

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held January 7, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mertz, Moseley, Seibold and Mayor Edison.

Absent: Com. Mehney

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard, City Attorney Richardson, Assistant City Attorney Huff, City Engineer McMann, Public Service Superintendent Smith, Recreation Director Rhodes, City Assessor Norman, Assistant Public Service Superintendent Sterkenberg, Librarian DeYoung, and Sports Supervisor O'Brien.

294. The minutes of the meeting held December 17, 1984, were approved as written.

295. Moseley-Deems. That expense vouchers in the amount of \$148,374.28, and payroll vouchers in the amount of \$514,023.61, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6

Nays: 0

296. A public hearing was held on the matter of Library expansion and Recreation Department relocation. The following persons spoke: Kenneth Ellis, 3019 Hall Street SE, Robert Skilton, 3111 Hall Street SE, Margit Sarne, 647 Lovett Street SE, Bradley Palmer, 932 Floral Drive SE, Steele Taylor, 1062 Monterey Drive SE, Michael Taylor, 2730 Maplewood Drive SE, Geoffrey Hughes, 260 Hodenpyl Drive SE, Robert Parker, 2545 Elmwood Drive SE, Harold Baer, 3022 Hall Street SE, Steve Fry, of DeWinter & Associates, Nancy Buskirk, 1121 Breton Road SE, Mary Wilson, 2543 Boston Street SE, Estelle Leven, 3174 Bonnell Avenue SE, Joan Bruhnke, 210 Lakewood Road SE, Robert Saltsman, 2905 Reeds Lake Blvd., SE, Sue Davis, 636 Manhattan Road SE, Arnold Jacobsen, 1106 Eastwood Road SE, Jack Lukens, 619 Manhattan Road SE, Jeffrey Beusse, 2660 Oakwood Drive SE, John Turkal, 450 Rosewood Avenue SE, Dick Wayman, 3010 Lake Drive SE, and Edward Oberfeld, 2311 El Dorado Drive SE. Commissioner Mertz reported receipt of phone calls from Marleon TenCate, 1225 Eastlawn Road SE, Louise Staple, 1540 Edgewood Drive SE, and Rudyard Abbott, 1561 Groton Road SE.

Commissioner Mertz spoke in behalf of the Library Commission and explained the present and future needs for expansion of the Library facilities. Marilyn Lundquist, 2222 Wilshire Drive SE, member of the Recreation Commission, introduced Steve Edison, 144 Rexford Drive SE, who distributed a report on Library Expansion and Recreation Department Relocation and discussed the report. Commissioner Seibold spoke in behalf of John King, 2856 Woodcliff Circle SE, who could not be present. Commissioner Mertz spoke in behalf of John V. TenCate, 1225 Eastlawn Road SE, James A. Staple, 1540 Edgewood Drive SE, and Rudyard Abbott, 1561 Groton Road SE.

The Mayor reported that the Ad Hoc Committee on Library and Recreation Facilities will have one more meeting and will present a recommendation to the City Commission, if possible, at the next regular meeting on January 21, 1985.

297. There was no City Attorney's report.

298. The Clerk-Controller reported that he is reviewing water and sewer rates. A report on recommended rate adjustments will be forthcoming.

299. The City Manager distributed a status report on water system improvements.

300. The City Manager reported receipt of \$500 from Merle Johnson for use of City property for Christmas tree sales and requested direction from the City Commission for disposition of this contribution.

1/7/85

300-A. Moseley-Deems. That the \$500 donation received for use of City property for Christmas tree sales be donated to the Capitol Lunch Program.

Yeas: Moseley - 1

Nays: Deems, Henry, Mertz, Seibold, Edison - 5

The motion failed.

300-B. Mayor Edison-Seibold. That \$250 be donated to the Capitol Lunch Program and \$250 to the East Grand Rapids Community Action Council.

Yeas: Deems, Henry, Moseley, Seibold, Edison - 5

Nays: Mertz - 1

301. Minutes of the Ad Hoc Committee on Library and Recreation Facilities meeting held December 14, 1984, were received.

302. Minutes of the Traffic Commission meeting held December 18, 1984, were received.

303. The report of the Building Inspector for November, 1984, was received.

304. Minutes of the East Grand Rapids Planning Commission meeting held November 13, 1984, were received.

305. Commissioner Mertz reported that he had received an inquiry from a resident questioning taxes owed on the Gilmore property. The Assistant City Attorney advised that taxes have been paid through 1981.

306. Commissioner Mertz commended the Public Service Department on their efficiency in clearing the streets of snow.

307. Commissioner Moseley reminded residents to make use of the recycling center.

308. Commissioner Moseley requested that all agenda materials be submitted to Commissioners in time for study and consideration.

309. The meeting was adjourned, subject to the call of the Mayor, until January 21, 1985.

  
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City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held January 21, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mertz, Moseley, Seibold, and Mayor Edison.  
Absent: Com. Mehney.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, City Engineer McMann, Public Safety  
Director Gallagher, Recreation Director Rhodes, and Sports  
Supervisor O'Brien.

310. The minutes of the meeting held January 7, 1985, were approved as written.

311. Moseley-Seibold. That expense vouchers in the amount of \$1,911,608.37, and payroll vouchers in the amount of \$73,605.11, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

312. The City Attorney reported completion of the sale of the lots located at 1770 and 1771 Asbury Road to Elizabeth Frantz.

313. The City Attorney reported that he, the Mayor, the City Manager and Commissioner Moseley had attended an AGRAG meeting on January 16th. The primary purpose of the meeting was to discuss new State legislation defining and prohibiting publication of obscene materials.

314. The Controller submitted a summary of the outstanding delinquent property taxes on parcels of land located on Lakeside Drive and Reeds Lake Blvd. (the Gilmore property).

315. The minutes of the Ad Hoc Committee on Recreation and Library Facilities meeting held January 9, 1985, were received.

315-A. Mayor Edison-Seibold. That this Commission endorses the recommendation of the Ad Hoc Committee to expand Library and Recreation facilities at a cost in excess of \$600,000.

A roll call vote was taken:

Yeas: Mertz, Seibold, Edison - 3  
Nays: Deems, Henry, Moseley - 3

The motion failed.

315-B. Deems-Seibold. That this Commission endorses the concept of the Library into the lower level of the library building.

315-C. Seibold-Deems. That the above motion be amended to provide only that this Commission endorses the concept of the expansion of the Library.

Yeas: Deems, Henry, Moseley, Seibold, Edison - 5  
Nays: Mertz - 1

A vote was taken on the main motion (314-B) as amended (314-C).

Yeas: Deems, Henry, Moseley, Seibold, Edison - 5  
Nays: Mertz - 1

The motion carried.

315-D. Deems-Seibold. That the Library Commission be requested to enhance its report to address questions that have been raised, and that the Mayor and two Commissioners meet with representatives of East Grand Rapids Schools to discuss how, and to what extent, the school can cooperate in providing Library and Recreation program space.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

316. Clifford McMann, City Engineer, gave a report on the budget considerations and implications for the Engineering Department.

317. The Planning Commission submitted its final report on the proposed ordinance to amend Chapter 50 of Title V and Chapter 84 of Title VIII of the Code of the City of East Grand Rapids.

317-A. Deems-Moseley. That a public hearing be held on February 18, 1985, relative to adoption of the proposed ordinance amendment and that notice of a public hearing be published not later than 15 days prior to the hearing date.

AN ORDINANCE TO AMEND CHAPTER 50 OF TITLE V AND  
CHAPTER 84 OF TITLE VIII OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Subsection (15) of Section 5.4 of Chapter 50 of Title V of the East Grand Rapids City Code is amended to read as follows:

" . . . (15) Family. A single individual or a married couple together with his, her or their children, or a collective body of persons living together upon the premises as a single housekeeping unit, utilizing a single, common cooking and dining facility, in a domestic relationship based upon birth, marriage, or other relationship of a permanent and distinct domestic character. This definition shall not include any society, club, fraternity, sorority, or other student group, association, lodge, organization or group of persons, which does not constitute a recognized religious order, nor shall it include a group of individuals whose association is temporary or seasonal in character or nature. A family must comply with all provisions of Chapter 84, Property Maintenance Code and Housing Regulations of the City of East Grand Rapids.

Section 2. The definition of Family contained in Section 8.94 of Chapter 84 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

"Family. A single individual or a married couple together with his, her or their children, or a collective body of persons living together upon the premises as a single housekeeping unit, utilizing a single, common cooking and dining facility, in a domestic relationship based upon birth, marriage, or other relationship of a permanent and distinct domestic character. This definition shall not include any society, club, fraternity, sorority, or other student group, association, lodge, organization or group of persons, which does not constitute a recognized religious order, nor shall it include a group of individuals whose association is temporary or seasonal in character or nature. Additional persons may be housed with a family in a dwelling unit only in compliance with all provisions of section PM-900 of this chapter."

1/21/85

Section 3. This ordinance shall be effective on \_\_\_\_\_, 1985.

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: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

318. The City Engineer submitted a memorandum requesting that the easement obtained from Mrs. Lois L. McIntyre, of 1100 San Jose Drive in 1983, be released.

318-A. Moseley-Henry. That the Mayor and Clerk be authorized to execute the Release of Easement as requested by the City Engineer.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

319. The Building Inspector's report for December, 1984, was received.

320. The Public Safety Department report for December, 1984, was received.

321. Commissioner Moseley questioned the Public Safety Director about cars parked on the street, thus creating problems for snowplowing operations.

322. The City Manager reported that the Supreme Court has decided the case involving the obligation of the State to reimburse the City for overtime pay to firefighters required by statute. The Supreme Court ruled that the State must reimburse the cities for this added expense.

323. Commissioner Deems commended the City staff for the fine job of cleaning the streets of snow.

324. Commissioner Moseley commended joggers on Breton Road for jogging on the correct side of the road and in single file.

325. The Mayor designated Saturday, April 20, 1985, for a closed evaluation of staff.

326. The meeting was adjourned, subject to the call of the Mayor, until February 4, 1985.

  
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City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held February 4, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Mertz, Moseley, Seibold and Mayor Edison.  
Absent: None.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
Assistant City Attorney Huff, City Engineer McMann, City  
Assessor Norman.

327. The minutes of the meeting held January 21, 1985, were corrected in Item 313 to reflect that Commissioner Moseley also attended the AGRAG meeting on January 16th. The minutes were then approved as corrected.

328. Moseley-Seibold. That expense vouchers in the amount of \$541,270.96, and payroll vouchers in the amount of \$74,536.39, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

329. There was no City Attorney report.

330. The Clerk-Controller submitted an amendment to the Water and Sewer Service Agreement between the City of Grand Rapids and the City of East Grand Rapids which provides for a proposed increase in water and sewer service rates charged to the City of East Grand Rapids.

330-A. Moseley-Henry. That the Mayor and Clerk be authorized to sign the Water and Sewer Service Agreement between the City of Grand Rapids and the City of East Grand Rapids.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

331. The Clerk-Controller submitted a memorandum regarding a 1985 Water and Sewer Fund study which proposes rate increases as follows retroactive to November, 1984:

	<u>Water Consumption</u>		<u>Sanitary Sewer Service</u>
Present	\$1.10/M gals.		\$1.10/M gals.
Proposed	\$1.70/M gals.		\$1.30/M gals.
% Increase	54.5		18.2

	<u>Readiness-To-Serve</u>		
<u>Meter Size</u>	<u>Present</u>	<u>Proposed</u>	<u>% Increase</u>
1/2" - 3/4"	\$ 4.75	6.00	26.3
1"	8.50	10.75	26.5
1 1/4"	13.00	16.50	26.9
1 1/2"	19.00	24.00	26.3
2"	34.00	43.00	26.5
3"	76.00	96.00	26.3
4"	135.00	170.00	25.9
6"	305.00	385.00	26.2

PROPOSED INCREASE IN QUARTERLY  
WATER AND SEWER CHARGES

<u>City</u>	<u>1984</u>	<u>1985</u>
Grand Rapids	\$50.76	\$52.35
Walker	69.81	71.97
Kentwood	72.00	71.73
Cascade Twp.	78.93	80.37
Grand Rapids Twp.	76.47	77.70
East Grand Rapids	58.87	81.60

\*Quarterly bills based on average residential usage of 29,100 gallons of water and 20,100 gallons of sewage over a three-month period.

\*Information on neighboring cities from Grand Rapids Press.  
November 19, 1984.

331-A. The Mayor appointed a committee of Commissioners Mehney, Deems and Seibold to review the Water and Sewer Fund study, as submitted by the Clerk-Controller, and report back to the City Commission in March.

332. Mr. Ray Bruggink, of the firm of Moore & Bruggink, discussed the professional services his firm furnishes to the City of East Grand Rapids.

333. The City Manager submitted a communication from Margit Sarne relative to the Library and Recreation facilities. This was received for information.

334. The City Manager distributed a communication from the Friends of the Library relative to the expansion of the Library into the lower level. This was received for information.

335. The City Manager submitted a copy of a memorandum to Commissioner Moseley from the City Manager dated January 21, 1985, relative to membership in the National League of Cities.

335-A. Seibold-Henry. That the City Manager be authorized to continue membership for the City of East Grand Rapids in the National League of Cities.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: Deems - 1

336. The City Manager submitted a request from Advisory Center for Teens for funding in the amount of \$1,148 for fiscal 1984/85.

336-A. Moseley-Seibold. That this Commission continue its support of the Advisory Center for Teens in the amount of \$1,148.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

337. The City Manager advised that the City of East Grand Rapids has been notified by Calvin College that the College intends to construct additional student housing on Burton Street, east of the East Beltline, and that a public hearing will be held February 14, 1985, or soon thereafter.

338. Commissioner Mertz requested that the Library Commission be placed on the agenda for the regular Commission meeting to be held February 18, 1985.

339. Commissioner Mertz requested that the Mayor call another meeting of the Ad Hoc Committee on the Library and the Recreation Department.

340. The Mayor confirmed that there will be a meeting of the Personnel Committee on February 8, 1985.

341. Commissioner Seibold requested that the Ad Hoc Committee meeting be held early in the month of March.

2/4/85

342. Commissioner Mertz reported that he had received a telephone call from Dr. Davis, 636 Manhattan Road SE, advising that he is not in favor of recreational activities being held in the Manhattan School building, but does favor usage of the site for residential use.

343. Commissioner Henry reported on complaints he has received from residents regarding the operation of the sidewalk snowplow.

344. Commissioner Deems submitted a communication listing issues needing answers regarding the expansion of the Library into the lower level, and the relocation of the Recreation Department.

345. Commissioner Deems commended the Clerk-Controller on the submission of the Water and Sewer Fund Study.

346. Commissioner Seibold questioned whether or not the landscaping at the Silver Creek Drain Project has been completed. The City Engineer advised that it is not completed.

347. Commissioner Mehney reported that he had received a telephone call from a resident on Breton Road who favors the use of the Manhattan School building for recreational activities.

348. Commissioner Mehney requested that the Joint Facilities Committee receive a copy of the Agreement between the School Board and Woodcliff property owners.

349. The Mayor requested consideration of the payment of delinquent taxes on property acquired from Reeds Lake Place. It was suggested that the Controller make a recommendation at the next City Commission meeting.

350. The Mayor led a discussion on the communication received from Commissioner Deems regarding the expansion of the Library into the lower level and the relocation of the Recreation Department.

351. The meeting was adjourned, subject to the call of the Mayor, until February 18, 1985.

  
City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held February 18, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Mertz, Moseley, Seibold and Mayor Edison.  
Absent: None.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
Assessor Norman, Public Service Superintendent Smith,  
Assistant Public Service Superintendent Sterkenberg,  
City Engineer McMann, Public Safety Director Gallagher,  
Sports Supervisor O'Brien, and Librarian DeYoung.

352. The minutes of the meeting held February 4, 1985, were approved as written.

353. Moseley-Seibold. That expense vouchers in the amount of \$342,626.09, and payroll vouchers in the amount of \$78,380.38, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

354. A public hearing was held on an amendment to the Zoning Ordinance redefining "family".

354-A. The Commission then considered the proposed amendment to Sections 5.4 and 8.94 of the City Code which was introduced at the meeting of January 21, 1985.

354-B. Henry-Deems. That the following ordinance amendment be adopted:

AN ORDINANCE TO AMEND CHAPTER 50 OF TITLE V AND  
CHAPTER 84 OF TITLE VIII OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Subsection (15) of Section 5.4 of Chapter 50 of Title V of the East Grand Rapids City Code is amended to read as follows:

" . . . (15) Family. A single individual or a married couple together with his, her or their children, or a collective body of persons living together upon the premises as a single housekeeping unit, utilizing a single, common cooking and dining facility, in a domestic relationship based upon birth, marriage, or other relationship of a permanent and distinct domestic character. This definition shall not include any society, club, fraternity, sorority, or other student group, association, lodge, organization or group of persons, which does not constitute a recognized religious order, nor shall it include a group of individuals whose association is temporary or seasonal in character or nature. A family must comply with all provisions of Chapter 84, Property Maintenance Code and Housing Regulations of the City of East Grand Rapids."

Section 2. The definition of Family contained in Section 8.94 of Chapter 84 of Title VIII of the East Grand Rapids City Code is amended to read as follows:

"Family. A single individual or a married couple together with his, her or their children, or a collective body of persons living together upon the premises as a single housekeeping unit, utilizing a single common cooking and dining facility, in a domestic relationship based upon birth, marriage, or other relationship of a permanent and distinct domestic character. This definition shall not include any society, club, fraternity, sorority, or other student group, association, lodge, organization or group of persons, which does not constitute a recognized religious order, nor shall it include a group of individuals whose association is temporary or seasonal in character or nature. Additional persons may be housed with a family in a dwelling unit only in compliance with all provisions of Article II of this chapter except as provided below."

Section 3. This ordinance shall be effective on March 1, 1985.

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: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

355. Mr. Dave Lukens, President of the Southeast Lions Club, introduced Dick Peacock, Chairman of Lakeside '85, and requested that the City of East Grand Rapids match the Southeast Lions Club fireworks budget of \$3,000 for the Lakeside '85 fireworks display.

355-A. Deems-Mertz. That the City of East Grand Rapids donate \$3,000 toward the Lakeside '85 fireworks display.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

356. Commissioner Mertz, on behalf of the Library Commission, submitted a memorandum regarding the Library expansion proposal and the 1984 annual report of the East Grand Rapids Branch of the Kent County Library System.

356-A. Mertz-Moseley. That this Commission approve expansion of the library facilities into the lower level of the library building.

Yeas: Henry, Mehney, Mertz, Moseley, Edison - 5  
Nays: Deems, Seibold - 2

356-B. Mertz-Deems. That the City Manager be appointed Grant Administrator and that he be directed to apply to the State for funds for library construction in the amount of \$106,630 under four separate applications, which applications shall be submitted on or before March 15, 1985.

A roll call vote was taken:

Yeas: Mehney, Mertz, Moseley, Edison - 4  
Nays: Henry, Seibold, Deems - 3

The motion carried.

356-C. Mertz. That the City of East Grand Rapids commit \$130,000 toward the expansion of the Library.

The motion failed for lack of support.

356-D. Deems-Moseley. That the City Manager be directed to state on the grant application that the City's share of the construction cost would come from the General Fund.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

2/18/85

357. The Assistant City Attorney submitted an opinion relative to deed restrictions on the property occupied by Woodcliff School.

358. The Clerk-Controller reported on delinquent taxes on the Gilmore property and recommended that funds be taken from the General Fund in the amount of \$9,327.50 for payment of 1982 delinquent taxes; and that 1983 and 1984 delinquent taxes in the amount of \$15,568 be paid at a future date.

358-A. Seibold-Henry. That the recommendation of the Clerk-Controller be concurred in and that the 1982 taxes be paid.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

359. The Clerk-Controller submitted a financial report for the period ended January 31, 1985. Commissioner Moseley requested that the City Manager report on any capital expenditures which, although budgeted, might be deferred.

360. The Public Service Superintendent was present and discussed budget implications in his department.

361. The City Manager submitted a communication from the United Way of Kent County inviting the City of East Grand Rapids to participate in nominating a volunteer to receive the Carroll K. Streeter Continuing Service Award.

362. The Building Inspector's report for January, 1985, was received.

363. The Public Safety Department report for January, 1985, was received.

364. Commissioner Moseley expressed concern that fire hydrants be cleared of snow.

365. Commissioner Mertz expressed thanks to the E-Unit and Public Safety Department for their quick response in answering a call from a member of his family.

366. Commissioner Moseley questioned if East Grand Rapids has representation or input regarding the proposed South Beltline. The City Manager replied that we have representation on GRETS Policy and GRETS Technical Committees and that he has copies of corridor reports for inspection.

367. Commissioner Moseley expressed appreciation to the Public Service department for clearing the sidewalks and streets of snow.

368. The Mayor requested a meeting of the Personnel Committee on March 25, 1985.

369. Mayor Edison-Moseley. That this Commission adjourn to executive session to discuss a matter of Public Safety Department negotiations.

A roll call vote was taken:

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

The motion carried.

370. The meeting was adjourned, subject to the call of the Mayor, until March 4, 1985.

  
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City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held March 4, 1985

The meeting was called to order by Commissioner Moseley, President of the Commission.

Present: Coms. Deems, Henry, Mertz, Moseley, Seibold.

Absent: Mayor Edison and Commissioner Mehney.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard, City Attorney Richardson, Assistant City Attorney Huff, Assessor Norman, Public Safety Director Gallagher, and Sports Supervisor O'Brien.

371. The minutes of the meeting held February 18, 1985, were approved as written.

372. Seibold-Henry. That expense vouchers in the amount of \$1,092,499.77, and payroll vouchers in the amount of \$75,971.20, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mertz, Moseley, Seibold - 5  
Nays: 0

373. Commissioner Moseley presented Richard Wells with a watch in recognition of his 25 years of service to the City of East Grand Rapids.

374. Pursuant to public notice, a hearing was then held upon the request of Terry Carlson, 2220 Elmwood Drive SE, for a zoning variance to permit him to construct an addition to the rear of the home 14 ft. from the rear lot line. Mr. Carlson was present to answer questions. There were no objections.

374-A. Deems-Mertz. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. Carlson.

Yeas: Deems, Henry, Mertz, Moseley - 4  
Nays: Seibold - 1

375. A communication was received from Sue Robert, Chairman of the Community Action Council, expressing appreciation for the City Commission's support of their program. This was received for information.

376. A communication from the Recreation Director to Kathy Muir regarding the recreation and park agreement was received for information.

377. A memorandum from the Recreation Director to the Public Safety Director regarding East Grand Rapids Recreation Department special events was received for information.

378. There was no City Attorney report.

379. The Clerk-Controller submitted a report of non-General Fund budget items.

379-A. Deems-Mertz. That the report of non-General Fund budget items submitted by the Clerk-Controller be accepted.

Yeas: Deems, Henry, Mertz, Moseley, Seibold - 5  
Nays: 0

380. The City Manager distributed a letter regarding the lake restoration project received from Mr. Karl Hosford, of the Michigan Department of Natural Resources, advising that a report will be forthcoming and that the project is completed at February 15, 1985.

3/4/85

380-A. Deems-Henry. That a representative from the Department of Natural Resources be requested to appear, in person, before this Commission to answer questions when the report is presented.

Yeas: Deems, Henry, Mertz, Moseley, Seibold - 5  
Nays: 0

381. The City Manager distributed a memorandum from the Recreation Director with respect to a Special Events Permit Application.

381-A. Seibold-Mertz. That consideration of the Special Events Permit Application be tabled until the meeting of March 18, 1985.

Yeas: Deems, Henry, Mertz, Moseley, Seibold - 5  
Nays: 0

382. The City Manager reported receipt of notice from the Department of Natural Resources of an application by Peter Wege, 2574 Pioneer Club Road SE, for a permit to do extensive grading and filling of property on Reeds Lake west of Oakwood right-of-way.

383. Minutes of the Traffic Commission meeting held February 19, 1985, were received. No action being taken by the Commission, "No Parking Here To Drive" signs will be installed on the south side of Wealthy 30 feet west of the private drive for the Schoolhouse Condominiums, and on the south side of Wealthy 80 feet west of the west line of Briarwood, as recommended by the Traffic Commission.

384. The minutes of the Parks and Recreation Commission meeting held February 20, 1985, were received.

385. The minutes of the Joint Facilities meeting held February 6, 1985, were received.

386. Commissioner Mertz reported that there is a vacancy on the Library Commission due to the resignation of LeRoy Kramer who moved to Grand Rapids, and recommended Richard E. Wayman, 3010 Lake Drive SE, to fill the vacancy.

387. Commissioner Mertz asked for a list of streets recommended for repair during this year.

388. Commissioner Deems asked if the City of East Grand Rapids sponsors the Grand Valley Art Fair as a special event. The City Manager responded in the negative.

389. Commissioner Deems reported receipt of a phone call from a citizen requesting that the virtues of Stretchercise Classes not be overlooked.

390. Commissioner Deems advised that he had received a phone call from a citizen questioning whether the Manhattan School building could be used as a professional office building. Commissioner Deems advised that the Master Plan provides for residential, not commercial, use of this site.

391. Commissioner Moseley distributed a pamphlet regarding recycling.

392. The meeting was adjourned, subject to the call of the Mayor, until March 18, 1985.

  
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City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held March 18, 1985

The meeting was called to order by Commissioner Moseley, President of the Commission.

Present: Coms. Deems, Henry, Mehney, Mertz and Moseley.

Absent: Mayor Edison and Commissioner Seibold.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
Public Safety Director Gallagher, City Engineer McMann.

393. The minutes of the meeting held March 4, 1985, were approved as written.

394. Henry-Deems. That expense vouchers in the amount of \$40,160.99, and payroll vouchers in the amount of \$75,224.08, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: 0

395. Pursuant to public notice, a hearing was then held upon the request of Adex Heating Company for a zoning variance to permit the placing of a second air-conditioning condenser unit at 2507 Maplewood Drive SE, in the side, rather than the rear, yard. Mrs. Durren, owner of the property at 2507 Maplewood Drive SE, was present to answer questions. Mr. Gale Boughner, 2515 Maplewood Drive SE, was also present and expressed concern relative to the noise and aesthetic factors.

395-A. Deems-Mehney. That this hearing on the variance request be adjourned until the next meeting and that Mrs. Durren's heating contractor be present at the adjourned hearing to answer questions.

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

Nays: 0

396. The City Attorney submitted a proposed amendment adding Section 9.56 to the City Code.

396-A. Deems-Mertz. That the following proposed ordinance be introduced at this time. The City Attorney and Public Safety Director Gallagher answered several questions.

AN ORDINANCE TO AMEND CHAPTER 93  
OF TITLE IX OF THE CODE OF THE CITY OF  
EAST GRAND RAPIDS BY ADDING SECTION 9.56

The City of East Grand Rapids ordains:

Section 1. Chapter 93 of the Code of the City of East Grand Rapids is amended by adding Section 9.56, reading as follows:

Section 9.56. Attendance at Gathering.

No person under twenty-one (21) years of age shall knowingly attend, frequent, or be an occupant of a place where the illegal consumption of alcoholic liquor by other persons under twenty-one (21) years of age is being allowed in violation of Section 9.52(40) of this Code, or a place where other persons under twenty-one (21) years of age are illegally in possession of alcoholic liquor in violation of Section 9.54 of this Code. This section shall not apply to a place where the attendance is limited to the immediate family of the occupier of the premises. A person who violates this Section shall have committed a civil infraction and shall be subject to the following penalties:

3/18/85

(1) For the first violation a fine of not more than Twenty-Five Dollars (\$25.00).

(2) For a second violation a fine of not more than Fifty Dollars (\$50.00).

(3) For a third or subsequent violation a fine of not more than One Hundred Dollars (\$100.00).

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1985.

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: Deems, Henry, Mehney, Mertz, Moseley - 5  
Nays: 0

397. There was no Clerk-Controller report.

398. The City Manager submitted a revised Special Events Permit Application.

398-A. Mehney-Henry. That this Commission approve the Special Events Permit Application, as revised, for use by the City.

Yeas: Deems, Henry, Mehney, Mertz, Moseley - 5  
Nays: 0

399. The City Manager submitted a proposed street lighting plan prepared by Consumers Power Company for ornamental street lighting on Monterey Drive from Alexander south to the El Dorado right-of-way as requested by residents. All installation costs are to be charged to the residents.

399-A. Mehney-Henry. That Consumers Power Company install an ornamental street lighting system on Monterey Drive from Alexander south to the El Dorado right-of-way, and that the cost be charged to the residents.

Yeas: Deems, Henry, Mehney, Mertz, Moseley - 5  
Nays: 0

400. The City Manager reported on bids received for cleaning and televising the sanitary sewers in San Lu Rae from Floral to Lake Drive, and in Lake Drive from San Lu Rae to Ross Court and recommended that the low bid submitted by Interstate Pipe Maintenance, in the amount of \$1,335.84, be accepted.

400-A. Deems-Henry. That the bid of Interstate Pipe Maintenance in the amount of \$1,335.84 be accepted and a contract awarded to them.

Yeas: Deems, Henry, Mehney, Mertz, Moseley - 5  
Nays: 0

401. The Building Inspector's report for February, 1985, was received.

402. The Public Safety Department report for February, 1985, was received.

403. Mr. Dave MerMeulen, representing the Gladstone Neighborhood Association, submitted a petition from residents of the area requesting that a hearing be set up with the Assessor and the Board of Review for consideration of assessments in that area.

403-A. Deems-Mehney. That Commissioners Henry and Seibold meet with the Assessor and the Gladstone Neighborhood Association to discuss the concerns of the residents.

Yeas: Deems, Henry, Mehney, Mertz - 4  
Nays: Moseley - 1

404. Mr. Geoffrey Hughes expressed concern about the reduction in the level of services performed by the Emergency Medical Services of the City of East Grand Rapids, as recently written up in the newspapers. The City Manager explained the situation to Mr. Hughes.

405. The City Manager distributed a summary of the Department of Natural Resources report regarding the Lake Restoration Project.

406. The City Manager presented the request of the Public Safety Director for authority to apply for Federal funds through the Federal Mediation and Conciliation Service for the purposes of conducting public safety training programs.

404-A. Deems-Henry. That the City Manager and Public Safety Director be given authority to apply for a grant of Federal funds.

Yeas: Deems, Henry, Mehney, Mertz, Moseley - 5  
Nays: 0

407. Commissioner Mehney reported receipt of a phone call from a resident on Lovett Street SE, complaining that snowplows had plowed snow into her driveway.

408. Commissioner Mertz advised that a meeting of the Library Commission was held March 14th, and a preliminary budget was prepared. He also reported that the Friends of the Library are seeking donations for the expansion of the Library.

409. Commissioner Henry commented on the report submitted by the Department of Natural Resources regarding the Lake Restoration Project.

410. Commissioner Moseley reported that serving on the Board of Review was a learning experience.

411. Mehney-Mertz. That this Commission adjourn to executive session to discuss negotiations with the Public Safety Department employees' union for a collective bargaining agreement.

A roll call vote was taken:

Yeas: Deems, Henry, Mehney, Mertz, Moseley - 5  
Nays: 0

The motion carried.

412. The meeting reconvened after the executive session.

413. Henry-Mehney. That this Commission ratify the letter of agreement dated February 14, 1985, between the Public Safety bargaining unit and the City relative to premium pay for ALS and BLS personnel.

Yeas: Deems, Henry, Mehney, Mertz, Moseley - 5  
Nays: 0

414. The meeting was adjourned, subject to the call of the Mayor, until April 1, 1985.

  
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City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held April 1, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mertz, Moseley, Seibold and Mayor Edison.

Absent: Com. Mehney.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
Assessor Norman, City Engineer McMann, Public Safety Director  
Gallagher.

415. The minutes of the meeting held March 18, 1985, were approved as written.

416. Moseley-Seibold. That expense vouchers in the amount of \$153,427.29,  
and payroll vouchers in the amount of \$74,458.05, as approved by the Ways &  
Means Committee, be allowed and the Controller be authorized to draw an order  
on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6

Nays: 0

417. The adjourned hearing was held on the variance request of Adex Heating  
Company for a zoning variance to permit the placing of a second air-conditioning  
condenser unit at 2507 Maplewood Drive SE, in the side, rather than the rear, yard.  
Mr. and Mrs. Durren, owners of the property at 2507 Maplewood Drive SE, were  
present. Mr. Bryan Kapteyn, representing Adex Heating Company, was also present  
to answer questions. There were no objections raised.

417-A. Deems-Moseley. That the variance requested by Adex Heating Company,  
to permit the placing of a second air-conditioning condenser unit at 2507  
Maplewood Drive SE, in the side, rather than the rear, yard be granted subject to  
the condition that a 7-foot hedge be provided for screening purposes of the con-  
denser units, and that the noise level emitted from the units not exceed that  
provided for in the Ordinance Code.

Yeas: Deems, Henry, Moseley, Seibold, Edison - 5

Nays: Mertz - 1

418. The Commission then considered the proposed amendment to Section 9.56  
of the City Code which was introduced at the meeting of March 18, 1985.

418-A. Moseley-Seibold. That the following ordinance amendment be adopted:

AN ORDINANCE TO AMEND CHAPTER 93  
OF TITLE IX OF THE CODE OF THE CITY OF  
EAST GRAND RAPIDS BY ADDING SECTION 9.56

The City of East Grand Rapids ordains:

Section 1. Chapter 93 of the Code of the City of East Grand Rapids  
is amended by adding Section 9.56, reading as follows:

Section 9.56. Attendance at Gathering.

No person under twenty-one (21) years of age shall knowingly attend, frequent, or be an occupant of a place where the illegal consumption of alcoholic liquor by other persons under twenty-one (21) years of age is being allowed in violation of Section 9.52(40) of this Code, or a place where other persons under twenty-one (21) years of age are illegally in possession of alcoholic liquor in violation of Section 9.54 of this Code. This section shall not apply to a place where the attendance is limited to the immediate family of the occupier of the premises. A person who violates this Section shall have committed a civil infraction and shall be subject to the following penalties:

4/1/85

(1) For the first violation a fine of not more than Twenty-Five Dollars (\$25.00).

(2) For a second violation a fine of not more than Fifty Dollars (\$50.00).

(3) For a third or subsequent violation a fine of not more than One Hundred Dollars (\$100.00).

Section 2. This ordinance shall be effective on April 11, 1985.

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: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

419. The City Attorney reviewed with the Commission the professional services provided by the City Attorney's Office as legal counsel for the City.

420. The minutes of the Ways & Means Committee meetings held March 8, 1985, and March 22, 1985, recommending that proposals be solicited for the City's annual audit service were received.

420-A. Moseley-Seibold. That the City solicit proposals for annual audit services for the fiscal years 1985 thru 1987.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

421. The Clerk-Controller reported that the budget amendments report will be submitted at the meeting of April 15, 1985.

422. The City Manager submitted a letter from the Grand Rapids Area Chamber of Commerce requesting a commitment of \$17,000 from the City of East Grand Rapids, payable over a 5-year period, for "The Right Place Program". The City Manager reported that he would place \$3,400 in the budget recommendations for fiscal year 1986 for consideration during budget work sessions. No action was taken.

423. The City Manager distributed a letter from Karl R. Hosford, Chief Division of Land Resource Programs of the Department of Natural Resources, regarding the final report on the Lake Restoration Project. The Manager was directed to place this item on the agenda for May 20, 1985, and to request that representatives from the D.N.R. be present to answer questions.

424. The minutes of the Traffic Commission meeting held March 19, 1985, were received. No action being taken, "No Parking, Here To Corner" signs will be installed at a distance of twenty feet from each corner on Lovett, on the east side of the street, and on Lake Drive, east of the intersection and west of the intersection, on the north side of Lake Drive.

425. The minutes of the Parks Committee meeting held March 18, 1985, were received.

426. Commissioner Deems commented on joggers and the need for both joggers and drivers to exercise caution.

427. Commissioner Deems expressed concern about the possibility of the Kent County Treasurer discontinuing the County-wide Investment Pool. The Clerk-Controller was directed to address a communication to our legislators requesting that the County Treasurer be given authority to reinstate the Investment Pool.

428. Commissioner Moseley commented on the dangers caused by joggers who do not keep to the curb, single file.

429. Commissioner Moseley commented on Lakeside '85.

4/1/85

430. Commissioner Moseley reported that GRATA will be holding public hearings April 30, May 1, and May 2, 1985.

431. The Mayor proclaimed the week of April 8, 1985, as Widowed Persons Week.

432. The Mayor reported that there is a vacancy on the Region 8 Planning Commission due to the resignation of Oliver Robinson and asked for suggestions for replacement.

433. The meeting was adjourned, subject to the call of the Mayor, until April 15, 1985.

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

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held April 15, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Mertz, Moseley, Seibold and Mayor Edison.  
Absent: None.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
Assistant City Attorney Huff, City Engineer McMann, Plant  
Engineer/Building Inspector Baragar, and Sports Supervisor  
O'Brien.

434. The minutes of the regular meeting held April 1, 1985, were approved  
as written.

435. Moseley-Seibold. That expense vouchers in the amount of \$132,498.50,  
and payroll vouchers in the amount of \$75,468.48, as approved by the Ways & Means  
Committee, be allowed and the Controller be authorized to draw an order on the  
Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

436. A communication was received from the Arts Council of Greater Grand  
Rapids requesting that their organization be reinstated as a recipient of con-  
tributions. Gail Riesch, representing the Arts Council, was present to answer  
questions. No action was taken as this matter will be considered during the  
budget process for fiscal 1985/86.

437. A communication and signed petition was received from the Citizens  
Concerned About the Construction of the Proposed South Beltline. No action was  
taken. This item will appear on the agenda for the regular City Commission  
meeting May 6, 1985.

438. There was no City Attorney report.

439. The minutes of the Water and Sewer Rate Committee meeting held  
April 10, 1985, were received. This item will appear on the agenda for the  
regular City Commission meeting May 6, 1985.

440. The Clerk-Controller submitted a memorandum listing proposed  
modifications to fiscal year 1985 budget.

440-A. Mertz-Seibold. That the proposed General Fund modifications to  
fiscal year 1985 budget resulting in total amended resources and appropriations  
of \$3,679,062.00, as requested by the Clerk-Controller, be approved as follows:

GENERAL OPERATING FUND

Total Budgeted Resources	\$ 3,640,675
Add:	
Michigan Justice Training Program	1,555
Sale of Personal Property	7,614
Appropriation of Fund Balance	29,218
TOTAL AMENDED RESOURCES	\$ <u>3,679,062</u>
Total Budgeted Appropriations	\$ 3,640,675
Add:	
Public Safety	26,739
Purchase of Land	9,308
Library	2,340
City Clerk	12,080
Delete:	
City Manager	(12,080)
TOTAL AMENDED APPROPRIATIONS	\$ <u>3,679,062</u>

441. The City Manager submitted a memorandum regarding invoices from the Michigan Department of Natural Resources for Lake Restoration studies and recommended payment in the amount of \$45,558.96, which represents 50% of the total cost, which is the City's share.

441-A. Moseley-'Deems. That this item be tabled.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7

Nays: 0

442. The City Manager submitted a memorandum regarding water system improvements to the East Grand Rapids pumping station, and installation of valves along Burchard Street, and requested authorization to advertise for bids.

442-A. Moseley-Deems. That the City Manager be authorized to advertise for bids for water system improvements.

Yeas: Deems, Henry, Mehney, Moseley, Seibold, Edison - 6

Nays: Mertz - 1

443. The City Manager submitted a memorandum regarding the Grounds Maintenance Program for the year ending June 30, 1986, and recommended that the contract be awarded to Larry's Lawn Service in the amount of \$45,500.

443-A. Mehney-Seibold. That a contract be awarded to Larry's Lawn Service in the amount of \$45,500 for the City's Grounds Maintenance Program for the year ending June 30, 1986.

A roll call vote was taken:

Yeas: Mehney, Seibold, Moseley, Edison - 4

Nays: Henry, Mertz, Deems - 3

The motion carried.

444. The City Manager submitted a communication and Resolution of Intent to provide financial aid to the Advisory Centers in the amount of \$1,148 for fiscal 1985/86.

444-A. Deems-Henry. That this item be taken under advisement and considered during the budget process for fiscal 1985/86.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7

Nays: 0

445. The Building Inspector's report for March, 1985, was received.

446. The Public Safety Department report for March, 1985, was received.

447. The City Manager advised that the Michigan Municipal League Regional Meeting will be held April 25, 1985, at Muskegon, and reservations must be made with the City Clerk by the end of the week.

448. The City Manager distributed a communication from James K. Haveman, Executive Director of Community Mental Health, regarding Community Care homes in Kent County.

449. The City Manager distributed a memorandum from the West Michigan Regional Planning Commission regarding Michigan Land Trust Funds.

450. Commissioner Mehney inquired about basketball equipment which is to be installed at Wealthy School playground.

451. Commissioner Mehney commended the Public Safety Officers for being alert regarding the safety of children.

452. Commissioner Moseley expressed concern about citizens depositing yard debris in the outlawn, and the need for use of no-phosphate fertilizers.

4/15/85

453. Commissioner Moseley commented on joggers and Moped operators.

454. Commissioner Moseley inquired about snow which was deposited in the area of the Ramona Medical Center.

455. Commissioner Moseley reported receiving phone calls about unleashed dogs.

456. Commissioner Moseley questioned if Public Safety Officers will be honored on the occasion of graduation from the Police Academy School.

457. Commissioner Moseley commented on Lakeside '85.

458. Commissioner Mertz expressed concern about the dumping of refuse materials.

459. Commissioner Mertz questioned as to when the chute will be installed at the Library for book returns.

460. The Mayor advised that there will be an evaluation meeting of the City Manager on Saturday, April 20, 1985.

461. The Mayor submitted a proposed resolution from the Prisoner of War Committee of Michigan.

461-A. Mehney-Henry. That the proposed resolution from the Prisoner of War Committee of Michigan be approved as follows:

WHEREAS, the Paris Peace Accords, signed on January 27, 1973 by the Socialist Republic of Vietnam and the United States, signaled the end of the conflict in Vietnam and provided for the return of live POWs, the repatriation of remains, and the fullest possible accounting of the missing; and

WHEREAS, there are currently 2,483 Americans still missing or otherwise unaccounted for in Indochina, and their families still suffer untold grief due to uncertainty about their fate; and

WHEREAS, the Lao People's Democratic Republic has recently indicated increased willingness to cooperate and has agreed with the United States government to improve the overall relationship between our two countries; and

WHEREAS, the Socialist Republic of Vietnam has pledged to accelerate their effort to cooperate with the United States government in resolving this humanitarian issue, separate from other issues dividing our two countries; and

WHEREAS, the President of the United States has declared resolution of the POW/MIA issue a matter of highest national priority and has initiated high-level dialogue with the governments of the Lao People's Democratic Republic and the Socialist Republic of Vietnam on this issue; and

WHEREAS, the citizens of the City of East Grand Rapids support the President's pledge of highest national priority to resolve the status of the 2,483 Americans still missing and unaccounted for in Indochina; therefore,

BE IT RESOLVED that the City Commission of the City of East Grand Rapids strongly urge the United States government to accelerate efforts in every possible way to obtain the immediate release of any Americans who may still be held captive in Indochina and the return of American servicemen and civilians who died in Southeast Asia whose remains have not been repatriated; and

4/15/85

BE IT RESOLVED, that the City Commission of the City of East Grand Rapids strongly urge the governments of the Socialist Republic of Vietnam and the Lao People's Democratic Republic to fully cooperate with the United States government in the humanitarian effort to resolve the fate of 2,483 American servicemen and civilians still missing in Southeast Asia.

Yeas: Deems, Henry, Mehney, Mertz, Seibold, Edison - 6  
Nays: Moseley - 1

462. The Mayor advised that the Kent County Board of Public Works will be conducting a Refuse-To-Energy Project Facility tour.

462-A. Mehney-Seibold. That the Mayor and City Manager be authorized to represent the City of East Grand Rapids on the Refuse-To-Energy Project Facility tour at a cost of \$855.00.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

463. The Mayor advised that he will be sending letters to the parents of Middle School and High School students regarding substance abuse.

464. The meeting was adjourned, subject to the call of the Mayor, until May 6, 1985.

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

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held May 6, 1985

The meeting was called to order by Mayor Edison.

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

Absent: Com. Henry.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
City Engineer McMann, Public Safety Director Gallagher,  
Assessor Norman, and Sports Supervisor O'Brien.

465. The minutes of the meeting held April 15, 1985, were amended to Item 440-A to publish in full the proposed modifications to the fiscal year 1985 General Operating Fund Budget, and at Item 461-A to publish the full text of the resolution adopted regarding the POW/MIA issue. The minutes were then approved as amended.

466. Moseley-Seibold. That expense vouchers in the amount of \$130,224.20, and payroll vouchers in the amount of \$87,656.63, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

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

Nays: 0

467. A hearing was then held on the variance request of Michael C. Haines, 814 Gladstone Drive SE, to construct a detached garage two feet four inches from the north lot line, and two feet from the east lot line, rather than the required three feet. Greg Weaver, 810 Gladstone Drive SE, advised Commissioner Moseley that he favored granting of the variance. Winifred Mulder, 811 Rosewood Drive SE, was present and questioned whether the north and east lot lines would be affected. Mr. Haines was present to answer questions. There were no objections.

467-A. Moseley-Deems. That the City Commission, acting as the Board of Zoning Appeals, grant the variance requested by Michael C. Haines to permit construction of a detached garage two feet four inches from the north lot line, and two feet from the east lot line.

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

Nays: 0

468. A hearing was then held on the variance request of Thomas B. and Pamela A. Haight, 949 Pinecrest Avenue SE, to construct a detached garage one foot from the side lot line rather than the required three feet. Mrs. Haight was present to answer questions. Communications were received from Aloneea F. Buth, 949 Pinecrest Avenue SE, Carol and Steve Briggs, 917 Pinecrest Avenue SE, John R. Warren, 1015 Pinecrest Avenue SE, and David and Jenna Townsend, 941 Pinecrest Avenue SE, favoring the granting of the variance. There were no objections.

468-A. Moseley-Mehney. That the City Commission, acting as the Board of Zoning Appeals, grant the variance requested by Thomas B. and Pamela A. Haight, to construct a detached garage one foot from the side lot line.

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

Nays: 0

469. A communication was received from the Arts Council of Greater Grand Rapids requesting a donation of \$1,500. This matter will be considered during the budget process for fiscal 1985/86.

470. Mr. John Aldridge, Director of Transportation, West Michigan Regional Planning Commission, was present to address the Commission on the proposed South Beltline.

5/6/85

470-A. Mertz-Deems. That GRETS, representing the metropolitan area of Grand Rapids, request MDOT to construct a transportation facility extending from I-196 to I-96 through an area generally bounded by 60th Street on the north and 84th Street on the south.

470-B. Deems-Mertz. That the Commission vote separately on each of the three issues involved.

A roll call vote was taken:

Yeas: Mehney, Mertz, Deems, Seibold, Moseley, Edison - 6  
Nays: 0

The motion carried.

470-C. Deems-Mertz. That GRETS, representing the metropolitan area of Grand Rapids, request MDOT to construct a transportation facility extending from I-196 to I-96 through an area generally bounded by 60th Street on the north and 84th Street on the south.

A roll call vote was taken:

Yeas: Mehney, Mertz, Deems, Edison - 4  
Nays: Seibold, Moseley - 2

The motion carried.

470-D. Deems-Mertz. That the individual Commissioners express their desire as to whether the Southbelt facility be built in the Northern or Southern part of the corridor.

A roll call vote was taken:

Commissioner Mertz - Northern route  
Commissioner Seibold - Abstained  
Commissioner Moseley - Northern route  
Commissioner Deems - Northern route  
Commissioner Mehney - Northern route  
Mayor Edison - Northern route

470-E. Deems-Mertz. That the individual Commissioners express their desire as to whether the proposed Southbelt be constructed as a limited access, controlled access, or free access facility.

A roll call vote was taken:

Commissioner Mehney - Limited access  
Commissioner Mertz - Limited access  
Commissioner Seibold - Abstained  
Commissioner Moseley - Controlled access  
Commissioner Deems - Abstained  
Mayor Edison - Limited access

471. There was no City Attorney report.

472. The Clerk-Controller reported that it was the decision of the Ways and Means Committee to postpone making its recommendation regarding the Water and Sewer Rate Study until the meeting of May 20, 1985.

473. The Clerk-Controller submitted a memorandum regarding a meeting with the Ways & Means Committee and the Mayor for the purpose of discussing audit proposals received for the performance of the City's annual audit, with the recommendation that a contract be awarded to Seidman and Seidman. Mr. Glenn Goodwin, partner of Siedman and Seidman, was present to explain its proposal.

473-A. Moseley-Seibold. That the agreement submitted by Seidman and Seidman as modified by the City Attorney under which Seidman and Seidman will perform audit services for the City for a three-year period beginning June 30, 1985, for a total amount of \$28,425 be approved.

Yeas: Deems, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

474. The City Manager discussed the Kent County Solid Waste Management Plan. This item will appear on the agenda for May 20, 1985.

475. The City Manager submitted a communication from Commissioner Deems regarding the demise of the Grand Rapids Metropolitan Area Economic Council.

476. The City Manager submitted a memorandum from the Public Safety Director advising that the position of Animal Control Officer is vacant, and recommending that the City contract with the County for the employment of an Animal Control Officer who will also serve as a Parking Control Officer.

476-A. Moseley-Mehney. That the staff pursue the concept of the employment of an Animal Control Officer/Parking Control Officer.

Yeas: Deems, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

477. The City Manager reported on bids received for pipe, fittings, and valves for the Burchard valve replacement project, and recommended that the low bid of Etna Supply Company, the low bidder, in the amount of \$7,384.75, be accepted.

477-A. Seibold-Moseley. That the bid of Etna Supply Company, in the amount of \$7,384.75, for the water materials for Burchard valve replacement project be accepted and a contract awarded to it.

Yeas: Deems, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

478. The City Manager submitted a memorandum to the Mayor regarding "Coalition to Improve Public Safety". This was received for information.

479. The City Manager submitted a memorandum advising that the Recreation Commission has moved that the Recreation Department sponsor the 1985 Reeds Lake Triathlon.

480. The minutes of the Planning Commission meetings held March 12, and April 16, 1985, were received.

481. The City Manager advised that at the meeting of May 20th, he will request a permit to display fireworks on July 4th.

482. The City Manager distributed the Joint Facilities Agreement effective July 1, 1985 through June 30, 1988, approved by the Joint Facilities Committee April 23, 1985.

482-A. Mehney-Seibold. That the Joint Facilities Agreement, as submitted, be accepted.

482-B. Moseley-Mertz. That the above motion be tabled until the meeting of May 20, 1985.

Yeas: Deems, Mehney, Mertz, Moseley, Edison - 5  
Nays: Seibold - 1

483. Commissioner Moseley submitted a draft proposal of a letter to city residents regarding the proper disposition of yard debris.

483-A. Moseley-Seibold. That the proposed letter regarding yard debris, with a map showing the schedule of pickup days printed on the reverse side, be distributed to the residents of East Grand Rapids in a manner to be determined by the City Manager.

Yeas: Deems, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

484. Commissioner Moseley commented on trash pickup schedules.

485. Commissioner Seibold commented on trash and garbage placed on the curb for pickup.

5/6/85

486. Commissioner Seibold commented on the condition of the Quonset hut.

486-A. Seibold-Deems. That the Quonset hut be painted.

Yeas: Deems, Mehney, Moseley, Seibold, Edison - 5

Nays: Mertz - 1

487. Commissioner Mehney submitted the following resolution regarding the East Grand Rapids Team Boosters:

WHEREAS, the East Grand Rapids Team Boosters is an organization composed of members of this community interested in assisting the East Grand Rapids Public Schools athletic program by its activities, including the raising of funds through various worthy activities to provide financial assistance to the athletic programs, and

WHEREAS, the City Commission of the City of East Grand Rapids desires to recognize the East Grand Rapids Team Boosters as a charitable organization whose purposes and activities are beneficial to the City of East Grand Rapids.

NOW, THEREFORE, IT IS RESOLVED, that the City of East Grand Rapids does hereby recognize the East Grand Rapids Team Boosters as a non-profit charitable organization whose purposes and activities directly benefit the City of East Grand Rapids and its citizens.

487-A. Seibold-Mehney. That the resolution be adopted.

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

Nays: 0

488. Commissioner Mehney reported that Coaches' Appreciation Night will be held May 28.

489. Commissioner Mehney reported that the landfill at the East Beltline and Cascade Road has been improved.

490. The Mayor announced that a budget work session will be held June 3, following the regular City Commission meeting and, if necessary, will be continued on June 10.

491. The meeting was adjourned, subject to the call of the Mayor, until May 20, 1985.

  
City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held May 20, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Henry, Mehney, Mertz, Moseley, Seibold and Mayor Edison.

Absent: Com. Deems.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard, City Attorney Richardson, Assistant City Attorney Huff, Assessor Norman, City Engineer McMann, and Plant Engineer/ Building Inspector Baragar.

492. The minutes of the meeting held May 6, 1985, were approved as written.

493. Moseley-Seibold. That expense vouchers in the amount of \$52,005.22, and payroll vouchers in the amount of \$72,227.94, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6

Nays: 0

494. A hearing was then held on the request of Enid Packard for a zoning variance to change from residential to commercial the use of the second floor of 610 Lovett SE. Mr. Packard was present to answer questions. There were no objections.

494-A. Mertz-Seibold. That the City Commission, acting as the Board of Zoning Appeals, grant the variance requested by Enid Packard to permit the use of the second floor of 610 Lovett SE, for an insurance office.

Yeas: Henry, Mehney, Mertz, Seibold, Edison - 5

Nays: Moseley - 1

495. Mr. Curt Kempainen was present to discuss the Kent County Solid Waste Management Plan. Mr. Michael Karolle, 1320 Woodshire Drive SE, questioned the possibilities of recycling usable materials. Mr. Kempainen said that this will be considered.

495-A. Moseley-Henry. That the following resolution be adopted:

WHEREAS, Act 641 of the Public Acts of 1978 requires all Michigan counties to have a solid waste management plan, and

WHEREAS, Kent County on May 2, 1979, indicated the County's intent to prepare a county solid waste management plan in accordance with the requirements of Act 641, and

WHEREAS, the Kent County Board of Commissioners selected the Board of Public Works as the designated planning agency for the Board of Commissioners to prepare the solid waste management plan, and

WHEREAS, the Kent County Board of Commissioners on September 3, 1980, appointed a solid waste planning committee to assist in the preparation of the solid waste management plan, and

WHEREAS, the Solid Waste Planning Committee has appropriately prepared a draft plan, held a public hearing and revised it in response to public comments, and

WHEREAS, the Solid Waste Planning Committee has adopted and approved a final Kent County Solid Waste Management Plan, and

WHEREAS, the Kent County Board of Commissioners has approved and adopted the Kent County Solid Waste Management Plan dated March, 1985,

NOW, THEREFORE, BE IT RESOLVED that the City of East Grand Rapids hereby approves Kent County's Solid Waste Management Plan prepared pursuant to Act 641 of 1978, as amended, and the rules promulgated thereunder on May 20, 1985.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

496. Mr. Chris Shafer, Chief of Lakes & Streams Protection Section, and Mr. Steve Sadewasser, of the Department of Natural Resources, were present to discuss the Lake Restoration Report which was recently received by the City.

496-A. Mehney-Mertz. That this Commission authorize payment of \$45,558 to the Department of Natural Resources as the City's share of the cost of the Lake Restoration study.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

497. The City Attorney submitted a proposed amendment to Section 7.86 of the City Code dealing with the licensing of lawn contractors.

497-A. Moseley-Seibold. That the following proposed ordinance be introduced at this time:

AN ORDINANCE TO AMEND CHAPTER 78 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 7.86 of Chapter 78 of Title VII of the East Grand Rapids City Code is amended to read as follows:

"Sec. 7.86 Same - License required.

No lawn contractor shall advertise its lawn care services in East Grand Rapids, represent itself to be a licensed lawn contractor within East Grand Rapids, solicit or enter into contracts for lawn care service with residents of East Grand Rapids, or operate such business or service within East Grand Rapids without first obtaining a license from the City Clerk's office. The license fee shall be as set forth in Section 7.32 of the East Grand Rapids City Code. Licenses shall cover the period from March 1 through February 28, and a new license must be secured for each such license year. All such lawn contractors shall abide by such reasonable regulations as to hours and methods of operation as the City Manager shall promulgate and the City Commission shall approve. No lawn contractor licensed under this Chapter shall apply general use or restrictive use pesticides unless licensed to do so by the Director of the Department of Agriculture of the State of Michigan under Act 171 of 1976."

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1985.

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: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

498. The minutes of the Water and Sewer Rate Committee meeting held April 29, 1985, were presented to the City Commission. Included was a recommendation to select Alternative B providing for rate increase and other adjustments to the water and sewer billing system. A proposed amendment to the Water and Sewer Ordinance was presented containing the changes proposed in the rate structure. Mr. Judson Mealy, 965 Cambridge Blvd. SE, was present and expressed concern about the rate structure.

498-A. Mehney-Mertz. That this Commission accept the recommendations of the Water and Sewer Rate Committee, except for any reference to a write-off of the Water Fund liability to the General Fund; and that the following ordinance be introduced at this time:

AN ORDINANCE TO AMEND SECTIONS 2.83, 2.83-1  
AND 2.86 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 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 eighty-nine cents (\$.89) per one thousand (1,000) gallons and the following quarterly service charge depending on meter size:

Meter Size (inches)	Charge
1/2 - 3/4	13.17
1	22.14
1-1/4	33.66
1-1/2	47.73
2	83.58
3	185.97
4	329.34
6	738.93

Section 2. Section 2.83-1 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 fifty-nine cents (\$.59) per one thousand (1,000) gallons of water consumption, based on water consumption during the preceding winter quarter for each user, and the following quarterly service charge depending on water meter size:

Meter Size (inches)	Charge
1/2 - 3/4	7.98
1	12.48
1-1/4	18.27
1-1/2	25.35
2	43.35
3	94.83
4	166.89
6	372.75

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 such 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. Section 2.86 of the East Grand Rapids City Code is amended to read as follows:

Sec. 2.86. Billing

Charges for all water and sanitary sewer service shall be billed and collected quarterly by the City Controller. All water meters shall be read at least every third month and bills rendered on the first of the month following the meter reading. All charges for water and sewer service shall be immediately due and payable and may be paid without penalty up to and including the thirtieth day of the month when rendered, and shall thereafter be subject to a penalty equal to ten percent of the unpaid balance.

Section 4. This amendatory ordinance shall be effective on \_\_\_\_\_, 1985.

Section 5. This amendatory 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: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

499. The Clerk-Controller gave a report on the progress made in the investigation of computer systems.

500. The Clerk-Controller presented a resolution regarding the County Investment Pool Fund.

500-A. Moseley-Seibold. That the following resolution be adopted:

WHEREAS, the Kent County Treasurer's Office has successfully administered a pooled investment fund since 1978, and

WHEREAS, the investment earnings of the Pool have consistently exceeded other investment vehicles available to governmental units regardless of size, and

WHEREAS, the earnings of the Pool are in large part contingent upon the large investment base and the portfolio management expertise of the County, and

WHEREAS, the Pool has proven extremely valuable, providing its participants with a safe, liquid and high yielding depository, and

WHEREAS, the concept of pooled investment is supported by existing legislation (P.A. 367, 1982), and

WHEREAS, the Pool has the unanimous support of the Kent County Treasurers' Association and the Kent County Treasurer, and

WHEREAS, the pooled investment concept could be used by all counties of Michigan for the benefit of all Michigan citizens, and

WHEREAS, certain legal questions have jeopardized the Pool's existence,

5/20/85

NOW, THEREFORE, BE IT RESOLVED that the Kent County Treasurers' Association request the State of Michigan to enact legislation to:

1. give express statutory authority for a government agent or agency within the State of Michigan to operate an investment pool for those units located within its jurisdiction and
2. satisfy any other legal considerations impeding operation of an investment pool.

BE IT FURTHER RESOLVED, that the Kent County Treasurers' Association encourage all interested government entities to work for expedient passage of legislation to minimize disruption to the investment programs of participating government units.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6

Nays: 0

501. The Clerk-Controller submitted financial reports for the period ending April 30, 1985.

502. The City Manager submitted a communication from Bill and Paul's Sporthaus requesting a sailboard concession license for the purpose of giving demonstrations at John Collins Park. This item was referred to the Recreation Commission.

503. The City Manager submitted a communication from Alan K. Otis, representing the Cambridge Boulevard Homeowners, requesting that the City participate on a 50/50 basis for the purchase of flowers for the boulevard divider garden beds at a cost of \$124.

503-A. Mertz-Moseley. That the request of the Cambridge Boulevard Homeowners be denied.

Yeas: Henry, Mertz, Moseley, Edison - 4

Nays: Mehney, Seibold - 2

504. The City Manager submitted a proposed Joint Facilities Use Agreement for the period from July 1, 1985 thru June 30, 1988.

504-A. Seibold-Henry. That the Joint Facilities Use Agreement, as submitted, be approved.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6

Nays: 0

505. The City Manager reported on bids received for hydromulching at the composting area located at the intersection of Cascade Road and the East Beltline, and recommended that the bid of Twin Lakes Nursery, the low bidder, in the amount of \$3,005.64, be accepted.

505-A. Mehney-Seibold. That the bid of Twin Lakes Nursery in the amount of \$3,005.64 for the hydromulching of the composting area be accepted and a contract awarded to them.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6

Nays: 0

506. The City Manager submitted a memorandum from the City Engineer regarding the closed circuit television examination of Lake Drive and San Lu Rae sanitary sewers which revealed cracked and broken pipe at various locations. The Engineer recommended that this Commission request the Kent County Department of Public Works to include this project in the current package of sewer and water improvement projects, and to have plans and specifications prepared by its consultant.

5/20/85

506-A. Mertz-Mehney. That the recommendation of the City Engineer be concurred in.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

507. The City Manager distributed a financial report of the Michigan Municipal Workers Compensation Self-Insurer's Fund for the period May 1, 1984 - February 28, 1985. This was received for information.

508. The Building Inspector's report for April, 1985, was received.

509. The Public Safety Department report for April, 1985, was received.

510. The City Manager distributed a notice of the Annual Convention of the Michigan Municipal League to be held in Flint, Michigan, September 11-13, 1985.

511. Commissioner Moseley questioned if the City Primary Election will be held September 10, 1985. The Clerk-Controller answered in the affirmative.

512. The City Manager advised that East Grand Rapids was advised by the City of Grand Rapids that the water supply to East Grand Rapids would be shut down on Wednesday, May 22. However, the City of Grand Rapids subsequently advised that water would not be shut down on that date.

513. Commissioner Moseley asked when the piles of dirt on San Jose near the Silver Creek drain would be removed.

514. The meeting was adjourned, subject to the call of the Mayor, until June 3, 1985.



City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held June 3, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Mertz, Moseley, Seibold and Mayor Edison.  
Absent: None.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
and Public Safety Director Gallagher.

515. The minutes of the meeting held May 20, 1985, were approved as written.

516. Moseley-Henry. That expense vouchers in the amount of \$31,156.64, and payroll vouchers in the amount of \$73,614.67, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

517. A hearing was then held on the variance request of Dave and Kathy Staddon, 1707 Wealthy Street SE, to construct a swimming pool six feet from the east property line rather than the required ten feet. Mr. and Mrs. Staddon were present to answer questions. There were no objections.

517-A. Moseley-Henry. That the City Commission, acting as the Board of Zoning Appeals, grant the variance requested by Dave and Kathy Staddon to permit construction of a swimming pool six feet from the east property line.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

518. The Commission then considered the proposed amendment to Section 7.86 of the City Code which was introduced at the meeting of May 20, 1985.

518-A. Moseley-Mertz. That the following ordinance amendment be adopted:

AN ORDINANCE TO AMEND CHAPTER 78 OF TITLE VII  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 7.86 of Chapter 78 of Title VII of the East Grand Rapids City Code is amended to read as follows:

"Sec. 7.86 Same - License required.

No lawn contractor shall advertise its lawn care services in East Grand Rapids, represent itself to be a licensed lawn contractor within East Grand Rapids, solicit or enter into contracts for lawn care service with residents of East Grand Rapids, or operate such business or service within East Grand Rapids without first obtaining a license from the City Clerk's office. The license fee shall be as set forth in Section 7.32 of the East Grand Rapids City Code. Licenses shall cover the period from March 1 through February 28, and a new license must be secured for each such license year. All such lawn contractors shall abide by such reasonable regulations as to hours and methods of operation as the City Manager shall promulgate and the City Commission shall approve. No lawn contractor licensed under this Chapter shall apply general use or restrictive use pesticides unless licensed to do so by the Director of the Department of Agriculture of the State of Michigan under Act 171 of 1976."

6/3/85

Section 2. This ordinance shall be effective on June 13, 1985.

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: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

519. The Controller submitted a listing of bills which are more than 60 days delinquent and requested that they be assessed on the 1985 City Tax Rolls.

519-A. Deems-Mehney. That the following delinquent bills be assessed on the 1985 City Tax Rolls:

<u>DELINQUENT WATER BILLS FOR LEDGER A</u>				
<u>Parcel No.</u>	<u>Address</u>	<u>Bill Am't.</u>	<u>10% Penalty</u>	<u>Total</u>
41-14-33-253-019	725 Bagley	\$321.20	\$ 32.12	\$353.32
41-14-33-103-036	519 Briarwood	259.51	25.95	285.46
41-14-33-309-005	906 Cambridge	167.05	16.71	183.76
41-14-28-352-011	320 Gladstone	351.25	35.13	386.38
41-14-28-352-014	332 Gladstone	75.15	7.52	82.67
41-14-28-351-015	351 Gladstone	425.54	42.55	468.09
41-14-33-101-004	413 Gladstone	91.25	9.13	100.38
41-14-33-101-005	417 Gladstone	251.30	25.13	276.43
41-14-33-151-006	627 Gladstone	309.20	30.92	340.12
41-14-33-151-023	729 Gladstone	52.05	5.21	57.26
41-14-33-302-001	802 Gladstone	261.05	26.11	287.16
41-14-33-203-012	563 Greenwood	116.07	11.61	127.68
41-14-33-106-001	1630 Lake Drive	323.70	32.37	356.07
41-14-33-253-026	2131 Lake Drive	279.87	27.99	307.86
41-14-34-378-029	2660 Lake Drive	547.42	54.74	602.16
41-18-03-204-001	2885 Lake Drive	100.36	10.04	110.40
41-14-33-129-006	558 Locust	290.19	29.02	319.21
41-14-33-252-009	662 Lovett	137.70	13.77	151.47
41-14-33-428-032	953 Maxwell	75.02	7.50	82.52
41-14-33-427-013	956 Orchard	109.25	10.93	120.18
41-14-33-479-010	1125 Orchard	290.75	29.08	319.83
41-14-33-128-001	562 Plymouth	204.20	20.42	224.62
41-14-28-353-018	344 Rosewood	144.45	14.45	158.90
41-14-33-102-017	429 Rosewood	136.75	13.68	150.43
41-14-33-152-016	617 Rosewood	106.57	10.66	117.23
41-14-33-154-014	700 Rosewood	248.40	24.84	273.24
41-14-33-426-028	834 Ross Ct.	109.28	10.93	120.21
41-14-33-426-023	839 Ross Ct.	181.14	18.11	199.25
41-14-33-452-001	1010 San Juan	156.55	15.66	172.21
41-14-33-151-002	1608 Sherman	107.38	10.74	118.12
41-14-33-101-002	1600 Wealthy	123.55	12.36	135.91
41-14-33-101-003	1602 Wealthy	153.25	15.33	168.58
41-14-28-352-034	1625 Wealthy	151.51	15.15	166.66
41-14-33-102-005	1632 Wealthy	218.20	21.82	240.02
41-14-33-102-006	1638 Wealthy	335.16	33.52	368.68
41-14-33-203-027	2053 Wealthy	552.47	55.25	607.72
41-14-33-253-002	2164 Wealthy	480.43	48.04	528.47
TOTAL DELINQUENT WATER BILLS-LEDGER A		\$8,244.17	\$824.49	\$9,068.66

DELINQUENT WATER BILLS FOR LEDGER B

<u>Parcel No.</u>	<u>Address</u>	<u>Bill Am't.</u>	<u>10% Penalty</u>	<u>Total</u>
41-14-33-401-013	2011 Argentina	\$704.05	\$ 70.41	\$774.46
41-14-33-455-013	2204 Argentina	170.50	17.05	187.55
41-14-33-477-013	2340 Argentina	191.61	19.16	210.77
41-14-33-430-019	957 Breton	194.08	19.41	213.49
41-14-34-353-010	1120 Breton	277.18	27.72	304.90
41-18-04-434-013	1739 Breton	106.02	10.60	116.62
41-18-04-434-020	1761 Breton	172.76	17.28	190.04
41-14-33-457-019	2129 Coronado	166.70	16.67	183.37
41-14-33-402-020	955 Floral	136.40	13.64	150.04
41-14-34-302-005	2546 Frederick	98.25	9.83	108.08
41-18-03-180-003	1530 Lake Grove	60.50	6.05	66.55
41-14-33-427-021	933 Lakeside	96.08	9.61	105.69
41-14-33-478-005	1058 Lakeside	192.65	19.27	211.92
41-14-33-480-016	1133 Lakeside	110.00	11.00	121.00
41-14-33-378-006	2643 Manor	66.00	6.60	72.60
41-14-33-454-010	1019 Pinecrest	136.40	13.64	150.04
41-14-33-479-002	1118 Pinecrest	129.30	12.93	142.23
41-18-04-254-013	1411 Pinecrest	54.54	5.45	59.99
41-14-34-206-007	2916 Pioneer Club	188.10	18.81	206.91
41-18-03-255-010	1427 Woodcliff	454.15	45.42	499.57
41-18-03-251-003	1421 Woodlawn	215.27	21.53	236.80
TOTAL DELINQUENT WATER BILLS-LEDGER B		\$3,920.54	\$392.08	\$4,312.62

DELINQUENT WATER BILLS FOR LEDGER C

41-18-03-182-005	2540 Albert	\$343.29	\$34.33	\$377.62
41-18-04-202-003	2054 Anderson	300.68	30.07	330.75
41-18-04-277-018	2223 Audobon	111.91	11.19	123.10
41-18-04-277-021	2237 Audobon	69.84	6.98	76.82
41-18-03-328-044	2738 Berwyck	390.85	39.09	429.94
41-17-03-182-017	2551 Boston	103.08	10.31	113.39
41-18-03-326-009	2730 Boston	196.82	19.68	216.50
41-18-04-276-019	2227 Estelle	128.61	12.86	141.47
41-18-04-277-008	2236 Estelle	85.05	8.51	93.56
41-14-33-458-005	2005 Hall	45.59	4.56	50.15
41-18-04-254-002	1406 Laurel	115.30	11.53	126.83
41-18-03-328-006	2611 Norfolk	212.46	21.25	233.71
41-18-03-128-004	2560 Oakwood	352.66	35.27	387.93
41-18-03-128-006	2616 Oakwood	64.00	6.40	70.40
41-18-03-206-012	3010 Oakwood	198.52	19.85	218.37
41-18-04-206-009	2048 Wilshire	68.00	6.80	74.80
41-18-04-228-025	2335 Wilshire	200.55	20.06	220.61
TOTAL DELINQUENT WATER BILLS-LEDGER C		\$2,987.21	\$298.74	\$3,285.95
TOTAL DELINQUENT WATER-LEDGERS A, B, C		\$15,151.92	\$1,515.31	\$16,667.23

DELINQUENT REMOVAL AND REPLACEMENT OF SIDEWALK

41-18-03-178-013	2537 Richards	\$258.80	\$15.88	\$174.68
41-18-03-180-012	2604 Richards	59.40	5.94	65.34
TOTAL DELINQUENT REMOVAL AND REPL. OF SIDEWALK		\$318.20	\$21.82	\$240.02

DELINQUENT TREE REMOVAL

41-18-03-178-003	2544 Maplewood	\$ 20.50	\$ 2.05	\$ 22.55
TOTAL DELINQUENT TREE REMOVAL		\$ 20.50	\$ 2.05	\$ 22.55

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

6/3/85

520. The minutes of the Traffic Commission meeting held May 21, 1985, were received. No action being taken by the City Commission, the recommendation of the Traffic Commission to place "No Parking" signs on the east side of Reeds Lake Boulevard, for approximately 60 feet north from the existing signs to an area at the base of the hill, will be implemented.

521. The City Manager reported that the City of Grand Rapids has advised that due to the necessity for replacing a valve in the Coldbrook Station, water will be shut off from June 4 at midnight until June 6 at noon. Residents are urged to be conservative in the use of water during this period.

522. The City Manager reported on bids received for uniforms for fire employees who have successfully completed the Police Academy training course, and recommended that a contract be awarded to Nye Uniform Company, the low bidder, in the amount of \$11,912.88.

522-A. Henry-Seibold. That the bid of Nye Uniform Company, in the amount of \$11,912.88, be accepted.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

523. Commissioner Deems commended the staff on the success of the Reeds Lake Run. Commissioner Mehney concurred in Commissioner Deems' comment.

524. Commissioner Mertz reported that a resident on Ross Court is concerned about a tree which the resident says is in a dangerous condition.

525. The Mayor requested that the City staff be granted a permit to display fireworks on July 4, 1985.

525-A. Mehney-Mertz. That a permit be granted to display fireworks on July 4th.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

526. The Mayor advised that there will be a work session on the budget following the Commission meeting.

527. The meeting was adjourned, subject to the call of the Mayor, until June 17, 1985.

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

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held June 17, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Mertz, Moseley, Seibold and Mayor Edison.

Absent: None.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Engineer McMann, Assessor Norman, and City Attorney Richardson.

528. The minutes of the meeting held June 3, 1985, were approved as written.

529. Moseley-Seibold. That expense vouchers in the amount of \$109,324.46, and payroll vouchers in the amount of \$78,352.73, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7

Nays: 0

530. Pursuant to published notice, a Truth In Taxation hearing was held at this time. There were no comments from anyone in attendance and the hearing was declared closed.

531. There was no City Attorney report.

532. The Clerk-Controller submitted a report of proposed modifications to the fiscal year 1985 budget.

532-A. Moseley-Deems. That the following modifications to the fiscal year 1985 budget be approved:

"1. Transfer \$1,335 received from the State of Michigan Justice Training Program to Public Safety Training and Professional Development Account.

2. Transfer \$200,000 from the Motor Equipment Revolving Fund to the General Fund Unreserved Balance; also transfer \$20,000 from Housing Rehabilitation Fund to General Fund Unreserved Balance.

Also transfer \$14,765 from Other Expenditures-Building Rental within the General Fund to the General Fund Unreserved Balance.

3. Transfer \$60,000 from General Fund Unreserved Balance to Major Street Fund; transfer \$80,000 from General Fund Unreserved Balance to Local Street Fund.

4. Transfer \$45,559 from General Fund Unreserved Balance to Lake Restoration Account.

5. Transfer \$7,614 from General Fund Unreserved Balance to Public Safety Law Enforcement Investigation Expenditure Account.

6. Transfer \$39,000 from Street Construction - General Account to Other Expenditures - Interest on Notes Account."

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7

Nays: 0

533. The Commission then considered the proposed amendment to Sections 2.83, 2.83-1 and 2.86 of the City Code which was introduced at the meeting of May 20, 1985.

6/17/85

533-A. Moseley-Mehney. That the following ordinance amendment be adopted:

AN ORDINANCE TO AMEND SECTIONS 2.83, 2.83-1  
AND 2.86 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 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 eighty-nine cents (\$.89) per one thousand (1,000) gallons and the following quarterly service charge depending on meter size:

<u>Meter Size (inches)</u>	<u>Charge</u>
1/2 - 3/4	13.17
1	22.14
1-1/4	33.66
1-1/2	47.73
2	83.58
3	185.97
4	329.34
6	738.93

Section 2. Section 2.83-1 of the East Grand Rapids City Code is amended to read as follows:

Section 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 fifty-nine cents (\$.59) per one thousand (1,000) gallons of water consumption, based on water consumption during the preceding winter quarter for each user, and the following quarterly service charge depending on water meter size:

<u>Meter Size (inches)</u>	<u>Charge</u>
1/2 - 3/4	7.98
1	12.48
1-1/4	18.27
1-1/2	25.35
2	43.35
3	94.83
4	166.89
6	372.75

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 such 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.

6/17/85

Section 3. Section 2.86 of the East Grand Rapids City Code is amended to read as follows:

Sec. 286. Billing

Charges for all water and sanitary sewer service shall be billed and collected quarterly by the City Controller. All water meters shall be read at least every third month and bills rendered on the first of the month following the meter reading. All charges for water and sewer service shall be immediately due and payable and may be paid without penalty up to and including the thirtieth day of the month when rendered, and shall thereafter be subject to a penalty equal to ten percent of the unpaid balance.

Section 4. This amendatory ordinance shall be effective on July 1, 1985.

Section 5. This amendatory 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: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

534. The City Manager distributed a Special Events Permit Application received from the Grand Rapids Track Club to conduct a road race July 9, 1985.

534-A. Deems-Mehney. That the application from the Grand Rapids Track Club be approved.

Yeas: Deems, Henry, Mehney, Mertz, Edison - 5  
Nays: Moseley - 1  
Commissioner Seibold abstained.

535. The City Manager submitted a petition requesting the installation of two "Slow - Children Playing" signs on Laurel Street. This request was referred to the Traffic Commission.

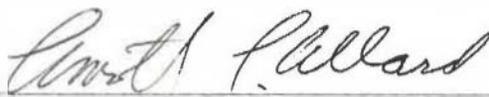
536. The Public Safety Department report for May, 1985, was received.

537. Commissioner Moseley commended the Public Safety Officers for completion of the Police Academy School courses.

538. Commissioner Deems requested clarification of an item in the City Manager's memorandum of June 12, 1985, regarding amendments to budget recommendations.

539. Commissioner Moseley expressed concern about "Walk" lights at the intersections of Breton Road and Hall Street, and at Lake Drive and Breton Road.

540. The meeting was adjourned, subject to the call of the Mayor, until June 24, 1985.

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

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Special Meeting Held June 24, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Seibold, and Mayor Edison.

Absent: Coms. Mehney, Mertz, and Moseley.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
Assessor Norman, and Sports Supervisor O'Brien.

541. Pursuant to published notice, a public hearing was then held by the City Commission for the purpose of considering the proposed budget for the fiscal year 1985/1986. There were three residents in attendance. No one addressed the Commission, so the Mayor closed the hearing.

542. The meeting was adjourned, subject to the call of the Mayor, until 7:40 p.m.

  
City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Special Meeting Held June 24, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Seibold, and Mayor Edison.

Absent: Coms. Mehney, Mertz, and Moseley.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
Assessor Norman, and Sports Supervisor O'Brien.

543. Henry-Seibold. That the following budget be adopted as the annual  
General Fund Budget for the City of East Grand Rapids for the fiscal year July 1,  
1985 to June 30, 1986:

BUDGETED REVENUES:

City Taxes	\$2,734,900
Licenses & Permits	7,300
Fines & Fees	26,000
Distribution from Other Agencies	665,700
Use of Money & Property	100,000
Charges for Current Services	346,300
Total Budgeted Revenues	<u>\$3,880,200</u>

BUDGETED APPROPRIATIONS:

General Government	\$ 463,900
Public Safety	1,435,200
Public Service	805,600
Contributions & Aid	378,800
Other Operating Expenses	56,900
Total Operating Appropriations	<u>\$3,140,400</u>
Capital Expenditure & Appropriations	739,800
Total Budgeted Appropriations	<u>\$3,880,200</u>

Yeas: Deems, Henry, Seibold, Edison - 4

Nays: 0

544. Henry-Seibold. RESOLVED, that there be levied a tax upon all property  
subject to taxation by the municipal government of the City of East Grand Rapids  
sufficient, with other resources, to pay the estimated expense of the City  
government for the ensuing fiscal year, the maintenance of all sinking funds and  
interest on all municipal debts, the total of which said amount and the amount  
estimated to be necessary for such purposes is hereby declared to be the sum of  
\$3,880,200; that the tax rate per \$1,000 valuation is hereby determined to be  
16.5122.

Yeas: Deems, Henry, Seibold, Edison - 4

Nays: 0

545. The meeting was adjourned, subject to the call of the Mayor, until  
July 1, 1985.



City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held July 1, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Moseley, Seibold and Mayor Edison.

Absent: Com. Mertz.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard, City Attorney Richardson, Assistant City Attorney Huff, City Engineer McMann, Assessor Norman, Public Safety Director Gallagher.

1. The minutes of the regular meeting held June 17, 1985, and special meeting of June 24, 1985, were approved as written.

2. Moseley-Seibold. That expense vouchers in the amount of \$102,370.65, and payroll vouchers in the amount of \$74,490.00, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasrer for the respective amounts.

Yeas: Deems, Henry, Mehney, Moseley, Seibold, Edison - 6

Nays: 0

3. There was no City Attorney report.

4. The Clerk-Controller submitted a schedule of regular City Commission meetings for fiscal year 1985/86.

5. Mr. David Lukens, President of the Southeast Lions Club, was present and reported on Lakeside '85, which will be celebrated July 4th.

6. The City Manager distributed documents prepared by the City Attorney relative to amendment of the lease between the City and the Building Authority.

6-A. Moseley-Henry. That the following resolution be adopted:

WHEREAS, the City of East Grand Rapids and the City of East Grand Rapids Building Authority entered into a lease dated November 26, 1967, and an Amendment to Lease dated September 28, 1970; and

WHEREAS, it is hereby determined that it is appropriate to amend said lease to provide that the annual rentals under said lease be in the amount required to meet principal and interest payments on the revenue bonds issued by the City of East Grand Rapids Building Authority and to maintain a Debt Service Reserve Fund in the amount of \$57,000, as required by the ordinance authorizing the issuance of said bonds, and to provide that any excess funds now on deposit in the Debt Service Reserve Fund in excess of the required reserve may be applied against rentals as they become due and payable,

NOW, THEREFORE, BE IT RESOLVED that the City of East Grand Rapids enter into an Amendment to Lease with the City of East Grand Rapids Building Authority in the form submitted to this meeting; and

FURTHER RESOLVED, that the Mayor and the City Clerk be, and the same are, hereby authorized to execute said Amendment to Lease on behalf of the City.

Yeas: Deems, Henry, Mehney, Moseley, Seibold, Edison - 6

Nays: 0

7. The City Manager submitted a memorandum from the Recreation Commission recommending licensing of sailboard concessions.

7/1/85

7-A. Seibold-Mehney. That the City Attorney be directed to prepare a proposed ordinance amendment providing for licensing of sailboard concessions.

Yeas: Mehney, Moseley, Seibold, Edison - 4  
Nays: Deems, Henry - 2

8. The City Manager distributed a memorandum from the Recreation Director regarding bids for trophies. No action was required by the City Commission.

9. The City Manager reported on the bids received by the City of Grand Rapids for gasoline and diesel fuel and recommended that the low bid of Lemmen Oil Company be accepted for purchases by East Grand Rapids for the year beginning July 1, 1985.

9-A. Moseley-Seibold. That the City of East Grand Rapids enter into a contract with Lemmen Oil Company for gasoline and diesel fuel for the year beginning July 1, 1985.

Yeas: Deems, Henry, Mehney, Moseley, Seibold, Edison - 6  
Nays: 0

10. The City Manager advised that an application for a State Grant for the purpose of conducting an historical survey is being prepared for submission to the State.

11. The City Manager reported on bids received for weapons to be issued to Public Safety Department employees who have completed the Police Academy. He recommended that the low bid of Michigan Police Equipment Company in the amount of \$3,456.00 be accepted.

11-A. Mehney-Deems. That the City Manager be authorized to issue a purchase order in the amount of \$3,456.00 to Michigan Police Equipment Company.

Yeas: Deems, Henry, Mehney, Moseley, Seibold, Edison - 6  
Nays: 0

12. Commissioner Seibold inquired as to when the Quonset hut will be painted.

13. Commissioner Seibold inquired about the backboards for the Wealthy playground. The City Manager advised that they have been installed.

14. Commissioner Mehney advised that he had received a telephone call from a resident on Cascade complaining about the odor from the compost pile. Commissioner Mehney was requested to determine whether the City is complying with the agreement made between the resident and the Parks Committee.

15. Commissioner Henry and Commissioner Moseley stated that they are looking forward to Lakeside '85.

16. The Mayor recommended that the City Charter be revised to provide that the terms of office of persons appointed to the various boards and commissions be changed to the calendar year. The City Attorney was directed to advise the Commission as to the procedure for revision of the City Charter.

17. Seibold-Deems. That all appointments to the various boards and commissions of the City which became effective July 1, 1985, remain in effect until January 1, 1986.

Yeas: Deems, Henry, Mehney, Moseley, Seibold, Edison - 6  
Nays: 0

18. The City Attorney recommended that the vacancy on the Building Authority be filled at this time.

18-A. Mehney-Deems. That Timothy T. Allard, City Clerk-Controller-Treasurer, be appointed to fill the vacancy on the Building Authority.

Yeas: Deems, Henry, Mehney, Moseley, Seibold, Edison - 6  
Nays: 0

19. The meeting was adjourned, subject to the call of the Mayor, until July 15, 1985.

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held July 15, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mertz, Moseley, Seibold and Mayor Edison.

Absent: Com. Mehney.

Also Present: City Manager Tholen, Assistant City Attorney Huff, City Engineer McMann, Public Safety Director Gallagher, and Librarian DeYoung.

20. The minutes of the special meeting held June 24, 1985, and the regular meeting held July 1, 1985, were approved as written.

21. Moseley-Seibold. That expense vouchers in the amount of \$173,226.57, and payroll vouchers in the amount of \$94,203.16, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6

Nays: 0

22. A hearing was then held on the request of James B. and Susanne R. Defoe, 1750 Whitfield Road SE, for a variance to construct a new residence at 2780 Elmwood Drive SE, with side yards of six and one-half feet and seven feet, rather than the required minimum of seven feet and total side yards of eighteen feet. Mr. Defoe's mother was present to answer questions. Communications were received from Mrs. Robert B. Gray, 2800 Elmwood Drive SE, and Rev. Allen E. Wittrup, 1409 Woodlawn Avenue SE, opposing the granting of the variance. Four neighbors were present, all of whom expressed opposition to granting of the variance.

22-A. Moseley-Seibold. That the City Commission, acting as the Board of Zoning Appeals, deny the variance requested by James B. and Susanne R. Defoe to permit construction of a new residence at 2780 Elmwood Drive SE.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6

Nays: 0

23. The Assistant City Attorney distributed a proposed ordinance to amend Section 7.32 of Chapter 72 to add Chapter 73A of Title VII of the Code of the City of East Grand Rapids, and proposed Regulations Governing Sailboard Concessions. He recommended that the ordinance amendment be introduced at this time.

23-A. Moseley-Seibold. That the following ordinance amendment be introduced:

AN ORDINANCE TO AMEND SECTION 7.32 OF CHAPTER 72  
AND TO ADD CHAPTER 73A TO 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 East Grand Rapids City Code shall be amended by inserting (in alphabetical order) the following fee for license.

Sailboard concession, annual fee \$50.00

Section 2. A new Chapter 73A is added to Title VII of the East Grand Rapids City Code to read as follows:

Chapter 73A - Sailboard Concessions.

Section 73A - Sailboard Concessioner defined.

The word "Sailboard concessioner" shall include any individual or business offering instruction on sailboarding for a fee or demonstrating sailboarding.

Section 7.40b - License required.

No person shall engage in the business of a sailboard concessioner on any city property without first obtaining a license therefor. No such license shall be issued until approved by the City Commission. No more than four (4) licenses shall be approved per license year. Licenses shall cover the period from April 1 through October 31, and a new license must be secured for each such license year.

Section 7.40c - Rules and Regulations.

The City Manager shall promulgate, and may amend from time to time, rules and regulations to be followed by all licensees. Such regulations shall include, but not be limited to, hours and methods of operation, qualifications of instructors, and insurance requirements. Such rules and regulations and any changes therein shall be submitted to the City Commission for approval. Failure of a sailboard concessioner to abide by said rules and regulations shall be grounds for revocation of the license under which said concessioner operates and shall constitute a violation of this chapter and subject the offender to the penalties set forth in Section 1.13 of this Code.

Section 3. This ordinance shall be effective on \_\_\_\_\_, 1985.

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: Moseley, Seibold, Edison - 3

Nays: Henry, Mertz, Deems - 3

The motion failed.

24. The City Attorney submitted correspondence and proposed resolutions relative to charter amendment and charter revision.

24-A. Moseley-Seibold. That the question of a proposed charter amendment and charter revision be placed on the ballot in November, 1986.

Yeas: Moseley - 1

Nays: Deems, Henry, Mertz, Seibold, Edison - 5

The motion failed.

25. Deems-Mertz. That Commissioner Moseley be reappointed President of the Commission for the balance of the calendar year 1985, and that all other City Commission appointments remain in effect through the end of the calendar year 1985.

Yeas: Deems, Henry, Mertz, Seibold, Edison - 5

Nays: Moseley - 1

25-A. The Mayor directed that the charter issue be placed on the agenda for the regular meeting of the City Commission August 5, 1985.

26. The City Attorney submitted a recommendation that the City assume liability for damages of approximately \$800 to an automobile occurring from a loose manhole cover at the corner of Pinecrest and Wilshire.

7/15/85

26-A. Mertz-Seibold. That the City assume responsibility for damage to an automobile of approximately \$800 which occurred as a result of a loose manhole cover.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

27. The Clerk-Controller submitted information relative to the annual convention of the Michigan Municipal League to be held in Flint, September 11-13, 1985. The City Manager was directed to place the appointment of a delegate and an alternate on the next City Commission agenda.

28. The City Manager distributed the minutes of the meeting of the East Grand Rapids Building Authority amending the lease on the municipal buildings. This was received for information.

29. The City Manager submitted communications from the Library of Michigan advising that three of the four project grant applications made by the City for library expansion have been approved in the amount of \$41,871.

29-A. Moseley-Deems. That this Commission commit \$131,000 toward the library expansion.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

30. The City Manager submitted a draft of an agreement between the Kent County Health Department and the City of East Grand Rapids for Animal Control Services for 1985/86, and a suggested amendment from the City Attorney's office.

30-A. Moseley-Deems. That the proposed agreement between the Kent County Health Department and the City of East Grand Rapids for Animal Control Services for 1985/86 be approved with the addition of the following sentence to Paragraph III:

"The Animal Control Officer may proceed under the Kent County Animal Control Regulations, the East Grand Rapids Animal Control Ordinance, or state law."

Yeas: Deems, Henry, Mertz, Moseley, Edison - 5  
Nays: Seibold - 1

31. The City Manager reported on bids received for a photocopy machine and recommended that the bid of Multi-Line Business Systems for a Ricoh copy machine be accepted on a lease/purchase arrangement in the amount of \$8,049.

31-A. Moseley-Mertz. That the recommendation of the City Manager be concurred in and a purchase order be issued to Multi-Line Business Systems for a Ricoh copy machine.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

32. The City Manager distributed a memorandum from the Public Safety Director regarding the replacement of two police cruisers, one as soon as possible and the second in approximately ninety days, and recommended that the vehicles be purchased through the State purchasing program at the low bid of \$11,722.56 each.

32-A. Moseley-Mertz. That authorization be given for the purchase of two replacement police cruisers through the State purchasing program as recommended by the Director of Public Safety.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

Commissioner Mehney arrived at this time.

33. The City Manager distributed a memorandum from the City Engineer regarding recommended street improvement projects for 1985/86 fiscal year.

7/15/85

33-A. Deems-Henry. That authorization be given to the City Engineer to advertise for bids for recommended street improvement projects in the estimated amount of \$289,800.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

34. The Building Inspector's reports for May and June, 1985, were received.

35. The Public Safety Department report for June, 1985, was received.

36. The City Manager distributed updated pages of the General Fund Budget which reflected changes made by the City Commission.

37. Deems-Moseley. That this Commission adjourn to executive session to discuss negotiations with the Public Safety bargaining unit.

A roll call vote was taken:

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Edison - 6  
Nays: Seibold - 1

The motion carried.

38. The meeting reconvened after the executive session.

39. The City Manager reported receipt of an invoice from The Right Place in the amount of \$3,400 which was previously informally authorized by the City Commission as a budget item.

39-A. Mertz-Deems. That the City Manager be authorized to issue payment of \$3,400 to The Right Place.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

40. Commissioner Seibold commented on the Quonset hut.

41. Commissioner Seibold reported receiving a phone call advising that on July 4th, the gates on the south arm of Reeds Lake Blvd. were closed at 9:00 p.m., thus depriving property owners of access to their property. The Public Safety Director explained the reason for this action and that one of the two gates was left open.

42. Commissioner Seibold reported that some trash haulers are requiring residents to place trash at the curb.

43. Commissioners Mehney, Deems and Mertz commented favorably on Lakeside '85 activities.

44. Commissioner Moseley advised that the Reeds Lake Committee had sent a list of questions to the Department of Natural Resources and had invited representatives of the Department of Natural Resources to appear and answer these questions.

45. Commissioner Mertz invited City Commissioners to send contributions to the Friends of the Library for the library expansion program.

46. The Mayor thanked the Lakeside '85 Committee for the successful July 4th celebration activities.

47. Commissioner Seibold commended Steve Verburg for his coverage of the City Commission meetings for the Grand Rapids Press and the City Commission wished him success as he transfers to the City of Kentwood.

48. The meeting was adjourned, subject to the call of the Mayor, until August 5, 1985.

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

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held August 5, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mertz, Moseley, Seibold and Mayor Edison.

Absent: Com. Mehney.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
Public Safety Director Gallagher, and City Engineer McMann.

49. The minutes of the regular meeting held July 15, 1985, were approved as written.

50. Moseley-Mertz. That expense vouchers in the amount of \$361,372.09, and payroll vouchers in the amount of \$156,516.47, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6

Nays: 0

51. Public Safety Director Gallagher and Public Safety Officers Steensma and Gadbois displayed the new uniforms and handguns and badges purchased by the Public Safety Department.

(Commissioner Mehney arrived at this time.)

52. A hearing was then held on the request of Carlton B. Failor, Jr., of 953 Rosewood Drive SE, to split his property on Rosewood Drive SE, a vacant lot at the rear of Gladstone SE, which is 58 ft. x 95.5 ft., rather than the required 72 ft. x 100 ft. A letter was received from Mr. Failor requesting that this hearing be tabled due to his inability to attend this meeting. Mr. Frederick D. Avery, 958 Gladstone SE, was present to express his opposition to the granting of the variance. Communications were received from Mrs. Robert Gardner, 984 Gladstone SE, and John T. Sperla, 968 Gladstone SE, expressing their opposition to the granting of the variance.

52-A. Deems-Henry. That the variance requested by Carlton B. Failor, Jr. be tabled for two weeks.

A roll call vote was taken:

Yeas: Deems, Henry, Edison - 3

Nays: Mertz, Seibold, Moseley, Mehney - 4

The motion failed.

52-B. Moseley-Deems. That the variance requested by Carlton B. Failor, Jr. be denied.

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

Nays: Seibold, Edison - 2

53. A letter was received from Margit Sarne requesting that the City continue the practice of picking up yard debris. This letter was received for information.

54. The Commission then considered the question of Charter amendment and revision.

54-A. Deems-Seibold. That the following resolutions be adopted:

8/5/85

WHEREAS, Chapter IV, Section 4, of the Charter of the City of East Grand Rapids provides that the Commission shall at its first meeting in each municipal year name one of its number as President of the Commission; and

WHEREAS, subsequent to the adoption of said Charter the dates for election of members of the City Commission have been changed from February and April to September and November; and

WHEREAS, it is deemed advisable to change the date for naming the President of the Commission to follow the date for election of members of the City Commission;

NOW, THEREFORE, IT IS RESOLVED THAT:

Pursuant to Michigan Compiled Laws, Sec. 117.21 et seq., the City Commission of the City of East Grand Rapids proposes that Chapter IV, Section 4, of the Charter of the City of East Grand Rapids be amended to read as follows:

"Section 4. The Commission shall at its first meeting in January of each year name one of its number as President of the Commission. In case of the absence from the City or incapacity of the Mayor, the President of the Commission shall preside over the meetings and in all other respects assume the duties of the Mayor."

FURTHER RESOLVED, that this proposed charter amendment be submitted to the electors of this City at the regular municipal election to be held on November 5, 1985.

FURTHER RESOLVED, that the City Clerk cause this proposed charter amendment to be published in full with the existing charter provision which would be altered hereby not less than 15 days and not more than 30 days prior to November 5, 1985, and that it be posted in full in a conspicuous place in each polling place at all times during said election and that all legal requirements including those set forth in Michigan Compiled Laws, Sec. 117.21 and 117.23 be complied with.

FURTHER RESOLVED, that the City Clerk transmit this proposed charter amendment to the Governor of the State of Michigan, before its submission to the electors, pursuant to the provisions of Michigan Compiled Laws, Sec. 117.22.

FURTHER RESOLVED, that the form in which the proposed charter amendment shall appear on the ballot shall be as follows:

"Shall Chapter IV, Section 4, of the Charter of the City of East Grand Rapids be amended to read as follows:

'Section 4. The Commission shall at its first meeting in January of each year name one of its number as President of the Commission. In case of the absence from the City or incapacity of the Mayor, the President of the Commission shall preside over the meetings and in all other respects assume the duties of the Mayor.'

Yes

No"

FURTHER RESOLVED, that the statement of the purpose of such proposed charter amendment shall be designated on the ballot as follows:

"Statement of Purpose

The purpose of this proposed charter amendment is to provide for the naming of the President of the Commission following the election of the members of the City Commission, which election was changed in May of 1981 from February and April of each year to September and November of each odd-numbered year. This change will permit newly elected members of the City Commission to participate in the naming of the President of the Commission."

RESOLUTION

WHEREAS, the Charter of the City of East Grand Rapids was adopted in the year 1927; and

WHEREAS, since 1927, many changes have been made in the provisions of the constitution and laws of the State of Michigan affecting the powers of home rule cities and whereas, in many respects the existing charter is obsolete; and

WHEREAS, it is deemed desirable that the City of East Grand Rapids submit to its electors the question of general charter revision under the provisions of Michigan Compiled Laws, Sec. 117.18 et seq.

NOW, THEREFORE, IT IS RESOLVED that pursuant to Michigan Compiled Laws, Sec. 117.18, the question of having a general charter revision shall be submitted to the electors of the City of East Grand Rapids for adoption or rejection at the November 5, 1985 municipal election.

FURTHER RESOLVED, that pursuant to the provisions of Michigan Compiled Laws, Sec. 117.18, a charter commission shall be selected at the same election at which the question of charter revision is submitted, on November 5, 1985. The selection shall be void if the proposition to revise the charter is not adopted. No city officer or employee, whether elected or appointed, shall be eligible to a place on the charter commission. The candidates for election to the charter commission shall be nominated according to the method prescribed in the city charter for nomination of candidates for city offices. Nominating petitions shall be available from the City Clerk.

FURTHER RESOLVED, that the charter commission so elected shall meet at the East Grand Rapids City Hall and shall follow the procedures set forth in Michigan Compiled Laws, Sec. 117.20 et seq. including the submission of the proposed new charter to the Governor and the publication and posting thereof. The money for the expense thereof shall be paid by the City of East Grand Rapids in an amount not to exceed \$5,000.00. The members of said charter commission shall serve without compensation.

FURTHER RESOLVED, that the proposed revised city charter, as proposed by the charter commission, shall be submitted to the electors for adoption pursuant to the provisions of Michigan Compiled Laws, Sec. 117.23.

FURTHER RESOLVED, that the form of the ballot to be submitted to the electors of the City of East Grand Rapids at the November 5, 1985 election shall be as follows:

"Shall the City of East Grand Rapids have a general charter revision as provided for in Michigan Compiled Laws, Sec. 117.18, et seq. including the election of a charter commission consisting of 9 electors of the City having a residence of at least 3 years in the City as provided for in Michigan Compiled Laws, Sec. 117.18?

- Yes
- No"

8/5/85

Yeas: Deems, Henry, Mertz, Mehney, Seibold, Edison - 6  
Nays: Moseley - 1

55. The City Attorney reported that there will be a preliminary hearing held on August 7, 1985, regarding a violation of the fence ordinance by erecting a fence with the finished side facing inside.

56. The Clerk-Controller submitted a financial report of cash and securities for the period ending June 30, 1985.

57. The Clerk-Controller distributed an adjusted General Fund Budget Performance Report for the month ending June 30, 1985.

58. The Clerk-Controller distributed a previously submitted General Fund Balance Statement incorporating an Unaudited Actual General Fund Balance Statement column as of June 30, 1985.

59. The City Manager reported on bids received for resurfacing of Lake Drive, Plymouth Road to Breton Road; San Lucia Drive, San Lu Rae Drive to 535 ft. south; Indian Trail, Bellclaire to end of street, and recommended that the contract be awarded to the low bidder, Thompson-McCully Company in the amount of \$132, 994.20.

59-A. Moseley-Deems. That the bid of Thompson-McCully Company in the amount of \$132,994.20 be accepted and a contract awarded to them for street resurfacing.

Yeas: Deems, Henry, Mertz, Mehney, Moseley, Seibold, Edison - 7  
Nays: 0

60. The City Manager reported on bids received for the cleaning service for the municipal complex buildings and recommended that the low bid of Allstate Chemical in the amount of \$13,500 per year, for a two-year period, be accepted.

60-A. Deems-Mertz. That the bid of Allstate Chemical, in the amount of \$13,500 per year, for cleaning of the municipal complex buildings, be accepted and a contract awarded to them for a two-year period.

Yeas: Deems, Henry, Mertz, Mehney, Moseley, Seibold, Edison - 7  
Nays: 0

61. Mrs. Paul Carpenter, 613 Lakeside Drive SE, was present to express her concern about excessive noise created by jet skiers on Reeds Lake.

62. The City Manager submitted a Special Events Permit Application for a "Run Through Apple Country" sponsored by the Grand Rapids Y.M.C.A. and Steelcase, Inc., to be held on October 26, 1985.

62-A. Henry-Deems. That the Special Events Permit Application for a road race be approved.

Yeas: Deems, Henry, Mertz, Mehney, Moseley, Seibold, Edison - 7  
Nays: 0

63. The City Manager reported that the Michigan Municipal League has requested that an official representative and alternate be appointed to attend the Annual Business Meeting to be held September 12, 1985, in Flint, Michigan. Commissioner Deems was appointed official representative and City Manager Tholen the alternate.

64. The minutes of the Traffic Commission meeting held July 19, 1985, were received.

65. The City Manager distributed a letter from Patrick Garrett, Vice President of Blodgett Memorial Medical Center, advising that an international conference will be held at the hospital September 26, 27, and 28, 1985.

8/5/85

66. The City Manager requested authority to cast a ballot for the City for seven members of the Michigan Municipal Workers' Compensation Fund Board of Trustees.

66-A. Deems-Mertz. That the City Manager be given authority to cast a ballot as requested.

Yeas: Deems, Henry, Mertz, Mehney, Moseley, Seibold, Edison - 7  
Nays: 0

67. The City Manager reported that he had contacted Lake Weed-A-Way, who advises that they can eliminate aquatic weeds by harvesting in several problem areas of Reeds Lake. It was the consensus of the Commission that the City Manager be given authority to hire Lake Weed-A-Way for this experimental program at an approximate cost of \$2,400.

68. The City Manager advised that the City's liability insurance policy will expire August 13, 1985, and that proposals are being solicited.

69. Commissioner Seibold reported that he has received complaints regarding motor homes, automobiles, boats, etc., for sale and parked in various places.

70. Commissioner Mehney questioned the City Attorney on an item contained in the memorandum regarding Sailboard Concessions.

71. Moseley-Mehney. That the proposed ordinance to amend Section 7.33A Sailboard Concessions, be added to the agenda.

A roll call vote was taken:

Yeas: Mertz, Deems, Henry - 3  
Nays: Mehney, Seibold, Moseley, Edison - 4

The motion failed.

71-A. The Mayor directed that this item be placed on the City Commission agenda for the regular meeting of September 3, 1985.

72. Commissioner Mertz advised that there will be two vacancies on the Library Commission and requested that names of possible candidates be submitted to fill these vacancies.

73. The Mayor submitted a request from Clara Brunson, Constitution Week Committee Chairman, that this City proclaim the week of September 17 through 23, as Constitution Week.

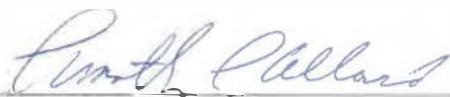
73-A. Deems-Henry. That the Mayor be authorized to proclaim the week of September 17 through 23, 1985, as Constitution Week.

Yeas: Deems, Henry, Mehney, Moseley, Mertz, Seibold, Edison - 7  
Nays: 0

74. The Mayor reported that the Quonset hut has been painted.

75. The Mayor expressed disappointment at the lack of candidates for the City Commission election to be held September 10, 1985.

76. The meeting was adjourned, subject to the call of the Mayor, until August 19, 1985.

  
Cynthia Pallas  
City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held August 19, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Mertz, Seibold and Mayor Edison.

Absent: Com. Moseley.

Also Present: City Manager Tholen, City Attorney Richardson, Assistant  
City Attorney Huff, City Engineer McMann, and Assessor Norman.

77. The minutes of the regular meeting held August 5, 1984, were approved as written.

78. Seibold-Mertz. That expense vouchers in the amount of \$862,865.82, and payroll vouchers in the amount of \$79,604.18, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Seibold, Edison - 6  
Nays: 0

79. A hearing was then held on the request of Dennis Nugent to permit location of an air-conditioning condenser in the north side yard of 950 Maxwell SE, rather than the required rear yard, at least twenty feet from adjacent lot lines. William Fehsenfeld, property owner of 950 Maxwell SE, was present to answer questions. Timothy Crossman, 948 Maxwell SE, and Arthur Otten, 938 Maxwell SE, expressed opposition to granting of the variance request.

79-A. Seibold-Deems. That the variance requested by Dennis Nugent be denied.

Yeas: Deems, Henry, Mehney, Mertz, Seibold, Edison - 6  
Nays: 0

79-B. Mertz-Mehney. That the \$25.00 filing fee be waived should Mr. Nugent re-submit his application for a variance to locate an air-conditioning condenser in a location other than originally requested.

Yeas: Deems, Henry, Mehney, Mertz, Seibold, Edison - 6  
Nays: 0

80. The City Attorney reported on requirements for filing for office of Charter Commission.

81. A report of Non-General Fund budgets was received as follows: Motor Vehicle Highway Fund - Major and Local, Federal Revenue Sharing, Housing Rehab Fund, Building Authority Fund, Water and Sewer Fund, Health Care Fund, Motor Equipment Revolving Fund, and Special Assessment Fund.

81-A. Mertz-Henry. That the Non-General Fund budget reports be accepted as submitted.

Yeas: Deems, Henry, Mehney, Mertz, Seibold, Edison - 6  
Nays: 0

82. The City Manager requested authorization to designate Timothy Allard as officer delegate and F. H. Tholen as alternate to the Michigan Municipal Employees Retirement System annual business meeting to be held September 25 and 26, 1985, in Traverse City, Michigan.

82-A. Mehney-Mertz. That Timothy Allard be designated as officer delegate and F. H. Tholen as alternate to the MMERS annual business meeting.

Yeas: Deems, Henry, Mehney, Mertz, Seibold, Edison - 6  
Nays: 0

8/19/85

83. The City Manager reported that five citizens have filed petitions for the offices of Mayor and City Commissioner for the September 10, 1985 City Primary Election.

84. The Building Inspector's report for July, 1985, was received.

85. The Public Safety Department report for July, 1985, was received.

86. The City Manager reported that the Kent County Department of Public Works has negotiated with Insituform and is prepared to approve a contract in the amount of \$45,580.00 for the purpose of lining the 18-inch sewer in San Lu Rae Drive from Lake Drive to Laurel Avenue.

86-A. Henry-Deems. That the following resolution be adopted:

WHEREAS, the City of East Grand Rapids and the County of Kent have entered into a contract as of the 1st day of March, 1984 relative to improvements and additions to the existing water supply and sewage disposal facilities located in the East Grand Rapids Water Supply and Sewage Disposal Improvements District; and

WHEREAS, the improvements contemplated by said agreement include an item for constructing improvements to sanitary sewers in the amount of \$1,620,400; and

WHEREAS, it appears to be necessary at this time to construct improvements to the 18" sanitary sewer in San Lu Rae Drive from Lake Drive to Laurel Avenue,

NOW, THEREFORE, BE IT RESOLVED:

That the City of East Grand Rapids requests the County of Kent, acting through its Board of Public Works, pursuant to the contract between the parties entered into as of the 1st day of March, 1984, to contract for necessary improvements to the 18" sanitary sewer in San Lu Rae Drive from Lake Drive to Laurel Avenue, estimated to cost \$45,580, to be paid for out of the proceeds of the County of Kent-State of Michigan Kent County Water supply and Sewage Disposal Bonds - East Grand Rapids Improvements;

FURTHER RESOLVED, that in the event the total cost of the improvements made pursuant to said contract dated March 1, 1984 exceeds the amount available in the bond fund for payment of such improvements, the City of East Grand Rapids will, on demand, pay over to the County of Kent such amount as shall be required to pay any portion of the cost of such improvements which the County of Kent is not able to pay from the bond funds;

FURTHER RESOLVED, that the commitment of the City of East Grand Rapids pursuant to this resolution is in addition to all agreements of the City contained in said contract dated as of the 1st day of March 1984 between the parties.

Yeas: Deems, Henry, Mehney, Mertz, Seibold, Edison - 6

Nays: 0

87. The minutes of the Joint Facilities meeting held July 30, 1985, were received.

88. The City Manager reported that his findings show the decibel ratings of noise created by jet skiers on Reeds Lake to be within the limits set by the State.

89. The City Manager reported on a meeting with Commissioner Henry, the Clerk-Controller and the City Manager regarding liability insurance for the City. Commissioner Henry reported that two proposals have been received.

8/19/85

89-A. Deems-Mehney. That the action of the committee, in authorizing City Clerk Allard to sign the proposal of the Michigan Municipal Risk Management Association, be ratified.

Yeas: Deems, Henry, Mehney, Mertz, Seibold, Edison - 6  
Nays: 0

90. Commissioner Seibold expressed concern about posting of bills on telephone poles.

91. Commissioner Seibold expressed concern about cars being parked and advertised for sale.

92. Commissioner Mertz questioned whether it is illegal for a car to be parked on the street and advertised for sale. The Manager read the regulations prohibiting this.

93. Commissioner Mertz advised that residents have complained that notices have been received regarding sidewalks needing repair, but that the unsafe stones have not been marked.

94. Commissioner Mertz questioned the amount of \$2,812.50 and 562.5 tons of stone dust for maintenance of the Youth Fields as specified in the minutes of the Joint Facilities meeting of July 30, 1985.

95. The Mayor reported that there is a vacancy on the Board of Canvassers and requested that names be submitted to fill this vacancy.

96. The Mayor proclaimed the week of September 22, 1985, as "Child Watch Week".

97. The meeting was adjourned, subject to the call of the Mayor, until September 3, 1985.

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

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held September 3, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mertz, Moseley, Seibold and Mayor Edison.  
Absent: Com. Mehney.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff.

98. The minutes of the regular meeting held August 19, 1985, were amended at Item #86, line 4, also at Item #86-A paragraphs 3 and 4 to change "Laurel Avenue" to "Floral Drive". The minutes were then approved as amended.

99. Deems-Moseley. That the second quarter sewage bill received from the City of Grand Rapids in the amount of \$82,308.61, which is an estimated bill due to meter malfunction, not be approved for payment at this time.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

100. Moseley-Henry. That expense vouchers in the amount of \$1,954,102.22, and payroll vouchers in the amount of \$72,194.58, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

101. A hearing was then held on the request of William and Cecille Fehsenfeld for a zoning variance which would permit them to locate an air-conditioning condenser in the rear yard at 950 Maxwell SE, nineteen feet from the south property line rather than the required twenty feet. Mr. Fehsenfeld was present to answer questions. There were no objections.

101-A. Deems-Henry. That the variance requested by William and Cecille Fehsenfeld be granted.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

102. A communication was received from Gerald R. Helmholdt, Mayor of the City of Grand Rapids, regarding posting of street numbers on homes.

102-A. Deems-Seibold. That the City of East Grand Rapids cooperate with the City of Grand Rapids in the address awareness program.

Yeas: Deems, Henry, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0

103. A communication was received from George Decker, 644 Plymouth Road SE, regarding the amount of his current water bill. No action was taken.

104. There was no City Attorney report.

105. The Clerk-Controller reported that the Municipal Treasurers' Association Conference he attended in San Diego, California, was very enlightening.

106. The City Manager reported that an additional liability insurance quote was received this date and will be presented for consideration at the next regular meeting on September 16, 1985.

(Commissioner Mehney arrived at this time.)

107. The City Manager reported on a proposal received from Waste Management of Michigan for a compactor unit for disposal of yard waste materials for a 6-month period beginning October, 1985, at a cost of \$300 a month.

9/3/85

107-A. Henry-Deems. That the proposal received from Waste Management of Michigan be accepted for a 6-month period beginning October, 1985, at a cost of \$300 a month, plus hauling costs of \$177.00/42 yard load.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

108. The City Manager distributed a proposed ordinance to amend Chapter 6 of Title I of the Ordinance Code.

108-A. Moseley-Deems. That the following ordinance amendment be introduced:

AN ORDINANCE TO AMEND CHAPTER 6 OF TITLE I  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS  
BY ADDING A NEW SECTION 1.227

The City of East Grand Rapids ordains:

Section 1. Chapter 6 of Title I of the Code of the City of East Grand Rapids is amended by adding a new Sec. 1.227 to read as follows:

"Sec. 1.227 Coordination with Michigan Emergency Preparedness Act

The actions of the Department of Civil Defense under this ordinance shall be subject to the provisions of the Michigan Emergency Preparedness Act (MCL Sec. 30.401 et seq). In all instances where there is a conflict between the provisions of this chapter and the Emergency Preparedness Act, the provisions of the Emergency Preparedness Act shall supersede the provisions of this act. The Director of Civil Defense under this chapter shall serve as the local coordinator under the Emergency Preparedness Act."

Section 2. 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.

Section 3. This ordinance shall be effective on \_\_\_\_\_, 1985.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

109. The City Manager advised that he had been directed to place the subject of sailboard concessions on this agenda.

109-A. Moseley-Seibold. That the following ordinance amendment to Section 7.32 of Chapter 72 of the Ordinance Code and the attached regulations be introduced:

AN ORDINANCE TO AMEND SECTION 7.32 OF CHAPTER 72  
AND TO ADD CHAPTER 73A TO 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 East Grand Rapids City Code shall be amended by inserting (in alphabetical order) the following fee for license:

Sailboard concession, annual fee \$50.00

Section 2. A new Chapter 73A is added to Title VII of the East Grand Rapids City Code to read as follows:

Chapter 73A - Sailboard Concessions.

Section 7.40a - Sailboard Concessioner defined.

The word "Sailboard concessioner" shall include any individual or business offering instruction on sailboarding for a fee or demonstrating sailboarding.

Section 7.40b - License required.

No person shall engage in the business of a sailboard concessioner on any city property without first obtaining a license therefor. No such license shall be issued until approved by the City Commission. No more than four (4) licenses shall be approved per license year. Licenses shall cover the period from April 1 through October 31, and a new license must be secured for each such license year.

Section 7.40c - Rules and Regulations

The City Manager shall promulgate, and may amend from time to time, rules and regulations to be followed by all licensees. Such regulations shall include, but not be limited to, hours and methods of operation, qualifications of instructors, and insurance requirements. Such rules and regulations and any changes therein shall be submitted to the City Commission for approval. Failure of a sailboard concessioner to abide by said rules and regulations shall be grounds for revocation of the license under which said concessioner operates and shall constitute a violation of this chapter and subject the offender to the penalties set forth in Section 1.13 of this Code.

Section 3. This ordinance shall be effective on \_\_\_\_\_, 1985.

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.

REGULATIONS GOVERNING SAILBOARD CONCESSIONS

The following regulations are issued pursuant to the provisions of Section 7.40c of Chapter 73A of Title VII of the Code of the City of East Grand Rapids.

REGULATION NO. 1. Each applicant for a sailboard concession license shall file with the application certificates of insurance for public liability co-insuring the applicant and the City of East Grand Rapids in the minimum amounts of \$50,000 - \$100,000 for public liability.

REGULATION NO. 2. All sailboard instruction shall be performed by certified instructors recognized by a national sailboard association. Proof of an instructor's certification must be submitted with an application for license.

REGULATION NO. 3. Instructional classes shall be limited to a maximum of five students. Such classes shall not be held on Saturday or Sunday. The total amount of instructional time per license per week is twenty hours.

REGULATION NO. 4. Each licensee shall limit sailboard demonstrations to two weekends per year.

REGULATION NO. 5. All on-shore instruction and demonstration on City property shall take place in John Collins Park between the public boat launch on the south and the park's northern boundary.

Failure to comply with these regulations shall be cause for revocation of license.

A roll call vote was taken:

Yeas: Seibold, Moseley, Mehney, Edison - 4  
Nays: Mertz, Deems, Henry - 3

The motion carried.

110. The City Manager reported on bids received for the reconstruction of sidewalk sections adjacent to private properties and reconstruction of curb and sidewalk at intersections in the area east of Breton Road and south of Reeds Lake and recommended that a contract be awarded to the low bidder, Bill VanderGalien, in the amount of \$33,440.00 at estimated quantities.

110-A. Mertz-Seibold. That the 25% charge for city administration and inspection of sidewalk work be deleted.

Yeas: Mertz - 1  
Nays: Deems, Henry, Mehney, Moseley, Seibold, Edison - 6

110-B. Moseley-Mertz. That the bid of Bill VanderGalien, in the amount of \$33,440.00, be accepted and a contract awarded to him for the reconstruction of sidewalk sections and curb.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

111. The City Manager reported on bids received for replacement of the dump-plow truck and recommended that the low bids of Jack Keller Ford for the truck cab and chassis in the amount of \$34,497.49, and Hoekstra Truck Sales for the body in the amount of \$2,996.00 be accepted. The City Manager further requested authorization to issue purchase orders to complete the truck unit.

111-A. Mehney-Deems. That the City Manager be authorized to issue the following purchase orders for the complete truck unit:

Jack Keller Ford - Cab and chassis	\$34,497.49
Hoekstra Truck - Dump body	2,996.00
Shults Equipment - Underbody blade and hydraulics	10,228.00
Gregware Equip. - Plow and hitch	4,736.00
Total	\$52,457.49

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

112. The City Manager reported on bids for athletic supplies for the Recreation Department and recommended that the low bid of Reynolds & Sons in the amount of \$2,637.16 be accepted.

112-A. Deems-Henry. That the bid of Reynolds & Sons be accepted.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

113. The City Manager distributed a memorandum regarding the placement of asphalt at Collins Park, and the placement of pedestrian signals at the Lake Drive-Breton intersection. This was received for information.

9/3/85

114. A communication was received from Susan Hollander-Ryan expressing interest in utilizing the Manhattan School as a child care center. This letter was received for information.

115. Commissioner Deems questioned the presence of helicopters circling the city last week-end.

116. The Mayor appointed Dr. William M. Kooistra, 2946 Cascade Road SE, to fill the vacancy on the Board of Canvassers for a 3-year term expiring July 1, 1988.

117. The Commission discussed the holding of an election for Charter amendment revision. No action was taken.

118. The meeting was adjourned, subject to the call of the Mayor, until September 16, 1985.

  
City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held September 16, 1985

The meeting was called to order by Commissioner Moseley, President of the Commission.

Present: Coms. Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Absent: Mayor Edison.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard, City Attorney Richardson, Assistant City Attorney Huff, City Engineer McMann, Plant Engineer Baragar, Librarian DeYoung and City Commissioners-Elect Edison, Young and Williamson.

119. The minutes of the regular meeting held September 3, 1985, were amended at Item 107-A to read "Waste Management of Michigan" rather than "Water Management of Michigan". The minutes were then approved as amended.

120. Seibold-Deems. That expense vouchers in the amount of \$502,029.84, and payroll vouchers in the amount of \$73,655.92, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

121. A hearing was then held on the request of Robert A. Schmidt, for a zoning variance to permit construction of a home on vacant property located at 2760 Elmwood Drive SE, said lot being less than the required 7,200 square feet. Mr. Schmidt was present to answer questions. John Cameron, 2731 Elmwood Drive SE, expressed the opinion that Mr. Schmidt should not be penalized if the condition which exists is not a hardship created by the owner. The following persons spoke in opposition to granting of the variance: Robert F. Gray, 2800 Elmwood Drive SE, George T. Baumgartner, 2759 Maplewood Drive SE, John S. Zimmerman, 2755 Maplewood Drive SE, Catherine Weighner, 2754 Maplewood Drive SE, Kate Lowe, 2805 Elmwood Drive SE, Philip J. Weighner, 2754 Elmwood Drive SE.

121-A. Deems-Mertz. That this Commission, acting as the Board of Zoning Appeals, deny the variance requested by Robert A. Schmidt.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

122. A hearing was then held on the request of Mr. and Mrs. Victor Tuthill, Jr., 921 Orchard SE, for a zoning variance to permit construction of an addition to their home to a point within ten feet of their garage. Mr. and Mrs. Tuthill were present to answer questions. There were no objections.

122-A. Seibold-Henry. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. and Mrs. Tuthill.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

123. A hearing was then held on the request of Ronald Jager, 2258 Englewood Drive SE, for a zoning variance to permit construction of a swimming pool to a point within six feet on the south lot line and eight feet on the west lot line rather than the required ten feet. Mr. Jager, property owner, and Bert Hoekstra, representing Pools Plus, were present to answer questions.

123-A. Seibold-Mertz. That this Commission, acting as the Board of Zoning Appeals, deny the variance requested by Ronald Jager.

A roll call vote was taken:

Yeas: Seibold, Moseley - 2  
Nays: Mertz, Deems, Henry, Mehney - 4

The motion failed.

9/16/85

123-B. Deems-Mehney. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Ronald Jager.

A roll call vote was taken:

Yeas: Mehney, Mertz, Deems, Henry - 4  
Nays: Seibold, Moseley - 2

The motion carried.

124. Shirley Francis and Jan Feaster, representing Head Start, were present to discuss their program and their interest in utilizing the Manhattan School building for the conduct of their program.

125. The Commission then considered the proposed amendment to Section 7.32 of the City Code which was introduced at the meeting of September 3, 1985.

125-A. Mertz-Deems. That the proposed amendment to Section 7.32 "Sailboard Concessions" and "Regulations Governing Sailboard Concessions" as introduced on September 3, 1985, be rejected.

A roll call vote was taken:

Yeas: Deems, Henry, Mertz - 3  
Nays: Mehney, Seibold, Moseley - 3

The motion failed.

126. The Commission then considered the proposed new Section 1.227 which was introduced at the meeting of September 3, 1985.

126-A. Seibold-Henry. That the following ordinance be adopted:

AN ORDINANCE TO AMEND CHAPTER 6 OF TITLE I  
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS  
BY ADDING A NEW SECTION 1.227

The City of East Grand Rapids ordains:

Section 1. Chapter 6 of Title I of the Code of the City of East Grand Rapids is amended by adding a new Sec. 1.227 to read as follows:

"Sec. 1.227 Coordination with Michigan Emergency Preparedness Act

The actions of the Department of Civil Defense under this ordinance shall be subject to the provisions of the Michigan Emergency Preparedness Act (MCL Sec. 30.401 et seq). In all instances where there is a conflict between the provisions of this chapter and the Emergency Preparedness Act, the provisions of the Emergency Preparedness Act shall supersede the provisions of this act. The Director of Civil Defense under this chapter shall serve as the local coordinator under the Emergency Preparedness Act."

Section 2. 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.

Section 3. This ordinance shall be effective on October 1, 1985.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

127. The City Attorney discussed the resolution adopted August 5, 1985, providing for the election of a Charter Commission at an election to be held November 5, 1985.

9/16/85

127-A. Henry-Deems. That the resolution adopted August 5, 1985, for the purpose of electing members to the Charter Commission on November 5, 1985, be rescinded.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

127-B. Deems-Seibold. That the election of a Charter Commission be held at the earliest possible date in conjunction with another scheduled election to be held after December 2, 1985.

Yeas: Deems, Henry, Mehney, Mertz, Seibold - 5  
Nays: Moseley - 1

128. A memorandum was submitted to the Clerk-Controller regarding proposed changes in the fiscal year 1986 budget.

128-A. Deems-Mehney. That the fiscal year 1986 budget be amended as follows:

- 1) Transfer \$10,900 from General Fund Unreserved Balance to Public Safety Department for training and professional development (\$3,286) and for law enforcement (\$7,614).
- 2) Transfer \$149,900 from the Street Construction-General Account to the Major Street Account and transfer \$145,000 from the Street Construction-General Account to the Local Street Account.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

129. The City Manager submitted a summary of proposals received for library design and construction, and recommended that the proposal for design of Owen-Ames-Kimball Company be accepted in an amount not to exceed \$14,000 and that the Mayor and Clerk be authorized to sign the contract for construction management.

129-A. Mertz-Henry. That the proposal of Owen-Ames-Kimball Company for library design work be accepted and that a contract be entered into in an amount not to exceed \$14,000 and that the Mayor and Clerk be authorized to sign the contract for construction management.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

130. The City Manager reported on bids received for de-icing salt, and recommended that the City accept the recommendation of the Grand Rapids Purchasing Department to purchase the same from the low bidder, Domtar Chemicals, at \$25.42 per ton.

130-A. Mehney-Deems. That the City Manager purchase the City's de-icing salt from Domtar Chemicals at \$25.42 per ton.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

131. The City Manager reported on the proposals for a county mass burn unit. No action was taken at this time.

132. Commissioner Henry submitted a report regarding the purchase of liability insurance.

132-A. Henry-Mehney. That the City approve the proposal for purchase from a commercial carrier with \$5,000,000 coverage with an annual premium of \$164,939.

A roll call vote was taken:

Yeas: Henry, Mehney, Seibold - 3  
Nays: Mertz, Moseley, Deems - 3

The motion failed.

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132-B. Deems-Henry. That the City secure insurance coverage through the Michigan Municipal League Liability and Property Pool with an annual premium of \$76,566.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

132-C. Henry-Mehney. That this Commission authorize signing of the Intergovernmental Contract which is necessary to participate in the Michigan Municipal League Pool.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

133. The City Manager submitted a memorandum and a proposed resolution requesting the legislature to take action with respect to municipal liability for personal injuries.

133-A. Deems-Mertz. That the proposed resolution regarding Governmental Tort Immunity be adopted and that copies of said resolution be sent to members of the State House of Representatives and Senate representing the City of East Grand Rapids, with a cover letter from Mayor Edison.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

134. The City Manager requested authorization to file an application for an added grant for the library expansion project.

134-A. Deems-Mertz. That the City Manager be authorized to file an application with the State of Michigan for an added grant for the library expansion project.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

135. The minutes of the Planning Commission meeting held August 8, 1985, were received.

136. The report of the Public Safety Department for the month of August, 1985, was received.

137. The report of the Building Inspector for the month of August, 1985, was received.

138. The City Manager reported that a city radio transmitter was damaged during a recent electrical storm and needs to be replaced.

138-A. Seibold-Deems. That the City Manager be authorized to issue a purchase order in the amount of \$4,050 for the replacement of the damaged transmitter.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold - 6  
Nays: 0

139. The City Manager advised that Michael Karolle, Chairman of the Citizens Advisory Committee on Lake Restoration, has reported that there will be a meeting with the Department of Natural Resources on October 1, 1985, at which time the DNR will answer questions submitted by the Citizens Advisory Committee.

140. The City Manager distributed a communication from the Kent County Library System advising that the library budget has been approved by the Kent County Library System Board.

141. Commissioner Mehney thanked all persons involved in making the Triathlon a success.

9/16/85

142. Commissioner Mertz inquired as to the reason for replacement of only some of the sidewalk stones at various intersections. The City Engineer replied that only stones in dangerous condition are being replaced.

143. Commissioner Seibold thanked Commissioner Henry for the detailed report on liability insurance.

144. Commissioner Seibold expressed appreciation to all involved in making the Triathlon a success.

145. Commissioner Moseley commented on the Triathlon.

146. The meeting was adjourned, subject to the call of the Mayor, until October 7, 1985.

*Emily Seelars*

City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held October 7, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Mertz, Moseley, Seibold and Mayor Edison.  
Absent: None.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
City Engineer McMann, and Commissioners-Elect Edison,  
Young and Williamson.

147. The minutes of the regular meeting held September 16, 1985, were amended at Item 123-A to reflect that the motion failed, and at Item 123-B to reflect that the motion carried. The minutes were then approved as amended.

148. Moseley-Seibold. that expense vouchers in the amount of \$511,938.67, and payroll vouchers in the amount of \$72,575.55, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

149. Mr. Burr Smith, representing the Automobile Club of Michigan, made a presentation to the City of the 1984 Pedestrian Safety Citation Award of Merit which was accepted by School Liaison Officer James Pullen.

150. A hearing was then held on the request of Thomas R. and Victoria T. Kimball, for a zoning variance to permit construction of an addition to their home at 429 Edgemere Drive SE, to a point 52 feet from the centerline of the street rather than the required 58 feet. Dr. and Mrs. Kimball were present to answer questions. There were no objections.

150-A. Moseley-Deems. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Thomas R. and Victoria T. Kimball.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

151. Mr. R. T. Brown, representing R. T. Brown Sporting Goods, was present and addressed the Commission regarding the City's purchasing policy.

152. The City Attorney submitted draft copies of a contract and ordinance amendments regarding the Kent County Refuse Disposal System. The City Manager was directed to place this item on the next regular City Commission meeting agenda.

153. A hearing was then held on the request of Jerry M. and Kathleen M. Wachter, 2060 Wilshire Drive SE, for a zoning variance to permit construction of an addition to their home, to enclose a pool, to within 17 feet from the rear lot line rather than the required 25 feet. Mr. Wachter was present to answer questions. There were no objections.

153-A. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Jerry M. and Kathleen M. Wachter.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

154. Mr. Glenn Goodwin, representing Seidman & Seidman, was present and addressed the Commission regarding the audit performed by Seidman & Seidman for the City of East Grand Rapids for fiscal 1984/85.

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155. The Clerk-Controller submitted results of the Municipal Primary Election held September 10, 1985.

156. A communication was received from the East Grand Rapids Public Schools advising that the Board of Education has voted to hold a special election November 19, 1985.

157. The City Manager submitted a communication from Daryle R. Smith, Environmental Services Director of the City of Grand Rapids, recommending replacement of the present flowmeter, explaining the Grand Rapids position on the billing for the second quarter sanitary sewer flows, and indicating that with further data they will review the estimated flows and adjust the bill if warranted.

157-A. Moseley-Henry. That the bills for sewage disposal in the amount of \$82,308.61 due the City of Grand Rapids for the second quarter of 1985 be authorized for payment.

Yeas: Deems, Henry, Mehney, Moseley, Seibold, Edison - 6  
Nays: Mertz - 1

158. The City Manager reported on bids received for the replacement of locks on the municipal buildings and recommended that the low bid of Custom Lock Company in the amount of \$8,638 be accepted upon the condition that complete performance of the contract is required.

158-A. Moseley-Mehney. That the bid of Custom Lock Company, in the amount of \$8,638, be accepted and a contract awarded to them upon the condition that complete performance is required.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

159. The City Manager reported receipt of a memorandum from the Recreation Director reporting receipt of \$11,883.79 from the Reeds Lake Run and recommending the distribution of funds as follows: \$6,000 to the Team Boosters Club and \$2,000 to the Recreation Department General Revenue Account.

159-A. Deems-Mehney. That the matter of distribution of funds from Reeds Lake Run be referred to the Recreation Commission.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

160. The minutes of the Traffic Commission meeting held September 17, 1985, were received.

161. The City Manager reported on a request from the East Grand Rapids Business Association for construction of a fence around the newspaper dispensers located on the sidewalk adjacent to Rite-Aid Drug Store.

161-A. Moseley-Seibold. That the request be denied.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

162. The City Manager reported on information received from Mrs. Prim Sebastian, 639 Plymouth Road SE, that the Plymouth Road Association has entered into an agreement with Dan Clark, landscape architect, for planting of trees in the median on Plymouth Road between Lake Drive and Franklin Street at no cost to the City.

163. The Manager requested that the Commission authorize the presentation to Sue Robert of an appropriate resolution in appreciation of her contributions to the City.

10/7/85

163-A. Moseley-Seibold. That an appropriate resolution be drafted and presented to Sue Robert in appreciation of her contributions to the City as President of the Community Action Council.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

164. The City Manager distributed a letter and resolution from the Mayor to area lawmakers regarding the problem of liability insurance coverage for municipalities.

165. Commissioner Seibold reported that he has received complaints from residents regarding grass clippings being blown into the street when the lawn contractor mows the outlawn between Wealthy Street and Jacobson's parking lot.

166. Commissioner Deems reported that he had attended a press conference on behalf of the Mayor regarding "Address Awareness Week".

167. Commissioner Moseley requested that an ordinance to amend Section 7.32 of Chapter 72 - Sailboard Concessions - which was introduced at the regular Commission meeting of September 3, 1985, be placed on the agenda for the regular Commission meeting of October 21, 1985.

168. Commissioner Moseley commented on leaf and yard debris pickup.

169. The Mayor reported that he has arranged for the newly elected City Commissioners to meet with each department head of the City before taking office December 2, 1985.

170. The meeting was adjourned, subject to the call of the Mayor, until October 21, 1985.

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

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held October 21, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Mertz, Moseley, Seibold and Mayor Edison.  
Absent: None.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
Assistant City Attorney Huff, City Engineer McMann, Public  
Safety Director Gallagher, Deputy Chief Kroes, and City  
Commissioners-Elect Edison, Young and Williamson.

171. The minutes of the regular meeting held October 7, 1985, were approved as written.

172. The Mayor presented a proclamation to Sue Robert in appreciation of her leadership in the formation of the East Grand Rapids Community Action Council.

173. Moseley-Henry. That expense vouchers in the amount of \$153,142.16, and payroll vouchers in the amount of \$72,383.51, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

174. A communication was received from William E. Alt objecting to the use of the Manhattan School building for the Head Start Program.

175. A communication was received from Susan Hollander-Ryan withdrawing her proposal for use of the Manhattan School property for a child care center.

176. The Assistant City Attorney introduced Mr. William Allen and Attorney Richard Butler, representing the Kent County Department of Public Works, who answered questions regarding the proposed Kent County Refuse Disposal System and proposed waste flow control measures.

176-A. Moseley-Mertz. That the following proposed ordinance amendment be introduced:

AN ORDINANCE TO AMEND CHAPTER 21 OF TITLE II  
IN ITS ENTIRETY AND 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. Chapter 21 of Title II of the East Grand Rapids City Code shall be amended in its entirety to read as follows:

CHAPTER 21. COMBUSTIBLE WASTE AND SOLID WASTE

Section 2.1 Definitions

For purposes of this Chapter, the words and phrases listed below shall have the following meanings:

(1) "Act 641 Plan" means the Kent County Solid Waste Management Plan approved by the Kent County Board of Commissioners, the City of East Grand Rapids, and by the Director of the Department of Natural Resources, pursuant to the requirements and provisions of Act No. 641 of the Public Acts of Michigan, 1978, as amended, and any amendments thereto adopted in accordance with said Act.

(2) "Approved Incinerator" and "Approved Garbage Grinder" means incinerators and garbage grinders, respectively, which conform with all city ordinance requirements, are used exclusively to dispose of Solid Waste generated by the occupant of the Site of Generation on which they are located, and are consistent with the Act 641 Plan.

(3) "Ashes" means the residue from the burning of wood, coal, coke, refuse, waste water sludge, or other combustible materials.

(4) "Board of Public Works" means the Kent County Board of Public Works established pursuant to the provisions of Act No. 185 of the Public Acts of Michigan, 1957, as amended.

(5) "Combustible Waste" means Solid Waste that is combustible in the MBI as shall be determined solely by the Board of Public Works. "Combustible Waste" shall include: (a) Garbage, (b) combustible Rubbish, such as paper; cardboard; cartons; wood; boxes; rags; cloth; bedding; leather; Yard Rubbish; carpeting; and combustible construction and demolition debris; and (c) any other Solid Waste that is combustible in the MBI as shall be determined solely by the Board of Public Works. "Combustible Waste" shall exclude: (a) noncombustible Solid Waste, such as Ashes; noncombustible Rubbish; incinerator ash; incinerator residue; municipal and industrial sludges; animal waste; pathological and biological waste; asbestos and asbestos waste products; explosives; radioactive materials; appliances; concrete rubble; noncombustible construction and demolition debris; rock; gravel and earthen materials; automobiles; trailers; equipment wire and cable; (b) all waste other than Solid Waste (such as Hazardous Waste, Site-Separated Materials and Source-Separated Materials), and (c) any other waste that is predominantly noncombustible in the MBI as shall be determined solely by the Board of Public Works.

(6) "Commercial Operation Date" means the date when the MBI has been completed and tested and is, in the sole opinion of the County, ready for full commercial operation.

(7) "County" means the County of Kent, Michigan, acting by and through its Board of Commissioners or its Department of Public Works.

(8) "Director" shall mean the Director of Public Service of the City.

(9) "Disposal Site" means any of the following: (a) a Solid Waste transfer facility, (b) a single incinerator having an average daily design capacity exceeding fifty (50) tons of Solid Waste per day or two or more incinerators located at one site under the control of one Person and having an aggregate average daily design capacity exceeding one hundred fifty (150) tons of Solid Waste per day, (c) a sanitary landfill, (d) a Solid Waste processing plant, or (e) any other Solid Waste handling or disposal facility utilized in the disposal of Solid Waste.

(19) "Source-Separated Materials" means recyclable materials (including, but not limited to, bottles, cans, newspapers, corrugated containers, metals, and Yard Rubbish) that are separated from Solid Waste prior to the collection of Solid Waste from a Site of Generation.

(20) "Tipping Fee" means the fee established by the Board of Public Works to be charged upon delivery of Combustible Waste to the MBI.

(21) "Waste Hauler" means any Person, engaged in whole or in part, in the business of collecting, transporting, delivering, or disposing of Solid Waste within the City.

(22) "Yard Rubbish" means grass clippings, branches, twigs, leaves, brush, shrub clippings, tree limbs and general yard and garden waste material;

#### Section 2.2 Yard Rubbish Collection

Yard Rubbish shall be collected by the City at regular intervals pursuant to a schedule established by the Director. The Yard Rubbish collection service of the City shall be under the supervision and direction of the Director.

The City Manager shall make such reasonable rules and regulations concerning the storage and collection of Yard Rubbish as he may deem proper, subject to the approval of the Commission. No person shall fail to observe any rule or regulation so adopted and approved.

#### Section 2.3 Accumulation and Storage of Solid Waste

The occupant of any Premises within the City in which any garbage shall be accumulated which is not disposed of by an Approved Incinerator or Approved Garbage Grinder shall maintain on said Premises one or more approved garbage containers, each having a capacity of not less than five (5) gallons nor more than twenty-five (25) gallons, and the number of containers kept on each Premises shall be sufficient to conveniently store the normal accumulation of garbage on said premises for a period of not less than five (5) days. Each container shall be kept tightly covered with an impervious cover except when opened for deposit or removal of Garbage. Garbage containers shall be kept in a clean and sanitary condition at all times. Garbage containers shall be placed at the rear or side of buildings at a place which is reasonably inconspicuous, but shall be accessible to the Waste Hauler. Any Solid Waste other than Garbage or Yard Rubbish accumulated or stored outside of a dwelling or building on any premises shall be placed in containers of not less than one (1) bushel capacity, which containers shall be placed at the rear or side of buildings in a place which is reasonably inconspicuous and away from streets and places occupied by other persons. No such Solid Waste may be stored or accumulated which is contaminated by any Garbage, as herein defined unless stored as Garbage. Containers for Solid Waste other than Garbage may be of wood or metal or, if a rigid container is not desired, large burlap, canvas, plastic or similar cloth bags may be used.

Section 2.4 Disposition of Solid Waste

Solid Waste shall be disposed of only to licensed Waste Haulers or the City collection service (if provided), except that any individual may dispose of Solid Waste from his own household:

(1) By an Approved Incinerator or Approved Garbage Grinder;

(2) Upon the individual's own land so long as the disposal does not create a nuisance or hazard to health, in accordance with Section 18 of Act 641 of the Public Acts of Michigan, 1978, as amended;

(3) By personally transporting the same to an approved sanitary landfill but only in accordance with the rules and regulations pertaining thereto and the Act 641 Plan. No person transporting any Solid Waste in accordance with this section shall fail to securely cover and secure the load so that no part of said load shall be lost while being transported.

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 therefor. 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. No such license shall be issued except upon certification by the Director that the equipment and ability of the 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 this 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 2.6 Delivery of Combustible Waste

Commencing on the Commercial Operation Date and at all times thereafter, Waste Haulers shall (a) deliver to the MBI all Combustible Waste collected or transported from a Site of Generation within the City, and (b) pay the Tipping Fee for delivery of such Waste at the MBI (unless otherwise provided by contract between the City and the Waste Hauler). Commencing on the Commercial Operation Date and at all times thereafter, no Waste Hauler shall deliver Combustible Waste collected or transported from a Site of Generation within the City to any Disposal Site other than the MBI. Waste Haulers shall not deliver Hazardous Waste, or any Solid Waste other than Combustible Waste, to the MBI.

Section 2.7 Compliance with Laws, Rules and Regulations

Waste Haulers shall comply with the Act 641 Plan and all applicable Federal and State laws, statutes, rules and regulations (including, but not limited to, Act 641 and administrative rules promulgated pursuant to Act 641) in the collection, transportation, delivery, and disposal of Combustible Waste. Waste Haulers shall also comply with all rules and regulations promulgated by the Board of Public Works for the administration and operation of the MBI and other Disposal Sites of the Kent County Refuse Disposal System.

Section 2.8 Littering and Accumulation

No person shall throw or deposit any Solid Waste, including Yard Rubbish, upon or into any street, alley or other property, public or private, except to the extent that Yard Rubbish may be placed in the street adjacent to the curb for collection by the City under the rules and regulations made by the City Manager and approved by the City Commission. It shall be the duty of every occupant of property and the owner of unoccupied property, at all times, to maintain the Premises occupied or owned by him in a clean and orderly condition, permitting no deposit or accumulation of Solid Waste upon such Premises unless stored or accumulated as permitted by this Chapter.

Section 2.9 Violations; Penalty

Upon a violation of any provision of this Chapter, the City may seek criminal prosecution and may seek legal and/or equitable relief in a court of competent jurisdiction. Except as provided in Sections 2.11 and 2.17 below with regard to Yard Rubbish violations, any person who shall violate any provision of the Chapter 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 a violation occurs or continues shall be deemed as a separate offense.

Section 2.10 Regulations Governing Collection of Yard Rubbish

The following regulations issued pursuant to the provisions of Section 2.2 of the Code of the City of East Grand Rapids are approved by the City:

Regulation No. 1 Yard Rubbish, including grass clippings, branches, twigs, leaves, weeds, shrub clippings, and general yard and garden waste materials, shall be picked up by the City at curbside according to a schedule established and published by the City Manager.

Regulation No. 2 All grass clippings, weeds, and general yard and garden waste materials shall be placed in a bag, box or other suitable container, limited in capacity to forty (40) pounds, which shall be placed on the outlawn next to the curb for collection.

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Regulation No. 3 Shrub clippings and branches may be placed on the outlawn next to the curb for collection. Tree removal contractors are required to remove from the Premises all waste materials resulting from the removal of trimming of trees.

Regulation No. 4 During the period from October 15 through November 15, leaves not placed in bags or containers may be placed in the street along the curb for collection, but care should be taken that piles of leaves not extend into the traveled portion of the roadway.

Regulation No. 5 Residents are requested to place such materials for pickup by the City not earlier than the day preceding the scheduled pickup day for the area.

Regulation No. 6 These regulations apply to lawn contractors and tree removal and tree trimming contractors as well as to residents.

Violation of these regulations by contractors shall be grounds for suspension of their licenses.

Section 2.11 Yard Rubbish Violations; Penalty

Failure to comply with the aforesaid regulations shall constitute a misdemeanor punishable by a fine not more than Five Hundred Dollars (\$500.00) and costs of prosecution or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense. Any person charged with such violation may voluntarily appear and respond to such charge before the violations bureau pursuant to the provisions of Sections 2.12 to 2.17 of this Chapter.

Section 2.12 Bureau Established

A violation bureau for the purpose of handling alleged Yard Rubbish violations within the City, is hereby established.

Section 2.13 Location of Bureau

The violations bureau established by this chapter shall be operated in conjunction with the parking violations bureau established by Chapter 103 of the East Grand Rapids City Code and the animal control violations bureau established by Chapter 92 of the East Grand Rapids City Code.

Section 2.14 Offenses, Disposition of

No violation not scheduled in Section 2.17 of this Chapter shall be disposed of by the violations bureau. The fact that a particular violation is scheduled shall not entitle the alleged violator to disposition of the violation at the bureau and in any case the person in charge of such bureau may refuse to dispose of such violation, in which case any person having knowledge of the facts may make a sworn complaint before any court having jurisdiction of the offense as provided by law.

Section 2.15 Procedure for Settlement

No violation may be settled at the violations bureau except at the specific request of the alleged violator. No penalty for any violation shall be accepted from any person who denies having committed the offense and in no case shall the person who is in charge of the bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to such alleged violation. No person shall be required to dispose of a Yard Rubbish violation at the violations bureau and all persons shall be entitled to have any such violation processed before a court having jurisdiction thereof if they so desire. The unwillingness of any person to dispose of any violation at the violations bureau should not prejudice him or in any way diminish the rights, privileges and protection accorded to him by law.

Section 2.16 Notice of Violation

The issuance of a ticket or notice of violation by a police officer or the Director shall be deemed an allegation or a violation of this Chapter.

Section 2.17 Schedule of Violations

The following violations may be settled at the violations bureau when so provided in this Chapter by imposition and payment of fines as herein set forth:

	Fine
Violation of Section 2.10, first offense after warning	\$10.00
Violation of Section 2.10, second offense within twelve (12) months	20.00
Violation of Section 2.10, third offense within twelve (12) months	30.00

Section 2. Section 7.32 of Chapter 72 of Title VII of the East Grand Rapids City Code shall be amended by deleting:

Rubbish collection (Section 2.7), annual fee 10.00  
and by inserting in alphabetical order:

Waste hauler (Section 2.5), annual fee 10.00

Section 3. This ordinance shall be effective on \_\_\_\_\_, 1985.

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.

A roll call vote was taken:

Yeas: Henry, Mehney, Mertz, Seibold, Moseley, Edison - 6

Nays: 0

Commissioner Deems abstained.

The motion carried.

177. The Clerk-Controller submitted a proposed Investment Pool Agreement between the Kent County Treasurer and the City of East Grand Rapids.

177-A. Moseley-Mertz. That the agreement between the Kent County Treasurer and the City of East Grand Rapids be approved in the form presented to this meeting.

A roll call vote was taken:

Yeas: Mehney, Mertz, Moseley, Edison - 4  
Nays: Seibold, Henry - 2  
Commissioner Deems abstained.

The motion carried.

178. The Clerk-Controller submitted a report of cash and securities and a budget performance report for the period ending September 30, 1985.

179. The City Manager introduced the staff team which has developed a comprehensive computerization program and asked them to present it. The Clerk-Controller submitted a statement of financing alternatives.

179-A. Deems-Henry. That the City of East Grand Rapids states its intent to join with Kent County and other municipal units in the described law enforcement management and information system.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

179-B. Mehney-Deems. That the financing of the computerization program for the City of East Grand Rapids be considered at the next regular City Commission meeting on November 4th.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Edison - 6  
Nays: Seibold - 1

180. The City Manager requested authorization to advertise for bids for the 1985 Tree Planting Program.

180-A. Henry-Seibold. That the request of the City Manager be concurred in.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

181. The Mayor recommended that the proposed ordinance to amend Section 7.32 of Chapter 72 and add Chapter 73A - Sailboard Concessions - be tabled until the first meeting in December, 1985.

181-A. Deems-Henry. That the Mayor's recommendation be concurred in.

A roll call vote was taken:

Yeas: Mehney, Mertz, Henry, Deems, Edison - 5  
Nays: Seibold, Moseley - 2

The motion carried.

182. The City Manager submitted a report on the Right Place Program.

183. The Public Safety Department report for September, 1985, was received.

184. The Building Inspector's report for September, 1985, was received.

185. Commissioner Mehney inquired as to the distribution of funds which were received from the Reeds Lake Run. The City Manager advised that this will be an agenda item for the Commission meeting on November 4, 1985.

186. Commissioner Mehney advised that T-shirts provided to contestants in the Reeds Lake Run were donated through efforts of the Team Boosters.

187. Commissioner Seibold advised that he had received an advertisement from an unlicensed snowplower in the City of East Grand Rapids.

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188. Commissioner Deems questioned whether the City is enforcing the ordinance providing that snow removal contractors must be licensed before advertising for business. The City Manager reported that reminders have been sent to all previously licensed plowers. If ignored, violations will be issued.

189. The meeting was adjourned, subject to the call of the Mayor, until November 4, 1985.



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City Clerk

UNOFFICIAL  
Reference Only

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held November 4, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mehney, Mertz, Moseley, Seibold and Mayor Edison.  
Absent: None.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
City Engineer McMann, Public Safety Director Gallagher,  
Deputy Chief Kroes, and Commissioners-Elect Edison,  
Young and Williamson.

190. Item 176-A of the minutes of the regular meeting held October 21, 1985, was amended to substitute the proposed ordinance amendment drafted specifically for East Grand Rapids for the ordinance amendment submitted for consideration by the County. Item 177-A was amended to read as follows: "That the agreement between the Kent County Treasurer and the City of East Grand Rapids be approved in the form presented to this meeting" so that the full text of the agreement is not contained in the minutes. The minutes were then approved as amended.

191. Moseley-Seibold. That expense vouchers in the amount of \$219,913.16, and payroll vouchers in the amount of \$72,262.03, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

192. The City Manager submitted a memorandum relative to the proposed amendment to the Kent County Waste Disposal Contract.

192-A. Moseley-Mehney. That this Commission approve the proposed amendment to the Kent County Waste Disposal Contract.

A roll call vote was taken:

Yeas: Mertz, Moseley, Edison - 3  
Nays: Seibold, Henry, Mehney - 3  
Commissioner Deems abstained.

The motion failed.

193. The Public Safety Director submitted a memorandum and proposed ordinance regarding false alarms.

193-A. Deems-Mehney. That the following proposed ordinance be introduced:

AN ORDINANCE TO AMEND THE CODE OF THE  
CITY OF EAST GRAND RAPIDS BY ADDING A NEW CHAPTER  
WHICH NEW CHAPTER SHALL BE DESIGNATED CHAPTER 99  
OF TITLE IX OF SAID CODE

The City of East Grand Rapids ordains:

Section 1. Title IX of the East Grand Rapids City Code is amended by adding a new Chapter 99 to read as follows:

Chapter 99 - Alarm Systems.  
Section 9.601 - Definitions.

For the purpose of this Chapter, the terms listed below shall have the following meanings:

11/4/85

(1) "Alarm system" means any device or piece of equipment or any assembly of equipment and devices (other than an alarm dialer or alarm box as herein defined) designed or arranged to signal visibly, audibly, electronically, mechanically, or by any combination of these methods the presence of a hazard to which the Public Safety Department is expected to respond.

(2) "Alarm user" means any person, whether owner, occupant or tenant, upon whose premises an alarm system is maintained or operated within the City of East Grand Rapids.

(3) "Alarm business" means the business of any individual, partnership, corporation or other entity selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, or installing any alarm system.

(4) "False alarm" means any activation of an alarm system eliciting a response by Public Safety Department personnel where an emergency situation does not in fact exist. A false alarm includes, but is not limited to, the improper activation of an alarm system through a mechanical failure, malfunction, improper installation, or the negligence of the user of an alarm system or of his employee or agent; but does not include an alarm caused by violent conditions of nature, interruption of electrical or telephonic service to the alarm user, or by a third-party not within the control of the alarm user or alarm business, or by other extraordinary circumstances not reasonably subject to control by the alarm user or alarm business.

(5) "Alarm dialer" means a device which mechanically or electronically places telephone calls to the Public Safety Department upon activation.

(6) "Alarm box" means a device which is directly connected to the Public Safety Department dispatch board.

#### Section 9.602 - False Alarms

No alarm user shall maintain, use or allow the use of an alarm system which signals repeated false alarms. To defer the cost of responding to false alarms, the alarm user shall pay to the City the following sums for each occasion that the alarm system is activated and responded to by the Public Safety Department which is a false alarm:

First call in calendar year - no charge  
Second call in calendar year - \$25  
Third call in calendar year - \$50  
Fourth and each subsequent call in calendar year - \$100

The City shall bill the alarm user the fee set forth above. If the alarm user fails to pay within thirty (30) days after billing, the unpaid fee shall be added to and made a part of the next City tax bill against the subject premises and collected in the same manner as provided by law for the collection of City taxes on real estate.

Section 9.603 - Same - Appeals

Any alarm user may file a written notice of appeal with the director of public safety within ten (10) days of receipt of the bill provided in Section 9.602. Appeals shall be heard by the director within twenty (20) days after the billing of the notice of appeal. The director has authority to waive the imposition of the fee set forth in Section 9.602 if it is determined that the alarm user or alarm business has made a good faith effort to determine the cause of the false alarms and to correct the problem.

Section 9.604 - Alarm System Installation - Permit Required

No alarm business shall install and no person shall have installed an alarm system without first registering with the City of East Grand Rapids for a fee of \$500 per year, and submitting proof of license with the State of Michigan for alarm installations.

Section 9.605 - Alarm Dialers Prohibited.

No alarm system in use in the City of East Grand Rapids shall employ an alarm dialer. Any alarm dialers in use as of the effective date of this ordinance shall be removed within ninety (90) days of said date.

Section 9.606 - Alarm Boxes Prohibited.

No alarm system in use in the City of East Grand Rapids shall employ an alarm box. Any alarm box in use as of the effective date of this ordinance shall be removed within ninety (90) days of said date.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1985

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: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

194. The Clerk-Controller submitted a memorandum of November 1, 1985, relative to revision to computer proposal and recommended a total amount of \$81,147 be financed at an interest rate of 7.95% through Corporate Funding, Inc.

194-A. Henry-Seibold. RESOLVED, that the revised computer proposal of November 1, 1985, constitutes an exception to the general purchasing regulations in accordance with Section 1.213 of Chapter 5 of the City Code.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: Deems - 1

194-B. Deems-Henry. That this Commission adopt the revised Plan B of November 1, 1985, which provides for a payment of \$57,058 for the current fiscal year, and \$75,731 over the next three fiscal years, for a total of \$132,789.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

11/4/85

194-C. Mehney-Mertz. That the Clerk-Controller be authorized to issue a letter of intent to IBM to purchase hardware and operating systems software in the amount of \$57,312.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

194-D. Seibold-Mehney. That the Clerk-Controller be authorized to issue the following purchase orders:

I.T.T.	\$15,063
Entre' Computer Center	2,690
Offtec	1,139
Decision Data	<u>4,943</u>
	\$23,835

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: Deems - 1

195. The City Manager submitted a November 4, 1985 memorandum from the Clerk-Controller recommending a cost allocation plan relative to the November 1, 1985 revised computer proposal.

195-A. Moseley-Seibold. That this Commission adopt the November 4, 1985 cost allocation plan associated with Plan B of the revised computer proposal.

Yeas: Henry, Mehney, Moseley, Seibold, Edison - 5  
Nays: Deems, Mertz - 2

196. The Clerk-Controller submitted an October 29, 1985 report of proposed modifications to the fiscal year 1985/86 General Fund budget.

196-A. Deems-Henry. That the following modifications to the fiscal year 1985/86 General Fund budget be approved:

- 1) That \$11,912 be transferred from the General Fund Unreserved Balance to the Public Safety Department for the purchase of public safety uniforms acquired last fiscal year.
- 2) That \$28,109 be transferred from the General Fund Unreserved Balance to the City Buildings Department to cover the increased cost of municipal insurance.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

197. A memorandum was received from the Recreation Commission recommending allocation of monies from the 1985 Reeds Lake Run.

197-A. Mehney-Seibold. That the recommendation of the Recreation Commission be concurred in as follows: \$6,000 to be allocated to the East Grand Rapids Team Boosters, \$2,000 to be allocated to the Recreation Department revenue budget account, and \$640.26 be kept on hand for the starting costs of the 1986 Reeds Lake Run.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

198. The City Engineer submitted a summary of bids received for the annual tree planting program and recommended that the bid of Chet's Nursery, the low bidder, be accepted in the amount of \$6,485.00, and that the cost for trees ordered by individuals be set at \$23.50 per tree.

198-A. Moseley-Deems. That a contract be awarded to Chet's Nursery, the low bidder, in the amount of \$6,485.00 for the 1985 annual tree planting program, and that bids for the 1986 tree planting program be solicited in May or June of 1986, and that the cost per tree to individuals be set at \$23.50.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

11/4/85

199. The minutes of the Traffic Commission meeting held October 15, 1985, were received.

200. A request was received from the East Grand Rapids Branch Librarian for a resolution to be adopted establishing that the Library is a non-profit organization, for the purpose of fund raising for the library expansion.

200-A. Deems-Mehney. That the request of the Librarian be added to this agenda.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

200-B. Deems-Mertz. That the following resolution be adopted:

BE IT RESOLVED, that the Friends of the East Grand Rapids Library be recognized as a non-profit organization in our community.

Yeas: Deems, Henry, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

201. The City Manager reported that on Thursday, November 7, 1985, a report of the Library Consolidation Sub-committee and Cultural Committee will be made to the public at DeVos Hall.

202. Commissioner Seibold commented on the Recreation Department budget performance report.

203. Commissioner Deems commended the Public Safety Department for their performance on Halloween night.

204. Commissioner Moseley commended East Grand Rapids employees who are continuing their education.

205. Commissioner Moseley reported that she has a request from citizens residing on a heavily traveled street for leaves blown from the street onto the lawns be removed by the vacuum.

206. Commissioner Mertz commended the City Manager and staff who have been involved in preparing the grant application for the library expansion.

207. Commissioner Mertz reported that there are three vacancies on the Library Commission and requested that names be submitted.

208. Commissioner Mertz commented on library consolidation.

209. The meeting was adjourned, subject to the call of the Mayor, until November 18, 1985.

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

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held November 18, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Mehney, Mertz, Seibold and Mayor Edison.

Absent: Coms. Henry, Moseley.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard, City Attorney Richardson, Assistant City Attorney Huff, Public Safety Director Gallagher, and City Commissioners-Elect Edison, Young, and Williamson.

210. The minutes of the regular meeting held November 4, 1985, were approved as written.

211. Seibold-Mehney. That expense vouchers in the amount of \$186,578.51, and payroll vouchers in the amount of \$115,544.39, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Deems, Mehney, Mertz, Seibold, Edison - 5  
Nays: 0

212. A hearing was then held on the request of David Roberts for a zoning variance to construct an addition to his home at 1350 Pinecrest Avenue SE, to a point 3.7 ft. from the side lot line abutting Elmwood rather than the required 20 ft. Mr. Roberts was not present. Three citizens residing in the area expressed their objection, by telephone call, to granting the variance.

212-A. Seibold-Mertz. That this Commission, acting as the Board of Zoning Appeals, deny the variance requested by David Roberts.

Yeas: Deems, Mehney, Mertz, Seibold, Edison - 5  
Nays: 0

213. A hearing was then held on the request of John M. and Gail B. Nowak, 2831 Woodcliff Circle SE, for a zoning variance to permit construction of an addition to their home to a point 6 ft. from the side lot line rather than the required 10 ft. Mr. and Mrs. Nowak were present to answer questions. There were no objections.

213-A. Mehney-Deems. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by John M. and Gail B. Nowak.

Yeas: Deems, Mehney, Mertz, Seibold, Edison - 5  
Nays: 0

214. The Commission then considered the proposed Alarm Systems Ordinance which was introduced at the meeting of November 4, 1985.

214-A. Deems-Seibold. That the following ordinance be adopted:

AN ORDINANCE TO AMEND THE CODE OF THE  
CITY OF EAST GRAND RAPIDS BY ADDING A NEW  
CHAPTER WHICH NEW CHAPTER SHALL BE DESIGNATED  
CHAPTER 99 OF TITLE IX OF SAID CODE

The City of East Grand Rapids ordains:

Section 1. Title IX of the East Grand Rapids City Code is amended by adding a new Chapter 99 to read as follows:

Chapter 99 - Alarm Systems

Section 9.601 - Definitions

For the purpose of this Chapter, the term listed below shall have the following meanings:

(1) "Alarm system" means any device or piece of equipment or any assembly of equipment and devices (other than an alarm dialer or alarm box as herein defined) designed or arranged to signal visibly, audibly, electronically, mechanically, or by any combination of these methods the presence of a hazard to which the Public Safety Department is expected to respond.

(2) "Alarm user" means any person, whether owner, occupant or tenant, upon whose premises an alarm system is maintained or operated within the City of East Grand Rapids.

(3) "Alarm business" means the business of any individual, partnership, corporation or other entity selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, or installing any alarm system.

(4) "False alarm" means any activation of an alarm system eliciting a response by Public Safety Department personnel where an emergency situation does not in fact exist. A false alarm includes, but is not limited to, the improper activation of an alarm system through a mechanical failure, malfunction, improper installation, or the negligence of the user of an alarm system or of his employee or agent; but does not include an alarm caused by violent conditions of nature, interruption of electrical or telephonic service to the alarm user, or by a third-party not within the control of the alarm user or alarm business, or by other extraordinary circumstances not reasonably subject to control by the alarm user or alarm business.

(5) "Alarm dialer" means a device which mechanically or electronically places telephone calls to the Public Safety Department upon activation.

(6) "Alarm box" means a device which is directly connected to the Public Safety Department dispatch board.

Section 9.602 - False Alarms

No alarm user shall maintain, use or allow the use of an alarm system which signals repeated false alarms. To defer the cost of responding to false alarms, the alarm user shall pay the City the following sums for each occasion that the alarm system is activated and responded to by the Public Safety Department which is a false alarm:

First call in calendar year - no charge  
Second call in calendar year - \$25  
Third call in calendar year - \$50  
Fourth and each subsequent call in calendar year - \$100

11/18/85

The City shall bill the alarm user the fee set forth above. If the alarm user fails to pay within thirty (30) days after billing, the unpaid fee shall be added to and made a part of the next City tax bill against the subject premises and collected in the same manner as provided by law for the collection of City taxes on real estate.

Section 9.603 - Same - Appeals

Any alarm user may file a written notice of appeal with the director of public safety within ten (10) days of receipt of the bill provided in Section 9.602. Appeals shall be heard by the director within twenty (20) days after the filing of the notice of appeal. The director has authority to waive the imposition of the fee set forth in Section 9.602 if it is determined that the alarm user or alarm business has made a good faith effort to determine the cause of the false alarms and to correct the problem.

Section 9.604 - Alarm System Installation - Permit Required.

No alarm business shall install and no person shall have installed an alarm system without first registering with the City of East Grand Rapids for a fee of \$5.00 per year, and submitting proof of license with the State of Michigan for alarm installation.

Section 9.605 - Alarm Dialers Prohibited

No alarm system in use in the City of East Grand Rapids shall employ an alarm dialer. Any alarm dialers in use as of the effective date of this ordinance shall be removed within ninety (90) days of said date.

Section 9.606 - Alarm Boxes Prohibited

No alarm system in use in the City of East Grand Rapids shall employ an alarm box. Any alarm box in use as of the effective date of this ordinance shall be removed within ninety (90) days of said date.

Section 2. This ordinance shall be effective on November 29, 1985.

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: Deems, Mehney, Mertz, Seibold, Edison - 5

Nays: 0

215. The Clerk-Controller submitted a November 12, 1985 report of proposed modifications to the fiscal year 1985/86 General Fund Budget.

215-A. Seibold-Deems. That the following modifications to the fiscal year 1985/86 General Fund Budget be approved:

- 1) That the State of Michigan Training Grant revenue account and the Public Safety Training expenditure account be increased by \$1,439.

- 2) That \$1,057 be transferred from the General Fund Unreserved Balance to the Other Expenditures account to fund the auto accident claim of Joy Moerman.
- 3) That the General Fund Unreserved Balance be increased by \$33,042 and that the following accounts be adjusted as shown:

City Assessor	\$ 111
Public Safety	2,089
Recreation	195
Clerk-Controller-Treasurer	(29,017)
City Engineer	( 4,005)
City Buildings (Plant Engineer)	( 2,415)
	<u>\$ (33,042)</u>

Yeas: Deems, Mehney, Mertz, Seibold, Edison - 5  
 Nays: 0

216. The Commission discussed the proposed amendment to the Kent County Waste Disposal Contract as submitted at the meeting of November 4, 1985.

216-A. Mertz-Mehney. That this Commission approve the proposed amendment to the Kent County Waste Disposal Contract as submitted.

A roll call vote was taken:

Yeas: Mertz, Mehney, Seibold, Edison - 4  
 Nays: 0  
 Commissioner Deems abstained.

The motion carried.

216-B. Mertz-Mehney. That the following proposed ordinance amendment which was introduced on October 21, 1985 be adopted:

AN ORDINANCE TO AMEND CHAPTER 21 OF TITLE II  
 IN ITS ENTIRETY AND 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. Chapter 21 of Title II of the East Grand Rapids City Code shall be amended in its entirety to read as follows:

CHAPTER 21. COMBUSTIBLE WASTE AND SOLID WASTE

Section 2.1 Definitions

For purposes of this Chapter, the words and phrases listed below shall have the following meanings:

(1) "Act 641 Plan" means the Kent County Solid Waste Management Plan approved by the Kent County Board of Commissioners, the City of East Grand Rapids, and by the Director of the Department of Natural Resources, pursuant to the requirements and provisions of Act No. 641 of the Public Acts of Michigan, 1978, as amended, and any amendments thereto adopted in accordance with said Act.

(2) "Approved Incinerator" and "Approved Garbage Grinder" means incinerators and garbage grinders, respectively, which conform with all city ordinance requirements, are used exclusively to dispose of Solid Waste generated by the occupant of the Site of Generation on which they are located, and are consistent with the Act 641 Plan.

(3) "Ashes" means the residue from the burning of wood, coal, coke, refuse, waste water sludge, or other combustible materials.

(4) "Board of Public Works" means the Kent County Board of Public Works established pursuant to the provisions of Act No. 185 of the Public Acts of Michigan, 1957, as amended.

(5) "Combustible Waste" means Solid Waste that is combustible in the MBI as shall be determined solely by the Board of Public Works. "Combustible Waste" shall include: (a) Garbage, (b) combustible Rubbish, such as paper; cardboard; cartons; wood; boxes; rags; cloth; bedding; leather; Yard Rubbish; carpeting; and combustible construction and demolition debris; and (c) any other Solid Waste that is combustible in the MBI as shall be determined solely by the Board of Public Works. "Combustible Waste" shall exclude: (a) noncombustible Solid Waste, such as Ashes; noncombustible Rubbish; incinerator ash; incinerator residue; municipal and industrial sludges; animal waste; pathological and biological waste; asbestos and asbestos waste products; explosives; radioactive materials; appliances; concrete rubble; noncombustible construction and demolition debris; rock; gravel and earthen materials; automobiles; trailers; equipment wire and cable; (b) all waste other than Solid Waste (such as Hazardous Waste, Site-Separated Materials and Source-Separated Materials); and (c) any other waste that is predominantly noncombustible in the MBI as shall be determined solely by the Board of Public Works.

(6) "Commercial Operation Date" means the date when the MBI has been completed and tested and is, in the sole opinion of the County, ready for full commercial operation.

(7) "County" means the County of Kent, Michigan, acting by and through its Board of Commissioners or its Department of Public Works.

(8) "Director" shall mean the Director of Public Service of the City.

(9) "Disposal Site" means any of the following: (a) a Solid Waste transfer facility, (b) a single incinerator having an average daily design capacity exceeding fifty (50) tons of Solid Waste per day or two or more incinerators located at one site under the control of one Person and having an aggregate average daily design capacity exceeding one hundred fifty (150) tons of Solid Waste per day, (c) a sanitary landfill, (d) a Solid Waste processing plant, or (e) any other Solid Waste handling or disposal facility utilized in the disposal of Solid Waste.

(10) "Garbage" means rejected food wastes, including waste accumulation of animal, fruit, or vegetable matter, used or intended for food or that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit, or vegetable.

(11) "Hazardous Waste" means hazardous waste as defined in Act No. 64 of the Public Acts of Michigan, 1979, as amended from time to time, and as identified in administrative rules promulgated from time to time pursuant to said Act by the Director of the Michigan Department of Natural Resources.

(12) "MBI" means the mass-burn energy generating incinerator to be constructed by or on behalf of, or available by contract or lease with, the County within the City of Grand Rapids in accordance with the Act 641 Plan.

(13) "Person" means any individual, firm, public or private corporation, partnership, trust, public or private agency or any other entity, or any group of such persons.

(14) "Premises" means any enclosed area used for residential, commercial, or industrial purposes, separately or in combination, to which a separate street address, postal address or box, tax roll description, or other similar identification has been assigned to or is in use by a Person having control of the area.

(15) "Rubbish" means nonputrescible Solid Waste, excluding Ashes, consisting of combustible and non-combustible waste, including paper, cardboard, metal containers, Yard Rubbish, wood, glass, bedding, crockery, demolished building materials, or litter of any kind that may be a detriment to the public health and safety.

(16) "Site of Generation" means any Premises in or on which Solid Waste is generated by any Person.

(17) "Site-Separated Materials" means recyclable materials (including, but not limited to, bottles, cans, newspapers, corrugated containers, metals, and Yard Rubbish) that are separated from Solid Waste after collection from a Site of Generation by the City, a Waste Hauler, or the operators of a Disposal Site to which it is delivered.

(18) "Solid Waste" means Garbage, Rubbish, Ashes, incinerator ash, incinerator residue, street cleanings, municipal and industrial sludges, solid commercial and solid industrial waste, and animal waste; provided, however, that this definition shall not include Hazardous Waste, Site-Separated Materials, Source Separated Materials, human body waste, liquid or other waste regulated by statute, ferrous or non-ferrous scrap directed to a scrap metal processor or to a reuser of ferrous or nonferrous products, and slag or slag products directed to a slag processor or to a reuser of slag or slag products.

(19) "Source-Separated Materials" means recyclable materials (including, but not limited to, bottles, cans, newspapers, corrugated containers, metals, and Yard Rubbish) that are separated from Solid Waste prior to the collection of Solid Waste from a Site of Generation.

(20) "Tipping Fee" means the fee established by the Board of Public Works to be charged upon delivery of Combustible Waste to the MBI.

(21) "Waste Hauler" means any Person, engaged, in whole or in part, in the business of collecting, transporting, delivering, or disposing of Solid Waste within the City.

(22) "Yard Rubbish" means grass clippings, branches, twigs, leaves, brush, shrub clippings, tree limbs and general yard and garden waste material.

### Section 2.2 Yard Rubbish Collection

Yard Rubbish shall be collected by the City at regular intervals pursuant to a schedule established by the Director. The Yard Rubbish collection service of the City shall be under the supervision and direction of the Director.

The City Manager shall make such reasonable rules and regulations concerning the storage and collection of Yard Rubbish as he may deem proper, subject to the approval of the Commission. No person shall fail to observe any rule or regulation so adopted and approved.

### Section 2.3 Accumulation and Storage of Solid Waste

The occupant of any Premises within the City in which any garbage shall be accumulated which is not disposed of by an Approved Incinerator or Approved Garbage Grinder shall maintain on said Premises one or more approved garbage containers, each having a capacity of not less than five (5) gallons nor more than twenty-five (25) gallons, and the number of containers kept on each Premises shall be sufficient to conveniently store the normal accumulation of garbage on said premises for a period of not less than five (5) days. Each container shall be kept tightly covered with an impervious cover except when opened for deposit or removal of Garbage. Garbage containers shall be kept in a clean and sanitary condition at all times. Garbage containers shall be placed at the rear or side of buildings at a place which is reasonably inconspicuous, but shall be accessible to the Waste Hauler. Any Solid Waste other than Garbage or Yard Rubbish accumulated or stored outside of a dwelling or building on any premises shall be placed in containers of not less than one (1) bushel capacity, which containers shall be placed at the rear or side of buildings in a place which is reasonably inconspicuous and away from streets and places occupied by other persons. No such Solid Waste may be stored or accumulated which is contaminated by any Garbage, as herein defined, unless stored as Garbage. Containers for Solid Waste other than Garbage may be of wood or metal or, if a rigid container is not desired, large burlap, canvas, plastic or similar cloth bags may be used.

### Section 2.4 Disposition of Solid Waste

Solid Waste shall be disposed of only to licensed Waste Haulers or the City collection service (if provided), except that any individual may dispose of Solid Waste from his own household:

- (1) By an Approved Incinerator or Approved Garbage Grinder;
- (2) Upon the individual's own land so long as the disposal does not create a nuisance or hazard to health, in accordance with Section 18 of Act 641 of the Public Acts of Michigan, 1978, as amended;
- (3) By personally transporting the same to an approved sanitary landfill but only in accordance with the rules and regulations pertaining thereto and the Act 641 Plan. No person transporting any Solid Waste in accordance with this section shall fail to securely cover and secure the load so that no part of said load shall be lost while being transported.

### 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 therefor. 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. No such license shall be issued except upon certification by the Director that the equipment and ability of the license 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 this 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 2.6 Delivery of Combustible Waste

Commencing on the Commercial Operation Date and at all times thereafter, Waste Haulers shall (a) deliver to the MBI all Combustible Waste collected or transported from a Site of Generation within the City, and (b) pay the Tipping Fee for delivery of such Waste at the MBI (unless otherwise provided by contract between the City and the Waste Hauler). Commencing on the Commercial Operation Date and at all times thereafter, no Waste Hauler shall deliver Combustible Waste collected or transported from a Site of Generation within the City to any Disposal Site other than the MBI. Waste Haulers shall not deliver Hazardous Waste, or any Solid Waste other than Combustible Waste, to the MBI.

### Section 2.7 Compliance with Laws, Rules and Regulations

Waste Haulers shall comply with the Act 641 Plan and all applicable Federal and State laws, statutes, rules and regulations (including, but not limited to, Act 641 and administrative rules promulgated pursuant to Act 641) in the collection, transportation, delivery, and disposal of Combustible Waste. Waste Haulers shall also comply with all rules and regulations promulgated by the Board of Public Works for the administration and operation of the MBI and other Disposal Sites of the Kent County Refuse Disposal System.

### Section 2.8 Littering and Accumulation

No person shall throw or deposit any Solid Waste, including Yard Rubbish, upon or into any street, alley or other property, public or private, except to the extent that Yard Rubbish may be placed in the street adjacent to the curb for collection by the City under the rules and regulations made by the City Manager and approved by the City Commission. It shall be the duty of every occupant of property and the owner of unoccupied property, at all times, to

Section 2.9 Violations; Penalty

Upon a violation of any provision of this Chapter, the City may seek criminal prosecution and may seek legal and/or equitable relief in a court of competent jurisdiction. Except as provided in Sections 2.11 and 2.17 below with regard to Yard Rubbish violations, any person who shall violate any provision of the Chapter 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 a violation occurs or continues shall be deemed as a separate offense.

Section 2.10 Regulations Governing Collection of Yard Rubbish

The following regulations issued pursuant to the provisions of Section 2.2 of the code of the City of East Grand Rapids are approved by the City:

Regulation No. 1 Yard Rubbish, including grass clippings, branches, twigs, leaves, weeds, shrub clippings, and general yard and garden waste materials, shall be picked up by the City at curbside according to a schedule established and published by the City Manager.

Regulation No. 2 All grass clippings, weeds, and general yard and garden waste materials shall be placed in a bag, box or other suitable container, limited in capacity to forty (40) pounds, which shall be placed on the outlawn next to the curb for collection.

Regulation No. 3 Shrub clippings and branches may be placed on the outlawn next to the curb for collection. Tree removal contractors are required to remove from the Premises all waste materials resulting from the removal or trimming of trees.

Regulation No. 4 During the period from October 15 through November 15, leaves not placed in bags or containers may be placed in the street along the curb for collection, but care should be taken that piles of leaves not extend into the traveled portion of the roadway.

Regulation No. 5 Residents are requested to place such materials for pickup by the City not earlier than the day preceding the scheduled pickup day for the area.

Regulation No. 6 These regulations apply to lawn contractors and tree removal and tree trimming contractors as well as to residents.

Violation of these regulations by contractors shall be grounds for suspension of their licenses.

Section 2.11 Yard Rubbish Violations; Penalty

Failure to comply with the aforesaid regulations shall constitute a misdemeanor punishable by a fine not more than Five Hundred Dollars (\$500.00) and costs of prosecution or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense. Any person charged with such violation may voluntarily appear and respond to such charge before the violations bureau pursuant to the provisions of Sections 2.12 to 2.17 of this Chapter.

Section 2.12 Bureau Established

A violations bureau for the purpose of handling alleged Yard Rubbish violations within the City, is hereby established.

Section 2.13 Location of Bureau

The violations bureau established by this chapter shall be operated in conjunction with the parking violations bureau established by Chapter 103 of the East Grand Rapids City Code and the animal control violations bureau established by Chapter 92 of the East Grand Rapids City Code.

Section 2.14 Offenses, Disposition of

No violation not scheduled in Section 2.17 of this Chapter shall be disposed of by the violations bureau. The fact that a particular violation is scheduled shall not entitle the alleged violator to disposition of the violation at the bureau and in any case the person in charge of such bureau may refuse to dispose of such violation, in which case any person having knowledge of the facts may make a sworn complaint before any court having jurisdiction of the offense as provided by law.

Section 2.15 Procedure for Settlement

No violation may be settled at the violations bureau except at the specific request of the alleged violator. No penalty for any violation shall be accepted from any person who denies having committed the offense and in no case shall the person who is in charge of the bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to such alleged violation. No person shall be required to dispose of a Yard Rubbish violation at the violations bureau and all persons shall be entitled to have any such violation processed before a court having jurisdiction thereof if they so desire. The unwillingness of any person to dispose of any violation at the violations bureau should not prejudice him or in any way diminish the rights, privileges and protection accorded to him by law.

Section 2.16 Notice of Violation

The issuance of a ticket or notice of violation by a police officer or the Director shall be deemed an allegation or a violation of this Chapter.

Section 2.17 Schedule of Violations

The following violations may be settled at the violations bureau when so provided in this Chapter by imposition and payment of fines as herein set forth:

	Fine
Violation of Section 2.10, first offense after warning	\$10.00
Violation of Section 2.10, Second offense within twelve (12) months	20.00
Violation of Section 2.10, third offense within twelve (12) months	30.00

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Section 2. Section 7.32 of Chapter 72 of Title VII of the East Grand Rapids City Code shall be amended by deleting:

Rubbish collection (Section 2.7) annual fee           \$10.00  
and by inserting in alphabetical order:

Waste hauler (Section 2.5), annual fee               10.00

Section 3. This ordinance shall be effective on November 29, 1985.

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.

A roll call vote was taken:

Yeas: Mertz, Mehney, Seibold, Edison - 4

Nays: 0

Commissioner Deems abstained.

The motion carried.

217. The City Manager submitted a tabulation of bids on an automobile to be used as a rotating unit and recommended that the low bid of Berger Chevrolet, in the net amount of \$9,431.22, be accepted.

217-A. Deems-Mertz. That the bid of Berger Chevrolet in the net amount of \$9,431.22 be accepted.

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

Nays: 0

218. The City Manager distributed a communication from the law firm of Miller, Canfield, Paddock & Stone regarding Firefighters Overtime Reimbursement Litigation and recommended that payment of \$500 to the firm of Miller, Canfield, Paddock & Stone be authorized for continuation of the litigation and that the same be charged to the Attorney's Miscellaneous Account.

218-A. Mertz-Seibold. That the following resolution be adopted:

A RESOLUTION AUTHORIZING THE CITY OF EAST GRAND RAPIDS TO CONTINUE LEGAL ACTION AGAINST THE STATE OF MICHIGAN FOR REIMBURSEMENT FROM THE STATE FOR EXPENDITURES MADE BY THE CITY PURSUANT TO 1978 PA 604.

WHEREAS, 1978 PA 604, effective January 4, 1979, amended the State Wage Overtime Pay Law and imposed certain additional overtime pay requirements on cities; and

WHEREAS, the legislature provided in 1978 PA 604 that the State must reimburse cities for the cost of such overtime pay if said Act made a change in the former overtime pay loss; and

WHEREAS, there was a substantial legal questions as to the overtime pay requirements under Michigan law prior to 1978 PA 604; a question which the legislature did not clarify when it passed 1978 PA 604; and

WHEREAS, the City has been involved in litigation since 1980 seeking reimbursement for its costs incurred pursuant to 1978 PA 604 and has been highly successful to date in recovering such amounts; and

WHEREAS, the City desires to recover all and not just a portion of the amounts paid by it pursuant to 1978 PA 604;

NOW, THEREFORE, BE IT RESOLVED, that the City authorizes and directs the law firm of Miller, Canfield, Paddock and Stone, in the name of the City, and other participating cities to continue to take whatever steps it deems necessary and desirable to obtain reimbursement from the State of Michigan for expenditures made by the City pursuant to 1978 PA 604. The legal fees and costs for such action shall be prorated among cities participating in the litigation based upon the amount of reimbursement already obtained through this litigation, and the City's share of such expenses shall be \$500.00, which is hereby authorized for payment to Miller, Canfield, Paddock and Stone.

Yeas: Deems, Mertz, Mehney, Seibold, Edison - 5  
Nays: 0

219. The City Manager submitted a proposed ordinance amendment to Section 9.24 of Chapter 91 regarding cutting of grass and weeds in the area between the property line and the edge of the roadway.

219-A. Deems-Mehney. that the following proposed ordinance amendment be introduced:

AN ORDINANCE TO AMEND SECTIONS 9.24 OF  
CHAPTER 91 OF TITLE IX OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 9.24 of the East Grand Rapids City Code is amended to read as follows:

Sec. 9.24. Cutting of grass and weeds

No person owning or occupying any premises which are occupied for residential or commercial purposes or which abut premises which are occupied for either residential or commercial purposes shall permit or maintain on any such premises any growth of grass, weeds or other rank vegetation to a height greater than reasonable, but in no event greater than five (5) inches on the average, or any accumulation of dead weeds, grass or brush. No person owning unoccupied premises which do not abut premises which are occupied shall permit or maintain any such growth to a greater height than sixteen (16) inches on the average, or any accumulation of dead weeds, grass or brush. No occupant or owner of any premises shall cause, suffer or allow poison ivy, ragweed or other noxious plants, or plants detrimental to health, to grow on such premises in such manner that any part of such poison ivy, ragweed or other noxious plant shall extend upon, overhang or border any place open to the public, or allow weed, pollen or other particles or emanations therefrom to be carried through the air into any place open to the public.

For purposes of this Section "premises" shall include any lawn extension abutting the premises. The lawn extension is that area between the property line and the edge of the roadway.

Section 2. This amendatory ordinance shall be effective on \_\_\_\_\_, 1985.

Section 3. This amendatory 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: Deems, Mertz, Mehney, Seibold, Edison - 5  
Nays: 0

11/18/85

220. The City Manager reported that shrubbery had been removed along the open creek on El Dorado between San Lucia and Santa Cruz for the purpose of improving the Silver Creek drain and recommended that the County be authorized to expend an additional \$2,100 under the contract between the County and the City of East Grand Rapids for the purpose of landscaping the area.

220-A. Seibold-Mehney. That the recommendation of the City Manager be concurred in and an additional expenditure of \$2,100 be approved.

Yeas: Mehney, Seibold, Edison - 3  
Nays: Deems, Mertz - 2

221. The City Manager distributed a communication from William L. Bennett, Chairman of the East Grand Rapids Historical Commission, informing the City Commission of its activities. This was received for information.

222. The Building Inspector's report for the month of October, 1985, was received.

223. Commissioner Mehney stated that he has enjoyed serving on the Commission with Mayor Edison and Commissioner Seibold.

224. Commissioner Mertz concurred with Commissioner Mehney.

225. The Mayor appointed the following persons to fill the vacancies on the Library Commission: Edward A. Oberfeld, Susan L. Dreiborg, and Nancy M. Buskirk.

226. The meeting was adjourned, subject to the call of the Mayor, until December 2, 1985.



City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held December 2, 1985

The meeting was called to order by Mayor Edison.

Present: Coms. Deems, Henry, Mertz, Moseley, Seibold and Mayor Edison.

Absent: Com. Mehney.

Also Present: City Manager Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
City Engineer McMann, Public Safety Director Gallagher,  
and Assessor Norman.

227. The minutes of the regular meeting held November 18, 1985, were approved as written.

228. The City Clerk administered the oath of office to the new Mayor, Nyal Deems, and to new First Ward Commissioner Stephen W. Edison, and to new Third Ward Commissioners Kent A. Williamson and Douglas A. Young. The new Mayor and Commissioners were seated on the Commission.

228-A. Mayor Deems thanked retiring Mayor Edison and retiring Commissioners Seibold and Henry for the service they have given to the City.

229. Moseley-Williamson. That expense vouchers in the amount of \$82,355.17, and payroll vouchers in the amount of \$76,192.46, as approved by the Ways & Means 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

230. The Commission then considered the proposed lawn maintenance ordinance amendment which was introduced at the meeting of November 18, 1986.

230-A. Moseley-Young. That the following ordinance be adopted:

AN ORDINANCE TO AMEND SECTION 9.24 OF  
CHAPTER 91 OF TITLE IX OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids Ordains:

Section 1. Section 9.24 of the East Grand Rapids City Code is amended to read as follows:

Sec. 9.24. Cutting of grass and weeds

No person owning or occupying any premises which are occupied for residential or commercial purposes or which abut premises which are occupied for either residential or commercial purposes shall permit or maintain on any such premises any growth of grass, weeds, or other rank vegetation to a height greater than reasonable, but in no event greater than five (5) inches on the average, or any accumulation of dead weeds, grass or brush. No person owning unoccupied premises which do not abut premises which are occupied shall permit or maintain any such growth to a greater height than sixteen (16) inches on the average, or any accumulation of dead weeds, grass or brush. No occupant or owner of any premises shall cause, suffer or allow poison ivy, ragweed or other noxious plants, or plants detrimental to health, to grow on such premises in such manner that any part of such poison ivy, ragweed or other noxious plant shall

extend upon, overhang or border any place open to the public, or allow weed, pollen or other particles or emanations therefrom to be carried through the air into any place open to the public.

For purposes of this Section "premises" shall include any lawn extension abutting the premises. The lawn extension is that area between the property line and the edge of the roadway.

Section 2. This amendatory ordinance shall be effective on December 13, 1985.

Section 3. This amendatory 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, Mertz, Moseley, Williamson, Young, Deems - 6  
Nays: 0

231. The City Attorney submitted a Lease Agreement and a Purchase Agreement Assignment between National Bank of Detroit, parent of Corporate Funding, Inc., and the City of East Grand Rapids for the purpose of acquiring computer equipment for the City of East Grand Rapids.

231-A. Mertz-Edison. That the Agreements between National Bank of Detroit and the City of East Grand Rapids be approved and that the Mayor and Clerk be authorized to sign said agreements.

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

232. There was no Clerk-Controller-Treasurer report.

233. The City Manager reported on a proposed amendment to the Streetlighting Contract submitted by Consumers Power Company to permit the installation of a street light mid-way in the 1100 block of Lakeside Drive SE.

233-A. Moseley-Mertz. That the following amendment to the Streetlighting Contract be approved:

RESOLVED, That it is hereby deemed advisable to authorize Consumers Power Company to make changes in the streetlighting service as provided in the Standard Streetlighting Contract between the Company and the City of East Grand Rapids, dated April 20, 1977, in accordance with the Authorization for Change in Standard Streetlighting Contract dated as of December 2, 1985, heretofore submitted to and considered by this Commission; and

RESOLVED, Further, That the Mayor and City Clerk be and are authorized to execute such authorization for change on behalf of the City.

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

234. The City Manager submitted a Special Events Permit Application from Genesis Sports for a New Year's Run to be held January 1, 1986.

234-A. Williamson-Edison. That the Special Events Application submitted by Genesis Sports be approved.

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

235. The minutes of the Joint Facilities Committee meeting held November 6, 1985, were received. The Committee recommended that a batting cage be located at Remington Field and that the purchase price of \$3,538.00 be split equally between the School, the Team Boosters and the City, each share being \$1,179.33.

12/2/85

235-A. Edison-Young. That the purchase recommended by the Joint Facilities Committee be approved.

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

236. The minutes of the Traffic Commission meeting held November 19, 1985, were received. It was the recommendation of the Traffic Commission that a "Do Not Block the Intersection" sign be installed on Lake Drive at Ogden.

236-A. Moseley-Edison. That the Commission disapprove the recommendation of the Traffic Commission.

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

The motion failed.

237. The Public Safety Department report for October, 1985, was received.

238. Commissioner Moseley reported that she has received two telephone calls from residents commenting on the mass burn unit contract which was approved by the City of East Grand Rapids.

239. The Mayor reported that an executive session was held prior to this regular City Commission meeting regarding the Public Safety Department labor contract which was ratified by the Public Safety employees on November 22, 1985.

239-A. Deems-Henry. That this Commission approves the labor contract which was ratified by the Public Safety Department employees on November 22, 1985.

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

240. The meeting was adjourned, subject to the call of the Mayor, until December 16, 1985.



City Clerk

PROCEEDINGS OF THE COMMISSION OF THE  
CITY OF EAST GRAND RAPIDS, MICHIGAN

Regular Meeting Held December 16, 1985

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 Tholen, City Clerk-Controller-Treasurer Allard,  
City Attorney Richardson, Assistant City Attorney Huff,  
City Engineer McMann, Public Safety Director Gallagher,  
and Recreation Director Rhodes.

241. The minutes of the regular meeting held December 2, 1985, were amended at Item 233-A to include the full text of the resolution adopted to amend the Standard Streetlighting Contract between Consumers Power Company and the City of East Grand Rapids, at at Item 239 to reflect that Commissioner Deems moved, Commissioner Henry seconded, and the Commission voted unanimously to approve the labor contract which was ratified by the Public Safety Department employees on November 22, 1985. The minutes were then approved as amended.

242. Young-Edison. That expense vouchers in the amount of \$144,972.92, and payroll vouchers in the amount of \$73,989.66, as approved by the Ways & Means 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

243. The Assistant City Attorney reported that he and the City Manager had attended a meeting regarding an industrial waste ordinance.

244. The Clerk-Controller submitted a revised contract agreement between the City of East Grand Rapids and Interlochen Software Systems, Inc., for the acquisition of computer payroll software application; the total purchase price of the payroll application being \$2,500 plus training costs estimated between \$608 and \$912.

244-A. Williamson-Moseley. That the revised contract agreement between Interlochen Software Systems, Inc. and the City of East Grand Rapids be accepted as presented.

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

Nays: 0

(Commissioner Mehney arrived at this time.)

245. The Clerk-Controller submitted a report on water and sewer rate adjustments for calendar 1986. This report was received for information.

246. A report was received from Michael R. Karolle, Chairman of the Citizens Advisory Committee for the restoration of Reeds Lake. Mr. Karolle was present to discuss the recommendations proposed in the report.

246-A. Mehney-Moseley. That the recommendations proposed by the Citizens Advisory Committee be referred to the Parks Committee for study. The Parks Committee is to report back to the City Commission at the first meeting in February, 1986.

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

Nays: 0

247. A communication was received from the Arts Council of Greater Grand Rapids expressing appreciation for the contribution of \$1,500.

248. The City Manager requested authorization to cast a ballot for four nominees to the Michigan Municipal Liability and Property Pool.

248-A. Moseley-Mertz. That the City Manager be authorized to cast a ballot for four incumbent nominees for the Michigan Municipal Liability and Property Pool.

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

249. The Recreation Commission submitted a recommendation regarding the division of revenues derived from special events.

249-A. Edison-Mehney. That the recommendation of the Recreation Commission be accepted as follows: Take the total revenue collected from the event; minus the total cash expenditure for running of the event and the fund required to maintain the impres fund of the special event. Split the balance between the sponsoring organization (60%) and the East Grand Rapids Recreation Department (40%). East Grand Rapids Recreation Department share will be used to offset the cost of non-revenue generating programs.

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

250. A memorandum was received from the Recreation Commission requesting City Commission approval of its recommendation that the Manhattan School property be deemed a Park and Recreation Facility. The memorandum further requested that an amended motion to raze the building be added to the Recreation Commission recommendation of February 20, 1985.

250-A. Edison-Williamson. That this Commission approves the recommendation of the Recreation Commission that the Manhattan School property be deemed a Park and Recreational Facility.

250-B. Young-Moseley. That the above motion be tabled and the matter be referred back to the Recreation Commission for further report.

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

250-C. Edison-Mehney. That a Community Center Committee be established composed of representatives of the City Commission, School Board, Business District, Planning Commission, Recreation Commission, City Manager, School Superintendent, Athletic Director, and Recreation Director to study the need for a community center building.

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

The motion failed.

251. The Building Inspector's report for November, 1985, was received.

252. The Public Safety Department report for November, 1985, was received.

253. Commissioner Williamson asked if there had been any noticeable impact with regard to the recently adopted Alarm Ordinance. Chief Gallagher replied that it is too early to tell.

254. The City Manager clarified the estimate of cost of the contract ratified by the Public Safety employees and requested that \$51,234 be transferred from the General Fund to the Salaries and Wage Account-Public Safety Department.

254-A. Mehney-Mertz. That the City Manager be authorized to transfer \$51,234 from the General Fund Unreserved Balance account to the Salaries & Wage Account of the Public Safety Department to cover the cost of the contract which was ratified by the Public Safety employees.

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

12/16/85

254-B. The City Manager recommended that the annual salary rate of four Lieutenants outside of the Public Safety bargaining unit be increased to the rate of \$31,954 each retroactive to July 1, 1985.

254-C. Mehney-Edison. That the recommendation of the City Manager be concurred in.

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

255. The Public Safety Director reported that the Vice-President will be in the city on Wednesday, December 18.

256. Commissioner Mertz reported that he assisted in the Booster Club Christmas tree sale and commended Commissioner Mehney for his hard work on this project.

257. Commissioner Moseley commended the Public Service Department on the fine job of snow removal.

258. Commissioner Moseley commented on liability insurance coverage for the City.

259. Commissioner Moseley commented on health and safety for City employees.

260. The Mayor submitted a tentative appointment list for the various committees and commissions of the City.

261. The meeting was adjourned, subject to the call of the Mayor, until January 6, 1986.



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