamson-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by George and Michelle Slikkers, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

238. A hearing was then held on the request of Erwin L. Fitzgerald, 945 Plymouth SE, to install a central air conditioner condensing unit on the north side of his residence rather than the rear as required by the Zoning Ordinance. Ms. Ann Fitzgerald was present.

238-A. Williamson-Young. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Erwin L. Fitzgerald, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

239. A hearing was then held on the request of Alfred B. Swanson MD, 2945 Bonnell Ave., SE, to build a single-stall garage with a setback five feet from the west property line, rather than a ten-foot setback as required by the Zoning Ordinance. Dr. Swanson was present.

AN ORDINANCE TO AMEND SECTION 7.32  
OF CHAPTER 72 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 7.32 of Chapter 72 of Title VII of the Code of the City of East Grand Rapids is amended to read as follows:

Section 7.32 Fees for licenses.

Fees for licenses shall be as herein prescribed for the business, trade, occupation or privilege to be licensed:

Animal show license (Section 7.82)	\$10.00
Bicycles (Section 10.42)	No charge
Boat marina (Section 3.212), annual fee	10.00
Bowling alley (Section 7.72), annual fee	25.00
Dance hall or studio (Section 7.77):	
Per day	10.00
Annual fee	25.00
Electricians and electrical contractors (Section 8.4, 2708.0)	
Annual Fee	25.00
Registration	5.00
Exhibitions, shows, etc. (Section 7.82):	
Pay day	5.00
Annual fee	25.00
Filling station (Section 7.61), annual fee	25.00
Lawn contractors (Section 7.86), annual fee	25.00
Poolroom (Section 7.72), annual fee	25.00
Rooming house (Section 8.96), annual fee	10.00
Show license (Section 7.81)	10.00
Snow removal contractor (Section 7.90), annual fee:	
First vehicle	25.00
Each additional vehicle	10.00
Theaters (Section 7.83), annual fee	25.00
Transient merchants (Section 7.36):	
Per day	10.00
Annual Fee	25.00
Waste Hauler (Section 2.5), annual fee	25.00

Section 2. This ordinance shall be effective on March \_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Proceedings of the City of East Grand Rapids Commission  
Regular Meeting Held February 6, 1989

240. Mehney-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Alfred B. Swanson.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

241. The City Controller presented the regular financial reports for the quarter ended December 31, 1988: Cash & Securities by Fund, Investment Type, and Institution; General Fund Balances; and Budget Performance Grand Summary Report.

242. The City Manager presented a memorandum recommending the purchase of a personal computer and printer for the Engineering Department, to be fully compatible with the City's IBM Computers, noting that \$5,500 was budgeted for this equipment.

242-A. Young-Edison. That the bid from IBM be accepted for the purchase of personal computer equipment for the City Engineering department in the amount of \$3,481.50.

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

243. The City Controller presented a memorandum recommending the renewal for a new plan year of the City's service agreement with Risk Control, Inc. for self-insured employee health-care, medical and dental. In regard to re-insurance, the amount for specific stop-loss will increase to \$25,000, and the City will terminate aggregate stop-loss insurance. Administration fees will not change.

243-A. Young-Williamson. That the City renew its health care contract with the third party administrator, Risk Control, Inc., for the plan year to end January 31, 1990 under the proposed terms.

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

244. The City Attorney presented the following proposed ordinance amendments:

AN ORDINANCE TO REPEAL CHAPTER 74 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Chapter 74 of Title VII of the Code of the City of East Grand Rapids is hereby repealed.

Section 2. This ordinance shall be effective on March \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

AN ORDINANCE TO REPEAL CHAPTER 75 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Chapter 75 of Title VII of the Code of the City of East Grand Rapids is hereby repealed.

Section 2. This ordinance shall be effective on March \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Proceedings of the City of East Grand Rapids Commission  
Regular Meeting Held February 6, 1989

244-A. Edison-Williamson. That Chapter 74 of the City Code be repealed in favor of the ordinance amendment to Chapter 73 already introduced.

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

244-B. Edison-Williamson. That Chapter 75 of the City code be repealed in favor of the ordinance amendment to Chapter 73 already introduced.

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

244-C. Edison-Mehney. That the ordinance amendment to Section 7.32 of Chapter 72 of the City Code be introduced.

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

245. City Engineer McMann presented a report on storm drain improvement, estimating that the fifteen prioritized projects will cost \$3,564,300 in total. Highest in priority without regard to cost is reconstruction of existing trunk storm drains in the Burchard area, estimated at \$551,200. Second highest is the addition of catch basins at Hall Street at Lake Grove at \$21,300. In public comment, Robert Brady, 1441 Breton, asked if the City could enforce disconnections of house footing-drains which carry storm runoff to the sanitary sewer; City Engineer stated that past attempts showed enforcement to be impractical.

246. Mayor Deems led a discussion of the Recreation and Athletic Facilities Plan. The five facilities being considered are: Manhattan sports fields, outdoor swimming pool, a boardwalk, a multi-purpose building, and an outdoor ice rink. The City Controller presented a memo on election dates with implications for recreation-plan proposals to be presented to voters.

246-A. Mertz-Edison. That an election be held to determine citizen approval for constructing certain recreation facilities on a date to be chosen later, the date to fall between the first available election date and June 12, 1989.

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

247. Recommendation was made to approve a special event application for the Clothesline Art Festival scheduled for June 24, 1989.

247-A. Edison-Mertz. That this Commission approve the special event application for the Clothesline Art Festival scheduled for June 24, 1989.

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

248. A memorandum was presented which recommends an amendment to the City's street lighting contract with Consumers Power Company for system additions at various locations.

248-A. Williamson-Mertz. That this Commission approve the installation of additional street lights on Beechwood Drive in the 2600 and 2700 block; and that this Commission table proposed additional street lights in the alley between Rosewood and Gladstone.

Proceedings of the City of East Grand Rapids Commission  
Regular Meeting Held February 6, 1989

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

249. The City Manager presented an informational memo notifying of his intention to solicit bids for budgeted energy-conservation at City Hall, namely the replacement of all glass with insulated glass and the installation of an insulated roofing system.

250. The City Manager presented a notice of Michigan Municipal League's Annual Legislative Conference scheduled for March 22, 1989 in Lansing.

251. The City Manager presented a notice of a public hearing to be held February 7, 1989 by the Plaster Creek Drainage Board.

252. Minutes of the EGR Community Action Council meeting of January 4, 1989 were received.

253. Preliminary minutes of the Joint Facilities Committee meeting of January 11, 1989 were received.

254. Preliminary minutes of the Recreation Commission meeting of January 17, 1989 were received.

255. Preliminary minutes of the Traffic Commission meeting of January 17, 1989 were received.

256. There was no public comment from persons in attendance.

257. Commissioner Mertz commended Recreation Director Rhodes for an excellent job hosting the Michigan Parks and Recreation Conference currently being held in Grand Rapids.

258. Edison-Williamson. That this Commission go into executive session pursuant to section 8.E of the Open Meetings Act to discuss pending litigation with the City Attorney.

A roll-call vote was taken:

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

259. The meeting was adjourned, subject to the call of the Mayor, until February 20, 1989.

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City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 20, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Moseley, Mertz, Williamson, Young and Mayor Deems.  
Absent: None

Also Present: City Manager Allard, Controller & Clerk Justin, Director of Public Safety Gallagher, Recreation Director Rhodes, City Attorney Huff, and Recreation Commission Chairperson Jan Huff.

260. The minutes of the meeting held February 20, 1989, were approved as written.

261. Edison-Williamson. That disbursement vouchers in the amount of \$122,052.82, disbursements to forward taxes in the amount of \$155,566.69, and payroll vouchers in the amount of \$76,842.33, as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

262. A hearing was then held on the request of Thomas K. and Deborah M. Ankney, 2000 Hall SE, to install a central air conditioner condensing unit on the north side yard of their residence rather than the rear as required by the Zoning Ordinance. Mr. Ankney was present.

262-A. Mehney-Young. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Thomas K. and Deborah M. Ankney, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

263. A hearing was then held on the request of William and Sally Rothwell, 2546 Frederick SE, to install a central air conditioner condensing unit on the west side of their residence rather than the rear as required by the Zoning Ordinance. Mr. Rothwell was present.

263-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by William and Sally Rothwell, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

264. A hearing was then held on the request of William and Sally Rothwell, 2546 Frederick SE, to build an addition on the east side of the residence to come within four feet of the east property line rather than to maintain a side yard at least ten feet wide as required by the Zoning Ordinance. Mr. Rothwell was present.

264-A. Edison-Mehney. That this Commission, acting as the Board of Zoning

Proceedings of the City of East Grand Rapids Commission  
Regular Meeting Held February 20, 1989

Appeals, grant the variance requested by William and Sally Rothwell.  
Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

265. The City Attorney presented a letter and proposed ordinance amendment concerning residential picketing.

265-A. Williamson-Mehney. That the following ordinance amendment to prohibit residential picketing be introduced:

AN ORDINANCE TO AMEND  
THE CODE OF THE CITY OF EAST GRAND RAPIDS  
BY ADDING A NEW SECTION, WHICH NEW SECTION  
SHALL BE DESIGNATED AS SECTION 9.52(54) OF CHAPTER 93  
OF TITLE IX OF SAID CODE

The City of East Grand Rapids ordains:

Section 1. Section 9.52 of Chapter 93 of Title IX of the Code of the City of East Grand Rapids is amended by adding thereto sub-section (54) as follows:

"(54) Engage in picketing before or about the residence or dwelling of any individual in the City of East Grand Rapids. For purposes of this section, 'picketing' means the act of walking, standing, sitting, jogging, running, or other similar activity by any person, whether or not such person is carrying, holding or displaying a placard, sign, banner, badge or other similar item, before or about the residence or dwelling of any individual with the general purpose of expressing or conveying a message to the individual or others, persuading or influencing the individual or others regarding a particular matter or matters, or protesting any particular matter or matters."

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

266. The City Attorney recommended that the proposed ordinance amendments to Chapters 72, 73, 74, and 75, already introduced, be adopted.

266-A. Williamson-Mertz. That the following amendment to Chapter 72 be adopted:

AN ORDINANCE TO AMEND SECTION 7.32  
OF CHAPTER 72 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 7.32 of Chapter 72 of Title VII of the Code of the City of East Grand Rapids is amended to read as follows:

Section 7.32 Fees for licenses.

Fees for licenses shall be as herein prescribed for the business, trade, occupation or privilege to be licensed:

Animal show license (Section 7.82)	\$10.00
Bicycles (Section 10.42)	No charge
Boat marina (Section 3.212), annual fee	10.00
Bowling alley (Section 7.72), annual fee	25.00
Dance hall or studio (Section 7.77):	
Per day	10.00
Annual fee	25.00

Proceedings of the City of East Grand Rapids Commission  
Regular Meeting Held February 20, 1989

Electricians and electrical contractors (Section 8.4, 2708.0)	
Annual Fee	25.00
Registration	5.00
Exhibitions, shows, etc. (Section 7.82):	
Pay day	5.00
Annual fee	25.00
Filling station (Section 7.61), annual fee	25.00
Lawn contractors (Section 7.86), annual fee	25.00
Poolroom (Section 7.72), annual fee	25.00
Rooming house (Section 8.96), annual fee	10.00
Show license (Section 7.81)	10.00
Snow removal contractor (Section 7.90), annual fee:	
First vehicle	25.00
Each additional vehicle	10.00
Theaters (Section 7.83), annual fee	25.00
Transient merchants (Section 7.36):	
Per day	10.00
Annual Fee	25.00
Waste Hauler (Section 2.5), annual fee	25.00

Section 2. This ordinance shall be effective on March \_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

266-B Moseley-Edison. That the following amendment to Chapter 73 be adopted:

AN ORDINANCE  
TO AMEND CHAPTER 73 OF TITLE VII OF THE CODE  
OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Chapter 73 of Title VII of the Code of the City of East Grand Rapids is amended to read as follows:

Chapter 73

TRANSIENT MERCHANTS

SEC. 7.35. Definitions.

As used in this chapter, the phrase "transient merchant" shall mean any "canvasser," "peddler," "solicitor," or "hawker" as defined herein below:

(1) "Canvasser" shall mean "solicitor" as herein defined.

(2) "Peddler" means any person who travels by foot, wagon, vehicle or other conveyance, from place to place, house to house, or street to street, carrying, conveying or transporting goods, wares and merchandise, displaying, offering and exposing the same for sale or lease with option to purchase or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale or lease with option to purchase from a wagon, vehicle, conveyance, stand, temporary structure or any building which is occupied or leased for a period of thirty (30) days or less per year.

(3) "Solicitor" means any person who travels either by foot, wagon, vehicle, or other conveyance, from place to place, house to house, or street to street, taking or attempting to take orders for the sale of goods, wares and merchandise, books or magazines, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed, whether or not such a person has, carries or exposes for sale a sample of the subject of such sale or whether such person is collecting advance payments on such sales or not, and such definition shall include any person who, for himself, or for another person, hires, leases, uses or occupies any building, structure, tent, boat, lodging house, apartment, shop, or any other place within the City for the sole purpose of exhibiting samples and taking orders for future delivery. The word "solicitor" shall include the word "canvasser."

(4) "Hawker" means any person who offers goods, property or services for sale in the streets, highways, thoroughfares or public rights-of-way of the City by crying out, signals, music or other noise.

(5) "Person" means an individual, corporation, or partnership.

#### SEC. 7.36. License and Identification Card Required.

(1) Except as provided in section 7.44 below, no person shall engage in the business of being a transient merchant without first having obtained a license. No such license shall be granted except upon certification of the Director of Public Safety, as provided in Section 7.8 of this Code, and upon satisfaction of other requirements and conditions as set forth herein. Each licensed transient merchant shall be required to obtain from the City a transient merchant identification card, and shall pay such fees as required for the furnishing thereof. Such identification card shall be conspicuously displayed on his/her person at all times while any person is engaging in the business of being a transient merchant.

(2) Any person who carries on or engages in the activities of a transient merchant but is exempt from licensing pursuant to Section 7.44 shall conspicuously display on his/her person a card or tag which identifies the person by name and the organization which the person represents.

#### SEC. 7.37. Bonds.

The City Clerk shall determine whether the nature of the business to be conducted under such license requires that a bond be furnished for the protection of the City or the public and may require the posting of a bond with sureties satisfactory to the City in an amount, to be determined by the City Clerk in accordance with a schedule of fees adopted by the City Commission.

SEC. 7.38. License Application.

Persons desiring a license as provided for in this chapter shall file an application pursuant to Chapter 71 of the City Code.

SEC. 7.39. License Fee.

The fees for a license pursuant to the provisions of this chapter shall be as specified in Chapter 72 of this Code.

SEC. 7.40. Fixed Stands Prohibited.

No person or transient merchant shall stop or remain in any one location in any street, alley or public place within the City to conduct business as a transient merchant except to make a sale to a bona fide customer and for only as long as is necessary to make a sale to a bona fide customer wishing to engage in a transaction.

A transient merchant using a vehicle shall place the vehicle parallel to and within twelve (12) inches of the curb when stopped and shall depart from such place immediately after he or she has completed sales with bona fide customers actually present.

SEC. 7.41. Prohibited Areas.

No person or transient merchant shall obstruct any street, alley, sidewalk or driveway except as may be necessary and reasonable to consummate a sale to a bona fide customer wishing to exchange in a transaction.

Business shall be transacted in such a manner that customers of or traders with transient merchants do not congregate, occupy or stand within the limits of any street, lane, highway, alley or public place within the City.

No person or transient merchant shall remain, barter, sell, offer or expose for sale any goods, wares or merchandise adjacent to any property against the wish or desire of the property owner or the tenant or occupant of such property nor within 500 feet of the entrance of any school building between the hours of 8:00 a.m. and 5:00 p.m. on the days when school is in session nor on those portions of streets on which a public park abuts. No person shall engage in the business of being a transient merchant on any street, alley or public place after having been requested to desist by any public safety officer of the City because of congested or dangerous traffic conditions.

SEC. 7.42. Practices Prohibited.

No transient merchant shall, while in any public place, shout or cry out his or her goods or merchandise, nor blow any horns, ring any bell, broadcast or play any sound, or use any other similar device to attract the attention of the public in a loud or offensive manner.

No transient merchant shall appear at any dwelling or residence without an appointment except between the hours of 9:00 a.m. and 8:00 p.m. on any day of the week. No

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 6, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems.

Absent: None

Also Present: City Manager Allard, Controller & Clerk Justin, Plant Engineer and Building Inspector Baragar, City Attorney Huff, Engineer Jeff Kocsis.

280. The minutes of the meeting held February 20, 1989, were approved as written.

281. Young-Williamson. That disbursement vouchers in the amount of \$115,876.70, disbursements to forward taxes in the amount of \$1,019,075.94 and payroll vouchers in the amount of \$89,793.17 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7

Nays: -0-

282. A hearing was then held on the request of John Stepanchuk, 2022 Hall St. SE, to install a central air conditioner condensing unit on the west side yard of his residence rather than the rear as required by the Zoning Ordinance.

282-A. Mertz-Mehney. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by John Stepanchuk, 2022 Hall St. SE, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Williamson, Deems --5

Nays: Moseley, Young --2

283. Engineer Kocsis presented a memorandum recommending the installation of two additional street lights on Lake Grove Avenue between El Dorado Drive and Hall Street.

283-A. Williamson-Young. That the 1977 contract with Consumers Power Company be amended to include two additional street lights on Lake Grove Avenue between El Dorado Drive and Hall Street.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7

Nays: -0-

284. Com. Williamson presented Notices to Bidders and the Property Committee's recommendation to advertise City-owned properties for sale at the following locations: twelve lots adjacent to the elevated water tower site, one or two lots at the northwest corner of Plymouth and Wealthy, and one possible lot on Ross Court. The following persons spoke in favor of the City retaining the land adjacent to the water tower as public land, rather than offering it for sale as homesites: Mara Fenton, 1741 Vesta Lane; Steven Berger, 1730 Vesta Lane; David Bratchie, 1720 Vesta Lane; and J. Brock Albert, 2720 Berwyck.

284-A. Young-Williamson. That the three parcels recommended by the Property Committee be offered for sale.

A roll-call vote was taken:

Yeas: Edison, Williamson, Young --3  
Nays: Mehney, Mertz, Moseley, Deems --4

284-B. Young-Edison. That the City-owned land at 1725 and 1741 Wealthy be offered for sale and that the Notice to Bidders be approved.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

284-C. Young-Edison. That the City-owned land at 845 Ross Court be offered for sale and that the Notice to Bidders be approved.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

284-D. Williamson-Young. That lots 50 and 51 of the Albert Realtors Hampshire Replat, which are two of twelve City-owned lots adjacent to the water tower, be offered for sale and that the Notice to Bidders be modified accordingly.

A roll-call vote was taken.

Yeas: Edison, Mehney, Williamson, Young, Deems --5  
Nays: Mertz, Moseley --2

284-E. Young-Williamson. That lots 55 through 64 of the Albert Realtors Hampshire Replat, the remaining ten City-owned lots adjacent to the water tower, be offered for sale.

284-F. Moseley-Edison. That the sale of lots 55 through 64 be tabled for two weeks.

Yeas: Edison, Moseley --2  
Nays: Mehney, Mertz, Williamson, Young, Deems --5

284-G. A roll-call vote was taken on the sale of lots 55 through 64 of the Albert Realtors Hampshire Replat (284-E).

Yeas: Williamson, Young --2  
Nays: Edison, Mehney, Mertz, Moseley, Deems --5

285. The City Attorney recommended that the proposed ordinance amendments to Chapter 93, already introduced, be adopted with an effective date of March 17, 1989.

285-A. Williamson-Moseley. That the following amendment to Chapter 93 be adopted as of March 17, 1989:

AN ORDINANCE TO AMEND  
THE CODE OF THE CITY OF EAST GRAND RAPIDS  
BY ADDING A NEW SECTION, WHICH NEW SECTION  
SHALL BE DESIGNATED AS SECTION 9.52(54) OF CHAPTER 93  
OF TITLE IX OF SAID CODE

The City of East Grand Rapids ordains:

Section 1. Section 9.52 of Chapter 93 of Title IX of the Code of the City of East Grand Rapids is amended by adding thereto sub-section (54) as follows:

"(54) Engage in picketing before or about the residence or dwelling of any individual in the City of East Grand Rapids. For purposes of this section, 'picketing' means the act of walking, standing, sitting, jogging, running, or other similar activity by any person, whether or not such person is carrying, holding or displaying a placard, sign, banner, badge or other similar item, before or about the residence or dwelling of any individual with the general purpose of expressing or conveying a message

to the individual or others, persuading or influencing the individual or others regarding a particular matter or matters, or protesting any particular matter or matters."

Section 2. This ordinance shall be effective on March 17, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems -7  
Nays: -0-

286. The City Manager presented a memorandum recommending that the bid of Able Sanitation, the low bidder, be approved for transportation of yard debris and other waste materials.

286-A. Edison-Young. That this Commission approve the bid of Able Sanitation at \$80.00 per container and that a contract be awarded to Able Sanitation for the transportation of yard debris and other waste materials.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

287. The City Manager presented the City Engineer's summary of recommended street construction projects for the summer of 1989. Com. Williamson presented a memorandum from the Streets, Sidewalks, Trees, and Parks Committee (SSTP) recommending projects for street construction. The City Manager presented the recommendations for storm-drainage. Recommended storm-drainage and street construction projects total \$695,700.

287-A. Williamson-Mertz. That the recommended projects be approved for developing advertisements for bidding.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

288. The City Manager presented a memorandum from Plant Engineer Baragar recommending that the bids of Arrow Roofing Company and of Varano Glass, the low bidders be approved for budgeted energy enhancements to City Hall.

288-A. Williamson-Edison. That the bids of Arrow Roofing Company of \$5,974 and Varano Glass of \$22,718 be approved for the budgeted energy enhancements to City Hall, and contracts be awarded to Arrow for installation of a new roofing system and to Varano for replacement of glass and frames with insulated glass.

Yeas: Edison, Mehney, Moseley, Williamson, Young, Deems --6  
Nays: Mertz --1

289. The City Manager presented a memorandum from Plant Engineer Baragar recommending that the bid of Kentwood Office Furniture, the low bidder, be approved for supplying office furnishings for the lower level of the municipal offices.

289-A. Moseley-Young. That the bid of Kentwood Office Furniture of \$14,000 be approved and that a contract be awarded to Kentwood Office Furniture for supplying office furnishings for the lower level of the municipal offices.

Yeas: Edison, Mehney, Moseley, Williamson, Young, Deems --6  
Nays: Mertz --1

290. The City Manager presented the Plant Engineer's memorandum recommending bids for approval for construction of offices below the deck on the north end of the Municipal Offices in conjunction with the lower-level renovation project.

290-A. Moseley-Young. That the recommended bids of Hardman Construction Inc., \$19,800, of Rapid Construction, \$14,092, and of Dennis Rottman, \$3,860 - all the low bidders -- be approved and that contracts be awarded to Hardman for installing pilings, to Rapid Construction for grade beams and slab work, and to Dennis Rotman for exterior wall construction.

A roll-call vote was taken:

Yeas: Moseley, Young, Deems --3

Nays: Edison, Mehney, Mertz, Williamson --4

290-B. Mertz-Young. That this Commission reconsider the issue of approving the recommended bids.

Yeas: Edison, Mehney, Mertz, Moseley Young, Deems --6

Nays: Williamson --1

290-C. Moseley-Young. That this Commission approve the low bids as recommended for the construction of offices in conjunction with the lower-level renovation project.

A roll-call vote was taken.

Yeas: Mehney, Mertz, Moseley, Young, Deems --5

Nays: Edison, Williamson --2

291. Mayor Deems moderated continuing discussion of the Recreation and Athletic Facilities Plan. The following persons spoke in favor of constructing the facilities: Boyd Griswold, 2330 Argentina; Allan Emmons, 2226 Anderson; Stephen Wentworth, 1417 Sherwood; Richard Drieborg, 1961 Hall; Michael Sebastian 1910 ElDorado. The following persons spoke against constructing the facilities: John Sullivan and Pam Sullivan, 709 Cardinal; Jonathan Damon, 940 Gladstone; William Darooge, 958 Pinecrest; Stephen Turner, 844 Cambridge.

291-A. Edison-Mehney. That a proposal to approve the recreation facilities be included on the ballot of the September 12th election.

Yeas: Edison --1

Nays: Mehney, Mertz, Moseley, Williamson, Young, Deems --6

291-B. Moseley. That a special election for the approval of the recreation facilities be held June 12, 1989.

The motion failed for lack of a second.

291-C. Williamson. That the proposed recreation facilities be built from proceeds of regularly collected taxes.

The motion failed for lack of a second.

292. Preliminary minutes of the Library Commission meeting of January 26, 1989 were received.

293. Preliminary minutes of the Joint Facilities Committee meeting of February 15, 1989 were received.

294. Preliminary minutes of the Recreation Commission meeting of February 15, 1989 were received.

295. Preliminary minutes of the Traffic Commission meeting of the Traffic Commission meeting of February 21, 1989 were received.

296. There was no other comment by persons in attendance.

297. That this Commission convene in executive session pursuant to section 8.e. for the purpose of discussing settlement of pending litigation with the City Attorney.

transient merchant shall appear without an appointment at any dwelling or residence where a sign is displayed stating "no peddlers, no solicitors, no salesmen, no trespassing," or words of similar import or meaning.

SEC. 7.43. Indebtedness to the City.

No license shall be granted to any person owing any personal property taxes or other indebtedness to the City, or who contemplates using any personal property on which personal property taxes are owing, in the operation of being a transient merchant.

SEC. 7.44. Exempt Persons.

The following persons shall be exempt from Sections 7.36(1), 7.37, 7.38, 7.39 and 7.43 of this chapter, but shall be subject to all other sections of this chapter.

(1) Any person under 19 years of age, when engaged in the business of being a transient merchant on foot in the neighborhood of his or her residence under the direct supervision of any school or recognized charitable organization, religious organization or nonprofit organization.

(2) Any person exempt from the licensing requirements of this chapter by virtue of state or federal law.

(3) Persons licensed as food establishments by the County Health Department.

(4) Any person who is the duly authorized representative or agent of any church, charitable, educational, fraternal or nonprofit organization, and who is seeking funds or membership or contacting members or electors.

SEC. 7.45. Rules and Regulations.

The City Manager shall promulgate and may amend, from time to time, rules and regulations to be followed to insure compliance with the provisions of this chapter. Such regulations shall include, but not be limited to, hours and methods of operation, and the manner of compliance with the requirements of this chapter. Such rules and regulations and any changes therein shall be filed with the City Commission. Unless reversed or modified by the City Commission at the first meeting after such filing with the City Commission, the rules and regulations shall take effect immediately after said first meeting of the City Commission.

SEC. 7.46. Violations; Penalty.

Upon a violation of any provision of this Chapter, including any rule or regulation promulgated pursuant to Section 7.46, the City may seek criminal prosecution and may seek legal and/or equitable relief in a court of competent jurisdiction. Any person who shall violate any provision of this Chapter shall be guilty of a misdemeanor punishable by a fine not exceeding Five Hundred Dollars (\$500) or by imprisonment not exceeding ninety (90) days or both such fine and imprisonment. Each day that a violation occurs or continues shall constitute a separate offense.

Proceedings of the City of East Grand Rapids Commission  
Regular Meeting Held February 20, 1989

Section 3. Notice of adoption of this ordinance shall be published within ten (10) days after its enactment by publication of the following digest, summary or statement of the purposes of the ordinance as provided in Chapter VIII, Section 5(2) of the Charter of the City of East Grand Rapids:

Notice of Adoption of Ordinance by  
the City of East Grand Rapids

Notice is hereby given that the City Commission of the City of East Grand Rapids adopted a revised Chapter 73 of Title VII of the East Grand Rapids City code entitled "Transient Merchants" on \_\_\_\_\_, 1989. The purpose of this new chapter is to provide for the regulation and licensing of persons who act as transient merchants within the City of East Grand Rapids. The full text of such chapter is available for inspection by and distribution to the public at the office of the City clerk. No further or additional publication of the new chapter is required or contemplated.

Dated: \_\_\_\_\_, 1989

Jeffrey A. Justin  
East Grand Rapids City Clerk

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

266-C Edison-Young. That the following amendment to Chapter 74 be adopted:

AN ORDINANCE TO REPEAL CHAPTER 74 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Chapter 74 of Title VII of the Code of the City of East Grand Rapids is hereby repealed.

Section 2. This ordinance shall be effective on March \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Moseley, Williamson, Young, Deems --6  
Nays: Mertz --1

266-D Edison-Williamson. That the following amendment to Chapter 75 be adopted:

AN ORDINANCE TO REPEAL CHAPTER 75 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Chapter 75 of Title VII of the Code of the City of East Grand Rapids is hereby repealed.

Section 2. This ordinance shall be effective on March \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Proceedings of the City of East Grand Rapids Commission  
Regular Meeting Held February 20, 1989

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

267. Recreation Director Rhodes submitted a tabulation of bids for T-shirts, for the Recreation Department, recommending that the contract be awarded to John Edward Sales, the low bidder.

267-A. Young-Edison. That the bid of John Edward Sales of \$3,526.40 be accepted, and a contract for T-shirts be awarded.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

268. Mayor Deems moderated continuing discussion of the Recreation and Athletic Facilities Plan. The City Manager presented a schedule of construction and operating costs for the various proposed facilities. The City Controller presented a schedule of projected costs from selling bonds to finance construction. Director Rhodes recommended deferring the decision to construct the Manhattan Site Improvements and the Reeds Lake Boardwalk, so that the potential for state or federal funding could be further investigated. Recreation Commission Chairperson Jan Huff stated her Commission's recommendation that the ballot for the proposed election on or before June 12, 1989 not include those two facilities. Com. Edison said that deed restrictions on the Middle-School property and the intentions of EGR Schools for that property should be known before proceeding.

268-A. Williamson-Edison. That the proposed ballot not include Manhattan Site Improvements and the Reeds Lake Boardwalk until state and federal funding for these facilities is known.

A roll-call vote was taken:

Yeas: Edison, Mertz, Williamson, Deems --4  
Nays: Mehney, Moseley, Young --3

268-B. Edison-Moseley. That the remaining facilities -- Outdoor Swimming Pool, Multipurpose Center, and Outdoor Mechanical Ice Rink -- also be delayed from being proposed to electors until funding for the Manhattan Site and the Boardwalk is known.

A roll-call vote was taken:

Yeas: Edison, Mertz, Moseley --3  
Nays: Mehney, Young, Williamson, Deems --4

268-C. Edison. That the Multipurpose Center be removed from the proposed ballot.

The motion failed for lack of a second.

269. Com. Williamson presented the recommendations of the Property Committee drafted by the Controller that staff develop bid specifications for the City to sell certain of its properties: twelve lots adjacent to the City's elevated water-storage tank subject to the creation of a special-assessment district, one or two lots at 1741 Wealthy subject to a drainage easement, one lot at the south end of Ross Court, and several lots on Beechwood west of Lake Drive subject to standards for storm drainage; the Beechwood lots may take as long as six months for the development of such standards. David Bratschie, 1720 Vesta Lane, recommended that the land by the water tower and other significant properties be retained by the City due to the scarcity of opportunities to acquire public land within East Grand Rapids.

269-A. Edison-Young. That staff pursue the development of bid specifications for the sale of the recommended properties and present these bid advertisements to the Commission for approval.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

Proceedings of the City of East Grand Rapids Commission  
Regular Meeting Held February 20, 1989

270. A memo was presented with a schedule of tentative apportionments of cost for the study of the Plaster Creek Drainage District.
271. Com. Williamson presented a memorandum concerning progress on the Mass Burn Incinerator and the necessity for recycling due to the projected cost of disposal. Com. Williamson requested that the City Manager investigate opportunities for recycling, and Mayor Deems requested the City Manager to report on this to the Commission in April.
272. January 9, 1989 minutes of the Metropolitan Water and Sewer Study Committee were received.
273. The Right Place Program Update and its Executive Director's letter were received.
274. The January, 1989 Building Inspection Report was received.
275. The January, 1989 Public Safety Report was received.
276. There was no public comment by persons in attendance.
277. Com. Moseley suggested that citizens inquire if any bicycle belonging to them may be among the many bicycles currently held at the Public Safety Department.
278. Young-Edison. That this Commission go into executive session pursuant to section 8.E of the Open Meetings Act to discuss pending litigation with the City Attorney.
- A roll-call vote was taken:
- Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems —7  
Nays: -0-
279. The meeting was adjourned, subject to the call of the Mayor, until March 6, 1989.

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City Clerk

A roll-call vote was taken:

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: --0

298. The meeting was adjourned subject to the call of the Mayor until  
March 20, 1989.

\_\_\_\_\_  
City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 20, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems.  
Absent: None

Also Present: City Manager Allard, Assistant City Manager & City Engineer McMann, Controller & Clerk Justin, Donnalyann Engstrom of the Kent Co. Resource Recovery Program, County Commissioner Glenn Lorch and City Attorney Huff.

297. The minutes of the meeting held March 6, 1989, were approved as written.

298. Williamson-Young. That disbursement vouchers in the amount of \$130,075.75 disbursements to forward taxes in the amount of \$17,822.24 and payroll vouchers in the amount of \$91,223.48 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

299. Mayor Deems moderated discussion on the recreation facilities. James White, bond counsel of Mika, Meyers, Beckett & Jones, presented a letter, schedules of costs, sample resolutions, and sample ballot proposals, all concerning the proposed construction of three recreation facilities: a swimming pool, an outdoor ice rink and a community center. Com. Mehney and Com. Edison recommended that a committee such as the Finance Committee assemble plans for the facilities as well as costs. Boyd Griswold, 2330 Argentina stated that he prefers combining the facilities into a single proposal. Jan Huff, Rec. Commission. Chairperson, stated that a plan had been prepared placing all facilities at Manhattan Rec. area.

299-A. Edison-Mehney. That an election for approval of the construction of proposed recreation facilities be held, not on June 12, 1989 or before, but on September 12, 1989 at the time of the City's regular biennial election.

A roll-call vote was taken:

Yeas: Edison, Mehney, Mertz and Deems --4  
Nays: Moseley, Williamson, Young --3

299-B. Moseley-Young. That each recreation facility be presented to the voters as a separate ballot proposal.

299-C. Williamson. That the motion to vote on each facility separately be tabled.

The motion failed for lack of a second.

299-D. Vote on the previous motion that each recreation facility be presented to voters as a separate ballot proposal.

A roll-call vote was taken:

Yeas: Moseley and Young --2  
Nays: Edison, Mehney, Mertz, Williamson and Deems --5

300. The City Manager presented a packet of material concerning the proposed settlement of a lawsuit against the City over a special-use permit for parking on land adjacent to Breton Village Mall. Scott Stuart, on behalf of Breton Village, outlined history and plans for a settlement: the parking lot would have a twenty-foot greenbelt with the remaining replatted area to be developed as single-family homes. Representatives of WBDC described landscaping and lighting details. The following spoke questioning the settlement plan or in opposition to it: Don Hondorp, 2221 Burton; Joe White, 1761 Breton; Dan Bylenga, 2546 Berwyck; Peg Pengelly, 1766 Breton; Kurt VanderWeele, 2546 Norfolk; Greg Noskey, 2611 Norfolk; Bob Scripsema, 1742 Breton; Glen Anderson, 2444 Berwyck; Toby Dolinka, 1720 Conlon; Gary Leggett, 1824 Rosemont; Ben Rudolf, 2560 Berwyck; Bill McDonagh, 1746 Conlon; Susan MacCardini, 2452 Berwyck; and George Snyder, 2425 Berwyck. Mayor Deems recommended that staff review all comments and submit recommendations to the Commission at a future date.

301. The City Attorney presented a letter and draft ordinance to allow the Building Inspector to issue appearance tickets.

301-A. Edison-Young. That the following ordinance amendment be introduced:

AN ORDINANCE TO AMEND SECTION 1.103  
OF CHAPTER 2 OF TITLE I  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 1.103 of Chapter 2 of Title I of the Code of the City of East Grand Rapids is amended to read as follows:

"Sec. 1.103 Division of Building Inspection

The division of building inspection shall be a division of the Department of Public Service and shall be headed by the building inspector. This division shall be responsible for the issuance of all permits and inspection of all work done under the provisions of the heating, electrical, plumbing and building codes of the city, the safety inspection of all premises, including structures thereon, and the enforcement of zoning and housing ordinances. The building inspector and the members of his staff shall be authorized to issue and serve appearance tickets with regard to violations of Chapters 50, 80, 81, 82, 83, 84, 85, 86, 87, 91, 96, and 97.

Section 2. This ordinance shall be effective on April \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7

Nays: -0-

302. Donnalynn Engstrom of the Kent Co. Resource Recovery Program presented a draft resolution of support for the County's efforts to secure a Clean Michigan Community Grant.

302-A. Williamson-Edison. That the following resolution of support be adopted:

RESOLUTION  
FOR SUPPORT OF KENT COUNTY'S  
APPLICATION FOR A CLEAN MICHIGAN COMMUNITY GRANT

WHEREAS, Kent County, acting by and through its Board of Public Works, has adopted and implemented a Solid Waste Management Plan, and

WHEREAS, Kent County's goal is to have an integrated total solid waste management system, to which end Kent County has implemented components of the Solid Waste Management Plan including a sanitary landfill, a municipal waste-to-energy recovery facility, household hazardous waste programs, and programs for education and financial support for recycling of solid waste; and

WHEREAS, as part of Kent County's goal to develop an integrated total solid waste management system, Kent County proposes to apply to the State of Michigan for a Clean Michigan Community Grant under Public Act 328 of 1988 to implement and build acceptance recycling and composting waste management options; and

WHEREAS, rules regulating Clean Michigan Community Grants require commitments from the affected local units of government to enact local ordinances or formal policies that require all of the following:

- (a) Procurement of recycled materials and products by specific dates, including target levels for purchasing re-refined oil, retreaded tires, recycled paper, plastic, glass, aluminum, or compost;
- (b) Mandatory separation of waste materials for recycling;
- (c) A prohibition on the burning of leaves and yard waste in conjunction with the development of a composting program;

- (d) A ban on landfilling leaves and yard waste in conjunction with the development of a composting program; and
- (e) A prohibition on the scavenging of recyclable material; and

WHEREAS, East Grand Rapids strongly supports programs to implement and build acceptance of recycling and composting waste management options for Kent County and wishes to support and encourage Kent County's application for a Clean Michigan Community Grant;

NOW, THEREFORE, BE IT RESOLVED, that East Grand Rapids hereby supports and encourages Kent County to apply for a Clean Michigan Community Grant and commits to adopting ordinances or formal policies that provide for the actions described above if East Grand Rapids is part of the proposed Clean Michigan Community project.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

303. The City Manager presented a memorandum and resolution in support of City's application for State and Federal funding for Boardwalk and Manhattan Site Improvements.

303-A. Edison-Mertz. That the following Resolution of Support be adopted:

RESOLUTION

WHEREAS the East Grand Rapids Recreation Commission has recommended to the city commission that the city construct a boardwalk along Reeds Lake and expand and improve the Manhattan Nature and Athletic Area; and

WHEREAS the Recreation Commission has informed the city commission that state and/or federal grants may be available to assist in the development of these two projects.

NOW, THEREFORE, BE IT RESOLVED that the East Grand Rapids City Commission supports the recommendation from the Recreation Commission of February 15, 1989 to pursue funding for the Reeds Lake Boardwalk and the Manhattan Nature and Athletic Area; and

FURTHER RESOLVED that the City of East Grand Rapids would be willing to undertake the development of these two projects if a grant is awarded for their construction, subject to final review and approval by the city of the terms and conditions of the grant.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

303-B. Moseley-Young. That the Boardwalk and Manhattan Site Improvements be presented to the electorate for approval if funding is granted.

Yeas: Moseley and Young --2  
Nays: Edison, Mehney, Mertz, Williamson and Deems --5

304. A permit application was presented for the City-sponsored Reeds Lake Triathlon which is scheduled for September 9, 1989.

304-A. Mehney-Young. That the permit application for the September 9, 1989 Triathlon be approved.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

305. The City Manager presented a memorandum recommending the purchase of radio equipment in the Public Safety Department for fire trucks.

305-A. Williamson-Young. That the recommended bid of Motorola, Inc., \$4,026.75, the low bidder, be approved and that a contract be awarded to Motorola for the purchase of radio equipment.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

306. A memorandum was presented recommending that the City enter into a contract for portable toilets in various City parks and other locations.

306-A. Mertz-Williamson. That the recommended bid of Jons Portable Toilets, \$4,596.40, the low bidder, be approved and that a contract be awarded to Jons for portable toilet locations.

307. Notice of Michigan Municipal League's Annual Regional Meeting of April 13, 1989 was made.

308. Minutes of the AGRAG meeting of February 15, 1989 were received.

309. Preliminary minutes of the Recreation Commission meeting of March 1, 1989 were received.

310. The Building Inspection Report for the month of February, 1989 was received.

311. The Public Safety Report for the month of February, 1989 was received.

312. Commissioner Moseley commended the Assessor's staff for their recent work in the assessment process.

313. The meeting was adjourned subject to the call of the Mayor until April 3, 1989.

\_\_\_\_\_  
City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held April 3, 1989

The meeting was called to order by

Present: Coms. Edison, Mertz, Moseley, Williamson, and Young.  
Absent: Coms. Mehney, and Mayor Deems.

Also Present: Assistant City Manager & City Engineer McMann, Controller & Clerk Justin, Public Safety Director Gallagher, Plant Engineer Baragar, City Assessor Norman and City Attorney Huff.

314. The minutes of the meeting held March 20, 1989, were approved as written.

315. That disbursement vouchers in the amount of \$155,233.24 disbursements to forward taxes in the amount of and payroll vouchers in the amount of \$84,273.66 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mertz, Moseley, Williamson, Young, --5  
Nays: -0-

1824 Rosemont; Ben Rudolf, 2560 Berwyck; Bill McDonagh, 1746 Conlon; Susan MacCardini, 2452 Berwyck; and George Snyder, 2425 Berwyck. Mayor Deems recommended that staff review all comments and submit recommendations to the Commission at a future date.

301. The City Attorney presented a letter and draft ordinance to allow the Building Inspector to issue appearance tickets.

301-A. Edison-Young. That the following ordinance amendment be introduced:

AN ORDINANCE TO AMEND SECTION 1.103  
OF CHAPTER 2 OF TITLE I  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 1.103 of Chapter 2 of Title I of the Code of the City of East Grand Rapids is amended to read as follows:

"Sec. 1.103 Division of Building Inspection

The division of building inspection shall be a division of the Department of Public Service and shall be headed by the building inspector. This division shall be responsible for the issuance of all permits and inspection of all work done under the provisions of the heating, electrical, plumbing and building codes of the city, the safety inspection of all premises, including structures thereon, and the enforcement of zoning and housing ordinances. The building inspector and the members of his staff shall be authorized to issue and serve appearance

tickets with regard to violations of Chapters 50, 80, 81, 82, 83, 84, 85, 86, 87, 91, 96, and 97.

Section 2. This ordinance shall be effective on April \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

302. Donnalynn Engstrom of the Kent Co. Resource Recovery Program presented a draft resolution of support for the County's efforts to secure a Clean Michigan Community Grant.

302-A. Williamson-Edison. That the following resolution of support be adopted:

RESOLUTION  
FOR SUPPORT OF KENT COUNTY'S  
APPLICATION FOR A CLEAN MICHIGAN COMMUNITY GRANT

WHEREAS, Kent County, acting by and through its Board of Public Works, has adopted and implemented a Solid Waste Management Plan, and

WHEREAS, Kent County's goal is to have an integrated total solid waste management system, to which end Kent County has implemented components of the Solid Waste Management Plan including a sanitary landfill, a municipal waste-to-energy recovery facility, household hazardous waste programs, and programs for education and financial support for recycling of solid waste; and

WHEREAS, as part of Kent County's goal to develop an integrated total solid waste management system, Kent County proposes to apply to the State of Michigan for a Clean Michigan Community Grant under Public Act 328 of 1988 to implement and build acceptance recycling and composting waste management options; and

WHEREAS, rules regulating Clean Michigan Community Grants require commitments from the affected local units of government to enact local ordinances or formal policies that require all of the following:

- (a) Procurement of recycled materials and products by specific dates, including target levels for purchasing re-refined oil, retreaded tires, recycled paper, plastic, glass, aluminum, or compost;
- (b) Mandatory separation of waste materials for recycling;
- (c) A prohibition on the burning of leaves and yard waste in conjunction with the development of a composting program;
- (d) A ban on landfilling leaves and yard waste in conjunction with the development of a composting program; and
- (e) A prohibition on the scavenging of recyclable material; and

WHEREAS, East Grand Rapids strongly supports programs to implement and build acceptance of recycling and composting waste management options for Kent County and wishes to support and encourage Kent County's application for a Clean Michigan Community Grant;

NOW, THEREFORE, BE IT RESOLVED, that East Grand Rapids hereby supports and encourages Kent County to apply for a Clean Michigan Community Grant and commits to adopting ordinances or formal policies that provide for the actions described above if East Grand Rapids is part of the proposed Clean Michigan Community project.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

303. The City Manager presented a memorandum and resolution in support of City's application for State and Federal funding for Boardwalk and Manhattan Site Improvements.

303-A. Edison-Mertz. That the following Resolution of Support be adopted:

RESOLUTION

WHEREAS the East Grand Rapids Recreation Commission has recommended to the city commission that the city construct a boardwalk along Reeds Lake and expand and improve the Manhattan Nature and Athletic Area; and

WHEREAS the Recreation Commission has informed the city commission that state and/or federal grants may be available to assist in the development of these two projects.

NOW, THEREFORE, BE IT RESOLVED that the East Grand Rapids City Commission supports the recommendation from the Recreation Commission of February 15, 1989 to pursue funding for the Reeds Lake Boardwalk and the Manhattan Nature and Athletic Area; and

FURTHER RESOLVED that the City of East Grand Rapids would be willing to undertake the development of these two projects if a grant is awarded for their construction, subject to final review and approval by the city of the terms and conditions of the grant.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

303-B. Moseley-Young. That the Boardwalk and Manhattan Site Improvements be presented to the electorate for approval if funding is granted.

Yeas: Moseley and Young --2  
Nays: Edison, Mehney, Mertz, Williamson and Deems --5

304. A permit application was presented for the City-sponsored Reeds Lake Triathlon which is scheduled for September 9, 1989.

304-A. Mehney-Young. That the permit application for the September 9, 1989 Triathlon be approved.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

305. The City Manager presented a memorandum recommending the purchase of radio equipment in the Public Safety Department for fire trucks.

305-A. Williamson-Young. That the recommended bid of Motorola, Inc., \$4,026.75, the low bidder, be approved and that a contract be awarded to Motorola for the purchase of radio equipment.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

306. A memorandum was presented recommending that the City enter into a contract for portable toilets in various City parks and other locations.

306-A. Mertz-Williamson. That the recommended bid of Jons Portable Toilets, \$4,596.40, the low bidder, be approved and that a contract be awarded to Jons for portable toilet locations.

307. Notice of Michigan Municipal League's Annual Regional Meeting of April 13, 1989 was made.

308. Minutes of the AGRAG meeting of February 15, 1989 were received.

309. Preliminary minutes of the Recreation Commission meeting of March 1, 1989 were received.

310. The Building Inspection Report for the month of February, 1989 was received.

311. The Public Safety Report for the month of February, 1989 was received.

312. Commissioner Moseley commended the Assessor's staff for their recent work in the assessment process.

313. The meeting was adjourned subject to the call of the Mayor until April 3, 1989.

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City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held April 17, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems.  
Absent: None.

Also Present: Assistant City Manager & City Engineer McMann, Controller & Clerk Justin, Public Safety Director Gallagher, Recreation Director Rhodes and City Attorney Huff.

328. The minutes of the meeting held April 3, 1989, were approved as written.

329. Young-Edison. That disbursement vouchers in the amount of \$113,604.99 and payroll vouchers in the amount of \$78,071.77 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

330. A hearing was held on the request of Russell and Barbara Hohman, 955 Plymouth Rd., SE to install a central air conditioner condensing unit on the south side of their residence rather than the rear as required by the Zoning Ordinance. Barbara Hohman was present.

330-A. Williamson-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. and Mrs. Hohman subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

331. A hearing was held on the request of James D. Fugitt, 1041 Keneberry Way SE, to install a central air conditioner condensing unit on the north side of his residence rather than the rear as required by the Zoning Ordinance. James Fugitt was present. Bill Rea, 2422 Santa Monica, the adjacent neighbor, stated that he had no objections to the variance being granted.

331-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by James Fugitt subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

332. A hearing was held on the request of Peter R. Lundquist, 2738 Maplewood SE, to install a central air conditioner condenser unit on the southwest side of his residence rather than the rear as required by the Zoning Ordinance. Mr. Lundquist was present.

322-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Peter Lundquist subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

323. A hearing was held on the request of Edward R. Barnes, 2542 Elmwood SE, to install a central air conditioner condenser unit on the west side of his residence rather than the rear as required by the Zoning Ordinance. Mr. Barnes was present.

323-A. Moseley-Young. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Edward R. Barnes, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

324. The City Controller presented a bid tabulation on the sale of previously advertised City-owned properties. There were no acceptable bids received for the property at 845 Ross Court.

324-A. Williamson-Young. That the following high bids for sale of City-owned property be accepted: 1725 Wealthy, \$7001.00, Zavadil, Davis, and Cameron; 1741 Wealthy, \$5,000.00, Allen Properties, Inc.; 1725 and 1731 Woodlawn, \$7,000.00 each, Allen Properties, Inc.; and that Thieme and Condon be allowed to withdraw their bids on the Woodlawn properties.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

325. The City Controller presented financial reports for the period ending March 31, 1989.

326. The City Controller presented an informational report concerning designation of an outside auditing firm for purposes of conducting the required annual audit. Five proposals have been received in response to the RFP. These rated proposals will be offered to the City's Finance Committee in order to present a recommendation to the City Commission for action at the May 1 meeting.

327. The City Controller presented a memo recommending that funds remaining from the Reeds Lake Run and Triathlon be devoted to the purchase of a computer in the Recreation department and that a purchase order be approved to IBM as the supplier of compatible equipment.

327-A. Young-Edison. That the budget for Recreation Capital Expenditures be increased \$4,100 for a computer with those funds to come from a transfer from the Designated Recreation fund balance and that a purchase-order to IBM for \$4,047 be approved.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

328. The City Manager presented a resolution to approve a Community Development Grant application to Kent County.

328-A. Young-Moseley. That the following resolution to approve a Community Development Grant Application to Kent County be approved:

WHEREAS, the City of East Grand Rapids is eligible to apply for funds distributed through the Kent County Community Development Block Program to construct barrier-free handicap sidewalk approach ramps at intersections, and to conduct planning studies for historical preservation and recreational athletic facilities needs.

NOW THEREFORE, Be It Resolved that the City Manager is authorized to apply for Community Development Block Grant funds in fiscal year 1989-90 to equal construction costs estimated at \$62,000 for barrier-free handicap sidewalk approach ramps, \$500 for historical survey studies, and \$500 for recreational and athletic facilities studies.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

329. Mayor Deems presented a resolution related to the November, 1988 General Election environmental bond proposal.

329-A. Young-Williamson. That the following resolution be approved:

RESOLVED, we the members of the Association of Grand Rapids Area Governments strongly oppose the use of any of the proceeds from the environmental bond proposal approved in the November 1988 general election to replace any general fund expenditures or projects. Many of us promoted an affirmative vote on the proposal and we believe that this bond proposal received the broad approval of the electorate because it will provide an extra boost for much needed efforts to clean up our environment. All of these funds should be spent on additional environmental proposals beyond the Department of Natural Resources' expenditures and services which are provided out of the State's general fund. The money should not be used to replace general fund expenditures.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

330. The City Manager presented the Joint Facilities Agreement with the East

Grand Rapids Public Schools for approval. Com. Moseley requested that staff present cost information for the pools and non-pool items for at least the previous and current fiscal years.

330-A. Mertz-Mehney. That the Joint Facilities Agreement be approved.

330-B. Moseley-Edison. That approval of the Joint Facilities Agreement be tabled.

Yeas: Edison, Moseley, Williamson, Young, Deems --5  
Nays: Mertz, Mehney --2

331. A progress report on the Municipal Office renovation project was received noting that cost is estimated to stay within budgeted funds.

332. An informational update concerning cleanup efforts at 2145 Wealthy Street SE was received.

333. An informational report concerning telephone system difficulties at City Hall was received.

334. The building inspection report for the month of March, 1989 was received.  
335. The Public Safety Report for the month of March, 1989 was received.

336. Request was made to add a special events permit application for a Walk-a-thon to be held May 20, 1989, to the agenda.

336-A. Williamson-Young. That the question of approving a special-events permit application for a Walk-a-thon be added to the agenda.

A roll-call vote was taken:

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

336-B. Edison-Young. That the permit application for the Walk-a-thon, to be held May 20, 1989 be approved, subject to confirmation of insurance coverage.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

337. There was no other comment by persons in attendance.

338. Com. Edison recommended the giving of blood through a drive sponsored by the Grand Valley Blood Center.

339. Com. Moseley recommended the performance of trail maintenance in Hodenpyl woods.

340. Williamson-Young. That this Commission convene in executive session pursuant to section 8.e. of the Open Meetings Act for the purpose of discussing pending litigation with the City Attorney.

A roll-call vote was taken:

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

341. The meeting was adjourned subject to the call of the Mayor until May 1, 1989.

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 1, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Williamson, Young and Mayor Deems.

Absent: Coms. Moseley.

Also Present: City Manager Allard, Assistant City Manager & City Engineer McMann, Controller & Clerk Justin, Public Safety Director Gallagher, Director of Recreation Rhodes, Plant Engineer Baragar, and City Attorney Huff.

342. The minutes of the meeting held April 17, 1989, were approved as written.

343. Williamson-Young. That disbursement vouchers in the amount of \$126,396.44, disbursements to forward taxes in the amount of \$42,968.31 and payroll vouchers in the amount of \$109,278.26 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6

Nays: -0-

344. The City Manager noted the award to the City of East Grand Rapids from the Michigan Municipal League Worker's Compensation Fund for one of the best yearly records in employee safety among Cities of similar size.

345. A hearing was then held on the request of Richard and Tamela Thompson, 1022 Lake Grove SE, to install a central air conditioner condensing unit on the north side of their residence rather than the rear as required by the Zoning Ordinance. Mr. Thompson was present.

345-A. Mehney-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Richard and Tamela Thompson, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6

Nays: -0-

346. A hearing was then held on the request of Kirk and Cathy Agerson, 835 Cambridge SE, to install a central air conditioner condensing unit on the south side yard of their residence rather than in the rear as required by the Zoning Ordinance. Mr. Agerson was present.

346-A. Williamson-Young. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Kirk and Cathy Agerson, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6

Nays: -0-

347. A hearing was then held on the request of Mark and Sheila Hanisch, 1429 Woodlawn SE, to install a central air conditioner condensing unit on the south side yard of the residence rather than in the rear as required by the Zoning Ordinance. Mrs.

Hanisch was present.

347-A. Edison-Mehney. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mark and Sheila Hanisch, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

348. A hearing was held on the request of Grant Cooper, 2127 Wilshire SE, to install a central air conditioner condensing unit on the east side yard of his residence rather than in the rear as required by the Zoning Ordinance.

348-A. Mertz-Young. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Grant Cooper subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

349. A hearing was held on the request of Claire Rosewall-Timmons, 303 Briarwood SE, to install a central air conditioner condensing unit on the north side yard of the residence rather than in the rear as required by the Zoning Ordinance. Ms. Rosewall-Timmons was present.

349-A. Mehney-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Claire Rosewall-Timmons subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

350. A hearing was held on the request of Philip and Carolyn Hoskin, 2914 Reed Lake Blvd. SE, to install a central air conditioner condensing unit on the east side yard of the residence rather than in the rear as required by the Zoning Ordinance. Mr. Hoskins was present.

350-A. Edison-Mehney. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Philip and Carolyn Hoskin subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

351. Director Gallagher introduced a new Public Safety Officer, Gary Parker.

352. A special event application for a Walk-a-thon to be held May 20, 1989, which was approved, subject to confirmation of insurance coverage, at the April 17, 1989 City Commission meeting, was reconsidered.

352-A. Williamson-Edison. That the City of East Grand Rapids sponsor the Walk-a-thon to be held May 20, 1989, with limited insurance coverage to be provided by the City through the City's underlying policy.

Yeas: Edison, Mehney, Mertz, Williamson, Young and Deems --6  
Nays: -0-

353. Com. Williamson presented a bid tabulation for the audit of the City's

financial statements, also presenting the Finance Committee's recommendation that Seidman and Seidman, the City's auditors for the past four years, be awarded the contract for the audit.

353-A. Williamson-Edison. That the total bid of \$69,075 for five years from Seidman & Seidman be accepted and that a contract be awarded to Seidman and Seidman for the audit of the City's financial statements for a period of three years which may be extended at the stated prices at the City's option for another two years.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

354. The Controller presented a memorandum recommending budget levels for transferring funds in FY 89 from the General Fund to the Major-Street and Local-Street Funds for the 1989 street-construction program.

354-A. Young-Edison. That the transfer of \$110,000 from the General Fund to the Major-Street Fund be approved and that the transfer of \$95,000 from the General Fund to the Local-Street Fund be approved.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

355. The City Manager presented a resolution supporting certain legislation that would affect retirement options under the Michigan Municipal Employees' Retirement System.

355-A. Mertz-Edison. That the following resolution be approved:

WHEREAS, the City of East Grand Rapids is a participating municipality of the Municipal Employees' Retirement System, established by Act No. 135, Public Acts of 1945, as amended; and

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids goes on record in support of House Bills 4506 and 4507.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be filed with the Municipal Employees' Retirement System and that copies be forwarded to the legislative personnel that could be instrumental in the passage of this legislation.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

356. Plant Engineer Baragar presented a bid tabulation for the renovation of the lower level of the Public Safety Building, recommending that the lowest bids be accepted.

356-A. Williamson-Young. That the recommended bids be accepted as follows: Dennis Rottman, Builder, \$13,059; West Michigan Electric, \$1,300; and DeHaan Carpeting, \$1,888; and that contracts be awarded to Rottman for carpentry, to West Michigan Electric for electrical work, and to De Haan for carpeting; and that the the budget for City Buildings capital expenditures be increased to a total of \$16,300, with funds to come from Federal Seizure proceeds.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: -0-

357. Approval of the Joint-Facilities agreement, tabled at the last City City Commission meeting, was considered. The Controller presented a memorandum comparing

sts of FY 88 with costs under the proposed agreement.

357-A. Mertz-Williamson. That the Joint Facilities Agreement be approved as proposed but excluding the 50% charge for Youth Programs.

357-B. Williamson-Mehney. That original motion be amended to increase the budget for the Joint-Facilities account in the Recreation department \$14,000 to a new total of \$44,000, with the Transfer from Fund Balance to be increased accordingly.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6

Nays: -0-

357-C. Vote on the original motion as amended.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6

Nays: -0-

358. Preliminary minutes of the Recreation Commission meeting of April 19, 1989 were received. The lack of a chartering organization for the local Boy Scout Troop was discussed.

358-A. Mertz-Williamson. That the City of East Grand Rapids become the Chartering Organization for the Boy Scouts in East Grand Rapids with limited insurance coverage to be provided by the City in accordance with the City's underlying policy.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6

Nays: -0-

359. There was no public comment by persons in attendance.

360. The meeting was adjourned subject to the call of the Mayor until May 15, 1989.

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City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held May 15, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems.  
Absent: None.

Also Present: City Manager Allard, Assistant City Manager & City Engineer McMann, Controller & Clerk Justin, and City Attorney Huff.

361. The minutes of the meeting held May 1, 1989, were approved as written.

362. Young-Edison. That disbursement vouchers in the amount of \$173,206.37, payroll vouchers in the amount of \$53,742.17, and a disbursement to East Grand Rapids Schools in the amount of \$7,130.63, as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts. Com. Edison reported that the City had received \$134,984.71 in delinquent taxes from Kent County.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

363. A hearing was held on the request of Peter and Patricia Marks, 942 Princeton Blvd. SE to install a central air conditioner condensing unit on the north side of their residence rather than the rear as required by the Zoning Ordinance. Mr. Marks was present.

363-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. and Mrs. Marks subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

364. A hearing was held on the request of Donald Alexander, 2746 Elmwood Drive SE, to install a central air conditioner condensing unit on the west side of his residence rather than the rear as required by the Zoning Ordinance. Mr. Alexander was present.

364-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Donald Alexander subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

365. A hearing was held on the request of Paul and Patricia VandeVusse, 2302 Oakwood Drive SE, to install a central air conditioner condenser unit on the east side of their residence rather than the rear as required by the Zoning Ordinance. Mr. VandeVusse was present.

365-A. Moseley-Edison. That this Commission, acting as the Board of Zoning

Appeals, grant the variance requested by Mr. & Mrs. VandeVusse subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

366. A hearing was held on the request of Jack Woller, 1628 Andover Road SE, to install a central air conditioner condenser unit on the south side of his residence rather than the rear as required by the Zoning Ordinance. Mr. Woller was present.

366-A. Moseley-Young. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Jack Woller subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

367. A hearing was held on the request of Nancy Anne White, 763 San Jose Drive SE, to install a central air conditioner condenser unit on the south side of her residence rather than the rear as required by the Zoning Ordinance. Ms. White was present.

367-A. Williamson-Young. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Nancy Anne White subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

368. A hearing was held on the request of Eleanor K. Buggeln, 2547 Oakwood SE, to install a central air conditioner condenser unit on the west side of her residence rather than the rear as required by the Zoning Ordinance. Ms. Buggeln was present.

368-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance request by Eleanor K. Buggeln subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

369. Com. Williamson presented recommendations from the Finance Committee and from the Streets, Sidewalks, Trees, and Parks Committee concerning the City's Andover Lane property adjacent to the water tower. The Committees recommended that the City Commission choose among the following options before offering the property for sale: 1) offer it for sale without accepting it back in any form; 2) offer it for sale and be willing to accept it back with deed restrictions such as keeping it as a park; 3) offer it for sale and place a time limit on accepting it back with deed restrictions for a park.

369-A. Young-Edison. That the City offer for sale the ten platted lots of unimproved Andover Lane adjacent to the City's elevated water tank.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

369-B. Edison-Williamson. That the Andover Lane properties be sold with no

expectation of getting them back.

Yeas: Edison, Mehney, Williamson, Young, and Deems --5  
Nays: Moseley and Mertz --2

369-C. Williamson-Young. That this Commission approve the following resolution to begin procedures for a special assessment district:

RESOLVED, that this Commission desires to consider the proposed improvement consisting of excavation and grading for gravel base, construction of sanitary sewer, watermain, and storm drain, construction of combination curb and gutter, concrete drive approaches, sidewalks, and necessary concrete approach walks, place gravel base, place asphalt roadway base, and asphalt wearing surface and place 4" topsoil and hydromulch disturbed areas on

ANDOVER LANE from Berwyck Road south to cul de sac,

all or part of the cost of which may be defrayed by special assessment and request and request the City Manager to provide the information and recommendations relative thereto as specified in Section 1.303(a) of the City Code.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

369-D. Young-Edison. That the hearing to determine the necessity for the special assessment district be held on Monday, June 5, 1989.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

370. The City Manager presented a proposed consent judgement which represents the result of negotiations with Breton Village, Inc. concerning Breton Village's lawsuit against the City. The proposed agreement would allow Breton Village to have an employee parking lot on its land within East Grand Rapids subject to a variety of conditions including landscaping, lighting, and restrictions on mall expansion. The following persons spoke in opposition to the proposed settlement: Dan Bylenga, 2546 Berwyck, Glenn Anderson, 2444 Berwyck, Joe White, 1761 Breton Rd., Sam Lake, 1714 York, Gretchen Kuenze, 1830 Conlon in the City of Grand Rapids, and Bob Scripsema, 1742 Breton.

370-A. Moseley-Edison. That the City Commission not enter into a settlement of the lawsuit being brought against it by Breton Village.

A roll call vote was taken.

Yeas: Edison, and Moseley --2  
Nays: Nays: Mehney, Mertz, Williamson, and Young. --4  
Abstentions: Deems --1

370-B. Williamson-Young. That the City Commission accept the proposed agreement to settle the lawsuit brought by Breton Village, Inc.

A roll call vote was taken:

Yeas: Williamson, and Young --2  
Nays: Edison, Mehney, Mertz, and Moseley --4  
Abstentions: Deems --1

370-C. Williamson-Young. That the City Attorney and City staff be formally

directed to continue negotiation with Breton Village, Inc.

Yeas: Williamson, and Young --2  
Nays: Edison, Mehney, Mertz, and Moseley --4  
Abstentions: Deems --1

371. The City Controller presented a schedule of actions required to adopt the City's budget for FY 90.

371-A. Edison-Williamson. That the City Commission adopt the following resolution establishing a maximum millage rate for purposes of Truth-in-Taxation rules:

WHEREAS MSA 7.24(5)(6) requires that a Notice of Public Hearing be published and a hearing be held by the City Commission before an additional millage rate, as defined by state law, can be levied by the City Commission; and

WHEREAS MSA 7.24(5)(7) requires the City Commission to adopt a resolution establishing a maximum millage rate to be included in the Notice of Public Hearing.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of East Grand Rapids hereby establishes 19.0000 per \$1,000.00 of valuation as the proposed millage rate for the fiscal year July 1, 1989 to June 30, 1990.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --6  
Nays: Moseley --1

372. The City Attorney presented a proposed ordinance amendment modifying Section 5.90 of the City Code dealing with the location of devices such as air-conditioner condensing units.

372-A. Mertz-Moseley. That the following ordinance amendment to Section 5.90 of the City Code be introduced and that after introduction it be referred to the Planning Commission.

AN ORDINANCE TO AMEND SECTION 5.90  
OF CHAPTER 50 OF TITLE V  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 5.90 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended to read as follows:

"Section 5.90 Mechanical appurtenances

Mechanical appurtenances such as blowers, ventilating fans and air conditioning units must be attached to the principal building or be located in the rear yard not closer than seven (7) feet to any adjoining property line. Such units, when attached to the building, shall be architecturally integrated or appropriately screened. Such units, when placed in the side yard, shall be screened by shrubbery or fencing so as not to be visible from the neighboring property, any such fencing to be placed in accordance with the provision of Chapter 83 of the City Code. No unit shall be placed in the side yard until a permit for such placement has been issued by the building inspector.

Regulations governing the issuance of side yard permits shall be promulgated by the building inspector and filed with the City Commission. Unless reversed or modified by the City Commission at the first meeting after such filing, the regulations shall take effect immediately after said first meeting of the City Commission. the Application fee for a side yard permit shall be \$25.00. The Determination of compliance with the screening requirements contained in this section shall be made by the building inspector or his designee. In all instances, the provision of Section 9.14 and of Chapter 97 of the East Grand Rapids City Code shall apply.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7

Nays: -0-

373. The City Attorney presented a proposed ordinance amendment adding a new Chapter 88 to the City Code. This chapter would deal with the inspection of rental units in buildings where two or more rental units are located. All such rental units are to be inspected by the City and occupancy is permitted only if a certificate of compliance is issued. This certificate of compliance will only be issued if the rental unit meets all the requirements set forth in the City Code.

373-A. Williamson-Edison. That the proposed ordinance amendment concerning the inspection of rental units be introduced.

ORDINANCE TO AMEND THE CODE OF  
THE CITY OF EAST GRAND RAPIDS BY ADDING  
A NEW CHAPTER 88 TO TITLE VIII OF SAID CODE

The City of East Grand Rapids ordains:

Section 1. A new Chapter 88 is added to Title VIII of the East Grand Rapids City Code to read as follows:

Chapter 88  
INSPECTION OF RENTAL UNITS

**Sec. 8.801. Certificate of Compliance Required.**

A rental unit located in a building containing two or more rental units shall not be occupied unless a certificate of compliance has been issued by the City for the rental unit. This requirement shall not apply to hospitals or foster care homes that are inspected by a county, state or federal agency for maintenance of health and safety standards.

**Sec. 8.802. Issuance of Certificate of Compliance.**

Each rental unit must be inspected by the City prior to the issuance of a certificate of compliance. The City shall issue a certificate of compliance for a rental unit where the City finds that the rental unit meets all standards set forth in the City Code. A list of the applicable Code sections may be obtained from the City building inspector. The owner of the rental dwelling must pay all fees required by this chapter prior to the issuance of a certificate of compliance.

**Sec. 8.803. Validity of Certificate of Compliance.**

A certificate of compliance shall be valid for two (2) years unless suspended as set for the below. Each certificate of compliance shall contain an expiration date. No certificate of compliance shall be valid beyond its stated expiration date.

**Sec. 8.804. Temporary Certificate Authorized.**

Where a certificate of compliance is required, the City may issue a temporary certificate of compliance until such time as the City is able to make a compliance inspection in order to enable the City to balance the compliance inspection workload. A temporary certificate of compliance may be suspended or revoked by the building inspector in his discretion at any time if the rental unit fails to meet all standards set forth in the City Code.

**Sec. 8.805. Scheduling of Inspections.**

The building inspector shall initially establish a schedule for the inspection of all rental units covered by this chapter. Once a certificate of compliance has been issued, the City will notify the owner of the dwelling at least 60 days prior to the expiration of the certificate of compliance that a re-inspection is necessary. The owner shall then arrange for a compliance inspection to take place prior to expiration of the certificate of compliance.

**Sec. 8.806. Suspension of Certificate of Compliance.**

The building inspector has authority to suspend a certificate of compliance if a rental unit is not maintained in compliance with the standards set forth in the City Code. Prior to suspending the certificate of compliance, the building inspector shall serve upon the owner a notice to repair which informs the owner of the items which need to be corrected and allows the owner ten days to make such needed repairs. If the owner does not comply with the notice to repair, the building inspector may suspend the certificate of compliance and shall issue a notice of suspended certification to the owner which will inform the owner:

- (1) That the certificate of compliance has been suspended and the date of suspension.
- (2) The reason for the suspension.
- (3) That it is unlawful for any rental unit to continue to be occupied for more than sixty (60) days after the date of suspension of the certificate of compliance.
- (4) That any rental unit which is vacant at the time of the suspension or which becomes vacant during the period of suspension shall not be rented or reoccupied until a certificate of compliance is reinstated or a new certificate of compliance is issued.
- (5) That the certificate of compliance is to be returned to the building inspector within ten (10) days.
- (6) That tenants may be entitled to escrow rent monies as provided under state law.

**Sec. 8.807. Notifying Tenants of Suspended Certificate.**

The building inspector shall send a copy of the notice of suspended certification to the occupant of the rental unit by regular mail.

**Sec. 8.808. Appeal.**

Suspension of a certificate of compliance may be appealed to the City Commission.

**Sec. 8.809. Certificate of Compliance Fees.**

Prior to being issued a certificate of compliance, the owner shall pay a twenty-five dollar (\$25.00) fee per rental unit. No fee will be required for a temporary certificate of compliance.

**Sec. 8.810. Penalty for Non-Compliance.**

Any person who shall fail to comply with the requirements of this chapter shall be subject to the penalties provided in section 1.13 of this Code in addition to any sanctions imposed by this chapter.

**Sec. 8.811. Owner Defined.**

For purposes of this chapter the owner of the building in which a rental unit is located shall be presumed to be the person or entity whose name appears on the City's real property tax rolls unless the City has been notified in writing that some other person or entity is in fact the owner.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

374. A public hearing was held on the special assessment roll of delinquent accounts.

374-A. Williamson-Young. That the following special assessment roll of delinquent accounts be placed on the July 1, 1989 Tax Roll.

DELINQUENT TREES

On 1989 Tax Roll

PARCEL NO.	ADDRESS	AMOUNT
41-18-03-178-003	2544 Maplewood Dr SE	\$26.00
41-18-04-405-015	2159 Tenway SE	26.00
	Total	\$52.00

DELINQUENT SIDEWALK

On 1989 TAX ROLL

PARCEL NO.	ADDRESS	AMOUNT
41-14-33-154-019	726 Rosewood SE	50.00
41-14-33-203-008	543 Greenwood SE	131.12
41-14-33-402-010	2080 San Lu Rae, SE	260.07
41-14-34-327-026	2603 Lake Drive SE	295.89
41-14-34-329-003	2747 Darby Lane SE	253.15
41-14-34-353-001	1024 Breton Road SE	341.07
41-14-34-353-010	1120 Breton Road SE	228.33
41-14-34-378-006	2643 Manor Drive SE	219.37
41-14-34-476-011	3055 Woodcliff Circle SE	244.20
41-18-03-152-019	2457 Richards, SE	159.72
41-18-03-182-017	2551 Boston SE	235.47
41-18-04-281-021	1535 Breton Road SE	571.84
Total		\$2,990.23

DELINQUENT FALSE ALARMS

On 1989 Tax Roll

PARCEL NO.	AMOUNT	
41-14-33-308-001	\$25.00	
41-14-34-252-006	75.00	
41-14-34-453-001	25.00	
Total		\$125.00

DELINQUENT WATER LEDGER A

PARCEL #	ADDRESS	AMOUNT
41-14-28-351-015	351 Gladstone	\$294.63
41-14-28-352-014	332 Gladstone	236.72
41-14-28-352-004	293 Rosewood	195.14
41-14-28-352-030	357 Rosewood	152.15
41-14-28-352-034	1625 Wealthy	264.12
41-14-28-352-037	1639 Wealthy	75.20
41-14-28-353-007	300 Rosewood	100.00
41-14-28-353-018	344 Rosewood	157.92
41-14-28-354-006	320 Briarwood	86.58
41-14-33-101-003	1602 Wealthy	244.86
41-14-33-101-004	413 Gladstone	203.51
41-14-33-102-011	430 Gladstone	123.75
41-14-33-104-002	415 Cambridge	285.93
41-14-33-151-002	1608 Sherman	327.09
41-14-33-151-006	627 Gladstone	272.48
41-14-33-154-015	706 Rosewood	135.71

41-14-33-201-006	455 Edgemere	314.92
41-14-33-203-027	2053 Wealthy	521.63
41-14-33-207-007	606 Greenwood	178.62
41-14-33-207-009	614 Greenwood	221.33
41-14-33-252-009	662 Lovett	153.63
41-14-33-302-001	802 Gladstone	231.85
41-14-33-426-023	839 Ross Ct	234.10
41-14-33-428-029	939 Maxwell	273.21
41-14-33-428-032	953 Maxwell	158.57
41-14-33-451-002	1012 Santa Cruz	119.44
41-14-33-452-001	1010 San Juan	103.09
41-14-33-480-008	1148 Orchard	355.95
41-14-34-327-026	2603 Lake Dr	86.28
41-18-03-204-001	2885 Lake Dr	216.49

Total \$6,324.90

DELINQUENT WATER LEDGER B

PARCEL #	ADDRESS	AMOUNT
41-14-27-482-003	3060 Cascade	223.76
41-14-28-352-002	1616 Robinson	26.87
41-14-28-352-003	1626 Robinson	153.18
41-14-28-452-007	361 Lakeside	64.45
41-14-33-427-021	933 Lakeside	189.12
41-14-33-430-019	957 Breton	379.31
41-14-33-478-005	1058 Lakeside	269.32
41-14-33-478-022	2315 Burchard	150.06
41-14-33-480-016	1133 Lakeside	125.60
41-14-34-303-014	2419 Gilmour	223.94
41-14-34-327-010	948 Bellclaire	100.29
41-14-34-353-001	1024 Breton	254.92
41-14-34-353-010	1120 Breton	253.98
41-14-34-355-002	1046 Kenesaw	190.50
41-14-34-356-031	1109 Eastwood	177.72
41-14-34-378-006	2643 Manor	105.15
41-18-04-434-013	1739 Breton	336.60
41-18-04-434-020	1761 Breton	174.83

Total \$3,399.60

DELINQUENT WATER FOR LEDGER C

PARCEL #	ADDRESS	AMOUNT
41-14-33-380-017	1951 Hall	\$ 80.39
41-14-33-480-010	2235 Hall	315.20
41-18-03-127-011	2650 Beechwood	1,582.60
41-18-03-180-011	2600 Richards	126.33
41-18-03-181-009	2718 Richards	207.00
41-18-03-181-023	2727 Albert	117.44
41-18-03-204-022	3009 Oakwood	265.23
41-18-03-205-013	2847 Elmwood	83.46

41-18-03-328-006	2611 Norfolk	270.00
41-18-04-203-010	2115 Anderson	95.62
41-18-04-228-025	2335 Wilshire	361.88
41-18-04-277-008	2236 Estelle	154.87
41-18-04-277-018	2223 Audobon	135.07
41-18-04-401-013	2035 Tenway	150.54
41-18-04-404-002	1761 Warwick	196.15
41-18-04-405-001	2115 Tenway	203.13
41-18-04-406-027	2056 Englewood	189.28

Total \$4,534.19

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

375. The City Clerk presented a memorandum recommending that the City recognize the Attitudinal Healing Center as a nonprofit organization operating within the City, to meet requirements of the Michigan Bureau of State Lottery.

375-A. Young-Williamson. That the following resolution recognizing the Attitudinal Healing Center as a nonprofit organization operating within the City, be approved:

RESOLUTION OF THE CITY COMMISSION

That the request from the Attitudinal Healing Center of Grand Rapids of 1145 Cambridge Blvd. SE, East Grand Rapids, County of Kent, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a gaming license be approved.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

376. The City Engineer presented a bid tabulation for crack repair and joint sealing on various roadways.

376-A. Young-Moseley. That the bid of \$23,390 from Action Enterprises, Inc., the low bidder, be approved and that a contract be awarded to Action Enterprises for crack repair and joint sealing on various City roadways.

Yeas: Edison, Mehney, Mertz, Moseley, Young, and Deems --6  
Nays: Williamson --1

377. The City Manager presented a bid tabulation for the fireworks display on July 4.

377-A. Young-Williamson. That the bid of \$8,420 from Wolverine Firework Display, the low bidder, be approved and that the contract be awarded to Wolverine for the fireworks display on July 4.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

378. Preliminary minutes of the Library Commission meeting of April 20, 1989 were received. Com. Moseley noted the need for the City library to become a regional library to provide greater funding from outside the City in view of the patronage of the library from those outside the City.

379. The building inspection report for the month of April, 1989 was received.

380. The Public Safety report for the month of April, 1989 was received.

381. Com. Mertz commended the Recreation Department staff for field maintenance this spring.

382. Com. Moseley requested that staff evaluate degradable plastic bags for use in City sale of bags.

383. The meeting was adjourned subject to the call of the Mayor until June 5, 1989.

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City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 5, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems.  
Absent: None.

Also Present: City Manager Allard, Assistant City Manager & City Engineer McMann, Director of Public Safety Gallagher, Controller & Clerk Justin, and City Attorney Huff.

361. The minutes of the meeting held May 15, 1989, were approved as written.

362. Young-Edison. That disbursement vouchers in the amount of \$156,319.02, and payroll vouchers in the amount of \$168,260.29 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

363. The S.A.G.E. class of Lakeside Elementary School (Skill for Academic Growth and Enrichment) appeared on behalf of Reeds Lake, recommending more trash pickup, a "Clean-up and Awareness Day", and public compliance in not feeding waterfowl.

364. The Wealthy Elementary 4th grade class presented recommendations to preserve Reeds Lake and to retain Rose's Popcorn Shop as a landmark.

365. A hearing was held in compliance with Truth-in-Taxation requirements concerning the City's 1989 base tax rate and additional millage. There was no public comment.

366. A hearing was held on the request of Carlton Failor, Jr., 953 Rosewood SE, to install a central air conditioner condensing unit on the south side yard of his residence rather than in the rear as required by the Zoning Ordinance. Mr. Failor was present.

366-A. Williamson-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Carlton Failor, Jr. subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

367. A hearing was held on the request of James Proctor, 2142 Durant SE, to install a central air conditioner condensing unit on the east side yard of his residence rather than in the rear as required by the Zoning Ordinance. Mr. Proctor was present.

367-A. Edison-Mehney. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by James Proctor, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

368. A hearing was held on the request of Faye and David Decker, 858 Pinecrest SE, to install a central air conditioner condensing unit on the north side yard of their residence rather than in the rear as required by the Zoning Ordinance. Mr. Decker was present.

368-A. Young-Williamson. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Faye and David Decker, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

369. A hearing was held on the request of Jonathan Welsh, 1095 Idema SE, to install a central air conditioner condensing unit on the northwest side yard of his residence rather than in the rear as required by the Zoning Ordinance. Mr. Welsh was present.

369-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Jonathan Welsh, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

370. A hearing was held on the request of Jay and Barbara Moore, 830 Pinecrest SE, to install a central air conditioner condensing unit on the south side yard of their residence rather than in the rear as required by the Zoning Ordinance. Mrs. Moore was present.

370-A. Young-Williamson. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Jay and Barbara Moore, subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

371. The City Attorney recommended that the proposed ordinance amendment adding a new Chapter 88 to the City Code, already introduced, be adopted with an effective date of June 16, 1989. Com. Williamson recommended a strong smoke-detector ordinance.

371-A. Moseley-Edison. That the following amendment adding a new Chapter 88 to the City Code be adopted with an effective date of June 16, 1989:

ORDINANCE TO AMEND THE CODE OF  
THE CITY OF EAST GRAND RAPIDS BY ADDING  
A NEW CHAPTER 88 TO TITLE VIII OF SAID CODE

The City of East Grand Rapids ordains:

Section 1. A new Chapter 88 is added to Title VIII of the East Grand Rapids City Code to read as follows:

Chapter 88  
INSPECTION OF RENTAL UNITS

**Sec. 8.801. Certificate of Compliance Required.**

A rental unit located in a building containing two or more rental units shall not be occupied unless a certificate of compliance has been issued by the City for the rental unit. This requirement shall not apply to hospitals or foster care homes that are inspected by a county, state or federal agency for maintenance of health and safety standards.

**Sec. 8.802. Issuance of Certificate of Compliance.**

Each rental unit must be inspected by the City prior to the issuance of a certificate of compliance. The City shall issue a certificate of compliance for a rental unit where the City finds that the rental unit meets all standards set forth in the City Code. A list of the applicable Code sections may be obtained from the City building inspector. The owner of the rental dwelling must pay all fees required by this chapter prior to the issuance of a certificate of compliance.

**Sec. 8.803. Validity of Certificate of Compliance.**

A certificate of compliance shall be valid for two (2) years unless suspended as set forth below. Each certificate of compliance shall contain an expiration date. No certificate of compliance shall be valid beyond its stated expiration date.

**Sec. 8.804. Temporary Certificate Authorized.**

Where a certificate of compliance is required, the City may issue a temporary certificate of compliance until such time as the City is able to make a compliance inspection in order to enable the City to balance the compliance inspection workload. A temporary certificate of compliance may be suspended or revoked by the building inspector in his discretion at any time if the rental unit fails to meet all standards set forth in the City Code.

**Sec. 8.805. Scheduling of Inspections.**

The building inspector shall initially establish a schedule for the inspection of all rental units covered by this chapter. Once a certificate of compliance has been issued, the City will notify the owner of the dwelling at least 60 days prior to the expiration of the certificate of compliance that a re-inspection is necessary. The owner shall then arrange for a compliance inspection to take place prior to expiration of the certificate of compliance.

**Sec. 8.806. Suspension of Certificate of Compliance.**

The building inspector has authority to suspend a certificate of compliance if a rental unit is not maintained in compliance with the standards set forth in the City Code. Prior to suspending the certificate of compliance, the building inspector shall serve upon the owner a notice to repair which informs the owner of the items which need to be corrected and allows the owner ten days to make such needed repairs. If the owner does not comply with the notice to repair, the building inspector may suspend the certificate of compliance and shall issue a notice of suspended certification to the owner which will inform the owner:

- (1) That the certificate of compliance has been suspended and the date of suspension.
- (2) The reason for the suspension.
- (3) That it is unlawful for any rental unit to continue to be occupied for more than sixty (60) days after the date of suspension of the certificate of compliance.

- (4) That any rental unit which is vacant at the time of the suspension or which becomes vacant during the period of suspension shall not be rented or reoccupied until a certificate of compliance is reinstated or a new certificate of compliance is issued.
- (5) That the certificate of compliance is to be returned to the building inspector within ten (10) days.
- (6) That tenants may be entitled to escrow rent monies as provided under state law.

**Sec. 8.807. Notifying Tenants of Suspended Certificate.**

The building inspector shall send a copy of the notice of suspended certification to the occupant of the rental unit by regular mail.

**Sec. 8.808. Appeal.**

Suspension of a certificate of compliance may be appealed to the City Commission.

**Sec. 8.809. Certificate of Compliance Fees.**

Prior to being issued a certificate of compliance, the owner shall pay a twenty-five dollar (\$25.00) fee per rental unit. No fee will be required for a temporary certificate of compliance.

**Sec. 8.810. Penalty for Non-Compliance.**

Any person who shall fail to comply with the requirements of this chapter shall be subject to the penalties provided in section 1.13 of this Code in addition to any sanctions imposed by this chapter.

**Sec. 8.811. Owner Defined.**

For purposes of this chapter the owner of the building in which a rental unit is located shall be presumed to be the person or entity whose name appears on the City's real property tax rolls unless the City has been notified in writing that some other person or entity is in fact the owner.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

372. A hearing was held to determine necessity for water, sewer, street, and storm-drain improvements to Andover Lane, a platted right-of way, from Berwyck Road to Andover's cul de sac.

372-A. Moseley-Edison. That this Commission approve the following resolutions for water, sewer, street, and storm-drain improvements to Andover Lane:

Resolution Determining Necessity

RESOLVED that the improvement consisting of placing a 6" water main, 10-1"

water services, water main specials, hydrant, valves, valve chamber, and other work on

ANDOVER LANE from Berwyck Road to cul de sac and between  
Lots 61 and 62 Albert Realtors Hampshire Replat

is a necessary public improvement and that the cost and expense of such improvement shall be paid by special assessment levied upon the lands and premises, except public highways and alleys, benefitting from said improvement, according to connections. Be it further resolved that the plans and specifications for said improvement as prepared by the City Engineer are approved, that the estimated cost thereof is \$26,963.21, that \$0.00 of said cost shall be paid by the City-at-large and \$26,963.21 by special assessment payable in 1 annual installment with interest at the rate of -% per annum on installments not paid within 30 days of confirmation of the assessment roll. Be it further resolved that the special assessment district upon which special assessments shall be levied is established as consisting of

Lots 55 through 64 of Albert Realtors Hampshire Replat  
City of East Grand Rapids, Kent County, Michigan

and that this Commission deems and declares that all real estate with said district is benefitted by said improvement. Be it further resolved that the City Manager prepare or cause to be prepared a special assessment roll in accordance with the determinations of this Commission.

Resolution Determining Necessity

RESOLVED that the improvement consisting of constructing a trunk storm drain in Andover Lane from Berwyck Road to Norfolk Road is a necessary public improvement and that the cost and expense of such improvement shall be paid by special assessment levied upon the lands and premises, except public highways and alleys, benefitting from said improvement, according to connection. Be it further resolved that the plans and specifications for said improvement as prepared by the City Engineer are approved, that the estimated cost thereof is \$42,254.62 that \$0.00 of said cost shall be paid by the City-at-large and \$42,254.62 by special assessment payable in 1 annual installment with interest at the rate of -% per annum on installments not paid within 30 days of confirmation of the assessment roll. Be it further resolved that the special assessment district upon which special assessments shall be levied is established as consisting of

City of East Grand Rapids at Large

and that this Commission deems and declares that all real estate with said district is benefitted by said improvement. Be it further resolved that the City Manager prepare or cause to be prepared a special assessment roll in accordance with the determinations of this Commission.

Resolution Determining Necessity

RESOLVED that the improvement consisting of placing a 8" sanitary sewer, 6" sanitary sewer laterals, 2 standard sanitary sewer manholes and other work on

ANDOVER LANE from Berwyck Road to cul de sac

is a necessary public improvement and that the cost and expense of such improvement shall be paid by special assessment levied upon the lands and premises, except public highways and alleys, benefitting from said improvement, according to connections. Be it further resolved that the plans and specifications for said improvement as prepared by the City Engineer are approved, that the estimated cost thereof is \$44,379.15 that \$0.00 of said cost shall be paid by the City-at-large and \$44,379.15 by special assessment payable in 1

annual installment with interest at the rate of -% per annum on installments not paid within 30 days of confirmation of the assessment roll. Be it further resolved that the special assessment district upon which special assessments shall be levied is established as consisting of

Lots 55 through 64 of Albert Realtors Hampshire Replat  
City of East Grand Rapids, Kent County, Michigan

and that this Commission deems and declares that all real estate with said district is benefitted by said improvement. Be it further resolved that the City Manager prepare or cause to be prepared a special assessment roll in accordance with the determinations of this Commission.

Resolution Determining Necessity

RESOLVED that the improvement consisting of grading, sand fill, concrete curb and gutter, concrete sidewalk, local storm drain, storm drain manholes, crushed stone base, asphalt concrete wearing surface, topsoil, and other work on

ANDOVER LANE from Berwyck Road to cul de sac

is a necessary public improvement and that the cost and expense of such improvement shall be paid by special assessment levied upon the lands and premises, except public highways and alleys, benefitting from said improvement, according to connections. Be it further resolved that the plans and specifications for said improvement as prepared by the City Engineer are approved, that the estimated cost thereof is \$72,048.28 that \$0.00 of said cost shall be paid by the City-at-large and \$72,048.28 by special assessment payable in 1 annual installment with interest at the rate of -% per annum on installments not paid within 30 days of confirmation of the assessment roll. Be it further resolved that the special assessment district upon which special assessments shall be levied is established as consisting of

Lots 55 through 64 of Albert Realtors Hampshire Replat  
City of East Grand Rapids, Kent County, Michigan

and that this Commission deems and declares that all real estate with said district is benefitted by said improvement. Be it further resolved that the City Manager prepare or cause to be prepared a special assessment roll in accordance with the determinations of this Commission.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

372-B. Mertz-Edison. That the following resolution be adopted, setting June 19, 1989 for a hearing on the special assessment roll for improvements to Andover Lane:

RESOLUTION SETTING HEARING ON ASSESSMENT ROLL

Resolved that the special assessment roll for the proposed improvements consisting of excavation and grading for gravel base, construction of sanitary sewer, watermain, and storm drain, construction of combination curb and gutter, concrete drive approaches, sidewalks, and necessary concrete approach walks, place gravel base, place asphalt roadway base, and asphalt wearing surface and place 4" topsoil and hydromulch disturbed areas on

ANDOVER LANE from Berwyck Road south to cul de sac.

be filed in the office of the City Clerk for public examination and that the City Commission meet at the City Hall on Monday June 19, 1989, at 7:30 p.m. for the purpose of reviewing such roll at which time and place all persons interested or who are liable to be assessed therefore, may appear and be heard in regard to such improvement; and

BE IT FURTHER RESOLVED, that the City Clerk be and is hereby instructed to give notice of such hearing in the manner provided by City Code Section 1.307, at least 10 days prior to the date of said hearing.

Jeffrey Justin  
City Clerk

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

373. Commissioners Mertz and Mehney requested that negotiations with Breton Village concerning proposed consent judgement be resumed.

373-A. Mehney-Mertz. That negotiations be resumed with Breton Village concerning a proposed consent judgement in its lawsuit with the City.

The following residents spoke in opposition to negotiations being resumed: Don Scripsema, 1742 Breton Road; E. Claver, 1779 Breton Road; Peg Pengelly, 1766 Breton Road; and Glem Anderson, 2444 Berwyck.

A roll call vote was taken.

Yeas: Mehney, Mertz, Williamson, and Young --4  
Nays: Edison and Moseley --2  
Abstentions: Deems --1

374. The City Controller presented a recommendation to renew the Animal Control Services agreement with Kent County, noting that the amount increased 1.4%.

374-A. Williamson-Young. That the contract with Kent County for Animal Control Services be renewed for the twelve-month period beginning July 1, 1989 with a not-to-exceed contract amount of \$17,037.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, Deems --7  
Nays: -0-

375. The Mayor announced that materials were not ready to consider awarding a bid for publication of legal notices. This matter will be considered on June 19th.

376. The City Manager presented a memorandum from Plant Engineer Baragar recommending that the City contract with Maney's Weed Harvesting Company for harvesting aquatic weeds in Reeds Lake.

376-A. Williamson-Young. That a contract for weed harvesting be awarded to Maney's Weed Harvesting Company for harvests in June and August, 1989.

Yeas: Edison, Mehney, Mertz, Williamson, Young, Deems --6  
Nays: Moseley --1

377. An informational report concerning the telephone system was received.

378. A special event application for a W-Light Dog Parade II, sponsored by W-Light and the Kent County Humane Society, to be held September 23, 1989, was presented.

378-A. Mertz-Mehney. That this Commission approve the special event application for a W-Light Dog Parade to be held September 23, 1989.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

379. Preliminary minutes of Traffic Commission meeting of May 16, 1989 were received. "Bus Parking" signs will be placed at Lakeside School in accordance with the Traffic Commission motion noted in their minutes.

380. Building Inspection Report for month of May, 1989 was received.

381. There was no public comment by persons in attendance.

382. The meeting was adjourned subject to the call of the Mayor until June 19, 1989. A budget work session immediately followed.

  
City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 19, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems.  
Absent: None.

Also Present: City Manager Allard, Assistant City Manager & City Engineer McMann, Director of Public Safety Gallagher, Controller & Clerk Justin, and City Attorney Huff.

383. The minutes of the meeting held June 5, 1989, were approved as written.

384. Williamson-Young. That disbursement vouchers in the amount of \$207,854.82 and payroll vouchers in the amount of \$91,099.05 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

384-A. Moseley-Young. That the motion be amended to delay payment of invoice #764 to EGR Public Schools in the amount of \$196.71, until the charge is analyzed as to its conformity with City policies on Joint Facilities.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

385-B. Vote on original motion as amended:

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

386. A hearing was held on the fiscal year 1989-90 General Fund budget. There was no comment.

387. Director of Public Safety Gallagher presented two new Public Safety Officers, Charles Lark and Brian Williams.

388. A hearing was held on the request of N. Barr Nylen, 2232 Wilshire SE to install a central air conditioner condensing unit on the east side of his residence rather than the rear as required by the Zoning Ordinance.

388-A. Mertz-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by N. Barr Nylen subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

389. A hearing was held on the request of Ward J. Foe, 2135 Wilshire Dr. SE, to install a central air conditioner condensing unit on the west side of his residence rather than the rear as required by the Zoning Ordinance. Mr. Foe was present.

389-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Ward J. Foe subject to the proposed minimum

conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

390. A hearing was held on the request of Steve Mudrey, 2425 Elmwood SE, to install a central air conditioner condenser unit on the east side of his residence rather than the rear as required by the Zoning Ordinance. Mr. Mudrey was present.

390-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Steve Mudrey subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

391. A hearing was held on the request of George and Mary Ann Coroneos, 835 Plymouth SE, to install a central air conditioner condenser unit on the north side of their residence rather than the rear as required by the Zoning Ordinance. Mr. & Mrs. Coroneos were present.

391-A. Moseley-Mertz. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by George and Mary Ann Coroneos subject to the proposed minimum conditions for screening of June 28, 1988, to be evaluated by the building inspector.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

392. A hearing was held on the request of East Grand Rapids High School, 2211 Lake Drive to add another story to the pressbox to a height of 40 feet. A variance is required since building heights are limited to 35 feet. East Grand Rapids High School Athletic Director Steve Turkal was present.

392-A. Williamson-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by East Grand Rapids High School.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7  
Nays: -0-

393. Controller & Clerk Justin presented a bid summary from the June 9, 1989 bid opening on the Andover Lots.

393-A. Young-Moseley. That the bids from Ed Zaagman, Inc. for nine of the ten available lots, lots 55 through 62 and lot 64, totaling \$89,750 and that the bid of Steven H. Berger M.D. for lot 63 at \$20,000, both the high bidders for the respective individual lots, be accepted.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

394. A public hearing was held concerning the Andover Lane Special Assessment Roll.

394-A. Young-Edison. That a resolution confirming the assessment roll for Andover Lane improvements be adopted as applying to the ten lots fronting unimproved Andover Lane and deleting the two lots on Berwyk adjoining Andover Lane.

The motion was withdrawn.

394-C. Williamson-Young. That an assessment district with a ten-year repayment period at an interest rate of 8% be established and that the following resolution be adopted to confirm the special assessment roll for Andover Lane improvements, provided that bidders whose bids have been accepted are bound by the bidding specification that the total cost of special assessments must be paid at closing of the sale of property to them.

Resolution Confirming Assessment Roll

Resolved that a public hearing having been duly held on the special assessment roll for the improvement consisting of excavation and grading for gravel base, construction of sanitary sewer, watermain, and storm drain, construction of combination curb and gutter, concrete drive approaches, sidewalks, and necessary concrete approach walks, place gravel base, place asphalt roadway base, and asphalt wearing surface and place 4" topsoil and hydromulch disturbed areas on

ANDOVER LANE from Berwyck Road south to cul de sac.

and all persons having been given the opportunity to be heard with regard thereto and this City Commission having considered all written or oral objections thereto, and has determined that the portion to be paid by each individual lot by special assessment payable in 10 annual installments with the interest rate of 8% per annum on installments not paid within 30 days of confirmation of the assessment roll and it appearing that said special assessment roll does not require any additional changes or corrections, this City Commission does confirm such special assessment roll and does order that the Clerk endorse the date of confirmation upon such special assessment roll and transmit the same to the Treasurer for collection.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

395. The City Manager presented additional terms of the proposed settlement with Breton Village of its lawsuit against the City concerning the question of constructing a parking lot. The following persons questioned the proposal: M. D. Lewis, 1722 York; Peg Pengelly, 1766 Breton; Gretchen Kenzel, 1830 Conlon in Grand Rapids; and Dan Bylenga, 2546 Berwyk.

395-A. Williamson-Young. That the proposed settlement be accepted.

Yeas: Mehney, Mertz, Williamson and Young --4  
Nays: Edison, Moseley --2  
Abstentions: Deems --1

396. Com. Edison presented the Planning Commission's report approving an ordinance, previously introduced, to amend Section 5.90 of Chapter 50 of Title V of the city Code, dealing with mechanical appurtenances.

396-A. Edison-Mertz. That the following proposed ordinance to amend Section

5.90 be approved with an effective date of June 30, 1989 and that the regulations submitted by the Building Inspector are accepted:

AN ORDINANCE TO AMEND SECTION 5.90  
OF CHAPTER 50 OF TITLE V  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 5.90 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended to read as follows:

"Section 5.90 Mechanical appurtenances

Mechanical appurtenances such as flowers, ventilating fans and air conditioning units must be attached to the principal building or be located in the rear or side yard not closer than seven (7) feet to any adjoining property line. Such units, when attached to the building, shall be architecturally integrated or appropriately screened. Such units, when placed in the side yard, shall be screened by shrubbery or fencing so as not to be visible from the neighboring property, any such fencing to be placed in accordance with the provision of Chapter 83 of the City Code. No unit shall be placed in the side yard until a permit for such placement has been issued by the building inspector. Regulations governing the issuance of side yard permits shall be promulgated by the building inspector and filed with the City Commission. Unless reversed or modified by the City Commission at the first meeting after such filing, the regulations shall take effect immediately after said first meeting of the City Commission. The Application fee for a side yard permit shall be \$25.00. The Determination of compliance with the screening requirements contained in this section shall be made by the building inspector or his designee. In all instances, the provision of Section 9.14 and of Chapter 97 of the East Grand Rapids City Code shall apply.

Section 2. This ordinance shall be effective on June 30, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7

Nays: -0-

397. Controller & Clerk Justin presented a memorandum concerning the recommendation to award a commitment for publication of legal notices for fiscal year 1989-90, recommending award to the lowest bidder with virtually 100% circulation among City households, the Advance, with the exception of the agenda, which is to be awarded to the Cadence on the basis of a favorable deadline.

397-A. Williamson-Young. That legal notices be printed in the Advance with the exception of the agenda, which is to be printed in the Cadence.

397-B. Edison-Williamson. That the motion be amended to print the agenda in the Advance also.

A roll call vote was taken:

Yeas: Mehney, Moseley and Williamson --3

Nays: Edison, Mertz, Young and Deems --4

397-C. Vote on the original motion:

A roll call vote was taken:

Yeas: Mehney, Young and Williamson --3

Nays: Edison, Mertz, Moseley, and Deems --4

397-C. Mertz-Moseley. That the commitment be awarded to the Grand Rapids Press to print all City legal notices in the East Press.

Yeas: Mehney, Mertz, Young and Deems --4

Nays: Edison, Moseley and Williamson --3

398. The City Engineer presented a memorandum recommending a modification to the City's financial commitment to the ongoing Kent County Drain Commissioner's Study involving the Silver Creek and Burton-Breton tributaries of Plaster Creek.

398-A. Williamson-Young. That authorization be granted for \$6,385 in additional funds for the Plaster Creek study to come from the Water & Sewer Fund.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young, and Deems --7

Nays: -0-

399. The City Manager presented a memorandum recommending the purchase of replacement vehicles in the Public Safety and Public Service departments.

399-A. Young-Moseley. That this item be tabled until a future meeting.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7

Nays: -0-

400. Moseley-Edison. That a matter concerning the Grand Rapids Area Transportation Authority (GRATA) be added to the agenda.

A roll call vote was taken:

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7

Nays: -0-

400-A. Moseley-Edison. That the City approve the entrance of townships to the GRATA Board.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7

Nays: -0-

401. Announcement was made of house-number painting on curbs throughout the City.

402. The Public Safety report for the month of May, 1989 was received.

403. Paul Weirich inquired about his sewer backup claim. Commissioner Williamson informed him that the claim had been denied by the Finance Committee.

404. Com. Mertz announced his resignation from the City Commission effective July 5, 1989.

405. The meeting was adjourned subject to the call of the Mayor until July 5, 1989.

City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held July 5, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems.  
Absent: None.

Also Present: City Manager Allard, Assistant City Manager & City Engineer McMann,  
and City Attorney Huff.

406. The minutes of the meeting held June 19, 1989, were approved as written.

407. Young-Williamson. That disbursement vouchers in the amount of \$257,158.80 and payroll vouchers in the amount of \$99,613.04 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

408. Consideration of the resignation of Coms. Mertz effective July 5, 1989.

408-A. Mehney-Williamson. That this Commission appoint Steve Mertz to fill the vacant 2nd Ward Commission seat until a successor is elected.

Yeas: Edison, Mehney, Moseley, Williamson, Young and Deems --6  
Nays: -0-

409. The City Attorney discussed a proposed ordinance amendment adopting the BOCA national plumbing code.

409-A. Edison-Mertz. That the proposed ordinance amendment adopting the BOCA national plumbing code be introduced.

409-B. Moseley-Edison. That Subsection P-117.1 be amended to raise the fine for violations from \$100.00 to \$500.00.

AN ORDINANCE TO AMEND  
SECTIONS 8.602, 8.603 and 8.605  
OF CHAPTER 86 OF TITLE VIII  
OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 8.602 of Chapter 86 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

Sec. 8.602. Adoption of plumbing code by reference.

Pursuant to the provisions of Section 3(k) of Act 279 of the Public Acts of the State of Michigan, as amended, the BOCA National Plumbing Code, 1987 Edition, as promulgated by the Building Officials and Code Administrators International, Inc., is hereby adopted by reference by the city, as modified in this chapter, for the purpose of regulating the design and installation of plumbing systems, drainage systems and water services.

Section 2. Section 8.603 of Chapter 86 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

Sec. 8.603. Changes in code.

The following sections and subsections of the plumbing code are hereby amended or deleted as set forth herein and additional sections and subsections added as indicated. Subsequent section numbers used in this chapter shall refer to like numbered sections of the BOCA National Plumbing Code.

Subsection P-100.1 is amended to read as follows:

P-100.1. Title. This part shall be known as the East Grand Rapids Plumbing Code and is hereinafter referred to as the plumbing code or this code.

Subsection P-114.2 is amended to read as follows:

P-114.2 Fees. An inspection fee of one and one-half dollars (\$1.50) per unit shall be charged for each inspection of each single plumbing unit or fixture. The minimum fee shall be five dollars (\$5.00). All fees shall be paid at the time any permit is issued. Fees for special processes, reinspections or inspections of special installations shall be charged at the rate of seven and one-half dollars (\$7.50) per hour or fraction thereof. A charge of five dollars (\$5.00) shall be made for each outside sewer and water inspection, whether the same be a street opening, a sanitary sewer, a storm sewer or a water service. A service fee of five dollars (\$5.00) shall be added for any special requested service inspection. If any job or installation covered by this chapter is commenced before a permit is obtained from the plumbing inspector as provided herein, an amount equivalent to two hundred (200) percent of the fee set for the herein shall be paid before a permit is issued.

Subsection P-117.1 is amended to read as follows:

P-117.1. Violations. Any person who violates the provisions of this chapter or the rules and regulations which may be adopted hereunder or shall operate a water system valve located within the public right-of-way or easement or shall enclose, cover up or put into operation work regulated by this code before it has been inspected and approved, may have his license and permit revoked and shall, upon conviction, be subject

to a fine of not more than five hundred dollars (500.00) and/or imprisonment for not more than ninety (90) days. Any person who has commenced work other than during an emergency as herein provided without securing a permit to do so, shall upon conviction thereof be subject to a fine of not more than five hundred dollars (\$500.00) and/or imprisonment for not more than ninety (90) days.

Subsection P-117.2 through P-117.5 are deleted.

Subsection P-201.1 is added as follows:

P-201.1. Definition of terms--Administrative authority. With reference to permits and inspections to be made by the department (City of Grand Rapids), administrative authority shall mean the assistant director of the department of community improvement and inspection services or the chief plumbing inspector under his direction, except that approval of materials and/or equipment shall be by the state administrative authority. With reference to permits and inspections to be made by the director of public service (City of East Grand Rapids), administrative authority shall mean the director of public service of the City of East Grand Rapids or a designated representative under his direction except that approval of materials and/or equipment shall be by the state administrative authority.

Subsection P-201.2 is added as follows:

P-201.2. Additional definitions.

- (1) Authorized master plumber means a person who has been licensed as a plumber by the State of Michigan and has registered his license with the department.
- (2) Licensed water service and drainage system contractor means a person so licensed by the City of Grand Rapids.
- (3) Drainage system permit means a permit for a drainage system exclusive of the building drain.
- (4) Water service permit means a permit for installing a water service pipe.

(5) Plumbing permit means a permit for plumbing as defined herein.

(6) Homeowner means the owner of a single-family residence in which he resides.

Subsection P-303.2 is amended to read as follows:

P-303.2. Public systems available. A public water supply and/or public sewer system shall be deemed available to premises used for human occupancy if such premises are within two hundred (200) feet measured along a street, alley, easement or public easement of the public water supply or the sewer system, and a connection conforming

with the standards set forth in this code may be made thereto.

Subsection P-303.3 is added as follows:

P-303.3. Independent building sewer and water service. Every building shall have an independent, owner-maintained building sewer and water service connected to the curb cock.

Subsection P-303.4 is added as follows:

P-303.4. Easements for water service and or drainage systems. It shall be unlawful to install a water service pipe or drainage system from any building premises across any adjacent property or premises, even though at the time of the proposed installation the adjacent properties are under common ownership, unless a right-of-way or easement is submitted to the department and the city engineer's office for approval and recorded with the Kent County Register of Deeds.

Any plumbing permits hereafter issued without such record of easement for installation as indicated in the previous paragraph shall be null and void and shall be removed in case of inability on the part of the person desiring right-of-way to secure any easement or right-of-way to secure any easement or right-of-way within thirty (30) days after notice of violation.

Subsection P-304.3 is added as follows:

P-304.3. Industrial-commercial chemical waste information. When plans of plumbing installations that involve industrial or commercial type wastes are submitted for approval, complete process information shall accompany the plans. The information shall include without limitation the following:

- (a) Description of process yielding the waste.
- (b) Composition and concentration of chemical mixtures in the process.
- (c) Composition of wastes and concentration of constituents.
- (d) Quantities of wastes to be treated and rates of discharge to treatment equipment.
- (e) Capacity of largest process tank or tanks that will be simultaneously discharged.
- (f) Water demands of the industrial waste producing process.
- (g) Description of waste treatment equipment to be used, including capacities, methods of treatment, quality of effluent, nature and disposition of products resulting from treatment.

Such information shall be accompanied by the recommendations of the environmental protection director as provided in Chapter 27 of the Grand Rapids City Code.

Subsection P-308.3 is amended to read as follows:

P-308.3. Freezing. Water service piping and sewers shall be installed below recorded frost penetration but not less below grade than five (5) feet for water piping. Plumbing piping in exterior building walls shall be adequately protected against freezing by insulation or heat or both.

Subsection P-402.3 is amended to read as follows:

P-402.3. Water service pipe. Water service pipe on private property shall be made of copper pipe or copper tube. Copper tube, when used underground, shall have a weight not less than copper water tube type L. When used underground in corrosive soil or fill, the piping material or protective coating or covering shall be as approved by the state plumbing board. Water service in public property shall be in accordance with standards of the water department.

Subsection P-601.4 Minimum size of building sewer. No part of the building sewer, including required cleanouts, shall be less than four (4) inches in diameter.

Subsection P-802.1 is amended to read as follows:

Subsection P-802.1. Storm water drainage to sewer prohibited. Storm water and/or subsoil drains shall not be drained into sewers intended for sewage only.

Subsection P-805.2 is added as follows:

P-805.2. Subsoil drains. In new installations, subsoil drains shall be connected to a storm sewer when available. If a storm sewer is not available, the administrative authority shall determine how to dispose of the water. In the case of one- and two-family dwellings, when approved by the administrative authority and the discharge does not constitute a nuisance to neighbors and/or the public, it may be discharged on flat areas of lawn on the premises.

Subsection P-807.3 is amended to read as follows:

P-807.3. Combining storm with sanitary drainage. The sanitary and storm drainage systems of a building shall be entirely separate.

Subsection P-1206.3 is amended to read as follows:

P-807.3. Combining storm with sanitary drainage. The sanitary and storm drainage systems of a building shall be entirely separate.

Subsection P-1206.3 is amended to read as follows:

P-1206.3. Urinals, stall-type, watertight pans required. Urinals of stall-type shall be constructed so as to have a watertight pan of lead or other approved materials by the state plumbing board installed beneath them. The drain for the urinal shall be made with a drainable clamping ring assembly to the watertight pan.

Subsection P-1502.1 is amended to read as follows:

P-1502.1. Size of water service. The water service pipe shall be of sufficient size to furnish water to the building in the quantities and at the pressures required elsewhere in this code. It shall in no case be less than one inch nominal diameter. One method for sizing the water service pipe is described in Appendix "A."

Subsection P-1505.11.4 is added to read as follows:

P-1505.11.4 Approval of devices. Before any device for the prevention of backflow or backsiphonage is installed, it shall have first been certified by a recognized testing laboratory acceptable to the administrative authority. Devices installed in a building portable water supply distribution system for protection against backflow shall be maintained in good working condition by the person or persons responsible for the maintenance of the system.

In order to insure proper operation of the device, the person responsible for maintenance shall periodically, but in no case less than annually, test the device or have a qualified person test the device and submit a report to the water department.

Subsection P-1506.4.3 is added as follows:

P-1506.4.3. Pressure relief valves. The valves shall have a relief rating adequate to meet the pressure conditions in the equipment served. They shall be installed in the cold water supply line to the heating equipment served except where scale formation from hard water may be encountered, in which case they may be installed in the hot water supply line from the heating equipment served. There shall be no shutoff valve between the pressure relief valve and the tank. The pressure relief valve shall be set to open at not less than twenty-five (25) psi above the street pressure or not less than twenty-five (25) psi above the setting of any house water pressure regulating valve. The setting shall not exceed the tank working pressure. The minimum size of both the inlet and discharge connections shall be three-quarter-inch pipe size, except that relief valves protecting water heating systems with input of not more than fifteen thousand (15,000) Btu per hour may have inlet and discharge connections of one-half-inch pipe size.

Subsection P-1506.4.4 is added to read as follows:

P-1506.4.4. Combination pressure-temperature relief valves. Combination pressure-temperature relief valves shall comply with the applicable requirements for individual pressure and individual temperature relief valves and shall be installed so that the temperature sensing element is immersed in the hottest water within the top six (6) inches of the tank. The minimum size of both the inlet and the discharge connections shall be three-quarter-inch pipe size except that relief valves protecting water heating systems with input of not more than fifteen thousand (15,000) Btu may have inlet and discharge connections of one-half-inch pipe size.

Section P-1600.0 through Subsection P-1605.2 are deleted.

Section 3. This ordinance shall be effective on \_\_\_\_\_, 1989.

Section 4. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Moseley, Williamson, Young and Deems --6  
Nays: Mertz --1

410. The City Manager presented a report in regard to water and sewer rate increases and a proposed ordinance amendment relative to those increases.

410-A. Young-Moseley. That the proposed ordinance amendment to Sections 2.83 and 2.83-1 of Chapter 24 of the City Code be introduced.

410-B. Moseley-Mehney. That the introduction of the proposed amendment be tabled.

A roll call vote was taken.

Yeas: Moseley and Williamson --2  
Nays: Young, Mertz, Edison, Mehney and Deems --5

AN ORDINANCE TO AMEND SECTIONS 2.83 AND 2.83-1  
OF CHAPTER 24 OF TITLE II OF THE CODE OF  
THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1: Section 2.83 of Chapter 24 of Title II of the East Grand Rapids City Code is amended to read as follows:

Sec. 2.83. Water Rates.

Charges for water service shall be payable every three (3) months. The charge for water service shall be a total of the consumption rate of One and 03/100 Dollars (\$1.03) per one thousand (1,000) gallons and the following quarterly meter service charge depending upon meter size:

Meter Size (inches)	Charge
1/2 - 3/4 .....	\$ 14.49
1 .....	24.35
1-1/4 .....	37.03
1-1/2 .....	52.50
2 .....	91.94
3 .....	204.57
4 .....	362.31
6 .....	812.82

Section 2: Section 2.83-1 of Chapter 24 of Title II of the East Grand Rapids City Code is amended to read as follows:

Sec. 2.83-1. Sanitary sewer rates.

Charges for sanitary sewer service shall be payable every three (3) months. The charge for sanitary sewer service shall be a total of the consumption rate of Sixty-Eight cents (\$0.68) per one thousand (1,000) gallons of water consumption, based on water consumption for either the current billable quarter or the preceding winter quarter for each user, whichever is less, and the following quarterly service charge depending on water meter size:

Meter Size (inches)	Charge
1/2 - 3/4 .....	\$ 8.78
1 .....	13.73
1-1/4 .....	20.10
1-1/2 .....	27.89
2 .....	47.69
3 .....	104.31
4 .....	183.58
6 .....	410.03

For purposes of this section, the winter quarter shall mean the three-month period ending, as to each user, on either the last day of January, February, or March preceding the billing date. If the city controller has reasonable cause to believe that the winter quarter water consumption of a particular user is not representative of actual sewage usage, the controller has discretion to determine water consumption without regard to actual consumption by either referring to the schedule of average water consumption for users of the same or similar sewage service requirements prepared by the city and on file at City Hall or by taking an average of previous consumption figures for the particular user. Any determination of water consumption by the city controller may be appealed by the user to the city commission. Such appeal shall follow the procedure set out in Section 9.4 of this Code.

Section 3: This ordinance shall be effective on July \_\_\_\_, 1989.

Section 4: This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Vote on the original motion.

Yeas: Mehney, Mertz, Moseley, Young and Deems --5  
Nays: Edison and Williamson --2

411. A resolution to amend designated partners under the Tavern License for the Gaslight Inn was considered.

411-A. Williamson-Edison. To approve the resolution to amend designated partners under the Tavern License for the Gaslight Inn.

That the request from Beverly B. Damoose, Marjorie Helen Damoose and Thomas Michel Damoose to drop Michel G. Damoose, Estate, Beverly B. & Thomas Michel Damoose Independent Personal Representatives as partner on 1988 Tavern licensed business located at 2162 SE Wealthy, East Grand Rapids, Michigan, Kent County, be considered for approval.

It is the consensus of this legislative body that the application be recommended for issuance.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

412. Traffic Commission minutes for the month of June, 1989 were received.

413. Recreation Commission minutes for the month of June, 1989 were received.

414. Committee appointments for FY 1989-90 were presented.

414-A. Mehney-Edison. That the committee appointments for FY 1989-90 be adopted.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

415. The mayor requested that a President of the City Commission be elected for FY 1989-90.

415-A. Mertz-Young. That Dave Mehney be nominated as President of the City Commission for FY 1989-90.

Yeas: Edison, Mertz, Moseley, Williamson, Young and Deems --6  
Nays: -0-  
Abstentions: Mehney --1

416. Coms. Edison and Moseley commended the Fireworks Display of July 4, 1989. Mayor Deems thanked the Public Safety, Public Service and Recreation departments for their work on the July 4th activities. Mayor Deems also gave notice to the fine work Public Safety Officers Ditmar and Tuttle have done.

417. The meeting was adjourned subject to the call of the Mayor until July 17, 1989.

City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held July 17, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Mertz, Moseley, Williamson, Young and Mayor Deems.  
Absent: Coms. Edison, and Mehney.

Also Present: City Manager Allard, Assistant City Manager & City Engineer McMann, Director of Recreation Rhodes, Deputy Director of Public Safety Daley, and City Attorney Huff.

418. The minutes of the meeting held July 5, 1989, were approved as written.

419. Williamson-Young. That disbursement vouchers in the amount of \$228,518.36 and payroll vouchers in the amount of \$91,712.33 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Mertz, Moseley, Williamson, Young and Deems --5  
Nays: -0-

420. A special event application for the Run through the Apple County, scheduled for October 28, 1989, was presented for approval.

420-A. Mertz-Young. That this Commission grant approval for the special event permit application for the Run through the Apple County.

Yeas: Mertz, Moseley, Williamson, Young and Deems --5  
Nays: -0-

Coms. Mehney arrived.

421. The proposed ordinance amendment to Sections 2.83 and 2.83-1 of Chapter 24 of Title II of the city code concerning water and sewer rates charged by the city was considered for adoption.

421-A. Young-Mertz. That the following amendment to Chapter 24 be adopted with an effective date of July 28, 1989.

AN ORDINANCE TO AMEND SECTIONS 2.83 AND 2.83-1  
OF CHAPTER 24 OF TITLE II OF THE CODE OF  
THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1: Section 2.83 of Chapter 24 of Title II of the East Grand Rapids City Code is amended to read as follows:

Sec. 2.83. Water Rates.

Charges for water service shall be payable every three (3) months. The charge for water service shall be a total of the consumption rate of One and 03/100 Dollars (\$1.03) per one thousand (1,000) gallons and the following quarterly meter service charge depending upon meter size:

Meter Size (inches)	Charge
1/2 - 3/4 .....	\$ 14.49
1 .....	24.35
1-1/4 .....	37.03
2 .....	52.50
3 .....	204.57
4 .....	362.31
6 .....	812.82

Section 2: Section 2.83-1 of Chapter 24 of Title II of the East Grand Rapids City Code is amended to read as follows:

Sec. 2.83-1. Sanitary sewer rates.

Charges for sanitary sewer service shall be payable every three (3) months. The charge for sanitary sewer service shall be a total of the consumption rate of Sixty-Eight cents (\$0.60) per one thousand (1,000) gallons of water consumption, based on water consumption for either the current billable quarter or the preceding winter quarter for each user, whichever is less, and the following quarterly service charge depending on water meter size:

Meter Size (inches)	Charge
1/2 - 3/4 .....	\$ 8.78
1 .....	13.73
1-1/4 .....	20.10
1-1/2 .....	27.09
2 .....	47.69
3 .....	104.31
4 .....	183.50
6 .....	410.03

For purposes of this section, the winter quarter shall mean the three-month period ending, as to each user, on either the last day of January, February, or March preceding the billing date. If the city controller has reasonable cause to believe that the winter quarter water consumption of a particular user is not representative of actual sewage usage, the controller has discretion to determine water consumption without regard to actual consumption by either referring to the schedule of average water consumption for users of the same or similar sewage service requirements prepared by the city and on file at City Hall or by taking an average of previous consumption figures for the particular user. Any determination of water consumption by the city controller may be appealed by the user to the city commission. Such appeal shall follow the procedure set out in Section 9.4 of this Code.

Section 3: This ordinance shall be effective on July 28, 1989.

Section 4: This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Mehney, Mertz, Moseley, Williamson, Young and Deems --6

Nays: -0-

422. Rules and regulations governing transient merchants as provided in Section 7.45 of the city code were presented.

422-A. Williamson-Moseley. To approve the proposed rules and regulations governing transient merchants as provided in Section 7.45 of the city code with a notation to #7 that the fees will be as stated in the city code.

Yeas: Mehney, Moseley, Williamson, Young and Deems --5

Nays: Mertz --1

Coms. Edison arrived.

423. A proposed ordinance amendment to Section 7.32 of the city code regarding the transient merchant fees charged by the city was presented for introduction.

423-A. Moseley-Young. That the proposed ordinance amendment to Section 7.32 of the city code be introduced as follows:

AN ORDINANCE TO AMEND SECTION 7.32  
OF CHAPTER 72 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. The fee for transient merchants as found in Section 7.32 of Chapter 72 of Title VII of the Code of the City of East Grand Rapids is amended to read as follows:

Transient merchants (Section 7.36):

Per day	10.00
Per week	25.00
Annual Fee	100.00

Section 2. This ordinance shall be effective on August \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

423-B. Williamson-Moseley. To amend the fees listed in the proposed amendment to Section 7.32 of the city code to reflect:

Per day	25.00
Per week	50.00
Annual fee	100.00

Yeas: Edison, Mehney, Moseley, Williamson, Young and Deems --6  
Nays: Mertz --1

423-C. Vote on the main motion as amended.

Yeas: Edison, Mehney, Moseley, Williamson, Young and Deems --6  
Nays: Mertz --1

424. City Attorney Huff presented a proposed amendment to Section 2.11 of the city code changing violations of yard debris regulations from misdemeanors to civil infractions.

424-A. Young-Mehney. To introduce the proposed ordinance to Section 2.11 of the city code as follows:

AN ORDINANCE TO AMEND SECTION 2.11  
OF CHAPTER 21 OF TITLE II  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 2.11 of Chapter 21 of Title II of the Code of the City of East Grand Rapids is hereby amended to read as follows:

Section 2.11 - Violations; Penalty

Upon a violation of any provision of this chapter, the city may seek prosecution and may seek legal and/or equitable relief in a court of competent jurisdiction. Any person who shall violate any provision of this chapter other than Section 2.2 and the regulations promulgated thereunder shall be guilty of a misdemeanor punishable by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both such fine and imprisonment. Each day that the violation occurs or continues shall constitute a separate offense. Any person shall violate Section 2.2 or the regulations promulgated thereunder shall have committed a civil infraction and may be ordered to pay a civil fine of not more than One Hundred Dollars (\$100.00). Each day that a violation occurs or continues shall constitute a separate offense.

Section 2. This ordinance shall be effective on August \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

425. Com. Edison presented proposed ballot language for the Recreation Plan ballot proposal for the September 12, 1989 election.

425-A. Edison-Young. That the proposed ballot language be adopted.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

425-B. Williamson-Young. That this Commission adopt the following resolution to submit a ballot proposal to City Clerk:

WHEREAS, the City Commission of the City of East Grand Rapids (the "City") is considering the acquisition and construction of a Recreational Complex for the use and benefit of City residents including a Community Multi-Purpose Center, an Outdoor Swimming Pool, and Outdoor Mechanically Cooled Ice Rink, parking and related facilities (the "Proposed Recreational Facilities"); and

WHEREAS, it is the intention of the City Commission to call a special election for the purpose of submitting to the qualified electors of the City on the day of the September 12, 1989 Primary Election, the question of acquiring and constructing the Proposed Recreational Facilities and issuing general obligation bonds to fund the cost thereof in accordance with the City Charter, the Unlimited Tax Election Act, being Act 189 of the Public Acts of Michigan of 1979, as amended, and the Michigan Election Law, being Act 116 of the Public Acts of Michigan of 1954, as amended ("Act 116").

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. One or more propositions to borrow money and issue bonds to acquire and construct the Proposed Recreational Facilities shall be submitted to the qualified electors of the City at a special election to be held on the day of the September 12, 1989 Primary Election.

2. The wording of the ballot proposal (s), which shall be submitted to the County Clerk for placement on the ballot at said special election, is attached hereto as Exhibit A.

3. The City Clerk or Deputy City Clerk is hereby directed to certify the wording of the ballot proposals as approved hereby to the County Clerk no later than July 28, 1989 as required by Section 646a(2) of Act 116.

4. The City Clerk or Deputy City Clerk is hereby directed to give all notices required for said special election by the City Charter and by Act 116.

5. That all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

426. The Building Inspection report for the month of June, 1989 was received.

427. The Public Safety report for the month of June, 1989 was received.

428. Mr. Paul Weirich inquired as to his appeal for a sewer backup claim. The City Manager is preparing information related to his appeal in conjunction with the Finance Committee.

429. Mayor Deems requested that an item be added to the agenda in regard to the nomination and appointment of persons to the Planning and Recreation Commissions.

429-A. Young-Edison. That the item to nominate and appoint persons to the Planning and Recreation Commissions be added to the agenda.

A roll call vote was taken.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

430. Mayor Deems nominated Boyd Griswold, Barb Hohman and John Turkal to the Planning Commission, and Jerry Pfeiffle to the Recreation Commission.

430-A. Young-Edison. That Boyd Griswold, Barb Hohman and John Turkal be appointed to the Planning Commission, and Jerry Pfeiffle be appointed to the

Recreation Commission.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: --0--

431. The meeting was adjourned subject to the call of the Mayor until August 7, 1989.

\_\_\_\_\_  
City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 7, 1989

The meeting was called to order by the President of the Commission, Dave Mehney.

Present: Coms. Edison, Mehney, Moseley, Williamson, and Young.

Absent: Com. Mertz and Mayor Deems.

Also Present: City Manager Allard, Assistant City Manager & City Engineer McMann, Director of Public Safety Gallagher, Engineer Kocsis and City Attorney Huff.

432. The minutes of the meeting held July 17, 1989, were approved as written.

433. Williamson-Young. That disbursement vouchers in the amount of \$132,142.08, disbursements to forward taxes in the amount of \$768,364.38, and payroll vouchers in the amount of \$93,169.37 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Moseley, Williamson, Young and Mehney -- 5

Nays: -0-

434. Director of Public Safety Gallagher introduced the new Public Safety Dispatcher, Sue Browne.

435. City Manager Allard presented an informational report concerning signs for the Manhattan Nature Trails.

436. A recommendation to amend our street lighting contract with Consumers Power for system additions at five locations throughout East Grand Rapids was presented. These additions have been unanimously endorsed by all the residents in the area which would be affected by them.

436-A. Williamson-Moseley. That these proposed additions to our street lighting contract with Consumers Power be approved.

Yeas: Edison, Moseley, Williamson, Young and Mehney --5

Nays: -0-

437. A recommendation to amend our street lighting contract with Consumers Power for two additional lights to be placed on Gilmour St.

437-A. Williamson-Young. That the addition of these lights be approved.

Yeas: Mehney, Williamson and Young --3

Nays: Edison and Moseley --2

438. A recommendation to amend our street lighting contract with Consumers Power for an additional light to be added on Rosewood. Mr. Long, 941 Rosewood, submitted a plan for the light to be placed at a different location.

438-A. Moseley-Young. That the plan for the light to be added on Rosewood be reworked and that the proposed plan be rejected.

Yeas: Edison, Moseley, Williamson, Young and Mehney --5

Nays: -0-

439. A hearing was then held on the request of Timothy and Deborah Wiggins, 947 San Jose Drive, to enlarge and attach their existing garage, which would require a variance of 7 feet from 14 foot minimum setback as required in the Zoning Ordinance. Mr. & Mrs. Wiggins were present.

439-A. Young-Williamson. That this Commission, acting as the board of Zoning Appeals, grant the variance requested by Mr. and Mrs. Wiggins.

Yeas: Edison, Moseley, Williamson, Young and Mehney --5

Nays: -0-

440. A hearing was held on the request of Doug Kelly, 1535 Breton SE, to install a central air conditioner condensing unit on the north side of his

residence rather than the rear yard as required by the Zoning Ordinance. Mr. Kelly was present. Maribeth Baker Steketee, 1525 Breton, was also present and spoke against granting the variance.

440-A. Moseley-Young. That this Commission deny the variance request.

Yeas: Edison, Moseley, Williamson, Young and Mehney --5  
Nays: -0-

441. A hearing was held on the request of Daniel Ophoff, 3000 Hall SE, to raze his existing garage and to rebuild and enlarge the garage, placing it closer than three feet from the east property line as required by the Zoning Ordinance. Mr. Ophoff was present.

441-A. Edison-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. Ophoff.

442. The City Manager presented a memo concerning the search for City Controller-Clerk.

443. The proposed ordinance amendment concerning the BOCA national plumbing code, was considered for adoption.

443-A. Moseley-Edison. That the following ordinance amendment adopting the BOCA national plumbing code be adopted with an effective date of August 18, 1989.

AN ORDINANCE TO AMEND  
SECTIONS 8.602, 8.603 and 8.605  
OF CHAPTER 86 OF TITLE VIII  
OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 8.602 of Chapter 86 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

**Sec. 8.602. Adoption of plumbing code by reference.**

Pursuant to the provisions of Section 3(k) of Act 279 of the Public Acts of the State of Michigan, as amended, the BOCA National Plumbing Code, 1987 Edition, as promulgated by the Building Officials and Code Administrators International, Inc., is hereby adopted by reference by the city, as modified in this chapter, for the purpose of regulating the design and installation of plumbing systems, drainage systems and water services.

Section 2. Section 8.603 of Chapter 86 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

**Sec. 8.603. Changes in code.**

The following sections and subsections of the plumbing code are hereby amended or deleted as set forth herein and additional sections and subsections added as indicated. Subsequent section numbers used in this chapter shall refer to like numbered sections of the BOCA National Plumbing Code.

Subsection P-100.1 is amended to read as follows:

P-100.1. Title. This part shall be known as the East Grand Rapids Plumbing Code and is hereinafter referred to as the plumbing code or this code.

Subsection P-114.2 is amended to read as follows:

P-114.2 Fees. An inspection fee of five dollars (\$5.00) per unit shall be charged for each inspection of each single plumbing unit or fixture. The minimum fee shall

be fifteen dollars (\$15.00). All fees shall be paid at the time any permit is issued. Fees for special processes, reinspections or inspections of special installations shall be charged at the rate of seven and one-half dollars (\$7.50) per hour or fraction thereof. A charge of twenty dollars (\$20.00) shall be made for each outside sewer and water inspection, whether the same be a street opening, a sanitary sewer, or a water service. If any job or installation covered by this chapter is commenced before a permit is obtained from the plumbing inspector as provided herein, an amount equivalent to two hundred (200) percent of the fee set forth shall be paid before a permit is issued.

Subsection P-117.1 is amended to read as follows:

P-117.1. Violations. Any person who violates the provisions of this chapter or the rules and regulations which may be adopted hereunder or shall operate a water system valve located within the public right-of-way or easement or shall enclose, cover up or put into operation work regulated by this code before it has been inspected and approved, may have his license and permit revoked and shall, upon conviction, be subject to a fine of not more than five hundred dollars (500.00) and/or imprisonment for not more than ninety (90) days. Any person who has commenced work other than during an emergency as herein provided without securing a permit to do so, shall upon conviction thereof be subject to a fine of not more than five hundred dollars (\$500.00) and/or imprisonment for not more than ninety (90) days.

Subsection P-117.2 through P-117.5 are deleted.

Subsection P-201.1 is added as follows:

P-201.1. Definition of terms--Administrative authority. With reference to permits and inspections to be made by the department (City of Grand Rapids), administrative authority shall mean the assistant director of the department of community improvement and inspection services or the chief plumbing inspector under his direction, except that approval of materials and/or equipment shall be by the state administrative authority. With reference to permits and inspections to be made by the director of public service (City of East Grand Rapids), administrative authority shall mean the director of public service of the City of East Grand Rapids or a designated representative under his direction except that approval of materials and/or equipment shall be by the state administrative authority.

Subsection P-201.2 is added as follows:

P-201.2. Additional definitions.

- (1) Authorized master plumber means a person who has been licensed as a plumber by the State of Michigan and has registered his license with the department.
- (2) Licensed water service and drainage system contractor means a person so licensed by the City of Grand Rapids.
- (3) Drainage system permit means a permit for a drainage system exclusive of the building drain.
- (4) Water service permit means a permit for installing a water service pipe.
- (5) Plumbing permit means a permit for plumbing as defined herein.
- (6) Homeowner means the owner of a single-family residence in which he resides.

Subsection P-303.2 is amended to read as follows:

P-303.2. Public systems available. A public water supply and/or public sewer system shall be deemed available to premises used for human occupancy if such premises are within two hundred (200) feet

measured along a street, alley, easement or public easement of the public water supply or the sewer system, and a connection conforming with the standards set forth in this code may be made thereto.

Subsection P-303.3 is added as follows:

P-303.3. Independent building sewer and water service. Every building shall have an independent, owner-maintained building sewer and water service connected to the curb cock.

Subsection P-303.4 is added as follows:

P-303.4. Easements for water service and or drainage systems. It shall be unlawful to install a water service pipe or drainage system from any building premises across any adjacent property or premises, even though at the time of the proposed installation the adjacent properties are under common ownership, unless a right-of-way or easement is submitted to the department and the city engineer's office for approval and recorded with the Kent County Register of Deeds.

Any plumbing permits hereafter issued without such record of easement for installation as indicated in the previous paragraph shall be null and void and shall be removed in case of inability on the part of the person desiring right-of-way to secure any easement or right-of-way to secure any easement or right-of-way within thirty (30) days after notice of violation.

Subsection P-304.3 is added as follows:

P-304.3. Industrial-commercial chemical waste information. When plans of plumbing installations that involve industrial or commercial type wastes are submitted for approval, complete process information shall accompany the plans. The information shall include without limitation the following:

- (a) Description of process yielding the waste.
- (b) Composition and concentration of chemical mixtures in the process.
- (c) Composition of wastes and concentration of constituents.
- (d) Quantities of wastes to be treated and rates of discharge to treatment equipment.
- (e) Capacity of largest process tank or tanks that will be simultaneously discharged.
- (f) Water demands of the industrial waste producing process.
- (g) Description of waste treatment equipment to be used, including capacities, methods of treatment, quality of effluent, nature and disposition of products resulting from treatment.

Such information shall be accompanied by the recommendations of the environmental protection director as provided in Chapter 27 of the Grand Rapids City Code.

Subsection P-308.3 is amended to read as follows:

P-308.3. Freezing. Water service piping and sewers shall be installed below recorded frost penetration but not less below grade than five (5) feet for water piping. Plumbing piping in exterior building walls shall be adequately protected against freezing by insulation or heat or both.

Subsection P-402.3 is amended to read as follows:

P-402.3. Water service pipe. Water service pipe on private property shall be made of copper pipe or copper tube. Copper tube, when used underground, shall have a weight not less than copper water tube type L. When used underground in corrosive soil or fill, the piping material or protective coating or covering shall be as approved by the state plumbing board. Water service in public property shall be in accordance with standards of the water department.

Subsection P-601.4 Minimum size of building sewer. No part of the building sewer, including required cleanouts, shall be less than four (4) inches in diameter.

Subsection P-802.1 is amended to read as follows:

Subsection P-802.1. Storm water drainage to sewer prohibited. Storm water and/or subsoil drains shall not be drained into sewers intended for sewage only.

Subsection P-805.2 is added as follows:

P-805.2. Subsoil drains. In new installations, subsoil drains shall be connected to a storm sewer when available. If a storm sewer is not available, the administrative authority shall determine how to dispose of the water. In the case of one- and two-family dwellings, when approved by the administrative authority and the discharge does not constitute a nuisance to neighbors and/or the public, it may be discharged on flat areas of lawn on the premises.

Subsection P-807.3 is amended to read as follows:

P-807.3. Combining storm with sanitary drainage. The sanitary and storm drainage systems of a building shall be entirely separate.

Subsection P-1206.3 is amended to read as follows:

P-807.3. Combining storm with sanitary drainage. The sanitary and storm drainage systems of a building shall be entirely separate.

Subsection P-1206.3 is amended to read as follows:

P-1206.3. Urinals, stall-type, watertight pans required. Urinals of stall-type shall be constructed so as to have a watertight pan of lead or other approved materials by the state plumbing board installed beneath them. The drain for the urinal shall be made with a drainable clamping ring assembly to the watertight pan.

Subsection P-1502.1 is amended to read as follows:

P-1502.1. Size of water service. The water service pipe shall be of sufficient size to furnish water to the building in the quantities and at the pressures required elsewhere in this code. It shall in no case be less than one inch nominal diameter. One method for sizing the water service pipe is described in Appendix "A."

Subsection P-1505.11.4 is added to read as follows:

P-1505.11.4 Approval of devices. Before any device for the prevention of backflow or backsiphonage is installed, it shall have first been certified by a recognized testing laboratory acceptable to the administrative authority. Devices installed in a building portable water supply distribution system for protection against backflow shall be maintained in good working condition by the person or persons responsible for the maintenance of the system.

In order to insure proper operation of the device, the person responsible for maintenance shall periodically, but in no case less than annually, test the device or have a qualified person test the device and submit a report to the water department.

Subsection P-1506.4.3 is added as follows:

P-1506.4.3. Pressure relief valves. The valves shall have a relief rating adequate to meet the pressure conditions in the equipment served. They shall be installed in the cold water supply line to the heating equipment served except where scale formation from hard water may be encountered, in which case they may be installed in the hot water supply line from the heating equipment served. There shall be no shutoff valve between the pressure relief valve and the tank. The pressure relief valve shall be set to open at not less than twenty-five (25) psi above the street pressure or not less than twenty-five (25) psi above the setting of any house water pressure regulating valve. The setting shall not exceed the tank working pressure. The minimum size of both the inlet and discharge connections shall be three-quarter-inch pipe size, except that relief valves protecting water heating systems with input of not more than fifteen thousand (15,000) Btu per hour may have inlet and discharge connections of one-half-inch pipe size.

Subsection P-1506.4.4 is added to read as follows:

P-1506.4.4. Combination pressure-temperature relief valves.  
Combination pressure-temperature relief valves shall comply with the applicable requirements for individual pressure and individual temperature relief valves and shall be installed so that the temperature sensing element is immersed in the hottest water within the top six (6) inches of the tank. The minimum size of both the inlet and the discharge connections shall be three-quarter-inch pipe size except that relief valves protecting water heating systems with input of not more than fifteen thousand (15,000) Btu may have inlet and discharge connections of one-half-inch pipe size.

Section P-1600.0 through Subsection P-1605.2 are deleted.

Section 3. This ordinance shall be effective on August 18, 1989.

Section 4. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Moseley, Williamson and Young --5

Nays: -0-

444. A proposed ordinance amendment to Section 7.32 of the city code regarding the transient merchant license fees charged by the city was presented for adoption.

444-A. Williamson-Moseley. That the following ordinance amendment to Section 7.32 of the city code be adopted with an effective date of August 18, 1989.

AN ORDINANCE TO AMEND SECTION 7.32  
OF CHAPTER 72 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. The fee for transient merchants as found in Section 7.32 of Chapter 72 of Title VII of the Code of the City of East Grand Rapids is amended to read as follows:

Transient merchants (Section 7.36):	
Per day	25.00
Per week	50.00
Annual Fee	100.00

Section 2. This ordinance shall be effective on August 18, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Moseley, Williamson and Young --5

Nays: -0-

445. The proposed amendment to Section 2.11 of the city code changing violations of yard debris regulations from misdemeanors to civil infractions was considered for adoption.

445-A. Young-Edison. That the following ordinance amendment to Section 2.11 of the city code be adopted as follows:

AN ORDINANCE TO AMEND SECTION 2.11  
OF CHAPTER 21 OF TITLE II  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 2.11 of Chapter 21 of Title II of the Code of the City of East Grand Rapids is hereby amended to read as follows:

Section 2.11 - Violations; Penalty

Upon a violation of any provision of this chapter, the city may seek prosecution and may seek legal and/or equitable relief in a court of competent jurisdiction. Any person who shall violate any provision of this chapter other than Section 2.2, the regulations promulgated thereunder, or Section 2.3 shall be guilty of a misdemeanor punishable by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both such fine and imprisonment. Each day that the violation occurs or continues shall constitute a

separate offense. Any person shall violate Section 2.2, the regulations promulgated thereunder, or Section 2.3 shall have committed a civil infraction and may be ordered to pay a civil fine of not more than One Hundred Dollars (\$100.00). Each day that a violation occurs or continues shall constitute a separate offense.

Section 2. This ordinance shall be effective on August 18, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Moseley, Williamson and Young --5  
Nays: -0-

446. City Engineer McMann presented a memorandum concerning concrete curb and gutter types to be allowed in the Andover improvement.

446-A. Young-Williamson. That the "rolled" type curb be allowed in the Andover improvement construction.

Yeas: Edison, Mehney, Williamson and Young --4  
Nays: Moseley --1

447. The City Manager presented a memorandum recommending that the City enter into a contract for barrier-free ramps at various locations throughout the City.

447-A. Moseley-Edison. That the recommended bid of T.N.T. Concrete, \$58,581.87, the low bidder, be approved and that a contract be awarded to T.N.T. Concrete for barrier-free ramps.

Yeas: Edison, Mehney, Moseley, Williamson and Young --5  
Nays: -0-

448. A special event application for a walk-a-thon, sponsored by the Juvenile Diabetes Foundation, scheduled for October 7, 1989, was presented for approval.

448-A. Williamson-Moseley. That this Commission grant approval for the special event permit application for the walk-a-thon sponsored by the Juvenile Diabetes Foundation.

Yeas: Edison, Mehney, Moseley, Williamson, and Young --5  
Nays: -0-

449. The City Manager presented a memorandum recommending renewal of liability and property insurance coverage with MML's Municipal Liability and Property Pool.

449-A. Edison-Young. That the liability and property insurance with MML's Municipal Liability and Property Pool be renewed.

Yeas: Edison, Mehney, Moseley, Williamson and Young --5  
Nays: -0-

450. Director of Public Safety Gallagher presented a memorandum recommending that the City purchase a Computer Terminal for L.E.I.N. from the Federal Seizure account.

450-A. Williamson-Moseley. That the bid of Inacomp Computer Center, \$4,650, the low bidder, be approved.

Yeas: Edison, Mehney, Moseley, Williamson and Young --5  
Nays: -0-

451. Preliminary minutes of the Planning Commission meeting of July 11, 1989 were received.

452. Preliminary minutes of Recreation Commission meeting of July 11, 1989 were received.

453. Com. Williamson requested that an item be added to the agenda in regard to the regulations governing the operation of waste haulers which have been issued by the Director of Public Service pursuant to Section 2.5 of the City Code.

453-A. Young-Moseley. That the item in regard to the regulations governing the operation of waste haulers be added to the agenda.

Yeas: Edison, Mehney, Moseley, Williamson and Young --5  
Nays: -0-

453-B. Williamson-Young. That the following regulations in regard to waste haulers be approved.

REGULATIONS GOVERNING OPERATION OF WASTE HAULERS

Regulation No. 1: Each applicant for a waste hauler license shall file with the application a Certificate of Insurance for Motor Vehicle Insurance in the minimum amounts of One Hundred Thousand Dollars (\$100,000) per person and Three Hundred Thousand Dollars (\$300,000) per accident for bodily injury, and One Hundred Thousand Dollars (\$100,000) for property damage, or a combined single limit coverage of at least Three Hundred Thousand Dollars (\$300,000). None of this coverage shall have any deductible amount, except for property damage which shall have a deductible of not more than Three Hundred Dollars (\$300.00). The certificates must name the applicant as the insured and the City as an additional insured, and must include at least a ten (10) day notice of cancellation clause. The certificates must state that they cover commercial operations or waste hauling operations, and must either extend through the full license period (through June 30) or be immediately renewed so as to avoid any lapse in coverage during the license period. Proof of renewal shall be furnished to the City at least ten (10) days prior to the insurance expiration date.

Regulation No. 2. Every licensed waste hauler shall prominently display on each vehicle registered for use in the City a Kent County sticker and a City sticker in accordance with regulations issued by Kent County. A new City sticker shall be issued each July 1. All stickers may be obtained from the City Clerk.

Yeas: Edison, Mehney, Moseley, Williamson and Young --5  
Nays: -0-

454. There was no comment from persons in attendance.

455. Com. Moseley commended the Recreation Department for their Safety Town and Adventure Club programs.

456. The meeting was adjourned subject to the call of the Mayor until August 21, 1989.

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City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held August 21, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems.

Absent: None.

Also Present: City Manager Allard, Assistant City Manager & City Engineer McMann, Public Service Superintendent Smith, Building Inspector/Plant Engineer Baragar, Director of Public Safety Gallagher, Engineer Kocsis and City Attorney Huff.

457. The minutes of the meeting held 8/7/89 were approved as submitted except for the following correction of item 441-A:

441-A. Edison-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. Ophoff.

Yeas: Edison, Moseley, Williamson, Young and Mehney --5

Nays: -0-

458. Young-Edison. That disbursement vouchers in the amount of \$186,276.73, disbursements to forward taxes in the amount of \$764,883.30 and payroll vouchers in the amount of \$92,323.90, as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems -- 7

Nays: -0-

459. A zoning variance hearing was held on the request of Martin and Carol Brown, 2742 Hampshire Blvd. SE, to construct an addition to their residence to within seven feet, eight inches of the northeast side yard rather than eleven feet as required in the Zoning Ordinance. Carol Brown was present.

459-A. Moseley-Edison. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Martin and Carol Brown.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems --7

Nays: -0-

460. The City Manager presented a memo regarding the City Sanitary Sewer Claim Policy. The procedure directs the City Controller to review initial claim(s), make a recommendation(s) to the City Manager, and for the City Manager to then make the final administrative decision(s). Should appeal(s) arise, claim(s) are presented to the Finance Committee and, ultimately to the City Commission as needed.

461. The Commission considered the sewer backup appeal of claim by Mr. Paul Weirich, 1145 Cambridge Blvd.

461-A. Williamson-Young. That this sewer backup claim be denied.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems --7

Nays: -0-

462. Proposed ordinance amendments to Sections 2.5 and 7.32 of the City Code were considered for introduction.

462. Moseley-Edison. That the proposed ordinance amendments to Sections 2.5 and 7.32 of the City Code be introduced.

AN ORDINANCE TO AMEND SECTION 2.5  
OF CHAPTER 21 OF TITLE II  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 2.5 of Chapter 21 of Title II of the Code of the City of East Grand Rapids is hereby amended to read as follows:

Section 2.5 - Waste haulers

No person shall engage in the business of collecting, transporting, or disposing of solid waste within the city without first obtaining a license therefore. Licenses shall be issued upon application to the city clerk on forms provided by him and upon payment of such fee as shall be required by Section 7.32. Licenses shall cover the period from July 1 through June 30, and a new licensee is such that said licensee is able to conduct a solid waste collection business in accordance with the terms of this chapter and the rules and regulations of the director hereunder. It shall be an express condition of each license that the waste hauler shall comply with all provisions of the chapter. The director shall make such reasonable rules and regulations governing the operation of the business of solid waste collection, transportation, and disposition as he may deem necessary and as are consistent with the Act 641 plan, subject to approval of the city commission. The director shall revoke the license of any waste hauler who fails to abide by any such rule or regulation or any provision of this chapter. Prior revocation of a license shall be sufficient grounds for refusal by the director to certify any future application of such licensee.

Section 2. This ordinance shall be effective on September \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

AN ORDINANCE TO AMEND SECTION 7.32  
OF CHAPTER 72 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. The fee for waste haulers as found in Section 7.32 of Chapter 72 of Title VII of the Code of the City of East Grand Rapids is amended to read as follows:

Waste hauler (Section 2.5), annual fee:

First vehicle	25.00
Each additional vehicle	5.00

Section 2. This ordinance shall be effective on September \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

463. The City Manager presented preliminary financial reports for period ending June 30, 1989.

464. A memo recommending approval of construction bids for the Andover Lane special assessment district was presented.

464-A. Moseley-Young. That the bid of Wyoming Excavators, Inc., of \$127,569.50, the low bidder, be approved contingent upon the Zaagman property closing.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

465. The City Manager presented a resolution to eliminate the employee contribution to the retirement plan for non-bargaining unit personnel.

465-A. Williamson-Mehney. That this Commission adopt the following resolution eliminating employee contribution to the retirement plan for non-bargaining unit personnel effective July 1, 1989.

WHEREAS, the City of East Grand Rapids is a participating municipality of the Michigan Municipal Employees' Retirement System, established by Act No. 135, Public Acts of 1945, as amended; and

WHEREAS, Act No. 374, Public Acts of 1974, amended the said Act No. 135 to permit participating municipalities to adopt a new contribution program for all members

of a bargaining unit as provided in Sec. 41d of said Act:

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids does hereby elect to adopt Contribution Program IV, with members contribution 0 percent of their compensation, effective July 1, 1989, for all non-bargaining unit members of the City of East Grand Rapids.

Be it further resolved, that the Deputy Clerk Marilou Mulder shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement Board within 10 days after its adoption.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7

Nays: -0-

466. The City Manager presented resolutions to modify the retiree fringe benefit program for non-bargaining unit personnel.

466-A. Mehney-Mertz. That this Commission adopt the following resolutions modifying retiree fringe benefit program for non-bargaining unit personnel.

WHEREAS, the City of East Grand Rapids is a participating municipality of the Michigan Municipal Employees' Retirement System, established by Act. No. 135, P.A. of 1945, as amended; and

WHEREAS, Act No. 427 P.A. of 1984 as amended, permits governing bodies to adopt a change in benefit plan for their employees, and

WHEREAS, the Retirement Board has adopted a resolution which permits the election of benefit provisions by recognized bargaining units, now

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids does hereby elect to cover its employees within the following employee classification City Manager and Dept. Heads, who are presently covered under benefit plan Old C-1 FAC 5, to be covered under benefit plan B-3 FAC 3 effective July 1, 1989, and

BE IT FURTHER RESOLVED, that the Deputy Clerk Marilou Mulder shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement System within 10 days after its adoption.

Signed \_\_\_\_\_  
Deputy Clerk

WHEREAS, the City of East Grand Rapids is a participating municipality of the Michigan Municipal Employees' Retirement System, established by Act. No. 135, P.A. of 1945, as amended; and

WHEREAS, Act No. 427 P.A. of 1984 as amended, permits governing bodies to adopt a change in benefit plan for their employees, and

WHEREAS, the Retirement Board has adopted a resolution which permits the election of benefit provisions by recognized bargaining units, now

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids does hereby elect to cover its employees within the following employee classification Asst. Public Service Supt. and Public Service Account Clerk II, who are presently covered under benefit plan C-2 FAC 5, to be covered under benefit plan B-3 FAC 5 effective July 1, 1989, and

BE IT FURTHER RESOLVED, that the Deputy Clerk Marilou Mulder shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement System within 10 days after its adoption.

Signed \_\_\_\_\_  
Deputy Clerk

WHEREAS, the City of East Grand Rapids is a participating municipality of the Michigan Municipal Employees' Retirement System, established by Act. No. 135, P.A. of 1945, as amended; and

WHEREAS, Act No. 427 P.A. of 1984 as amended, permits governing bodies to adopt a change in benefit plan for their employees, and

WHEREAS, the Retirement Board has adopted a resolution which permits the election of benefit provisions by recognized bargaining units, now

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand

Rapids does hereby elect to cover its employees within the following employee classification Public Service Director who is presently covered under benefit plan C-2 FAC 5, to be covered under benefit plan B-3 FAC 3 effective July 1, 1989, and

BE IT FURTHER RESOLVED, that the Deputy Clerk Marilou Mulder shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement System within 10 days after its adoption.

Signed \_\_\_\_\_  
Deputy Clerk

WHEREAS, the City of East Grand Rapids is a participating municipality of the Michigan Municipal Employees' Retirement System, established by Act. No. 135, P.A. of 1945, as amended; and

WHEREAS, Act No. 427 P.A. of 1984 as amended, permits governing bodies to adopt a change in benefit plan for their employees, and

WHEREAS, the Retirement Board has adopted a resolution which permits the election of benefit provisions by recognized bargaining units, now

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids does hereby elect to cover its employees within the following employee classification Public Safety Deputy Director, and Lieutenants who are presently covered under benefit plan B-2 FAC 5, to be covered under benefit plan B-3 FAC 3 effective July 1, 1989, and

BE IT FURTHER RESOLVED, that the Deputy Clerk Marilou Mulder shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement System within 10 days after its adoption.

Signed \_\_\_\_\_  
Deputy Clerk

WHEREAS, the City of East Grand Rapids is a participating municipality of the Michigan Municipal Employees' Retirement System, established by Act. No. 135, P.A. of 1945, as amended; and

WHEREAS, Act No. 427 P.A. of 1984 as amended, permits governing bodies to adopt a change in benefit plan for their employees, and

WHEREAS, the Retirement Board has adopted a resolution which permits the election of benefit provisions by recognized bargaining units, now

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids does hereby elect to cover its employees within the following employee classification non-bargaining unit employees below the pay rate of Lieutenant, who are presently covered under benefit plan old C-1 FAC 5, to be covered under benefit plan B-3 FAC 5 effective July 1, 1989, and

BE IT FURTHER RESOLVED, that the Deputy Clerk Marilou Mulder shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement System within 10 days after its adoption.

Signed \_\_\_\_\_  
Deputy Clerk

WHEREAS, the City of East Grand Rapids is a participating municipality of the Michigan Municipal Employees' Retirement System, established by Act No. 135, Public Acts of 1945, as amended; and

WHEREAS, Act No. 427, Public Acts of 1984, amended the said Act. No. 135 to permit participating municipalities to adopt a new benefit program, as provided in Section 43 of said Act; now

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids, does hereby elect to adopt Benefit Program E-2 (Non-Bargaining Personnel), effective January 1, 1990 for those members eligible to receive said benefit, and

BE IT FURTHER RESOLVED, that the Deputy Clerk Marilou Mulder shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement System within 10 days after its adoption.

Signed \_\_\_\_\_

Deputy Clerk

WHEREAS, the City of East Grand Rapids is a participating municipality of the Michigan Municipal Employees' Retirement System, established by Act No. 135, Public Acts of 1945, as amended; and

WHEREAS, Act No. 427, Public Acts of 1984, amended the said Act. No. 135 to permit participating municipalities to adopt a new benefit program, as provided in Section 43 of said Act; now

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids, does hereby elect to adopt Benefit Program E-1 (current retirees) effective January 1, 1990 for those members eligible to receive said benefit, and

BE IT FURTHER RESOLVED, that the Deputy Clerk Marilou Mulder shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement System within 10 days after its adoption.

Signed \_\_\_\_\_  
Deputy Clerk

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

467. The Building Inspection report for the month of July, 1989 was received.

468. The Public Safety Report for the month of July, 1989 was received.

469. There was no comment from persons in attendance.

470. The meeting was adjourned subject to the call of the Mayor until September 5, 1989.

Deputy City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 5, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems.

Absent: None.

Also Present: City Manager Allard, Director of Public Safety Gallagher, Engineer Kocsis, Gail DeYoung, Manager East Grand Rapids Library, City Attorney Huff County Commissioner, Bud Lorch and the Chairman of the Library Commission Wayman.

471. The minutes of the meeting held 8/21/89 were approved as written.

472. Edison-Williamson. That disbursement vouchers in the amount of \$236,288.03 disbursements to forward taxes in the amount of \$2,944,414.74 and payroll vouchers in the amount of \$87,876.26 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems -- 7  
Nays: -0-

473. The proposed ordinance amendments to Sections 2.5 and 7.32 of the City Code were considered for adoption.

473-A. Williamson-Moseley. That the following ordinance amendments to Sections 2.5 and 7.32 of the City Code be adopted with an effective date of September 16, 1989.

AN ORDINANCE TO AMEND SECTION 2.5  
OF CHAPTER 21 OF TITLE II  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 2.5 of Chapter 21 of Title II of the Code of the City of East Grand Rapids is hereby amended to read as follows:

Section 2.5 - Waste haulers

No person shall engage in the business of collecting, transporting, or disposing of solid waste within the city without first obtaining a license therefore. Licenses shall be issued upon application to the city clerk on forms provided by him and upon payment of such fee as shall be required by Section 7.32. Licenses shall cover the period from July 1 through June 30, and a new licensee is such that said licensee is able to conduct a solid waste collection business in accordance with the terms of this chapter and the rules and regulations of the director hereunder. It shall be an express condition of each license that the waste hauler shall comply with all provisions of the chapter. The director shall make such reasonable rules and regulations governing the operation of the business of solid waste collection, transportation, and disposition as he may deem necessary and as are consistent with the Act 641 plan, subject to approval of the city commission. The director shall revoke the license of any waste hauler who fails to abide by any such rule or regulation or any provision of this chapter. Prior revocation of a license shall be sufficient grounds for refusal by the director to certify any future application of such licensee.

Section 2. This ordinance shall be effective on September 16, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

AN ORDINANCE TO AMEND SECTION 7.32  
OF CHAPTER 72 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. The fee for waste haulers as found in Section 7.32 of Chapter 72 of

Title VII of the Code of the City of East Grand Rapids is amended to read as follows:

Waste hauler (Section 2.5), annual fee:

First vehicle	25.00
Each additional vehicle	5.00

Section 2. This ordinance shall be effective on September 16, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Deems --7  
Nays: -0-

474. The City Manager presented a memo regarding the designation of office delegates to Municipal Employees Retirement System business meeting.

474-A. Young-Mertz. That Cliff McMann be appointed the officer delegate, to the Municipal Employees Retirement System business meeting and that Shirley Norman be appointed as the alternate.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems --7  
Nays: -0-

475. The City Manager presented a memo regarding the designation of delegates to the Michigan Municipal League business meeting. The appointment was left open.

476. The City Manager presented a memo recommending that the City award a bid to Diversco Construction Co. Inc. for storm drain construction.

476-A. Young-Moseley. That the recommended bid of \$277,619.50 from Diversco Construction Co. Inc., the low bidder, be approved.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems --7  
Nays: -0-

477. The City Manager presented a bid tabulation for award of tree planting for fall of 1989.

477-A. Williamson-Young. That the bid of Portis Landscaping Inc., the low bidder, in the amount of \$3998.00 be approved. The property owner's share of each tree shall be \$25.00.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems --7  
Nays: -0-

478. County Commissioner Lorch, Library Manager DeYoung and Library Commission Chairman Wayman discussed with the City Commission the funding problems with the East Grand Rapids Library and the Kent County Library System.

478-A. Moseley-Edison. That the City file a written complaint with Kent County regarding the funding formula for the library.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson, Young and Mayor Deems --7  
Nays: -0-

478-B. Moseley-Edison. That East Grand Rapids withhold payment to the Kent County Library System until there is action on East Grand Rapids' request for a change in the funding formula.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson --5  
Nays: Young and Deems --2

479. The preliminary Traffic Commission meeting minutes were presented. Item #1, in which the Traffic Commission recommended the removal of bushes located in the parkway at 1525 Breton Road, was discussed.

479-A. Moseley-Mehney. That the residents of 1525 Breton not be asked to remove the bushes in their parkway.

A roll call vote was taken:

Yeas: Edison, Mehney, Mertz, Moseley and Deems --5  
Nays: Williamson and Young --2

480. Preliminary minutes of the Recreation Commission meeting of August 16, 1989 were received.

481. There was no comment from persons in attendance.

482. The meeting was adjourned subject to the call of the Mayor until September 18, 1989.

Deputy City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 18, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Moseley, Williamson, Young and Mayor Deems.  
Absent: None.

Also Present: City Manager Allard, Asst. City Manager/City Engineer McMann, Director of Public Safety Gallagher, Director of Recreation Rhodes, Engineer Kocsis, City Attorney Huff.

483. The minutes of the meeting held 9/5/89 were approved as submitted except for the following correction of item 478-B:

478-B. Edison-Moseley. That East Grand Rapids withhold payment to the Kent County Library System until there is action of East Grand Rapid's request for a change in the funding formula.

Yeas: Edison, Mehney, Mertz, Moseley, Williamson --5  
Nays: Young and Deems --2

484. Williamson-Young. That disbursement vouchers in the amount of \$186,534.68, disbursements to forward taxes in the amount of \$63,000.96 and payroll vouchers in the amount of \$81,224.89, as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Moseley, Williamson, Young and Mayor Deems -- 6  
Nays: -0-

485. A zoning variance hearing was held on the request of John J. Shepard, 1104 Monterey, SE, to enlarge his existing garage, to within eight feet of the property line rather than the required 10 foot minimum setback.

485-A. Williamson-Mehney. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by John J. Shepard.

Yeas: Edison, Mehney, Moseley, Williamson, Young and Mayor Deems --6  
Nays: -0-

486. Mayor Deems presented proclamations to several citizens honoring the outstanding improvements they have made to their residences.

487. City Manager Allard presented a labor agreement with the Public Service employees affiliated with AFSCME, Local #1645.

487-A. Edison-Moseley. That the proposed labor agreement with AFSCME, Local #1645 be approved.

Yeas: Edison, Mehney, Moseley, Williamson, Young and Mayor Deems --6  
Nays: -0-

488. Mayor Deems presented a memo from the Building Inspector updating the Commission on the Community Service Program for 1989.

489. The Building Inspection report for the month of August, 1989 was received.

490. The Public Safety report for the month of August, 1989 was received.

491. Results of the September 12, 1989 Municipal Primary Election were received.

492. There was no comment from persons in attendance.

493. The written resignation of Coms. Edison, as 1st ward commissioner, was received, effective 9-18-89.

493-A. Young-Moseley. That Coms. Edison be appointed Commissioner in the 2nd Ward.

Yeas: Mehney, Moseley, Williamson, Young and Mayor Deems --5  
Nays: -0-

494. A plaque was presented to Commissioner Mertz acknowledging his outstanding service to the City.

495. The meeting was adjourned subject to the call of the Mayor until October 2, 1989.

Deputy City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Special Meeting Held September 28, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Moseley, Williamson, Young and Mayor Deems.  
Absent: None.

496. Discussion of Clerk/Controller Candidates.

496-A. Young-Edison. That Thomas Chase be appointed to serve as the City Clerk/Controller/Treasurer, at an annual salary of \$40,000.

Yeas: Edison, Mehney, Young and Deems --4  
Nays: Moseley and Williamson --2

497. The meeting was adjourned subject to the call of the Mayor until October 2, 1989.

Deputy City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held October 2, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Moseley, Williamson, Young and Mayor Deems.  
Absent: None.

Also Present: City Manager Allard, Asst. City Manager/City Engineer McMann, Director of Public Safety Gallagher, Plant Engineer Baragar, Engineer Kocsis, Computer Coordinator Nickels, City Attorney Huff.

496. The minutes of the meeting held 9/18/89 were approved as submitted.

497. Young-Edison. That disbursement vouchers in the amount of \$461,908.79, disbursements to forward taxes in the amount of \$552,592.73, and payroll vouchers in the amount of \$96,769.38, as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Moseley, Williamson, Young and Mayor Deems --6  
Nays: -0-

498. Appointment of Commissioner to fill vacancy in 1st ward.

498-A. Moseley-Edison. That Bob Swain be appointed to fill the vacancy in the 1st Ward effective October 2, 1989.

Yeas: Edison, Mehney, Moseley, Williamson, Young and Mayor Deems --6  
Nays: -0-

499. Mayor Deems introduced Thomas H. Chase as our new City Controller-Clerk-Treasurer.

500. A zoning variance hearing was held on the request of Blodgett Memorial Medical Center to build a two-story addition to the south side of the already legal non-conforming use of the Medical Center.

500-A. Mehney-Young. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Blodgett Memorial Medical Center.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Mayor Deems --7  
Nays: -0-

501. The Mayor presented a recommendation of the Joint Facilities Committee for the City to share in the cost of Lakeside School Playground site improvements.

501-A. Edison-Young. That the City share in half of the cost of the site improvements at the Lakeside School Playground not to exceed \$13,000, and that the budget be amended for that amount.

501-B. Moseley-Edison. That the motion be amended to not designate which fund the City's portion is to be appropriated from, but that it will be appropriated from either the General Fund, or the Water and Sewer Fund.

Yeas: Edison, Mehney, Swain, Moseley, Young and Mayor Deems --6  
Nays: Williamson --1

501-C. Vote on original motion as amended.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Mayor Deems --7  
Nays: -0-

502. The City Attorney presented a proposed ordinance amendment to Section 5.59 of the City Code for introduction.

502-A. Williamson-Moseley. That the proposed ordinance amendment to Section 5.59 of the City Code be introduced.

The City of East Grand Rapids ordains:

Section 1. Section 5.59 (6) of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended to read as follows:

(6) The provisions of this section set forth the requirements for construction and maintenance of parking areas in residential zones but do not authorize the placement of such parking areas in residential zones. In order to construct a parking area in a residential zone the applicant must obtain a variance pursuant to Article XV of Chapter 50 of Title V of this Code, which variance will require compliance with the requirements of this section.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

503. City Engineer McMann presented a recommendation to increase the grade of Andover Lane, south of Berwyck Road.

503-A. Young-Swain. To approve the following resolution:

Retain the existing curb grade of 213.69 feet (East Grand Rapids datum) at station 1+00 and increasing it in elevation through a 100 foot vertical curve, raising the grade from 216 feet to 218 feet at station 4+36.8 which is the south end of the cul-de-sac and 101.3 feet north of Norfolk Road.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7

Nays: -0-

504. Computer Coordinator Nickels presented a memo recommending a computer expansion program for City Hall and Public Safety.

504-A. Williamson-Young. That the budget be amended, and that recommended bids of Computerland, \$4,789, and IBM, \$50,910, be approved and contracts be awarded for the purchase of additional computer equipment for City Hall and the Public Safety Department and that the budget be amended by transferring an additional \$5,198 from the Federal Seizure funds and \$2,608 less from the budgeted appropriations as detailed in the staff memo of 9-21-89.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7

Nays: -0-

505. Plant Engineer Baragar presented a memo recommending City telephone system enhancements.

505-A. Williamson-Young. To amend the budget in the amount of \$17,000 and award a contract for telephone system enhancements to VanBelkum and Faulkner in the amount of \$17,014.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7

Nays: -0-

506. Preliminary minutes of the Traffic Commission meeting of September 19, 1989 were received.

507. Preliminary minutes of the Recreation Commission meeting of September 20, 1989 were received.

508. City Engineer McMann gave an update of the current street improvement projects.

509. John Levings, 864 Bellclaire, spoke in regard to the proposed PUD application for 540 and 550 Lakeside, and submitted a letter of October 2, 1989 to the City Commission stating his objections.

510. The meeting was adjourned subject to the call of the Mayor until October 16, 1989.

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held October 16, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Moseley, Swain, Williamson, Young and Mayor Deems.

Absent: None.

Also Present: City Manager Allard, Asst. City Manager/City Engineer McMann, Controller-Clerk-Treas. Chase, Public Service Superintendent Smith, Plant Engineer Baragar, Engineer Kocsis, and City Attorney Huff.

511. The minutes of the meetings held 9/28/89 and 10/2/89 were approved as submitted.

512. A zoning variance hearing was held on the request of Thomas Rothwell, 600 Locust Avenue S.E., to renew a nonconforming multi-family use of the residence at 1824 Sherman St., SE. Mr. Rothwell was present and spoke in behalf of obtaining the variance. Mary Rohn, 562 Plymouth and Mr. & Mrs. Randy Smith, 1826 Sherman spoke in opposition to granting the variance.

512-A. Moseley-Swain. That the variance be denied.

A roll call vote was taken.

Yeas: Mehney, Swain, Moseley, Williamson and Deems --5

Nays: Edison and Young --2

513. A zoning variance hearing was held on the request of Mark & Doreen Bolhuis, 1524 Woodlawn S.E., to allow for a swimming pool setback of eight feet from the north lot line and five feet from the residence rather than ten feet for both as required by the zoning ordinance. Mr. & Mrs. Bolhuis were present.

513-A. Edison-Moseley. That this Commission, acting as the Board of Zoning appeals, grant the variance requested by Mark & Doreen Bolhuis.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Mayor Deems --7

Nays: -0-

514. A public hearing was held on the request of Executive Resources International, Inc. to rezone the property at 540 and 550 Lakeside Drive SE, from A-2 to PUD - Planned Unit Development in order to allow construction of two, two-family condominiums. Several citizens addressed the City Commission with their comments on the proposal.

514-A. Young-Edison. That this Commission approve the proposed rezoning to PUD - Planned Unit Development requested by Executive Resources International, Inc., subject to final site plan approval, and that the following ordinance amendment be introduced to accomplish this change:

AN ORDINANCE TO AMEND SECTION 5.190  
OF CHAPTER 50 OF TITLE V  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 5.190 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is hereby amended by changing the map for District 2 to indicate that the following described parcels are zoned PUD - Planned Unit Development, as shown on the attached revised map, and in accordance with the final site plan approved on November \_\_\_\_, 1989:

PARCEL 1:

Lot 60 and N 16 2/3' of Lot 59, Boynton & Judd's Addition, City of East Grand Rapids, Kent County, Michigan

PARCEL 2:

N 37 1/2' of Lot 58 and S 33 1/3' of Lot 59 of Boynton & Judd's Lake Addition, City of East Grand

Rapids, Kent County, Michigan

Section 2. This ordinance shall be effective on November \_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

A roll call vote was taken.

Yeas: Edison, Mehney, Moseley, Williamson, and Young --5

Nays: Swain and Deems --2

515. Edison-Williamson. That disbursement vouchers in the amount of \$126,373.00, and payroll vouchers in the amount of \$88,230.76 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Mayor Deems --7

Nays: -0-

516. Final reading of proposed ordinance amendment to Section 5.59 of the City Code.

516-A. Williamson-Young. That the final reading of proposed ordinance amendment to Section 5.59 of the City Code be tabled until the Planning Commission has reviewed it.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Mayor Deems --7

Nays: -0-

517. Introduction of proposed ordinance amendments to Section 8.4 and Section 8.603 of the City Code.

517-A. Moseley-Young. That the proposed ordinance amendments to Section 8.4 and Section 8.603 of the City Code be introduced.

AN ORDINANCE TO AMEND SECTION 8.4  
OF CHAPTER 80 OF TITLE VIII OF  
THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Subsection 114.3.1.b of section 8.4 of Chapter 80 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

114.3.1.b. Failure to Acquire a Permit: Penalty.

In addition to any remedies available under subsection 117.1, any person who has failed to acquire a required building permit prior to the commencement of construction shall pay an amount equal to twice the appropriate fee, which shall be due immediately upon assessment and before a permit is issued. In addition to the amount assessed against the owner, any licensed contractor who is performing construction on a job where a required permit has not been obtained shall be subject to a civil fine of three times the permit fee, which shall be due immediately upon assessment.

Section 2. Subsection 118.2 of Section 8.4 of Chapter 80 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

118.2. Unlawful Continuance.

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be subject to the penalties set forth in Section 1.13 of the East Grand Rapids City Code.

Section 3. The last paragraph of Subsection 2700.6 of Section 8.4 of Chapter 80 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

If any job or work covered by this chapter is

commenced before a permit is obtained from the building inspector, an amount equal to twice the appropriate fee set forth herein shall be paid by the owner before a permit is issued. In addition to the amount assessed against the owner, any licensed contractor who is performing electrical work on a job where a required permit has not be obtained shall be subject to a civil fine of three times the permit fee, which shall be due immediately upon assessment.

Section 4. This ordinance shall be effective on \_\_\_\_\_, 1989.

Section 5. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

ORDINANCE TO AMEND SECTION 8.603

OF CHAPTER 86 OF TITLE VIII OF

THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Subsection P-114.2 of Section 8.603 of Chapter 86 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

P-114.2. Fees.

An inspection fee of Five Dollars (\$5.00) per unit shall be charged for each inspection of each single plumbing unit or fixture. The minimum fee shall be Fifteen Dollars (\$15.00). All fees shall be paid at the time any permit is issued. Fees for special processes, reinspections or inspections of special installations shall be charged at the rate of Seven and One-half Dollars (\$7.50) per hour or fraction thereof. A charge of Twenty Dollars (\$20.00) shall be made for each outside sewer and water inspection, whether the same be a street opening, a sanitary sewer, or a water service. If any job or installation covered by this Chapter is commenced before a permit is obtained from the plumbing inspector as herein provided, an amount equal to twice the fee set forth herein shall be paid before a permit is issued. In addition to the amount assessed against the owner, any licensed contractor who is performing plumbing work on a job where a required permit has not been obtained shall be subject to a civil fine of three times the permit fee, which shall be due immediately upon assessment.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

517-B. Williamson-Young. That the ordinance amendments to Sections 8.4 and 8.603 of the City Code be amended to include language to indicate that homeowners shall pay an amount equal to twice the appropriate fee or Fifty Dollars (\$50.00), whichever is greater, and any licensed contractor who is performing construction, electrical, or plumbing work on a job where a required permit has not been obtained shall be subject to a civil fine of three times the permit fee, or One Hundred Fifty Dollars (\$150.00), whichever is greater.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

517-C. Vote on original motion as amended.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

518. Controller Chase presented a memorandum recommending that a \$13,000 budget transfer be made from the fund balance in the General Fund, to the Recreation Department Capital Expenditures - Joint Facilities account for Lakeside School playground site improvements.

518-A. Young-Swain. That the budget be amended, and that \$13,000 be transferred from fund balance in the General Fund to the Recreation Department Capital Expenditures-Joint Facilities account for Lakeside School playground site improvements.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

519. The City Manager presented a memorandum recommending purchase of a rebuilt engine for refuse packer #3.

519-A. Young-Edison. That the recommended bid of Michigan Engine Power, the lower bidder, of \$6,000, be approved and the contract be awarded to them.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

520. The City Manager presented a memorandum recommending construction of new salt storage building at the Public Service department.

520-A. Williamson-Young. That the recommended bid of Tailored Building Systems, of \$92,906, be approved and the contract be awarded to them.

A roll call vote was taken.

Yeas: Edison, Williamson and Young --3  
Nays: Mehney, Swain, Moseley and Deems --4

521. Recommendation to award a janitorial contract for City buildings and facilities.

521-A. Williamson-Moseley. That award of a janitorial contract for City buildings and facilities be tabled until the Finance Committee has had a chance to review the matter.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

522. Recommendation to approve special event application for a Super Cities Walk sponsored by the Multiple Sclerosis Society.

522-A. Edison-Swain. That the special event application for a Super Cities Walk, scheduled for March 31, 1989 be approved subject to updated insurance certificate.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

523. Mayor Deems presented nominations to fill vacancies on the Library, Traffic and Recreation Commissions.

523-A. Young-Edison. That Ellen Nelson be appointed to the Library Commission, Joan DeWitt be appointed to the Traffic Commission and that Chris Edgar be appointed to the Recreation Commission.

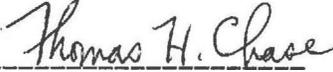
Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

524. Preliminary minutes of the Joint Facilities Committee meeting of September 22, 1989 were received.

525. The Building Inspection Report for the month of September, 1989 was received.

526. There was no public comment by persons in attendance.

528. The meeting was adjourned subject to the call of the Mayor until November 6, 1989.

  
\_\_\_\_\_  
City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 6, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Moseley, Swain, Williamson, Young and Mayor Deems.

Absent: Coms. Mehney.

Also Present: City Manager Allard, Asst. City Manager/City Engineer McMann, Controller-Clerk-Treas. Chase, Director of Public Safety Gallagher, Engineer Kocsis, City Attorney Huff, and Larry Titley of the Traffic Commission.

529. The minutes of the meeting held 10/16/89 were approved as submitted.

530. Final reading of proposed ordinance amendment to Section 5.190 of the City Code to permit a zoning change from A-2 Residential to Planned Unit Development at 540 and 550 Lakeside Drive SE, and review of final site plan.

530-A. Moseley-Edison. That the final site plan for a Planned Unit Development at 540 and 550 Lakeside Drive SE, as submitted at this meeting, be approved.

Yeas: Edison, Swain, Moseley, Williamson, and Young --5

Nays: Deems --1

530-B. Young-Edison. That the proposed ordinance amendment to Section 5.190 of the City Code be approved.

AN ORDINANCE TO AMEND SECTION 5.190  
OF CHAPTER 50 OF TITLE V  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 5.190 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is hereby amended by changing the map for District 2 to indicate that the following described parcels are zoned PUD - Planned Unit Development, as shown on the attached revised map, and in accordance with the final site plan approved on November 6, 1989:

PARCEL 1:

Lot 60 and N 16 2/3' of Lot 59, Boynton & Judd's Addition, City of East Grand Rapids, Kent County, Michigan

PARCEL 2:

N 37 1/2' of Lot 58 and S 33 1/3' of Lot 59 of Boynton & Judd's Lake Addition, City of East Grand Rapids, Kent County, Michigan

Section 2. This ordinance shall be effective on November 17, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Moseley, Williamson, and Young --4

Nays: Deems --1

Abstentions: Swain --1

532. A zoning variance hearing was held on the request of John and Carrie Waters, 2560 Elmwood Drive S.E., to construct an attached garage in the rear of their residence two feet from the east property line rather than seven feet, as required by the zoning ordinance. Mr. John Waters was present.

532-A. Moseley-Edison. That this Commission, acting as the Board of Zoning appeals, grant the variance requested, based on the amended site plan presented at this meeting, by John & Carrie Waters.

Yeas: Edison, Swain, Moseley, Williamson, Young and Deems --6

Nays: -0-

533. Discussion of Pioneer Club Road improvements. The following residents addressed the City Commission: Mr. & Mrs. Stan Hudson, 2920 Pioneer Club Road, Jane Rittenhouse, 2909 Pioneer Club Road, Gunars Rudzitis, 2925 Pioneer Club Road, Jim Zevalkink, 2900 Pioneer Club Road, Dick Wiggins, 2924 Pioneer Club Road, and Steve Schwartz, 2863 Pioneer Club Road. This matter was referred to the Infrastructure Committee.

Commissioner Mehney arrived.

534. Williamson-Young. That disbursement vouchers in the amount of \$413,178.21, disbursements to forward taxes in the amount of \$49,141.16 and payroll vouchers in the amount of \$93,699.03 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

535. Glenn Goodwin of BDO/Seidman presented the City's audited financial statements for the fiscal year ended June 30, 1989.

536. Financial reports for period ending September 30, 1989 were received.

536-A. Williamson-Swain. That a portion of General Fund fund balance, in the amount of the net proceeds from sale of City-owned property adjacent to the water tower on Andover Lane and Woodlawn Avenue, be designated for Parks and Recreation capital improvements.

Yeas: Edison, Swain, Williamson, Young and Mayor Deems --5  
Nays: Mehney, and Moseley --2

537. Final reading of proposed ordinance amendments to Section 8.4 and Section 8.603 of the City Code.

537-A. Williamson-Moseley. That the proposed ordinance amendments to Section 8.4 and Section 8.603 of the City Code be approved.

AN ORDINANCE TO AMEND SECTION 8.4  
OF CHAPTER 80 OF TITLE VIII OF  
THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Subsection 114.3.1.b of section 8.4 of Chapter 80 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

114.3.1.b. Failure to Acquire a Permit: Penalty.

In addition to any remedies available under subsection 117.1, any person who has failed to acquire a required building permit prior to the commencement of construction shall pay an amount equal to Fifty Dollars (\$50.00) or twice the appropriate fee, whichever is greater, which shall be due immediately upon assessment and before a permit is issued. In addition to the amount assessed against the owner, any licensed contractor who is performing construction on a job where a required permit has not been obtained shall be subject to a civil fine of One Hundred Fifty Dollars (\$150.00) or three times the permit fee, whichever is greater, which shall be due immediately upon assessment.

Section 2. Subsection 118.2 of Section 8.4 of Chapter 80 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

118.2. Unlawful Continuance.

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be subject to the penalties set forth in Section 1.13 of the East Grand Rapids City Code.

Section 3. The last paragraph of Subsection 2700.6 of Section 8.4 of Chapter 80

of Title VIII of the East Grand Rapids City Code is amended to read as follows:

If any job or work covered by this chapter is commenced before a permit is obtained from the building inspector, an amount equal to Fifty Dollars (\$50.00) or twice the appropriate fee set forth herein, whichever is greater, shall be paid by the owner before a permit is issued. In addition to the amount assessed against the owner, any licensed contractor who is performing electrical work on a job where a required permit has not be obtained shall be subject to a civil fine of One Hundred Fifty Dollars (\$150.00) or three times the permit fee, whichever is greater, which shall be due immediately upon assessment.

Section 4. This ordinance shall be effective on November 17, 1989.

Section 5. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

ORDINANCE TO AMEND SECTION 8.603

OF CHAPTER 86 OF TITLE VIII OF

THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Subsection P-114.2 of Section 8.603 of Chapter 86 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

P-114.2. Fees.

An inspection fee of Five Dollars (\$5.00) per unit shall be charged for each inspection of each single plumbing unit or fixture. The minimum fee shall be Fifteen Dollars (\$15.00). All fees shall be paid at the time any permit is issued. Fees for special processes, reinspections or inspections of special installations shall be charged at the rate of Seven and One-half Dollars (\$7.50) per hour or fraction thereof. A charge of Twenty Dollars (\$20.00) shall be made for each outside sewer and water inspection, whether the same be a street opening, a sanitary sewer, or a water service. If any job or installation covered by this Chapter is commenced before a permit is obtained from the plumbing inspector as herein provided, an amount equal to Fifty Dollars (\$50.00) or twice the fee set forth herein, whichever is greater, shall be paid before a permit is issued. In addition to the amount assessed against the owner, any licensed contractor who is performing plumbing work on a job where a required permit has not been obtained shall be subject to a civil fine of One Hundred Fifty Dollars (\$150.00) or three times the permit fee, whichever is greater, which shall be due immediately upon assessment.

Section 2. This ordinance shall be effective on November 17, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7

Nays: -0-

538. Commissioner Moseley presented a resolution in support of township representation on the Grand Rapids Area Transit Authority (GRATA) Board.

538-A. Moseley-Swain. That the following resolution be approved:

RESOLUTION OF CONSENT BY THE CITY OF EAST GRAND RAPIDS  
TO PERMIT AREA TOWNSHIP REPRESENTATION ON THE  
GRAND RAPIDS AREA TRANSIT AUTHORITY (GRATA)  
BOARD OF DIRECTORS

WHEREAS, the City of East Grand Rapids is a Charter Member of GRATA and has one representative on the Board of Directors (Board), and

WHEREAS, Kent County had been paying for GRATA transit service to Byron, Gaines, Alpine, Plainfield and Grand Rapids Townships prior to the County's withdrawal from GRATA, and

WHEREAS, GRATA was asked by the townships to develop options of financial participation to continue transit service to their communities, and

WHEREAS, GRATA developed two financial options, one being contracted service and the other being Board of Director membership, and

WHEREAS, Byron and Gaines Townships have requested representation on the GRATA Board of Directors, and

WHEREAS, increasing the membership to include the townships would broaden the financial participation base of GRATA, better coordinate the transportation plans of the future, and increase the spirit of metropolitan cooperation; now therefore,

BE IT RESOLVED, that the City Commission of the City of East Grand Rapids consents to having area township representation on the GRATA Board of Directors.

Yeas: Edison, Mehney, Moseley, Swain, Williamson, Young and Mayor Deems --7  
Nays: -0-

539. Findings of Fact concerning 1824 Sherman variance.

539-A. Williamson-Moseley. To approve the Findings of Fact in regard to 1824 Sherman, as submitted by the City Attorney.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

540. The City Manager presented a memo recommending the award of a janitorial contract for City buildings and facilities.

540-A. Young-Edison. That the recommended bid of Allstate Chemical, \$54,655, the low bidder, be approved and that a contract be awarded to Allstate Chemical for janitorial services.

540-B. Williamson-Edison. To amend the motion to reflect a \$14,000 transfer from fund balance in the General fund for City Buildings Janitorial Services.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

540-C. Vote on original motion as amended.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

541. Recommendation to approve special event application for a New Years Day Resolution Run, sponsored by Genesis Sports.

541-A. Young-Moseley. That the special event application for a New Years Day Resolution Run, scheduled for Jan. 1, 1990, be approved subject to the receipt of a corrected certificate of insurance.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

542. Appointments to the Election, Building Authority, and Library Commission.

542-A. That Thomas Chase, City Clerk, be appointed to the Election Commission and Building Authority, and that Michael E. Griffin be appointed to the Library Commission.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Mayor Deems --7  
Nays: -0-

543. Preliminary minutes of the Recreation Commission meeting of October 17, 1989 were received.

544. Preliminary Traffic Commission meeting minutes of October 17, 1989 were presented. Item #5, in which the Traffic Commission recommended the shrubbery on the southwest corner of Argentina/Breton be trimmed to a height of thirty (30) inches, was discussed. Mr. Larry Vandevoren, 1009 Breton was present.

544-A. Edison-Mehney. That the Traffic Commission action on requiring the shrubbery on the southwest corner of Argentina/Breton to be trimmed to a height of thirty 30 inches be tabled.

A roll call vote was taken:

Yeas: Edison, Mehney, Moseley, Williamson --4  
Nays: Swain, Young and Deems --3

545. Public Safety report for the month of September, 1989.

546. No comment from persons in attendance.

547. Young-Williamson. That the City Commission go into Executive Session pursuant to Section 8(a) of the Open Meetings Act to discuss a legal opinion with the City Attorney regarding certain city policies affecting public improvements.

A roll call vote was taken.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Mayor Deems --7  
Nays: -0-

548. The meeting was adjourned subject to the call of the Mayor until November 20, 1989.

*Thomas H. Chase*  
City Clerk

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held November 20, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Mehney, Moseley, Swain, Williamson, Young and Mayor Deems.

Absent: None

Also Present: City Manager Allard, Asst. City Manager/City Engineer McMann, Controller-Clerk-Treas. Chase, Director of Public Safety Gallagher, Engineer Kocsis, and City Attorney Huff.

549. The minutes of the meeting held 11/6/89 were approved as submitted.

550. Young-Edison. That disbursement vouchers in the amount of \$188,411.78 and payroll vouchers in the amount of \$204,519.68 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7

Nays: -0-

551. The City Clerk presented November 7, 1989 election results.

552. Final reading of proposed ordinance amendment to Section 5.59 of the City Code.

552-A. Williamson-Young. That the proposed ordinance amendment to Section 5.59 (6) of the City code be approved.

AN ORDINANCE TO AMEND SECTION 5.59(6)  
OF CHAPTER 50 OF TITLE V  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 5.59 (6) of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended to read as follows:

(6) The provisions of this section set forth the requirements for construction and maintenance of parking areas in residential zones but do not authorize the placement of such parking areas in residential zones. In order to construct a parking area in a residential zone the applicant must obtain a variance pursuant to Article XV of Chapter 50 of Title V of this Code, which variance will require compliance with the requirements of this section.

Section 2. This ordinance shall be effective on December 1, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7

Nays: -0-

553. Engineer Kocsis presented a recommendation to grant an easement to Consumers Power Company on the west side of lot #45 of the Woodcliff Park Plat (old Mary Ave. water tower site) to install a new power line to 3033 Mary Ave., S.E.

553-A. Edison-Swain. That the proposed easement be granted to Consumers Power Company.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7

Nays: -0-

554. The City Manager presented a memo recommending the purchase of rock salt for the FY 89-90 season. The Mayor asked the City Manager to prepare a report to the Commission on alternatives to rock salt for future years.

554-A. Williamson-Young. That the recommended bid of Morton Salt Co., the low bidder of \$22.32 per ton, be approved.

Yeas: Edison, Mehney, Swain, Moseley, Williamson, Young and Deems --7  
Nays: -0-

555. The City Engineer presented an update on the Fall Construction Program.

556. Preliminary minutes of the Recreation Commission meeting of November 8, 1989 were received.

557. Preliminary minutes of the Planning Commission meeting of November 14, 1989 were received.

558. The Building Inspection report for the month of October, 1989 was received.

559. The Public Safety report for the month of October, 1989 was received.

560. No comment from persons in attendance.

561. The meeting was adjourned subject to the call of the Mayor until December 4, 1989.

*Thomas H. Chase*

City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 4, 1989

The meeting was called to order by Mayor Deems.

Present: Coms. Edison, Swain, Williamson, and Mayor Deems.

Absent: Com. Mehney.

Also Present: Com.-elect Frakie, Com.-elect Walton, City Manager Allard, Asst. City Manager/City Engineer McMann, Controller-Clerk-Treas. Chase, Director of Public Safety Gallagher, Plant Engineer Baragar, Engineer Kocsis, and City Attorney Huff.

562. The minutes of the meeting held 11/20/89 were approved as submitted.

563. City Clerk Chase administered the oath of office to the two new commissioners, Michael C. Walton, 2nd Ward and James Frakie, 3rd Ward.

564. Williamson-Edison. That disbursement vouchers in the amount of \$282,768.17 and payroll vouchers in the amount of \$85,615.37 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Frakie, Swain, Walton, Williamson, and Deems --6

Nays: -0-

565. Referendum petitions concerning 540 and 550 Lakeside Drive SE were presented. Com. Edison asked that City staff draw up ballot language to be voted on at the next City Commission meeting.

565-A. Williamson-Swain. That the referendum be scheduled for February 13, 1990.

565-B. Frakie-Edison. That the motion be amended to state that the referendum be scheduled for the same date as the school holds their Special School election.

Yeas: -0-

Nays: Edison, Frakie, Swain, Walton, Williamson, and Deems --6

Vote on original motion:

Yeas: Edison, Frakie, Swain, Walton, Williamson, and Deems --6

Nays: -0-

566. Introduction of proposed ordinance amendment to delete Section 3.43 of the City Code.

566-A. Walton-Frakie. That the ordinance amendment to Section 3.43 of the City Code be introduced.

AN ORDINANCE TO REPEAL SECTION 3.43 OF CHAPTER 32  
OF TITLE III  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 3.43 of Chapter 32 of Title III of the Code of the City of East Grand Rapids is hereby repealed.

Section 2. This ordinance shall be effective on December \_\_\_\_, 1989.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Frakie, Swain, Walton, Williamson, and Deems --6

Nays: -0-

567. Ron Waybrant, limnologist from Fishbeck, Thompson, Carr & Huber, presented the 1989 Reeds Lake monitoring report.

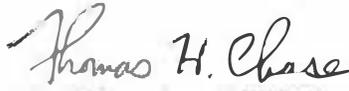
568. Minutes of the Library Commission meeting of September 28, 1989 were received.

569. Preliminary minutes of the Traffic Commission meeting of November 21, 1989.

570. The Mayor presented outgoing Com. Young and Com. Moseley with plaques honoring them for their service to the City.

571. No public comment by persons in attendance.

572. The meeting was adjourned subject to the call of the Mayor until December 18, 1989.

  
\_\_\_\_\_  
City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 18, 1989

The meeting was called to order by the President of the Commission, David Mehney.

Present: Coms. Edison, Frakie, Mehney, Swain, Walton, and Williamson.

Absent: Mayor Deems.

Also Present: City Manager Allard, Asst. City Manager/City Engineer McMann, Controller-Clerk-Treas. Chase, Director of Public Safety Gallagher, Engineer Kocsis, and City Attorney Huff.

573. The minutes of the meeting held December 4, 1989 were approved as submitted.

574. Edison-Swain. That disbursement vouchers in the amount of \$47,904.30 and payroll vouchers in the amount of \$95,696.97 as approved by the Finance Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Edison, Frakie, Mehney, Swain, Walton, and Williamson --6

Nays: -0-

575. Introduction of proposed ordinance amendments to modify Sections 3.46 and 5.25 of the City Code.

575-A. Williamson-Edison. That the ordinance amendments to Sections 3.46 and 5.25 of the City Code be introduced.

AN ORDINANCE TO AMEND SECTION 3.46  
OF CHAPTER 32 OF TITLE III  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 3.46 of Chapter 32 of Title III of the Code of the City of East Grand Rapids is amended to read as follows:

Section 3.46 - Same - "Dutch elm" disease

Every elm tree, regardless of species of variety, infected with the fungus Ceratostomella ulmi, popularly called Dutch elm disease, shall be cut and destroyed by burning or burying under a minimum of two (2) feet of earth; if on public property, within ten (10) days after the director shall learn of the condition and, if on private property, within ten (10) days after notice is given by the director in the manner provided in Section 1.10 of this Code. No person shall possess, sell, give away or transport any tree afflicted with the fungus Ceratostomella ulmi nor any wood from, or parts of, any tree so afflicted, except that wood, branches and roots of any tree so afflicted may be transported to a place for burning or burial pursuant to regulations issued by the Michigan Department of Agriculture.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1990.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

AN ORDINANCE TO AMEND SECTION 5.25  
OF CHAPTER 50 OF TITLE V  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 5.25 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended to read as follows:

Section 5.25 - Traffic visibility across corner lots

All shrubs, bushes, plantings and fences located on the triangle formed by two (2) right-of-way lines at the intersection of two (2) streets which extend for a distance of twenty (20) feet each way from the intersection of the right-of-way lines shall not be permitted to extend or grow to a height of more than thirty (30) inches from top of curb at street level, in order that the view of

the driver of a vehicle approaching a street intersection shall not be obstructed. Trees may be planted and maintained on private property in this area so long as all branches are trimmed to maintain a clear vision for a vertical height of ten (10) feet above the roadway surface. Any property owner failing to trim or maintain any trees, shrubs, bushes, plantings or fences in conformity with Chapters 32 and 83 of this Code shall be notified by the director of the department of public service or the building inspector of the city, in the manner provided in Section 1.10 of this Code, to do so. Such notice shall require trimming or maintenance in conformity with Chapters 32 and 83 of this Code within ten (10) days after service of such notice or as otherwise provided in such Chapter. Upon the expiration of such period, the director of the department of public service or building inspector may cause the trimming or maintenance to be done and the cost thereof may be collected from the owner of said property as a single lot assessment in accordance with the City Charter and Section 1.306 of this Code.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1990.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Frakie, Mehney, Swain, Walton and Williamson --6  
Nays: -0-

576. Introduction of proposed ordinance amendment to modify Section 5.155 of the City Code.

576-A. Edison-Frakie. The the ordinance amendment to Section 5.155 of the City Code be introduced.

AN ORDINANCE TO AMEND SECTION 5.155  
OF CHAPTER 50 OF TITLE V  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 5.155 of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended to read as follows:

Section 5.155 - Violations and penalty

Any building erected, altered, or converted, or any use carried on in violation of any provision of this chapter is hereby declared to be a nuisance per se. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this chapter shall be punished for each offense upon conviction by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00), and costs of prosecution, or by imprisonment in the county jail for a period not exceeding ninety (90) days, or by both fine and imprisonment, in the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1990.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids.

Yeas: Edison, Frakie, Mehney, Swain, Walton and Williamson --6  
Nays: -0-

577. Official ballot language to appear on the February 13, 1990 Special Election.

577-A. Williamson-Edison. That the following language appear on the February 13, 1990 Special Election ballots.

Shall the East Grand Rapids Ordinance zoning the property at  
540 and 550 Lakeside Drive, S.E. as PUD-Planned Unit Development  
be approved?

\_\_\_\_\_ YES \_\_\_\_\_ NO

Yeas: Edison, Frakie, Mehney, Swain, Walton and Williamson --6  
Nays: -0-

578. Recommendation to approve special event application for Great Strides, sponsored by Cystic Fibrosis Foundation.

578-A. Williamson-Edison. That the special event application for Great Strides, scheduled for May 19, 1990, be approved subject to the receipt of a certificate of insurance.

Yeas: Edison, Frakie, Mehney, Swain, Walton and Williamson --6  
Nays: -0-

579. Recommendation to approve special event application for the Clothesline Art Festival, sponsored by the Grand Valley Artists.

579-A. Frakie-Edison. That the special event application for the Clothesline Art Festival, scheduled for June 23, 1990, be approved subject to the receipt of a certificate of insurance.

Yeas: Edison, Frakie, Mehney, Swain, Walton and Williamson --6  
Nays: -0-

580. Controller-Clerk-Treas. Chase presented a memorandum regarding the City of Grand Rapids Water-Sewer Rate Study.

581. Recommendation to purchase replacement vehicles in the Public Safety department.

581-A. Edison-Williamson. That the recommended bid of Chevrolet, the low bidder of \$14,017 each for two cruisers, and \$19,066 for replacement of the E Unit, be approved.

Yeas: Edison, Frakie, Mehney, Swain, Walton and Williamson --6  
Nays: -0-

582. Mayor's nominations concerning committee appointments.

582-A. Edison-Swain. With terms to end June 30, 1990, that James Frakie be appointed to the Library Commission and Finance Committee, Kent Williamson be appointed to the Traffic Commission and Personnel Committee, Michael Walton be appointed to the Planning Commission, Infrastructure Committee and the Board of Review, Robert Swain be appointed to the Finance Committee and the Board of Review.

Yeas: Edison, Frakie, Mehney, Swain, Walton and Williamson --6  
Nays: -0-

583. City Manager Allard presented a notice of UA Cablevision program changes and rate adjustments to become effective January 1, 1990. A letter was received from Ms. Margit Sarne, 647 Lovett SE objecting to the increase in rates.

584. The Building Inspection report for the month of November, 1989 was received.

585. The Public Safety report for the month of November, 1989 was received.

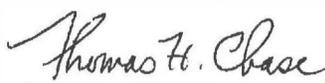
586. Presentation of AAA Pedestrian Safety Award.

586-A. Edison-Walton. That the presentation be tabled until Mr. Burr Smith, from AAA, can be present.

Yeas: Edison, Frakie, Mehney, Swain, Walton and Williamson --6  
Nays: -0-

587. Walt Lange, 2753 Oakwood, spoke concerning UA Cablevision.

588. The meeting was adjourned subject to the call of the Mayor until January 2, 1990.

  
\_\_\_\_\_  
City Clerk