

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

Regular Meeting Held January 3, 1984

The meeting was called to order by Mayor Leidlein.

Present: Coms. Chezick, Deems, Mertz, Moseley, Seibold and Mayor Leidlein.

Absent: Coms. Mehney.

Also Present: City Manager Tholen, Assistant City Manager Bremer, City Clerk-Controller Allard, City Engineer McMann, City Attorney Richardson and Assistant City Attorney Huff.

285. The minutes of the meeting held December 19, 1983, were approved as written.

286. Moseley-Chezick. That expense vouchers in the amount of \$1,825,979.56, and payroll vouchers in the amount of \$40,261.32, 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: Chezick, Deems, Mertz, Moseley, Seibold, Leidlein - 6

Nays: 0

287. A hearing was then held upon the request of Gregory and Kathy Forzley, 1422 Breton Road SE, for a zoning variance to permit construction of an addition to their home along the north property line that is four feet nine inches from said property line rather than the required seven feet. Mr. and Mrs. Forzley were present to answer questions regarding their request. Mr. William Smith, who owns the adjacent vacant lot to the south of the Forzley's property, expressed concern as to possible devaluation of the lot. Commissioner Seibold reported that he had contacted the residents at 2406 Elmwood Drive SE, and they have no objection to the variance request. There were no objections raised.

287-A. Seibold-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. and Mrs. Forzley.

Yeas: Chezick, Deems, Mertz, Moseley, Seibold, Leidlein - 6

Nays: 0

288. There was no City Attorney's report.

289. There was no Clerk-Controller's report.

290. A memorandum and corrected report of bids was received from the Public Safety Director for the purchase of the second of two vehicles for rotation into the police fleet.

290-A. Deems-Chezick. That the low bid of Berger Chevrolet, in the net amount of \$4,978, be accepted.

Yeas: Chezick, Deems, Moseley, Seibold, Leidlein - 5

Nays: Mertz - 1

Commissioner Mehney arrived at this time.

291. The City Manager submitted a memorandum regarding the proposed installation of a traffic light at the intersection of Robinson Road and Cascade Road. This was received for information.

292. The City Manager submitted a memorandum, and a letter from our financial consultant, Bendzinski & Company, regarding financing of trunk sanitary sewer relief and water pumping station improvements. He advised that Mr. Bendzinski, Sr. will be present at the January 16th Commission meeting to discuss the various alternatives for financing these improvements.

293. The minutes of the Traffic Commission meeting held December 20, 1983, were received. Mr. John Cameron, 2731 Elmwood Drive SE, a member of the special committee studying the traffic problems on Elmwood Drive, spoke on behalf of the residents and expressed their concerns.

1/3/84

293-A. Chezick-Seibold. That four-way stop signs be installed at the intersection of Elmwood and Conlon, a three-way stop at Elmwood and Woodlawn, and that crosswalks be painted at the corners of Elmwood and Lake Drive, Elmwood and Woodlawn, and Elmwood and Conlon.

A roll call vote was taken:

Yeas: Deems, Mehney, Mertz, Seibold, Chezick - 5

Nays: Moseley, Leidlein - 2

The motion carried.

294. The City Manager submitted a memorandum regarding the Reeds Lake Restoration Project along with a letter from Albert Massey of the Department of Natural Resources. No action was taken.

295. The City Manager submitted a memorandum regarding the Municipal Workers Compensation Fund. This was received for information.

296. The City Manager reported receipt of an official request from the Department of Commerce advising that it received a request for transfer of the tavern license for Gaslight Inn from the Johnson to the Damoose family.

297. Commissioner Deems reported on a memorandum from Jeffrey Bremer, Assistant City Manager, regarding the Planning Commission's recommendation for time limitation of granted zoning variances. This item will be on the January 16th agenda of the City Commission.

298. Commissioner Deems reported on a meeting with W.B.D.C. regarding the draft of the Master Plan. Consideration of the Master Plan will be delayed so that the Planning Commission can meet with the School Board prior to making its recommendations to the City Commission. The Mayor called for a work session to be held on Monday, January 23, 1984, at 7:00 p.m.

299. Commissioner Moseley expressed concern about the dangers created by people jogging on the streets during the winter months and called attention to the necessity for light and/or reflection clothing as a safety measure.

300. Commissioner Seibold reported on phone calls he has received from residents regarding salting and plowing of the city streets.

301. Commissioner Seibold asked about a plan received from a resident several years ago for the creation of a machine for cleaning snow and ice from driveways.

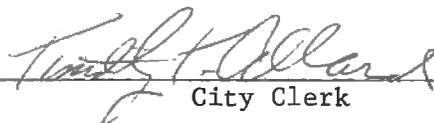
302. Commissioner Seibold commented on the risks inherent in writing Workmen's Compensation insurance with new companies.

303. Commissioner Seibold reported on a meeting he had with Commissioner Moseley regarding Kent CAP and recommended that other Commissioners do the same.

304. Commissioner Seibold requested that various commissions of the city furnish more complete information to the City Commission with their reports to enable the Commission to act on the reports.

305. Mr. G. F. Farrell inquired about the public access to Fisk Lake. Commissioner Mehney advised that, to his knowledge, there has never been a public access site to Fisk Lake.

306. The meeting was adjourned, subject to the call of the Mayor, until January 16, 1984.

  
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City Clerk

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

Regular Meeting Held January 16, 1984

The meeting was called to order by Mayor Leidlein.

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

Absent: Com. Chezick.

Also Present: City Manager Tholen, Assistant City Manager Bremer, City Attorney Richardson, Assistant City Attorney Huff, Public Safety Director Gallagher.

307. The Mayor advised that he had received a telephone call from Commissioner Chezick on January 10, 1984; informing him that Commissioner Chezick had accepted a position in New Mexico and, therefore, would not be able to continue as a member of the City Commission. The Mayor presented a letter from Commissioner Chezick which, in the opinion of the City Attorney, constituted his resignation as Commissioner in the Third Ward. This leaves a vacancy on the City Commission.

307-A. Mayor Leidlein-Moseley. That this Commission accept the resignation of Commissioner Chezick with regret and with our thanks for his service to the City.

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

Nays: 0

308. The minutes of the regular meeting held January 3, 1984, were approved as written.

309. Moseley-Deems. That expense vouchers in the amount of \$1,834,377.42, and payroll vouchers in the amount of \$41,730.95, 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, Mertz, Moseley, Mehney, Seibold, Leidlein - 6

Nays: 0

310. Mayor Leidlein-Moseley. That this Commission go into executive session at the close of this meeting regarding a collective bargaining agreement matter.

A roll call vote was taken:

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

Nays: 0

The motion carried.

311. A memorandum was submitted by the City Manager regarding gypsy moth presence in East Grand Rapids. Mr. Robert Scheffler and Mr. Gene Thompson, of the Michigan Department of Agriculture, were present to discuss the need for a gypsy moth control program in East Grand Rapids.

311-A. Seibold-Mehney. That the City Manager be directed to make application for commencing a program for the elimination of gypsy moth in East Grand Rapids and to set a date for a public hearing.

Yeas: Deems, Mertz, Mehney, Seibold, Leidlein - 5

Nays: Moseley - 1

312. A letter was received from Robert C. Bendzinski, of Bendzinski & Company, outlining options available for financing bonding for water and sewer system projects. Mr. Bendzinski was present and explained the available alternatives for financing which are as follows:

1. Unlimited general obligation bond issue which would require a vote of the people.
2. A limited tax approach which could be instituted without a vote of the people.
3. A revenue bond approach which would require raising of the water and sewer rates.

The Mayor directed that a work session be held in February to decide which financing alternative shall be chosen, and that a decision be reached by the regular City Commission meeting to be held February 20, 1984. Also, that this is to be an agenda item for the regular meeting of February 6, 1984.

313. There was no City Attorney's report.

314. There was no Clerk-Controller's report.

315. The final report of the Planning Commission relative to amending the Zoning Ordinance to set a time limitation on zoning variances was received.

315-A. That the following ordinance amendment be introduced and that a public hearing thereon be set for February 20, 1984:

AN ORDINANCE TO AMEND CHAPTER 50  
OF TITLE V OF THE CODE OF THE CITY  
OF EAST GRAND RAPIDS BY ADDING  
NEW SECTIONS 5.171-1 AND 5.171-2

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Article XV of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended by adding Sections 5.171-1 and 5.171-2 to read as follows:

SECTION 5.171-1. TIME LIMITATIONS ON VARIANCES.

Unless otherwise specifically provided by the board pursuant to Sec. 5.171 hereof, any variance granted by the board shall automatically become null and void after a period of twelve (12) months from the date granted unless the owner or his agent shall have taken substantial steps toward effecting the variance as granted by the board.

SECTION 5.171-2. AUTOMATIC TERMINATION.

Any variance granted by the board shall automatically become null and void if one of the following conditions is found to exist:

- (a) A cessation or discontinuance of a year or more of the use which was allowed by the variance;
- (b) A reversion to the use allowed by the zoned district of the area.

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

Section 3. This ordinance amendment shall be published in full pursuant to Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids within 10 days after its enactment.

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

316. The City Manager submitted a memorandum relating to a mutual aid fire protection agreement which includes the Cities of Grand Rapids, East Grand Rapids, Wyoming, Kentwood, Walker, Grandville, and the Township of Plainfield. The Manager advised that Grand Rapids Township also wishes to participate in this agreement.

1/16/84

316-A. Mehney-Deems. That the mutual aid fire protection agreement be extended to include Grand Rapids Township.

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

317. The Public Safety report for the month of December, 1983, was received for information.

318. Commissioner Deems reported that the draft of the Master Plan has been completed by the Planning Commission and will be available for distribution in the near future.

319. Commissioner Moseley commented on the dish antenna ordinance which the City Commission adopted some time ago.

320. Commissioner Moseley expressed her concern about the parking problems around the City Hall when classes are being held by the Recreation Department.

321. The City Attorney referred to the ordinance amendment to place a time limitation on zoning variance applications and advised that 15-day notice is required before action can be taken. The Mayor ordered that the hearing on this ordinance amendment will be held February 20, 1984.

322. The Mayor recessed the regular City Commission meeting to go into executive session.

323. After the executive session the Mayor reconvened the meeting.

324. Deems-Moseley. That this Commission ratify the Police Department labor contract as recommended by the Labor Attorney.

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

325. The meeting was adjourned, subject to the call of the Mayor, until February 6, 1984.

  
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City Clerk

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

Regular Meeting Held February 6, 1984

The meeting was called to order by Mayor Leidlein.

Present: Coms. Deems, Mertz, Moseley, Seibold, and Mayor Leidlein.

Absent: Com. Mehney.

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

326. The minutes of the regular meeting held January 16, 1984, were approved as written.

327. Moseley-Seibold. That expense vouchers in the amount of \$624,800.78, and payroll vouchers in the amount of \$127,584.54, 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, Mertz, Moseley, Seibold, Leidlein - 5

Nays: 0

328. The City Attorney submitted an opinion regarding the property located at 1535 Breton Road SE. The Mayor ordered that an executive session be held immediately following the March 5, 1984, regular City Commission meeting to review this matter.

329. The Clerk-Controller-Treasurer submitted a memorandum proposing to modify the fiscal year 1984 budget relating to the Michigan Justice Training Program, and an amendment to cover the increase in salary granted pursuant to the new contract with the Fraternal Order of Police.

329-A. Moseley-Deems. That an increase of \$2,173 be made in General Operating fund budget to acknowledge receipt of funds from the Michigan Justice Training Program, and that \$25,000 be transferred from the Contingency Fund to the Public Safety Department to cover the salary increases granted pursuant to the new contract with the Fraternal Order of Police.

Yeas: Deems, Mertz, Moseley, Seibold, Leidlein - 5

Nays: 0

330. The City Manager reported on the urgency to take action to provide for financing of the relief trunk sanitary sewer and pumping station projects. It was the consensus of the City Commission that limited tax General Obligation Bonds be used to finance the Water and Sewer improvement projects, and that we proceed under Act 185 with the Kent County Department of Public Works.

331. A memorandum was received from the Parks and Recreation Department recommending that the East Grand Rapids Recreation Department enter into an agreement to co-sponsor a triathlon to be held on September 15, 1984. It is understood that should the East Grand Rapids Boosters wish to assist with the program, they will be offered a share of whatever profit may occur.

331-A. Deems-Mertz. That the East Grand Rapids Recreation Department enter into an agreement to co-sponsor a triathlon to be held on September 15, 1984, and should the East Grand Rapids Boosters wish to assist with the program, they will be offered a share of whatever profit may occur.

Yeas: Deems, Mertz, Leidlein - 3

Nays: Moseley, Seibold - 2

The motion carried.

332. The City Manager submitted a memorandum relating to the Federal Flood Insurance Program.

2/6/84

333. A memorandum was received from the City Manager regarding H.B. 4994 which deals with federal antitrust legislation.

333-A. Deems-Moseley. That the following resolution be adopted:

WHEREAS, legislation (HB4994) which would update and expand Michigan's antitrust laws, extending coverage to include service businesses, has passed the House overwhelmingly, and

WHEREAS, the House-passed bill expressly exempts governmental units from antitrust suits brought by an individual or a business from any act or conduct "when the unit of government is acting in the subject matter area in which it is authorized by law to act," and

WHEREAS, a local government exemption in state antitrust law would be highly persuasive in seeking congressional action exempting local units from federal antitrust law, and

WHEREAS, the bill also authorizes local units of government threatened with injury or injured by a violation of the state antitrust law to seek injunctive and other equitable relief or damages for antitrust violations, and

WHEREAS, municipalities as purchasers of goods and services are beneficiaries of state public policy to preserve a competitive state economy;

NOW, THEREFORE, BE IT RESOLVED, by the East Grand Rapids City Commission that the Michigan Senate be urged to approve HB4994 and thereby to expand and update the state antitrust law and to provide an explicit exemption for units of local government from state antitrust law.

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

334. The minutes of the Traffic Commission meeting held January 17, 1984, were received. Since no action was taken, the Traffic Commission's decision that parking on Locust Street be prohibited between the hours of 7:00 a.m. and 8:00 p.m., and that signs to this effect be posted, will become effective.

335. The minutes of the December 13, 1983 meeting of the East Grand Rapids Planning Commission were received for information.

336. The Mayor recognized a group of people in attendance who introduced themselves as Locust Street residents and who thanked the Commission for the City's action in prohibiting parking on Locust Street during the hours of 7:00 a.m. and 8:00 p.m.

337. The Mayor recommended the appointment of Oliver Robinson, 750 San Jose Drive SE, to fill a vacancy on the Region VIII Planning Commission caused by the resignation of William Bacon.

337-A. Mayor Leidlein-Moseley. That Oliver Johnson be appointed to the Region VIII Planning Commission to fill the vacancy caused by the resignation of William Bacon.

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

338. Commissioner Seibold nominated William Henry, 2080 San Lu Rae Drive SE, to fill the Third Ward vacancy caused by the resignation of Commissioner Chezick. Commissioner Moseley distributed a resume on Paula Grzymala, 1623 Alexander Road SE. Patricia Waring, 1626 Alexander Road SE, was present and nominated Paula Grzymala to fill the vacancy. George Whinery, Jr., 910 Plymouth Road SE, was present and also spoke on behalf of Paula Grzymala.

338-A. Moseley-Deems. That the matter be tabled.

A roll call vote was taken:

Yeas: Deems, Moseley, Mertz - 3  
Nays: Seibold, Leidlein - 2

The motion carried.

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2/22/84

339. Commissioner Deems discussed the question of bond counsel for the Water and Sewer improvement projects and distributed copies of a letter which he sent to the City Manager recommending that three firms be invited to make presentations. The City Manager was directed to draft a request for proposals to be submitted to the City Commission for approval by February 20th.

340. Commissioner Moseley questioned what action should be taken when both the Mayor and President of the City Commission are absent from a Commission meeting on the same date.

340-A. Moseley-Mertz. That Commissioner Seibold be appointed Acting President of the Commission to act when both the Mayor and President of the Commission are absent.

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

341. Commissioner Moseley suggested that joggers be compelled to wear reflective clothing.

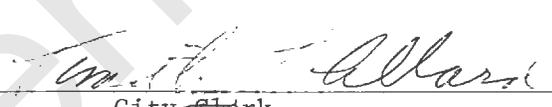
342. Commissioner Moseley requested a progress report on the suits against the City. The City Attorney responded that the suits have been turned over to the insurance carrier and a report will be provided.

343. The City Manager advised that jogging in the street is prohibited, but enforcement is relaxed in the wintertime. The City Attorney advised that he will draft an ordinance regarding reflective clothing and present it to the City Commission.

344. Commissioner Moseley reported on a meeting of AGRAG.

345. Commissioner Moseley reviewed a report from the Cities of Walker and Grandville regarding the disposal of sludge from septic tanks, and requested that the City of East Grand Rapids support the resolutions they passed requesting the legislature to update obsolete Public Acts. No action was taken.

346. The meeting was adjourned, subject to the call of the Mayor, until February 20, 1984.

  
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City Clerk

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

Regular Meeting Held February 20, 1984

The meeting was called to order by Mayor Leidlein.

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

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

347. The minutes of the meeting held February 6, 1984, were approved as written.

348. Moseley-Deems. That expense vouchers in the amount of \$309,610.33, and payroll vouchers in the amount of \$84,045.63, 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, Leidlein - 6  
Nays: 0

349. The Assistant City Attorney suggested that the Commission make its recommendations to the Planning Commission relative to the Master Plan. A letter setting forth things accomplished and things yet to be done was received from Commissioner Deems. Commissioner Deems advised that a public hearing will be held on March 6, in the Little Auditorium of the High School. at 7:30 p.m. It was determined that Commissioners should each submit suggested changes in writing to the Planning Commission.

349-A. Deems-Seibold. That the Master Plan, as presented, be approved with changes suggested by City Commissioners.

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

350. The Assistant City Attorney reported that an ordinance has been drafted relative to joggers wearing reflective clothing after dark. The Mayor referred this matter to the Traffic Commission.

351. The Clerk-Controller-Treasurer reported on the following changes which he has instituted:

1. He has drafted new written guidelines for department heads to facilitate accounting mechanisms with respect to budget adjustments.
2. He has prepared revisions for cash control system.
3. He is in the process of creating a written financial report of cash balances and securities.

352. The Department of Agriculture's proposed Gypsy Moth program was discussed. The City Clerk reported receipt of petitions containing 147 signatures of persons who oppose the use of the spray Sevin. Penelope Pestle was present to speak for her husband, John Pestle, Chairman of the Blodgett Neighborhood Association. Mrs. Pestle reported on a survey taken in the neighborhood.

352-A. Moseley-Mertz. That the Department of Agriculture be advised that the City requests that no aerial spraying be done in East Grand Rapids for the control of Gypsy Moth infestation.

A roll call vote was taken:

Yeas: Moseley - 1  
Nays: Deems, Moseley, Mertz, Seibold, Leidlein - 5

The motion failed.

2/20/84

352-B. The Mayor directed that the City Manager advise the Department of Agriculture of the action taken.

353. The City Manager distributed a form of resolution provided by the County of Kent requesting the sale of bonds by the County to finance the Water and Sewer improvement projects.

353-A. Deems-Mertz. That the City of East Grand Rapids adopt the following resolution as provided by the County of Kent with respect to the sale of bonds to finance the proposed Water and Sewer improvement projects:

WHEREAS, the City of East Grand Rapids has need for improvements and additions to its sewage disposal and water supply systems to provide necessary improved and enlarged sewage collection, transmission and disposal facilities and water supply facilities to serve the public health requirements of the City; and

WHEREAS, it appears to be most advantageous and feasible that the County of Kent, through its Department of Public Works, establish a county sewage disposal and water supply system or systems to provide such facilities, improvements and additions as may be necessary adequately to serve the requirements of the City and construct and finance such improvements and additions to the system or systems pursuant to Act No. 185, Michigan Public Acts of 1957, as amended,

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EAST GRAND RAPIDS, KENT COUNTY, MICHIGAN as follows:

1. That the County of Kent is hereby requested to study the needs of the City and to establish a county sewage and water supply disposal system or systems in and for the City of East Grand Rapids to acquire and construct such improved and enlarged sewage collection, transmission and water supply facilities and disposal facilities as may be necessary or appropriate to the needs of the City, and to finance such construction by the issuance of bonds in anticipation of the collection of amounts to become due under a contract to be executed between the cost of such acquisition and construction, all as authorized by Act No. 185, Michigan Public Acts of 1957, as amended.

2. That the County of Kent and the City of East Grand Rapids shall hereafter enter into an appropriate contract with respect to the establishment, construction, operation and financing of such improvements and additions to the system or systems.

3. That the City hereby agrees to reimburse the County for all reasonable engineering, legal and administrative costs hereafter actually incurred by the County's Department of Public Works in connection with the study, planning and acquisition of said improvements and additions to the sewage disposal and water supply system or systems in the event that, for reasons beyond the control of the County, the improvements and additions to the system or systems are not completed or the bonds to finance the same are not sold.

4. That the City of East Grand Rapids hereby recommends and requests that the Kent County Department of Public Works employ as Engineering Consultant:

Moore & Bruggink, Inc.  
Grand Rapids, Michigan

who is already working with the City in connection with the project.

5. That the City of East Grand Rapids hereby recommends and requests that the Kent County Department of Public Works employ as financial counsel the firm of Bendzinski and Company.

2/20/84

6. That the City of East Grand Rapids hereby recommends and requests that the Kent County Department of Public Works employ as project bond counsel:

Dickinson, Wright, Moon,  
VanDusen & Freeman  
Counsellors at Law  
Detroit, Michigan

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

354. Commissioner Deems reported that the request for transfer of a Tavern license from the Johnson's to the Damoose family has been tabled by the Planning Commission. Commission review of the transfer of the Tavern license will be accomplished after Mr. and Mrs. Damoose have appeared before the Planning Commission. Mr. Damoose was present and advised that, through a misunderstanding, they did not appear at the last Planning Commission meeting.

355. The City Manager distributed a summary of bids received for the painting of the elevated water storage tank. The City Manager also distributed copies of a letter received from Dixon Engineering recommending award of the project to the second low bidder, David Cole Decorators of Grand Rapids, Michigan, in the amount of \$59,990.

355-A. Mayor Leidlein-Moseley. That the bid of David Cole Decorators be accepted in the amount of \$59,990 for painting of the elevated water storage tank, subject to approval of the contract by the City Attorney.

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

355-B. Moseley-Deems. That a contract be entered into with Dixon Engineering for 10 followup inspections to be performed at a cost of \$400 each, subject to approval of the contract by the City Attorney.

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

356. A memorandum dated February 13, 1984, was received from the Assistant City Manager recommending award to Indiana Lumbermans of the aggregate and specific excess limits insurance on the City's health care plan, noting the change in administrative fees and recommending that the carrier of the life insurance program be the same as the carrier for the health care plan.

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

357. A memorandum was received from the City Manager recommending procedures for evaluating the City Manager.

357-A. Mayor Leidlein-Mehney. That an evaluation system for the City Manager be developed by the Mayor, the Personnel Committee, and City Manager.

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

358. An invoice was received from Metropolitan Area Economic Council in the amount of \$850 as East Grand Rapids share of expenses for 1984.

358-A. Deems-Seibold. That the invoice received from the Metropolitan Area Economic Council be approved and the amount of \$850 be transferred from the Contingency Fund to the Community Service Project Fund.

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

359. A letter was received from Senator Paul Henry stating his support for H.B. 4994.

2/20/84

360. The Michigan Municipal League's Annual Legislative Conference will be held March 21, 1984, in the Civic Center in Lansing. Any Commissioners wishing to attend should contact the City Clerk prior to the next City Commission meeting.

361. The minutes of the Planning Commission meeting held January 10, 1984, were received for information.

362. The Public Safety Department report for the month of January, 1984, was received for information.

363. The Kent County Library Annual report for 1983 was received for information.

364. Commissioner Deems, on behalf of the Real Estate Committee, submitted a draft of a letter to the Department of Natural Resources regarding boat launching or access points either on Fisk Lake or on the channel leading to Fisk Lake. The City Manager informed the Commission of a letter from the D.N.R. stating that it has made no requirement for a public access site on Fisk Lake. The Mayor directed that the Real Estate Committee and the City Manager draft a reply to the D.N.R. letter.

365. Moseley-Deems. That the matter of appointing a Third Ward Commissioner to fill the vacancy resulting from the resignation of Gerard Chezick be taken from the table.

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

365-A. Paula Grzymala and William Henry were nominated.

A roll call vote was taken:

Commissioner Deems voted for William Henry.  
Commissioner Mehney voted for William Henry.  
Commissioner Moseley voted for Paula Grzymala.  
Commissioner Mertz voted for William Henry.  
Commissioner Seibold voted for William Henry.  
Mayor Leidlein voted for William Henry.

The Clerk announced that William Henry was appointed Commissioner from the Third Ward to fill the vacancy created by the resignation of Gerard Chezick. The Mayor thanked Paula Grzymala for offering her candidacy.

365-B. The City Clerk administered the oath of office to William Henry.

366. Commissioner Mehney reported receipt of a copy of a letter addressed to Public Safety Director Gallagher from Terry Conway, 3140 Bonnell Ave. SE, regarding the status of the traffic light at the intersection of Hall Street and Lake Drive, and requesting that the light be in operation during school hours. The City Manager advised that the Traffic Commission will meet on February 21, and this matter will be considered at that time.

367. Commissioner Deems expressed his hope that those citizens opposed to the aerial spraying for the control of Gypsy Moth will concur with the action taken by the City Commission.

368. Commissioner Deems expressed his opposition to any ordinance regulating joggers.

369. Commissioner Mertz reported on a meeting of the Library Commission he attended last week and that a task force is working to determine factors relating to the future of the Library.

  
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City Clerk

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

Regular Meeting Held March 5, 1984

The meeting was called to order by Mayor Leidlein.

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

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

370. The minutes of the meeting held February 20, 1984, were approved as written.

371. Moseley-Deems. That expense vouchers in the amount of \$1,071,953.50, and payroll vouchers in the amount of \$65,636.03, 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, Leidlein - 7  
Nays: 0

372. Pursuant to published notice, a public hearing was then held on a Zoning Ordinance amendment.

372-A. That the following ordinance be adopted:

AN ORDINANCE TO AMEND CHAPTER 50  
OF TITLE V OF THE CODE OF THE CITY  
OF EAST GRAND RAPIDS BY ADDING  
NEW SECTIONS 5.171-1 AND 5.171-2

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Article XV of Chapter 50 of Title V of the Code of the City of East Grand Rapids is amended by adding Sections 5.171-1 and 5.171-2 to read as follows:

SECTION 5.171-1. TIME LIMITATIONS ON VARIANCES

Unless otherwise specifically provided by the board pursuant to Sec. 5.171 hereof, any variance granted by the board shall automatically become null and void after a period of twelve (12) months from the date granted unless the owner or his agent shall have taken substantial steps toward effecting the variance as granted by the board.

SECTION 5.171-2. AUTOMATIC TERMINATION.

Any variance granted by the board shall automatically become null and void if one of the following conditions is found to exist:

- (a) A cessation or discontinuance of a year or more of the use which was allowed by the variance;
- (b) A reversion to the use allowed by the zoned district of the area.

Section 2. This ordinance shall be effective on March 15, 1984.

Section 3. This ordinance amendment shall be published in full pursuant to Chapter VIII, Section 5 of the Charter of the City of East Grand Rapids within 10 days after its enactment.

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372-B. There were no comments or objections from the public. The ordinance was adopted by the following vote:

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

373. A hearing was then held upon the zoning variance requested by Joni A. McKay and Michael D. Pohlad for relief from Section 5.53 of the East Grand Rapids Zoning Ordinance relative to parking requirements relative to use of 2184 Wealthy Street SE, or 2220 Wealthy Street SE, for a beauty salon. Ms. McKay and Mr. Pohlad were present to discuss their request. Erwin Kuester, representing East End Pastries, spoke in favor of the request. The following persons spoke in opposition to the variance request: Michael Walton, representing Kennedy Floral; Vicki Vranian, representing Dancers Corner; Norton Remes, representing Remes Drug Store; Jean Beaumont, representing The Duddery, and Mark Boers, President of the Gaslight Village Merchants Association.

373-A. Deems-Mehney. That the variance requested by Joni A. McKay and Michael D. Pohlad for a variance with respect to 2184 Wealthy Street SE, or 2220 Wealthy Street SE, be denied.

Yeas: Deems, Mehney, Mertz - 3  
Nays: Moseley, Henry, Leidlein - 3  
Commissioner Seibold abstained.

The motion failed.

373-B. Moseley. That the request be tabled.

The motion failed for lack of support.

373-C. After discussion, it was moved by Commissioner Deems and supported by Commissioner Moseley to table the request. The applicants were requested to furnish more complete information and staff was instructed to make a determination as to parking requirements and parking availability.

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

374. Mayor Leidlein-Deems. That a closed session be held following the regular City Commission meeting to review with the City Attorney an opinion previously given in writing.

A roll call vote was taken:

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

The motion carried.

375. The Clerk-Controller-Treasurer submitted a financial report of cash and securities for the period ending March 2, 1984.

376. The City Clerk reported that he can still make reservations for the Legislative Conference of the Michigan Municipal League to be held March 21, 1984, in Lansing.

377. The City Manager submitted an amendment to the Sewer and Water Service Agreement with the City of Grand Rapids which provides for an increase in rates to the City of East Grand Rapids, but will not require rate changes, at this time, for customers of the City of East Grand Rapids utility system.

377-A. Moseley-Deems. That the amendment to the Sewer and Water Service Agreement with the City of Grand Rapids be approved.

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

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378. A communication was received from the Catholic Human Development Office thanking the City for the donation of \$500 resulting from the sale of Christmas trees on the parking area adjacent to the Public Safety Building.

379. The City Manager submitted a statement of procedure to be followed by the various committees of the City.

379-A. Deems-Seibold. That the statement of procedure, as submitted by the City Manager, be approved.

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

380. A communication was received from the Employee Assistance Center, which organization provides a means of assistance to employees or their families needing counselling or treatment for problems outside their employment, but affecting their performance. The City Manager recommended the transfer of \$720 from the Contingency Fund to the appropriated account to cover the cost of this program.

380-A. Moseley-Deems. That \$720 be transferred from the Contingency Fund to the appropriate account to cover the cost of providing counselling and treatment for employees of the City through the Employee Assistance Center.

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

381. The Plant Engineer submitted a memorandum relative to Grounds Maintenance Contract for 1984 Season, and recommended that the contract for this work be awarded to the low bidder, Larry's Lawn Service, in the amount of \$41,500.

381-A. Mertz-Mehney. That the bid of the third lowest bidder, Tender Lawn Care, in the amount of \$46,712 be accepted. This motion was withdrawn.

381-B. Deems-Mayor Leidlein. That the low bid of Larry's Lawn Service in the amount of \$41,500 be accepted.

A roll call vote was taken:

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

The motion carried.

382. The minutes of the Traffic Commission meeting held February 21, 1984, were received. The City Manager called attention to Items 1 and 3. No action was taken and the minutes were received as prepared.

383. The Building Inspector's report for January, 1984, was received for information.

384. The City Manager reported receipt of a quit claim deed from the East Grand Rapids Schools for the property occupied by the parking lot adjacent to the Public Safety Department.

385. Barbara Hoag was present and questioned the Commission regarding control of Gypsy Moth infestation. The status of the spray program was discussed.

386. Mr. G. F. Hughes, 260 Hodenpyl Drive SE, was present and spoke with respect to the sanitary sewer backup problems.

387. Mr. Peter Charnley, 1545 Breton Road SE, expressed his concern about construction at 1535 Breton Road SE, and noted that the 1980 action of the Commission required approval by the Commission of final plans.

388. Commissioner Mehney questioned what is being done about the problem of odor in the composting area. The City Manager is to give him a report on current procedures.

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389. Commissioner Mehney commended the Police Department in the recent apprehension of a suspect in the Gaslight Village area.

390. Commissioner Deems asked whether or not the City Commission has considered the statements provided by Mr. G. F. Hughes regarding sanitary sewer backup problems. The City Manager responded in the affirmative.

391. Commissioner Deems commented on a memorandum he received which suggested the creation of a citizens' committee involving both the cities of Grand Rapids and East Grand Rapids to study the problem of Gypsy Moth infestation.

392. Commissioner Deems advised that he has received two suggestions to date from City Commissioners regarding the Master Plan Draft.

393. Commissioner Mertz expressed his disappointment with the decision of the Department of Agriculture to spray with BT for the control of the Gypsy Moth, prompted by the request of the City of Grand Rapids.

394. Commissioner Moseley commented on the GRATA audit. East Grand Rapids' share is \$1,176 and will be payable the first quarter of the next year's budget.

395. Commissioner Moseley asked about the progress of the Silver Creek Drain. The City Manager advised the completion date is approximately April 1st.

396. Commissioner Moseley discussed her concern as to the procedure to be used in making appointments to fill vacancies on the Commission and requested the matter to be placed on the May 7th agenda.

397. Commissioner Moseley requested that the City Manager's evaluation session be conducted in May, due to her absence prior to that time.

398. Commissioner Seibold reported receipt of a letter from Mr. and Mrs. Roger Harrison regarding the spraying for Gypsy Moth. The City Manager advised that he will respond to this letter.

399. The meeting was recessed to executive session.

400. After the executive session, the meeting was adjourned, subject to the call of the Mayor, until March 19, 1984.

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

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

Regular Meeting Held March 19, 1984

The meeting was called to order by Mayor Leidlein.

Present: Coms. Mehney, Mertz, Seibold and Mayor Leidlein.

Absent: Coms. Deems, Moseley and Henry.

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

401. The minutes of the meeting held March 5, 1984, were approved as written.

402. Seibold-Mehney. That expense vouchers in the amount of \$152,020.89, and payroll vouchers in the amount of \$69,145.43, 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: Mehney, Mertz, Seibold, Leidlein - 4

Nays: 0

403. The City Attorney reported with regard to regulations pertaining to joggers within the city limits. He advised that Section 7.12 of the Uniform Traffic Code does not prohibit running on the roadway. The City Attorney's letter of March 8, 1984 to the City Manager was submitted, along with a proposed new ordinance on the subject. The City Manager stated that the March 8, 1984 letter, and attachments, will be on the Traffic Commission agenda for its scheduled meeting on March 20, 1984.

404. The City Clerk-Controller-Treasurer submitted proposed budget amendment No. 2 for fiscal year 1984.

404-A. Mehney-Mertz. That \$1,570 be transferred within the General Operating Fund from the Contingencies account to: (a) Other Contributions and Aid account, in the amount of \$850 for payment to the Metropolitan Area Economic Council, and (b) Other Expenditures account, in the amount of \$720 for the payment to the Employee Assistance Center.

Yeas: Mehney, Mertz, Seibold, Leidlein - 4

Nays: 0

405. The City Manager submitted a written report dated March 13, 1984, on the parking requirements related to the zoning variance request for a beauty salon at 2184 Wealthy Street or 2220 Wealthy Street. The City Attorney clarified the issue surrounding the need for a zoning variance. If the proposed new business was of the same nature as the old business (i.e., retail for retail), no zoning variance for parking would be required. However, since such is not the case in this instance, the beauty salon operators must provide for the legally required number of parking spaces established for beauty salons. Otherwise, a zoning variance must be granted as requested by the parties wishing to operate the proposed salon, those parties being Ms. Joni McKay and Mr. Michael Pohlad, both of whom were in attendance. The City Manager stated that in the absence of some members of the City Commission whose presence could affect the outcome of a zoning variance vote, then the matter is automatically tabled until the next Commission meeting. Affirmative action to grant a variance at this meeting would require a unanimous vote of 4-0. Commissioner Seibold stated that he would abstain due to a conflict of interest, inasmuch as he is a tenant in the building at 2220 Wealthy Street.

405-A. Mertz-Mehney. That a variance in the parking requirements be granted for a beauty salon operation at 2220 Wealthy Street provided the operation be limited to three chairs, and that two parking spaces be acquired in addition to those spaces presently allocated.

A roll call vote was taken:

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Yeas: Mehney, Mertz - 2  
Nays: Leidlein - 1  
Commissioner Seibold abstained.

The motion failed.

406. The City Manager discussed a proposed contract between the City and the County of Kent Board of Public Works for water and sewer improvements. Copies of the contract proposal were distributed to the Commissioners for their review, followed by the City Manager's recommendation that the contract be approved. A letter of March 12, 1984, was submitted outlining Mr. Hughes' proposal. The Mayor thanked Mr. Hughes, but denied his request.

406-A. The City Manager presented plans, specifications, estimates of cost and period of usefulness and copies of the Contract, East Grand Rapids Water Supply and Sewage Disposal System, to be dated as of \_\_\_\_\_ . The following resolution was offered by Commissioner Mehney and seconded by Commissioner Seibold.

BE IT RESOLVED BY THE CITY COMMISSION OF EAST GRAND RAPIDS, KENT COUNTY, MICHIGAN, as follows:

1. That the Contract, East Grand Rapids Water Supply and Sewage Disposal System, as submitted, between the County of Kent, party of the first part, and the City of East Grand Rapids, party of the second part, which contract (1) provides for the construction of the improvements of the East Grand Rapids Water Supply and Sewage Disposal System by the County and, (2) describes the location and cost of such System, (3) provides that the local share of the cost thereof will be paid by the City of East Grand Rapids and (4) provides for other matters pertinent thereto, be and the same hereby is approved and the City Manager and the City Clerk be and they hereby are authorized and directed to execute and deliver the said Contract on behalf of the City of East Grand Rapids.
2. That the City of East Grand Rapids hereby consents to the use by the County of the public streets, alleys, lands, and rights-of-way in this City for the purpose of constructing the said System.
3. That a copy of the Contract, East Grand Rapids Water Supply and Sewage Disposal System be attached to the minutes of this meeting.
4. That the plans and specifications and estimates of the cost and period of usefulness prepared by Moore and Bruggink, registered professional engineers, for the City of East Grand Rapids Water Supply and Sewage Disposal System, be and the same hereby are accepted, adopted and approved on behalf of the City.

Yeas: Mehney, Mertz, Seibold, Leidlein - 4  
Nays: 0

The resolution was adopted.

407. In connection with the water and sewer system improvement bond issue proposed for 1984, the City Manager recommended adoption of a Municipal Finance Commission By-Pass Resolution which was submitted for consideration. The effect of this action, if approved by the Municipal Finance Commission, would be to expedite the MFC review process required for issuing bonds by six to twelve weeks, according to the City Manager. The timetable, for sale of bonds, was reviewed.

407-A. Seibold-Mehney. That the City of East Grand Rapids adopt the following resolution:

WHEREAS, the City of East Grand Rapids (the "City") has requested the Department of Public Works of the County of Kent to take the necessary steps under the provisions of Act 185, Public Acts of Michigan, 1957, as amended, to construct and finance certain water supply and sewage disposal system improvements in the City; and

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WHEREAS, the Department of Public Works is, at the direction of the County of Kent, preparing an application for exception from prior approval by the Municipal Finance Commission of the bonds to be issued to finance said improvements, which application will be made to the Department of Treasury; and

WHEREAS, the Department of Treasury also requires the City to make application for exception from prior approval of said bonds by the Municipal Finance Commission; and

WHEREAS, such exception from prior approval is desirable in order to expedite sale of said bonds and construction of said improvements;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager of the City is hereby authorized to make application to the Department of Treasury for exception from prior approval by the Municipal Finance Commission of the bonds to be issued by the County of Kent to finance certain water supply and sewage disposal system improvements in the City, which improvements will be made pursuant to a contract between the City and the Department of Public Works of the County of Kent.

2. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and the same hereby are rescinded.

Yeas: Mehney, Mertz, Seibold, Leidlein - 4

Nays: 0

The resolution was adopted.

408. The City Manager submitted a March 13, 1984, letter proposing amendments to the East Grand Rapids user charge system.

408-A. Mayor Leidlein recommended that the City Attorney draft a formal ordinance amendment to Chapter 23 and 24 of the City Code. Hearing no objections, so ordered.

409. The City Manager presented a March 12, 1984 letter from Barbara Jackoboice, Board President of the Stepping Stone Montessori School. Mrs. Jackoboice was present at the meeting. She indicated her Board's interest in investigating the possible lease or purchase of the Manhattan School property for future school site. The Mayor stated that the subject will be scheduled at a future City Commission meeting at such time as more Commissioners are available for further discussion.

410. The City Manager requested that the discussion relative to proposed change in entrance-exit patterns at Blodgett Memorial Medical Center be postponed until a future Commission meeting due to the postponement of a Blodgett Center meeting with surrounding neighbors until March 29, 1984. A Blodgett Center representative, Mr. Pat Garrett, was present and indicated that Blodgett wished to conduct the neighborhood meeting prior to discussing the matter with the City Commission. The requested postponement was granted.

411. The City Manager submitted the February, 1984, Public Safety report. He noted that patrol miles, property inspections, and traffic summons are all up from last month. Parking summons are significantly off.

412. The City Manager submitted the February, 1984, Building Inspector's report indicating \$34,700 in construction activities.

413. The City Manager submitted the minutes of the East Grand Rapids Planning Commission meeting for February 14, 1984.

414. The City Manager discussed the City's Planning Commission's recommendations of March 13, 1984, to approve the Tavern license transfer for Gas Light Inn. The Planning Commission found that Mr. Damoose will not change the conditions specified by the Commission when Mrs. Johnson's Tavern license request was approved for the same establishment.

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414-A. Mayor Leidlein-Seibold. That the Gas Light Inn Tavern license request be considered at this time.

A roll call vote was taken:

Yeas: Mehney, Mertz, Seibold, Leidlein - 4  
Nays: 0

The motion carried.

414-B. Seibold-Mertz. That in accordance with the City Planning Commission's recommendation, the following resolution be adopted:

BE IT RESOLVED, that the request from Beverly B. Damoose, Marjorie Helen Damoose, Michael Damoose, and Thomas Michael Damoose, for transfer of ownership of 1983 Tavern licensed business, located at 2162 Wealthy St. East Grand Rapids, Michigan 49506, Kent County, from Helen V. Johnson be recommended for approval by the Michigan Department of Commerce, Liquor Control Commission.

A roll call vote was taken:

Yeas: Mehney, Mertz, Seibold, Leidlein - 4  
Nays: 0

The resolution was adopted.

415. The City Manager reported Commissioner Deems' request that the Comprehensive Land Use Plan discussion item be removed from the agenda. This request resulted from the Commissioner's conflicting plans which prevented him from attending the City Commission meeting of March 19, 1984. Commissioner Mehney stated that discussion of this matter should not take place until a full City Commission can meet. The Mayor agreed. The City Manager advised that a full Commission is not likely to meet until May, due to scheduled absences of various Commissioners.

416. The meeting was adjourned, subject to the call of the Mayor, until April 2, 1984.

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

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

Regular Meeting Held April 2, 1984

Present: Coms. Deems, Mertz, and Mayor Leidlein.

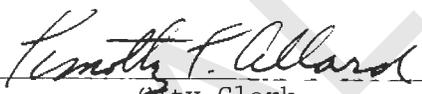
Absent: Coms. Henry, Mehney, Moseley, and Seibold.

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

417. Due to the absence of a quorum, it was moved by Mayor Leidlein  
and seconded by Commissioner Deems that the meeting be adjourned and re-  
scheduled for April 9, 1984, at 7:30 p.m.

Yeas: Deems, Mertz, Leidlein - 3

Nays: 0

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

UNOFFICIAL  
Reference Only

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

Adjourned Hearing Held April 9, 1984

The meeting was called to order by Mayor Leidlein.

Present: Coms. Deems, Mehney, Seibold, and Mayor Leidlein.

Absent: Coms. Henry, Mertz, and Moseley.

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

418. The minutes of the meeting held March 19, 1984, were corrected by deleting the third sentence of Item 406 which reads: "Mr. Geoffrey Hughes proposed that the Commission not approve the D.P.W.'s contract, but instead retain him as a consultant" as requested by Mr. Hughes; also the date of July 19, 1984, in Item 415 was changed to March 19, 1984. The minutes were then approved as amended.

419. Seibold-Mehney. That expense vouchers in the amount of \$69,420.81, and payroll vouchers in the amount of \$70,675.92, 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, Mehney, Seibold, Leidlein - 4

Nays: 0

420. The City Attorney recommended that an ordinance amending Chapters 23 and 24 of the City Code be introduced.

420-A. Deems-Seibold. That the following ordinance amendment be introduced:

AN ORDINANCE TO AMEND CHAPTERS 23 AND 24  
OF TITLE II OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 2.59 of Chapter 23 of Title II of the East Grand Rapids City Code is amended by adding subsection (12) to read as follows:

" \* \* \* (12) Any substance or pollutant which is prohibited by the Environmental Protection Agency Pretreatment Standards, 40 CFR 403, pursuant to Section 307(b) of the Clean Water Act."

Section 2. Chapter 23 of Title II of the East Grand Rapids City Code is amended by adding Section 2.71 to read as follows:

"2.71 - Appeals

Any differences that may arise between the system users and the administrative officials of the system that cannot be resolved at that level may be appealed to the City Commission."

Section 3. Section 2.81 of Chapter 24 of Title II of the East Grand Rapids City Code is amended by amending subsections (7) and (9) thereof to read as follows:

\* \* \* \*

"(7) Sanitary Sewer Charges shall mean the charges levied on users of the system to support the cost of operation, maintenance, and replacement of the sewer system and the local capital costs. The following sanitary sewer charges are established herein:

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Sanitary User Charge - for Operation, Maintenance, and Replacement Costs and for Billing Costs

Local Capital Charge - for Local Capital Costs

\* \* \* \*

"(9) User (Customer) Classes - All users of the system shall be classified as one of the following:

Commercial - businesses and service establishments

Industrial - manufacturing, fabricating, and similar users who may accidentally or intentionally discharge a trade or process wastewater"

Institutional - a user involved in social, charitable, religious, educational, or other special purpose activities such as: schools, government buildings, and churches

Residential - a user whose building or premises is used primarily as a domicile for one or more persons and whose wastes are usually Normal Domestic Wastes."

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1984.

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, Seibold, Leidlein - 4  
Nays: 0

421. Mr. David Lukens, President of the Southeast Lions Club and Chairman of Lakeside '84, was present and requested that the City of East Grand Rapids match the Southeast Lions Club fireworks budget of \$3,000 for the Lakeside '84 fireworks display. The Mayor directed that this item be placed on a City Commission agenda in May.

422. The Clerk-Controller-Treasurer reported on the existing balance in the Contingency Account.

423. The City Manager reported that it is the Traffic Commission's recommendation not to amend the Ordinance at this time to require reflective clothing to be worn by joggers or define where it is permissible to run.

424. The City Manager distributed "Questions and Answers on Solid Waste and Energy Recovery in Grand Rapids". This was received for information.

425. The City Manager reported on bids received for water fittings to replace 150 water services on San Lucia and Gladstone-Rosewood projects, and recommended that the low bidder, Etna Supply be awarded the contract in the amount of \$11,161.36.

425-A. Seibold-Deems. That the contract for water fittings on San Lucia and Gladstone-Rosewood projects be awarded to the low bidder, Etna Supply, in the amount of \$11,161.36.

Yeas: Deems, Mehney, Seibold, Leidlein - 4  
Nays: 0

426. The City Manager reported on a request from the Public Safety Director for fire turnout clothing. The contract was awarded to West Shore Services, the low bidder, in the amount of \$4,069.

426-A. Deems-Mehney. That the City Manager's action be ratified in awarding the contract for fire turnout clothing to the low bidder, West Shore Services, in the amount of \$4,069.

Yeas: Deems, Mehney, Seibold, Leidlein - 4  
Nays: 0

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427. The City Manager reported that the 1.5 million gallon ground level water reservoir is being pumped down for purposes of inspection, cleaning and painting. The elevated tank will be drained, repaired, and painted later this month.

428. The City Manager requested that the City Commission go into executive session for the purpose of discussing labor negotiations with the Fire Department.

428-A. Mehney-Seibold. That this Commission go into executive session to discuss negotiation of a labor contract with the Fire Department.

A roll call vote was taken:

Yeas: Deems, Mehney, Seibold, Leidlein - 4  
Nays: 0

The motion carried.

429. Commissioner Mehney questioned why the agenda item concerning a letter from Mr. R. W. Sawdey regarding the use of the Manhattan School building for a Montessori School was omitted. The Mayor advised that this request will be considered when more of the Commissioners are present.

430. The meeting was recessed to executive session.

431. After the executive session, the Mayor reconvened the regular meeting of the City Commission.

432. Mayor Leidlein-Deems. That this Commission ratify the Fire Department labor contract.

Yeas: Deems, Mehney, Seibold, Leidlein - 4  
Nays: 0

433. Commissioner Deems reported that comments have been received from Commission members regarding the Master Plan. He submitted a summary of these comments.

434. Commissioner Deems distributed a letter explaining the various functions of the Metropolitan Area Chamber of Commerce.

435. The meeting was adjourned, subject to the call of the Mayor, until April 16, 1984.

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

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

Regular Meeting Held April 16, 1984

The meeting was called to order by Commissioner Seibold.

Present: Coms. Deems, Henry, Mehney and Seibold.  
Absent: Coms. Moseley, Mertz and Mayor Leidlein.  
Also Present: City Manager Tholen, Assistant City Manager Bremer,  
Assistant City Attorney Huff, Assessor Norman, and  
City Engineer McMann.

436. The minutes of the meeting held April 2, 1984, were accepted as written.

437. Seibold-Deems. That expense vouchers in the amount of \$96,108.79, and payroll vouchers in the amount of \$90,839.80, 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, Seibold - 4  
Nays: 0

438. The Assistant City Attorney distributed a proposed ordinance to amend Sections 7.85 and 7.86 of Chapter 78 of Title VII of the code of the City of East Grand Rapids, and proposed Regulations Governing Operations of Lawn Contractors. He recommended that the ordinance amendment be introduced at this time.

438-A. Deems-Henry. That the following ordinance amendment be introduced:

AN ORDINANCE TO AMEND  
SECTIONS 7.85 and 7.86 OF 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 7.85 of the East Grand Rapids City Code is amended as follows:

"7.85 Lawn Contractor - Defined. The term 'lawn contractor', as used in this Chapter, shall include any person, partnership, or corporation who offers to the general public lawn care services, including grass mowing, leaf pick-up, shrubbery trimming, and the application of fertilizers or pesticides, other than a person under 21 years of age who provides lawn care services to fewer than six private homes."

Section 2. Section 7.86 of the East Grand Rapids City Code is amended as follows:

"7.86 Same - License required. No lawn contractor shall operate such business or service within East Grand Rapids without first obtaining a license from the City Clerk's office pursuant to Chapter 72 of this Code. 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 3. This amendatory ordinance shall be effective on \_\_\_\_\_, \_\_\_\_\_, 1984.

Section 4. 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, Seibold - 4  
Nays: 0

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438-B. The following Regulations Governing Operations of Lawn Contractors were distributed:

The following regulations are issued pursuant to the provisions of Section 7.92 of Chapter 78 of Title VII of the Code of the City of East Grand Rapids:

Regulation No. 1. Each applicant for a lawn contractor's license shall file with the application certificates of insurance for public liability and property damage co-insuring the applicant and the City of East Grand Rapids in the minimum amounts of \$50,000-\$100,000 for public liability and \$5,000 for property damage.

Regulation No. 2. Any lawn contractor who applies pesticides shall be licensed under and comply with all requirements of Public Act 171 of 1976. "Pesticide" means a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating pests, or intended for use as a plant regulator, defoliant, or desiccant.

Regulation No. 3. No lawn contractor shall apply a fertilizer other than one which is acquired from a distributor or a manufacturer licensed under Act 198 of 1975 of the State of Michigan.

Regulation No. 4. All lawn contractors shall comply with the regulations governing the collection of yard rubbish contained in Section 2.10 of the Code of the City of East Grand Rapids.

Regulation No. 5. All yard debris shall be placed on the outlawn of the premises from which it originates, next to the curb, for collection. No yard debris shall be placed or left in the streets or on boulevards.

Regulation No. 6. All lawn contractors shall be responsible for repairing any damage to property in the public right of way as a result of lawn care operations. If any licensed lawn contractor shall, after written demand is served upon him, fail to make repairs sufficient to place the property in the same condition as it existed prior to such damage, the City may cause the same to be repaired and the cost thereof shall become a debt to the City from the lawn contractor and shall be collected as any other debt owing to the City.

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

439. An opinion was received from the Assistant City Attorney concerning the granting of a special use permit to Stepping Stones Montessori School for the use of Manhattan School and possible effect on zoning. A communication was received from John W. Pestle, President of the Blodgett Area Neighborhood Association, indicating the support of several members of the Association for the leasing of the Manhattan School building to the Montessori program.

440. A memorandum was received from the City Attorney regarding the relationship of the Open Meetings Act and the Attorney-client privilege.

441. There was no Clerk-Controller-Treasurer's report.

442. The City Manager reported on the plans and specifications for the relief sewer project. The City Engineer displayed reconstruction plans for Projects # 1, # 2, and # 3, and advised that bids for the projects are to be received on April 20, 1984, and awarded on April 25th.

443. The Assistant City Manager submitted a memorandum continuing recommendations for the City's computer program. It was decided to postpone this item until the regular City Commission meeting of May 7, 1984, due to the absence of three members of the City Commission.

444. A communication was received from the Advisory Center for Teens requesting support in the amount of \$1,148.00, which is East Grand Rapids' share of the AGRAG formula.

444-A. Henry-Mehney. That the following Resolution of Intent be adopted:

WHEREAS, it has come to the attention of the City Commission of the City of East Grand Rapids that the Advisory Centers, an outpatient/residential adolescent, young adult, and older adult mental health organization for Kent County, is a non-profit organization for the purpose of providing an essential community service, and

WHEREAS, the City Commission wishes to encourage and cooperate with any such efforts to provide counsel to the young children, adolescents, and older adult members of our community, and

WHEREAS, the Advisory Centers requires financial support from the City of East Grand Rapids for the fiscal year July 1, 1984 to June 30, 1985, based on the Association of Grand Rapids Area Governments (AGRAG) formula for a total of \$24,883.00, amounting to \$1,148.00.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of East Grand Rapids will provide the Advisory Centers its share of the necessary financial support during the 1984-85 fiscal year for the purpose of providing professional counseling, and residential care for children, adolescents, and older adults regardless of the problem.

Yeas: Deems, Henry, Mehney, Seibold - 4  
Nays: 0

445. Public Safety Director Gallagher submitted a copy of a letter which is being sent to residents whose homes are equipped with burglar alarm systems.

446. The discussion of Police-Fire consolidation was postponed until the regular City Commission meeting of May 7, 1984.

447. The Planning Commission minutes of the meeting held March 13, 1984, were received.

448. A letter was received from William Martindill tendering his resignation as a member of the Planning Commission.

448-A. Deems-Henry. That the resignation of Mr. Martindill be accepted with regret and that the City Manager be instructed to write a letter thanking Mr. Martindill for his years of service.

Yeas: Deems, Henry, Mehney, Seibold - 4  
Nays: 0

449. Commissioner Deems discussed the comments received by the Planning Commission from City Commissioners regarding the Master Plan.

450. The City Manager advised that the Michigan Municipal League Regional Meeting will be held April 26th, with East Grand Rapids being the host city.

451. Deems-Mehney. That this Commission go into executive session to consider the purchase of real property.

A roll call vote was taken:

Yeas: Deems, Henry, Mehney, Seibold - 4  
Nays: 0

The motion carried.

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452. After the executive session, Commissioner Seibold reconvened the meeting.

453. Deems-Seibold. That the following resolution be adopted:

WHEREAS, John M. Leidlein has served the citizens of East Grand Rapids, Michigan, as Mayor since May of 1981; and,

WHEREAS, during this nearly three (3) years of service he has exhibited exceptional ability as a leader and outstanding devotion to public service; and

WHEREAS, he has provided the leadership essential to the accomplishment of two very important programs of improved service to the community; one being the installation of relief trunk sanitary sewers to prevent overload backup into the basements of homes; and the other being the consolidation of the Police and Fire Departments into one Public Safety Department for improved efficiency of this most essential service to the public;

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of East Grand Rapids, in session assembled this 16th day of April, 1984, that, in recognition of his devoted and loyal public service, and particularly his leadership in providing improved public safety services, the building be named the JOHN M. LEIDLIN PUBLIC SAFETY BUILDING.

Yeas: Deems, Henry, Mehney, Seibold - 4

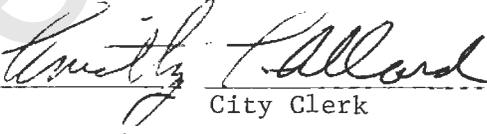
Nays: 0

454. Commissioner Mehney asked about the proposed long-range plans for the Cascade landfill and the reason for the loss of many trees.

455. Commissioner Deems distributed a letter he had previously sent to the Mayor regarding the Grand Rapids Area Chamber of Commerce Metropolitan Area Economic Council.

456. Commissioner Seibold extended the Mayor's apologies to Commissioner Henry for inferring that he was not aware that Mr. Henry would not be present at the April 2nd meeting of the City Commission.

457. The meeting was adjourned, subject to the call of the Mayor, until May 7, 1984.

  
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City Clerk

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

Special Meeting Held April 30, 1984

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

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

Absent: None.

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

458. President Moseley stated that this meeting is a special meeting called for the purpose of determining the procedure to be followed in filling the vacancy resulting from the death of Mayor Leidlein on April 18, 1984.

459. The members of the City Commission individually expressed their sorrow at the death of Mayor Leidlein as well as their appreciation for his service to the City during the three years he served as Mayor.

460. The Assistant City Attorney reviewed his memorandum to the City Commission dated April 25, 1984, which specifies the following procedures for the filling of the vacancy:

- 1) The City Charter provides that vacancies be filled by appointment by the remaining members of the City Commission.
- 2) If a City Commission vacancy results through appointment of one of the Commissioners as Mayor, that position is also to be filled by appointment of the City Commission.

461. The City Attorney advised that 4 votes are needed to appoint a new Mayor and that the only qualification is that the appointee must be a registered voter in the City.

462. After discussion, it was moved by Commissioner Seibold and supported by Commissioner Henry that resumes relative to candidates be submitted to the City Clerk's Office no later than May 7, 1984 at 5:00 p.m.; that the Personnel Committee will review the candidates and make its report and recommendations to the City Commission at a special meeting to be held on May 14, 1984; and that the City Commission will vote to appoint a mayor at the regular meeting to be held May 21, 1984.

462-A. Moseley. That candidates' resumes be submitted directly to the Personnel Committee rather than to City Commissioners.

The motion failed for lack of support.

A vote was taken on the main motion:

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

Nays: 0

463. Commissioner Moseley appointed herself to fill the vacancy on the Personnel Committee. The Commissioners concurred.

464. Commissioner Deems requested that he be replaced on the Personnel Committee for the purpose of reviewing candidates for mayor.

464-A. Commissioner Moseley appointed Commissioner Seibold to temporarily serve on the Personnel Committee in place of Commissioner Deems.

465. Mertz-Seibold. That no public interviews of candidates for the vacant Mayoral seat be held.

465-A. The City Attorney suggested that a determination of whether or not to hold interviews could best be delayed until the May 14, 1984 meeting. It was moved by Commissioner Deems and supported by Commissioner Seibold that the above motion be tabled.

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

Nays: 0

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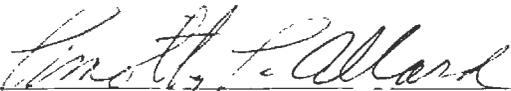
466. The City Attorney presented the request of Attorney John Jones for a meeting to discuss negotiations for purchase of real estate and pending litigation in which the City has an interest.

466-A. Deems-Mehney. That a closed session be held with John Jones on Friday, May 4, 1984, at 8:00 a.m., to discuss negotiations for purchase of real estate and pending litigation.

A roll call vote was taken:

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

467. The meeting was adjourned, subject to the call of the President of the Commission, until May 21, 1984.

  
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City Clerk

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

Regular Meeting Held May 7, 1984

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

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

Absent: None

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

468. The minutes of the adjourned meeting held April 9, 1984, and the regular meeting held April 16, 1984, were approved as written.

469. Seibold-Deems. That expense vouchers in the amount of \$138,461.08, and payroll vouchers in the amount of \$86,110.00, 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

470. The City Manager reported that Mr. Doug Ellis, Director of the Advisory Center for Teens, was unable to attend the meeting; therefore, the presentation of a plaque in memory of Mayor Leidlein will be rescheduled for May 21, 1984.

471. The Commission considered the proposed ordinance to amend Chapters 23 and 24 of Title II of the Code of the City of East Grand Rapids in accordance with the requirements of the Environmental Protection Agency.

471-A. Deems-Henry. That the following ordinance amendment be adopted:

AN ORDINANCE TO AMEND CHAPTERS 23 and 24  
OF TITLE II OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Section 2.59 of Chapter 23 of Title II of the East Grand Rapids City Code is amended by adding subsection (12) to read as follows:

" \* \* \* (12) Any substance or pollutant which is prohibited by the Environmental Protection Agency Pretreatment Standards, 40 CFR 403, pursuant to Section 307(b) of the Clean Water Act."

Section 2. Chapter 23 of Title II of the East Grand Rapids City Code is amended by adding Section 2.71 to read as follows:

"2.71 - Appeals

Any difference that may arise between the system users and the administrative officials of the system that cannot be resolved at that level may be appealed to the City Commission."

Section 3. Section 2.81 of Chapter 24 of Title II of the East Grand Rapids City Code is amended by amending subsections (7) and (9) thereof to read as follows:

\* \* \* \* \*

"(7) Sanitary Sewer Charges shall mean the charges levied on users of the system to support the cost of operation, maintenance, and replacement of the sewer system and the local capital costs. The following sanitary sewer charges are established herein:

Sanitary User Charge - for Operation, Maintenance, and Replacement Costs and for Billing Costs

Local Capital Charge - for Local Capital Costs

\* \* \* \* \*

"(9) User (Customer Classes - All users of the system shall be classified as one of the following:

Commercial - businesses and service establishments

Industrial - manufacturing, fabricating, and similar users who may accidentally or intentionally discharge a trade or process wastewater"

Institutional - a user involved in social, charitable, religious, educational, or other special purpose activities such as: schools, government buildings, and churches

Residential - a user whose building or premises is used primarily as a domicile for one or more persons and whose wastes are usually Normal Domestic Wastes."

Section 2. This ordinance shall be effective on May 17, 1984.

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 - 6  
Nays: 0

472. The Commission considered the proposed ordinance to amend Sections 7.85 and 7.86 of Chapter 78 of Title VII of the Code of the City of East Grand Rapids relative to lawn contractors.

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

AN ORDINANCE TO AMEND  
SECTIONS 7.85 and 7.86 OF 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 7.85 of the East Grand Rapids City Code is amended as follows:

"7.85 Lawn Contractor - Defined. The term 'lawn contractor', as used in this Chapter, shall include any person, partnership, or corporation who offers to the general public lawn care services, including grass mowing, leaf pick-up, shrubbery trimming, and the application of fertilizers or pesticides, other than a person under 21 years of age who provides lawn care service to fewer than six private homes."

Section 2. Section 7.86 of the East Grand Rapids City Code is amended as follows:

"7.86 Same - License required. No lawn contractor shall operate such business or service within East Grand Rapids without first obtaining a license from the City Clerk's office pursuant to Chapter 72 of this Code. 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 3. This amendatory ordinance shall be effective on May 17, 1984.

Section 4. 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 - 6  
Nays: 0

473. The Commission considered proposed regulations governing operations of lawn contractors pursuant to the provisions of Section 7.92 of Chapter 78 of Title VII of the City Code.

473-A. Deems-Mehney. That the following regulations governing operations of lawn contractors be adopted:

REGULATIONS GOVERNING OPERATIONS  
OF LAWN CONTRACTORS

The following regulations are issued pursuant to the provisions of Section 7.92 of Chapter 78 of Title VII of the Code of the City of East Grand Rapids:

Regulation No. 1. Each applicant for a lawn contractor's license shall file with the application certificates of insurance for public liability and property damage co-insuring the applicant and the City of East Grand Rapids in the minimum amounts of \$50,000-\$100,000 for public liability and \$5,000 for property damage.

Regulation No. 2. Any lawn contractor who applies pesticides shall be licensed under and comply with all requirements of Public Act 171 of 1976. "Pesticide" means a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating pests, or intended for use as a plant regulator, defoliant, or desiccant.

Regulation No. 3. All lawn contractors shall comply with the requirements of Chapter 98 of the City Code prohibiting the use of certain fertilizers in the Reeds Lake Drainage District.

Regulation No. 4. No lawn contractor shall apply a fertilizer other than one which is acquired from a distributor or a manufacturer licensed under Act 198 of 1975 of the State of Michigan.

Regulation No. 5. All lawn contractors shall comply with the regulations governing the collection of yard rubbish contained in Section 2.10 of the Code of the City of East Grand Rapids.

Regulation No. 6. All yard debris shall be placed on the outlawn of the premises from which it originates, next to the curb, for collection. No yard debris shall be placed or left in the streets or on boulevards.

Regulation No. 7. All lawn contractors shall be responsible for repairing any damage to property in the public right of way as a result of lawn care operations. If any licensed lawn contractor shall, after written demand is served upon him, fail to make repairs sufficient to place the property in the same condition as it existed prior to such damage, the City may

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cause the same to be repaired and the cost thereof shall become a debt to the City from the lawn contractor and shall be collected as any other debt owing to the City.

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

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

474. The City Clerk-Controller-Treasurer submitted a financial report of cash and securities for the period ending March 31, 1984.

475. The Clerk-Controller reported that staff have been cross-trained in all operation on the Philips bookkeeping machine. However, postings to the control cards needed to generate the budget performance report has not taken place and, therefore, a third quarter financial report is not available at this time.

476. The Clerk-Controller distributed copies of a proclamation declaring May, 1984, as "Voter Awareness Month" which the Kent County Clerks' Association is urging all cities in the County to adopt.

477. The City Manager reported receipt of a letter dated May 4, 1984, from the Stepping Stones Montessori Board advising that they are no longer interested in pursuing the purchase or lease of the Manhattan School property, and thanking the Commission for its consideration.

478. The City Manager reported receipt of a letter from David E. Lukens, Chairman of Lakeside '84, in which the Southeast Grand Rapids Lions Club requests that the City of East Grand Rapids match its contribution of \$3,000 for the fireworks display.

478-A. Seibold-Henry. That the City donate \$3,000 toward the Lakeside '84 fireworks display.

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

479. The Assistant City Manager submitted a memorandum of recommendations relative to the City's computer program and answered questions posed by the Commissioners. He recommended that the City implement Phase I of the computer program at this time. This item was deferred from the April 16th City Commission meeting.

479-A. Mehney-Deems. That the City solicit bids for the purchase of the Phase I portion of the computer program.

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

480. The City Engineer gave a progress report on the sewer projects. All projects are scheduled for completion by November 1, 1984.

481. A communication and form resolution was received from Mayor Helmholtz of the City of Grand Rapids, requesting the City of East Grand Rapids to adopt a resolution endorsing the Mayor's Economic Development Task Force to create an Areawide Economic Development Coalition. Commissioner Deems was requested to obtain a copy of the Task Force Report and this item will be placed on the agenda of the next regular City Commission meeting.

482. The City Manager reported that it is necessary to remove and replace the present sealant on the ground storage water reservoir and requested authorization to issue a purchase order to H. L. Lockrow Co., Inc. for an amount not to exceed \$3,200 for this project.

482-A. Henry-Deems. That authorization be given to the City Manager to issue a purchase order to H. L. Lockrow Co., Inc. in an amount not to exceed \$3,200 to install new sealant on the ground storage water reservoir.

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

483. The City Manager submitted a memorandum and a proposed Fire Dispatch Agreement.

483-A. Deems-Mehney. That the President of the Commission and the City Clerk be authorized to sign the Fire Dispatch Agreement as presented.

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

484. The Public Safety Director distributed material and gave an oral presentation on Public Safety implementation in East Grand Rapids through the cross-training of Police Officers and Firefighters.

485. The City Manager reported that the diesel fuel tank at the Public Service Building is experiencing infiltration of ground water. He reported on bids received for the replacement of the fiber glass tank with a steel tank and recommended that the low bid of Gillhespy Sales & Service, in the amount of \$17,984, be accepted.

485-A. Moseley-Seibold. That the City Manager be authorized to issue a purchase order to Gillhespy Sales & Service, the low bidder, in the amount of \$17,984, for the purchase of a steel diesel fuel tank.

485-B. Mertz-Deems. That the above motion be tabled.

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

The motion to table carried.

486. The City Manager reported on bids for tree trimming and removal and recommended that a contract be awarded to Poortenga Tree Service, the low bidder.

486-A. Henry-Deems. That a contract for tree trimming and removal be awarded to Poortenga Tree Service, the low bidder, for the fiscal year beginning July 1, 1984.

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

487. The City Manager reported on the inspection tour made by the Trees, Streets, Sidewalks & Parks Committee on April 24, 1984. The City Manager advised that revised specifications have been received from Kappes Landscapes, Inc., and will be delivered to the City Commissioners. This item will be added to the May 14 agenda.

488. The City Manager submitted a resolution from the Michigan Municipal League for personnel testing and allied services as a part of its hiring and/or promotion of employees.

488-A. Mehney-Mertz. That the City of East Grand Rapids adopt the resolution for personnel testing as submitted by the Michigan Municipal League, subject to approval of the City Attorney.

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

489. The City Manager reported on the progress of the preparation of the budget and it should be ready for distribution within 10 days.

490. A communication was received from the Michigan Municipal League advising that the Annual Convention will be held in Dearborn, September 12 - 14, 1984.

491. The Building Inspector's report for the month of March was received.

492. The Public Safety report for the month of March was received.

493. The Assistant City Manager reported that the Department of Natural Resources has advised him that the first application of BT spray for the elimination of Gypsy Moth will take place on or about May 14.

494. Commissioner Seibold questioned the absence of yellow curb markings on Lovett Street adjacent to driveways which creates a problem for residents.

495. Commissioner Mehney asked when the traffic light will be in operation at the intersection of Lake Drive and Hall Street. The City Manager advised that

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a new pole will be installed by Consumers Power Company as soon as possible and then the light will be placed in full service.

496. Commissioner Mehney questioned about the status of the City's bond rating. The City Manager replied that these bonds are sold by Kent County, who enjoy a AAA rating.

497. Commissioner Mehney requested a meeting with the City Manager to discuss the landfill area.

498. Commissioner Moseley reported that the Personnel Committee will meet to review resumes received for the position of Mayor and will submit the list of candidates to the Commissioners prior to the May 14th meeting.

499. The meeting was adjourned, subject to the call of the President of the Commission, until May 14, 1984.



City Clerk

UNOFFICIAL  
Reference Only

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

Special Meeting Held May 14, 1984

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

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

Absent: None.

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

500. A discussion was held relative to the procedure to be followed in selecting a new Mayor. It was the consensus of the Commission that the interviewing of applicants should be on a one-to-one basis.

501. The City Manager reported on a meeting he and Public Service Superintendent Smith held with the Streets, Sidewalks, Trees and Parks Committee, and Cal Kappes of Kappes Landscapes, Inc., at Collins Park to designate areas needing improvement. The City Manager submitted specifications submitted by Kappes Landscapes, Inc. for the improvement of Collins Park and the Municipal Complex area, at a cost of \$21,025.64.

501-A. Deems-Mehney. That item numbers 1, 2, 3, 4, 5, 6, 7, and 8 of the specifications be approved for the fiscal year 1984/85 and bids solicited. Following discussion, Commissioners Deems and Mehney agreed that the motion include item number 10 and that the City Manager be authorized to obtain bids and report back at the next meeting. A vote was then taken on the motion.

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

The motion carried.

501-B. Mertz. That Kappes Landscapes, Inc. be authorized to perform item numbers 1 thru 10, excluding item number 9, and bids not be solicited.

The motion failed for lack of support.

501-C. Moseley. That item numbers 1 thru 10, and a sprinkler system, be put out for bid, and the bids awarded for the fiscal year 1984/85.

The motion failed for lack of support.

502. The City Manager resubmitted a memorandum regarding the replacement of a diesel fuel tank at the Public Service Department.

502-A. Mehney-Mertz. That the low bid of Gillhespy Sales & Service for a 10,000 gallon steel diesel fuel tank in the amount of \$17,984 be accepted.

502-A. Seibold-Henry. That the above motion be tabled until May 21, 1984.

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

503. Commissioner Moseley advised that the Friends of the Library will be celebrating 25 years of service on Sunday, May 20th, and invited Commissioners to attend.

504. The meeting was adjourned, subject to the call of the President of the Commission, until May 21, 1984.

  
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City Clerk

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

Regular Meeting Held May 21, 1984

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

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

Absent: None.

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

505. The minutes of the special meeting held April 30, 1984, were approved as written.

506. The minutes of the regular meeting held May 7, 1984, were corrected to reflect a "no" vote by Commissioner Moseley on Item #478-A. The minutes were then approved as corrected.

507. Seibold-Deems. That expense vouchers in the amount of \$302,521.62, and payroll vouchers in the amount of \$66,779.45, 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

508. Mr. Doug Ellis, Director of Advisory Center for Teens, was present and presented a plaque to the City in appreciation of the support given by the City. Mr. Ellis also presented a Human Services Award to Mrs. Leidlein in honor of Mayor Leidlein and commented on the valuable assistance given by Mayor Leidlein to ACT.

509. Pursuant to public notice, a hearing was then held upon the request of Richard D. Murphy, 640 Manhattan Road SE, to construct an enclosed addition to attach the garage to the house, reducing the side yard requirement from 10 feet to 4 feet at that point. Mr. Murphy was present to discuss his request. Letters favoring granting the variance were received from Mr. and Mrs. John H. Busch, 638 Manhattan Road SE; Mr. and Mrs. R. L. Leigh, 648 Manhattan Road SE; and Dr. Chase, 645 Manhattan Road SE. There were no objections.

509-A. Mehney-Henry. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Richard D. Murphy.

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

Nays: 0

510. The City Attorney advised that he has contacted the City's insurer with regard to the resolution adopted by the City Commission pertaining to Michigan Municipal League review of the City's employment examination process. A response is promised prior to the next Commission meeting.

511. The City Attorney reported that the agreement between the City of East Grand Rapids and Moore & Bruggink whereby Moore & Bruggink will provide services with respect to the 1984 Sanitary Sewer System Improvements project, should be assigned to the Kent County Board of Public Works which will construct the project.

511-A. Deems-Henry. That the President of the Commission and the City Clerk be authorized to execute the assignment of said agreement as recommended by the City Attorney.

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

Nays: 0

512. The clerk-Controller-Treasurer submitted the financial report for the period ending April 30, 1984.

513. The Clerk-Controller-Treasurer submitted a memorandum regarding the proposed modification to the fiscal year 1984 budget - Amendment No. 3, and recommended that \$28,000 be transferred from the Contingencies Account to the Public Safety Department Account to cover wage requirements under the contract with the firefighters union.

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513-A. Mehney-Mertz. That \$28,000 be transferred from the Contingencies Account to the Public Safety Department Account to cover wage requirements under the contract with the firefighters union.

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

514. The City Manager reported on bids received for copper and brass fittings for the 1984 Sanitary Sewer System Improvement project and recommended that the contract be awarded to the low bidder, Etna Supply, in the amount of \$10,179.51.

514-A. Deems-Mehney. That the contract for copper and brass fittings for the 1984 Sanitary Sewer System Improvement project be awarded to the low bidder, Etna Supply, in the amount of \$10,179.51.

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

515. The City Manager reported on bids received for the renewal of the uniform contract, and recommended that a contract in the amount of \$1,615.00 be awarded to Grantex, the low bidder, for the purchase of 85 uniforms, plus \$1.00 for cleaning of each uniform, and 3¢ per shop towel.

515-A. Mertz-Henry. That the contract for the purchase and cleaning of uniforms be awarded to Grantex as recommended.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold - 5  
Nays: 0  
Commissioner Deems abstained.

516. Commissioner Deems, Chairman of the Streets, Sidewalks, Trees & Parks Committee, recommended that the landscaping improvements to Collins Park and the Municipal Complex, (discussed at Item 501 of the minutes of the May 14, 1984 meeting) be delayed until the fall of 1984. The President of the Commission directed that this item be placed on the agenda of the first Commission meeting in August, 1984.

517. The City Manager reported on warranty available with respect to diesel fuel tanks and recommended award of the contract for the replacement of the fiber glass tank at the Public Service Department to the low bidder, Gillhespy Sales & Service, in the amount of \$17,984.

517-A. Mertz-Mehney. That a contract for the replacement of the fiber glass tank with a steel tank be awarded to Gillhespy Sales & Service, the low bidder, in the amount of \$17,984.

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

518. The City Manager reported on security at the compost area.

519. The minutes of the East Grand Rapids Historical Commission meeting held April 25, 1984, were received.

520. The minutes of the East Grand Rapids Planning Commission meeting held April 10, 1984, were received.

521. The Building Inspector's report for the month of April, 1984, was received.

522. The Public Safety Department report for the month of April, 1984, was received.

523. The Commission agreed to hold a work session on Tuesday, May 29, 1984, at 7:30 p.m., to review the budget submitted by the City Manager.

524. The City Manager distributed copies of the Bond Prospectus for the bond sale to be held Wednesday, June 30, 1984.

525. The City Manager advised that the Gypsy Moth spraying will be started May 22, early in the morning, weather permitting.

526. Commissioner Deems reported on the Grand Rapids Mayor's Task Force report.

526-A. Deems-Seibold. That the following resolution be adopted:

WHEREAS, the City of Grand Rapids has issued its Mayor's Economic Development Task Force report of its recommendations dated March 31, 1984, and

WHEREAS, one recommendation of the Task Force is that an Area-Wide Economic Development Coalition be developed to coordinate economic development activities on an area-wide basis; Now, Therefore,

BE IT RESOLVED, that the East Grand Rapids City Commission hereby endorses the recommendation of the Grand Rapids Mayor's Economic Development Task Force to create an Area-Wide Economic Development Coalition.

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

527. Commissioner Moseley reported that a community meeting will be held June 4, 1984, at Blodgett Memorial Medical Center, at which drawings will be displayed showing the proposed change in the traffic pattern around the Hospital.

528. Commissioner Moseley reported that the following candidates have submitted resumes for the position of Mayor of the City of East Grand Rapids: Nyal Deems, William Edison, George Samra, and Barbara Hoag. It was the consensus of the Commission that voting be conducted by paper ballot, with all votes to be made public. A candidate must receive at least 4 votes to be appointed to the position.

The first vote was as follows:

Commissioner Mertz voted for Nyal Deems.  
Commissioner Mehney voted for Nyal Deems.  
Commissioner Moseley voted for Barbara Hoag.  
Commissioner Deems voted for Nyal Deems.  
Commissioner Seibold voted for William Edison.  
Commissioner Henry voted for William Edison.

The second vote was as follows:

Commissioner Seibold voted for William Edison.  
Commissioner Henry voted for William Edison.  
Commissioner Mehney voted for Nyal Deems.  
Commissioner Deems voted for Nyal Deems.  
Commissioner Mertz voted for Nyal Deems.  
Commissioner Moseley voted for William Edison.

The third vote was as follows:

Commissioner Mertz voted for Nyal Deems.  
Commissioner Deems voted for Nyal Deems.  
Commissioner Mehney voted for Nyal Deems.  
Commissioner Henry voted for William Edison.  
Commissioner Seibold voted for William Edison.  
Commissioner Moseley voted for William Edison.

The fourth vote was as follows:

Commissioner Henry voted for William Edison.  
Commissioner Seibold voted for William Edison.  
Commissioner Moseley voted for William Edison.  
Commissioner Mertz voted for Nyal Deems.  
Commissioner Mehney voted for Nyal Deems.  
Commissioner Deems voted for Nyal Deems.

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The fifth vote was as follows:

Commissioner Seibold voted for William Edison.  
Commissioner Henry voted for William Edison.  
Commissioner Moseley voted for William Edison.  
Commissioner Mertz voted for Nyal Deems.  
Commissioner Deems voted for Nyal Deems.  
Commissioner Mehney voted for Nyal Deems.

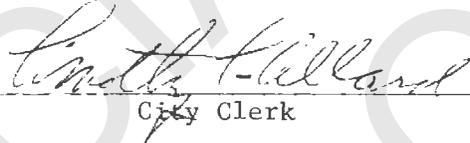
The sixth vote was as follows:

Commissioner Mehney voted for Nyal Deems.  
Commissioner Deems voted for William Edison.  
Commissioner Mertz voted for Nyal Deems.  
Commissioner Moseley voted for William Edison.  
Commissioner Seibold voted for William Edison.  
Commissioner Henry voted for William Edison.

William Edison, having received four votes, was appointed Mayor.

528-A. The City Clerk then administered the oath of office as Mayor to William Edison.

529. The meeting was adjourned, subject to the call of the Mayor, until June 4, 1984.

  
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City Clerk

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

Regular Meeting Held June 4, 1984

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, Assistant City Manager Bremer, City Attorney Richardson, Assistant City Attorney Huff, City Assessor Norman, Public Safety Director Gallagher, City Engineer McMann, and City Clerk-Controller-Treasurer Allard.

530. The minutes of the Special meeting held May 14, 1984, were approved as written.

531. The minutes of the regular meeting held May 21, 1984, were approved as written.

532. Moseley-Seibold. That expense vouchers in the amount of \$48,735.76, and payroll vouchers in the amount of \$85,129.32, 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. The Treasurer submitted an invoice from Smith Bros. Contracting, Inc., for emergency sanitary sewer repair on Beechwood Drive on April 3, 1984, in the amount of \$2,617.75, and requested this amount to be included in the expense vouchers and authorized for payment.

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

533. A communication was received from William Bennett, Chairperson of the Historical Commission, suggesting that an historical survey of parts of the City be conducted. Mr. Bennett introduced Mrs. Barbara Roelofs, from the Heritage Hills Association, who answered questions posed by the Commission. Mrs. Roelofs advised that several homes in East Grand Rapids qualify for placement on the National Historical Register. The City Commission directed that this item be referred to the Planning Commission for study and recommendation and report back to the City Commission.

534. Pursuant to public notice, a hearing was then held on the request of William N. Herold, 2131 San Lu Rae Drive SE, for a zoning variance to permit him to construct an addition to the existing garage which would be two feet eight inches from the northeasterly sideyard rather than the required seven feet. Mr. Herold was present to answer any questions. There were no objections.

534-A. Seibold-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by William N. Herold.

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

535. Communications dated May 14, 1984, and May 25, 1984, were received from Lori Lewis, Chairperson of the Breton Downs Association, requesting financial support to implement safety improvements on the playground and install new playground equipment. Mr. and Mrs. Lewis were present and displayed drawings and photographs of the desired improvements and equipment. The Mayor directed that this matter be referred to the Parks and Recreation Commission.

536. The City Attorney gave an opinion pertaining to the proposed agreement to indemnify the Michigan Municipal League for its review of the City's employment examination process and recommended that the resolution previously adopted by the Commission be forwarded to the League. The resolution adopted by the City Commission May 7, 1984, reads as follows:

WHEREAS, the City of East Grand Rapids, hereinafter called Employer, contemplates that it may utilize the services of the Michigan Municipal League (League) for personnel testing and allied services as a part of its hiring and/or promotion of employees, and

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WHEREAS, despite the best efforts of the League and the Employer to avoid violation of the Equal Employment Opportunity Act and other legislation of the Federal and state governments relating to personnel practices and other statutes relating to discrimination on account of race, national origin, sex, age or handicap, the likelihood of litigation making a claim of such discrimination is substantial, and

WHEREAS, the defense of the Employer and of the League to any such litigation can most economically and feasibly be carried out as a unitary defense.

THEREFORE BE IT RESOLVED, That the Employer does hereby agree with the Michigan Municipal League as follows:

(1) If it utilizes the personnel selection or other personnel services of the League such utilization shall be subject to the provisions of this resolution.

(2) If a complaint, proceeding or suit is brought or claim is made based on a charge of unfair or illegal employment practices against the Employer or the League or both, or against any employee or agent of the League by one or more persons, which complaint, proceeding, suit or claim is in any way related to the testing contemplated by or carried out under this agreement, the Employer will defend the League and its employees or agents engaged by the League to assist with administration of oral examinations, assessment centers or other activities in personnel services contracted for by the employer with the Michigan Municipal League at no expense to the League, its employees or agents, and in the event damages or costs are awarded against the League, an employee or agent of the League, the Employer will pay the same when award or judgment becomes final. The League will cooperate with the Employer as the Employer may require in its defense of any proceeding or suit. League expenses, including employee time necessarily expended in connection therewith or in attending any court or tribunal or administrative agency at the request of the Employer, shall be paid by the Employer to the League upon submission of a bill for such expenses. Reimbursement for staff time shall only be that time required over that normally required in processing an uncontested examination. If any such litigation does not name the League as a party to the action but the employees of the League are required to expend time in assisting the Employer in the defense of the litigation or in answering official interrogatories or depositions duly served upon it by other parties to such action, the Employer will pay the same rates to the League for employees' time expended in connection therewith as are agreed to by the Employer for the personnel services of the League. This clause shall be applicable even if such proceeding or suit is groundless, false or fraudulent, but the Employer may make such investigation and settlement of any claim or suit as is deemed expedient.

This resolution shall be valid until terminated by action of the legislative body of the Employer but any such termination shall be without prejudice to claims arising prior to such termination. Ten (10) days written notice of such termination shall be given to the League.

537. The Clerk advised Commissioner Deems that the information Mr. Deems has requested on maturity schedules of bond issues outstanding has been obtained and will be given to him.

538. The City Manager discussed the bids received for the \$2.5 million Water and Sewer Improvement Bonds. The City Manager reported that the low bidder was Manley, Bennett, MacGregor, and Old Kent Bank with a net interest rate of 8.9849%.

539. The Treasurer reported on totals which were inadvertently omitted from the financial report distributed at the last meeting.

540. The Clerk-Controller-Treasurer submitted a memorandum requesting authorization to place delinquent water accounts in the amount of \$12,651.47 on the 1984 summer tax roll.

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540-A. Deems-Moseley. That the delinquent water accounts in the amount of \$12,651.47 be placed on the 1984 summer tax roll.

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

541. The Assistant City Manager submitted a report of bids received for three computer systems for the Public Service Department, Recreation Department, and Assessor's Office, and recommended that the contract be awarded to Inacomp, the low bidder, in the amount of \$15,922.85; and, in addition, that the quote of Dr. Scaff for an appraisal software package for the Assessor's Office in the amount of \$795.00 be approved, for a total of \$16,717.85.

541-A. Moseley-Seibold. That a contract be awarded to Inacomp, the low bidder, for three computer systems in the amount of \$15,922.85, and to Dr. Scaff for an appraisal software package in the amount of \$795.00, for a total of \$16,717.85.

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

542. The minutes of the Traffic Commission meeting held May 15, 1984, were received. Public Safety Director Gallagher discussed the "scramble phase" of the traffic signal at the intersection of Breton and Lake Drive which the Traffic Commission voted to eliminate.

542-A. Deems-Moseley. That the Commission concur that the "scramble phase" at the intersection of Breton and Lake Drive be eliminated; also that a crosswalk be painted in a north-south direction on the west side of the intersection; and that directional walk signals shall be installed at the intersection.

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

543. A memorandum was received from the Michigan State Department of Management and Budget relative to a grant of four years of military service credit to Police Lieutenant Del Grooters who will be retiring from the City of East Grand Rapids July 1, 1984. The City Manager recommended approval of this grant.

543-A. Moseley-Henry. That the City grant four years of military service credit to Police Lieutenant Del Grooters upon his retirement July 1, 1984.

543-B. Mertz-Deems. That the above motion be tabled and referred to the Personnel Committee for establishment of a policy for future requests. The vote on the motion to table was:

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

544. Commissioner Mehney inquired about Item #1 of the Traffic Commission minutes as relating to the probable deadline for deciding on the necessity for a crossing guard at Plymouth and Wealthy.

545. Commissioner Moseley inquired about a hearing to be held by the Department of Natural Resources regarding placing fill in an area between Fisk and Reeds Lakes. The City Manager advised that no hearing has been requested.

546. Commissioner Moseley inquired as to what persons have served on commissions and committees for six years. The City Manager advised that a list will be forthcoming.

547. Commissioner Mertz advised that there are trees which need to be trimmed at the intersection of Elmwood and Woodlawn to permit better visibility of the "Stop" sign.

548. Commissioner Mertz inquired about the air-conditioning problem at the Library.

549. Commissioner Deems inquired about the City's policy for licensing ice cream wagons.

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550. Commissioner Mehney inquired about the berms at the Cascade landfill area.

551. The Mayor recommended that James R. Sebastian, Jr. be appointed to the Economic Development Coalition Policy Board.

551-A. Mehney-Seibold. That James R. Sebastian, Jr. be appointed to the Economic Development Coalition Policy Board.

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

552. The Mayor directed that a work session on the budget be included on the agenda of the next City Commission meeting.

553. Seibold-Mehney. That this Commission go into executive session to consider pending litigation involving the so-called Gilmore property.

A roll call vote was taken:

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

The motion carried.

554. After the executive session, Mayor Edison reconvened the meeting.

555. The meeting was adjourned, subject to the call of the Mayor, until June 18, 1984.

  
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City Clerk

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

Regular Meeting Held June 18, 1984

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, Assistant City Manager Bremer, City Attorney Richardson, City Clerk-Controller-Treasurer Allard, and City Engineer McMann.

556. The minutes of the meeting held June 6, 1984, were corrected by adding in Item 542-A that directional walk signals shall be installed at the intersection of Breton and Lake Drive. The minutes were then approved as corrected.

557. Moseley-Seibold. That expense vouchers in the amount of \$283,643.27, and payroll vouchers in the amount of \$61,660.34, 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

558. Pursuant to public notice, a hearing was then held on the request of Steven L. and Carol D. Briggs, 917 Pinecrest Avenue SE, to construct a 2-stall detached garage one and one-half feet from the southerly side yard and rear yard rather than the required three feet. Communications favoring the granting of the variance were received from Ronald W. Collins, 900 Pinecrest Avenue SE, R. W. Rigdon, 913 Pinecrest Avenue SE, Paul and Alice Willits, 926 Pinecrest Avenue SE, and Mary E. McDonnell, 924 Floral Avenue SE. Mr. and Mrs. Briggs were not present. There were no objections.

558-A. Mertz-Deems. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Steven L. and Carol D. Briggs.

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

559. A copy of a communication from the Assistant City Attorney to Commissioner Deems with an attached proposed ordinance amendment which relates to fees charged for ice cream vendors was received. The Mayor directed that this item be tabled until the next regular meeting of the City Commission.

560. There was no Clerk-Controller-Treasurer's report.

561. A memorandum was received from the Personnel Committee recommending granting credit to Police Lieutenant Del Grooters for his military service upon his retirement July 1, 1984.

561-A. Deems-Henry. That the following resolution be adopted and, in addition, this Commission resolves that as a matter of policy (subject to approval of future Commissions acting on such matters), the City undertake the consideration of the same benefit for an employee eligible under the program who has served the City meritoriously for ten years:

WHEREAS, Act 126, P.A. of 1980, permits members of the Michigan Municipal Employees' Retirement System to be credited with up to five years of their military service, upon approval of the local governing body, and

WHEREAS, Police Lieutenant Delmer Grooters having at least ten years of credited service with the Michigan Municipal Employees' Retirement System in force, and having served 4 years and 4 months in the military service during a time of war or national emergency, or was drafted into the armed service during a time of peace, and

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WHEREAS, said member has deposited a total of \$6,001.75 with the Michigan Municipal Employees' Retirement System, as computed by the retirement office, and has furnished the retirement office with a copy of his military discharge papers, and

WHEREAS, the City of East Grand Rapids acknowledges that the total increase in unfunded accrued liabilities if paid in a lump sum at this time amounts to \$9,345.00, or if amortized over 24 years in an annual contribution increase of \$473.00 per year (including 6% annual interest on the unpaid balance) now

THEREFORE, BE IT RESOLVED, that the Michigan Municipal Employees' Retirement System is hereby requested to grant Delmer Grooters such military service credit as provided by Act No. 126, P.A. of 1980, and

BE IT FURTHER RESOLVED, that said employee has certified to the Michigan Municipal Employees' Retirement System that the military service credit being granted has not and will not be used in any other retirement system for the purpose of receiving a retirement benefit.

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

562. 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 by East Grand Rapids for the year beginning July 1, 1984.

562-A. Moseley-Henry. That the City of East Grand Rapids enter into a contract with Lemmen Oil Company for gasoline and diesel fuel for the City for the year beginning July 1, 1984.

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

563. The City Manager reported on bids received for watermain installation in Gladstone-Rosewood-Reed Streets from Sherman to Franklin, and recommended that the contract be awarded to the low bidder, Kamminga & Roodvoets, in the amount of \$221,284.13.

563-A. Moseley-Deems. That the contract for the watermain installation in Gladstone-Rosewood-Reed Streets be awarded to the low bidder, Kamminga & Roodvoets, in the amount of \$221,284.13.

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

564. A memorandum was received from the City Engineer relative to bids received for water materials needed for the Gladstone-Rosewood-Reed Street water-main installation, and recommended that the contract be awarded to the low bidder, Etna Supply Company, in the amount of \$28,874.26.

564-A. Moseley-Deems. That the contract for water materials be awarded to the low bidder, Etna Supply Company, in the amount of \$28,874.26.

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

565. A memorandum was received from the Assistant City Manager listing the status of people on committees with respect to the six year limitation policy of the City Commission.

566. The Public Safety Department report for the month of May, 1984, was received.

567. The Planning Commission minutes of the meeting held May 15, 1984, will be distributed with the next agenda material.

568. The City Manager requested that the City Clerk be authorized to issue a permit to the City Manager to purchase and display fireworks on July 4, 1984.

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568-A. Henry-Moseley. That the City Clerk be authorized to issue a permit to the City Manager for the purpose of purchasing and displaying fireworks on July 4, 1984.

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

569. Commissioner Mehney commended an alert neighbor for reporting a fire on Beechwood Drive on June 16th, and the efficiency of the East Grand Rapids Fire Department for keeping damage to a minimum.

570. Commissioner Mehney inquired about the progress of the sketch of the Manhattan landfill site. The City Engineer responded that it will be included in the next agenda material.

571. Commissioner Deems reported that the Planning Commission favors the conduct of an historical survey of parts of the City as recommended by the Historical Commission and that a written report will be submitted at the next regular City Commission meeting.

572. Commissioner Mertz commented on the accumulation of materials and debris at the Public Service Department.

573. Commissioner Moseley commented on the increase in traffic on Breton Road due to street closures for construction purposes and asked that drivers be aware of problems of the residents.

574. Commissioner Moseley commented on various types of signs being illegally placed in the parkway by residents.

575. Commissioner Henry commended the sewer contractor for doing an excellent job in keeping street closures to a minimum.

576. Commissioner Deems asked if the old diesel gasoline tank had been removed. The City Manager answered in the negative.

577. The Mayor stated that he had taken a tour of the street construction areas. He commended the City Engineer on the letter sent to residents in the area of construction and requested that a copy of this letter be distributed to all Commissioners.

578. The meeting was adjourned, subject to the call of the Mayor, until June 25, 1984.

  
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City Clerk

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

Special Meeting Held June 25, 1984

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 Manager Bremer,  
City Attorney Richardson, Assistant City Attorney Huff,  
and City Clerk-Controller-Treasurer Allard.

580. Pursuant to published notice, a public hearing was held by the City Commission for the purpose of considering the proposed General Fund Budget for the fiscal year 1984/85. There were eight residents in attendance, all of whom spoke in opposition to any increase in millage for the fiscal year July 1, 1984 to June 30, 1985.

581. Following comments by residents and City Commissioners, the Mayor advised those present that the General Fund Budget for the fiscal year ending June 30, 1985, will be considered for adoption, with such changes as the Commission may make, at the regular City Commission meeting to be held July 2, 1984.

582. The meeting was adjourned, subject to the call of the Mayor, until July 2, 1984.

  
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City Clerk

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

Regular Meeting Held July 2, 1984

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, Assistant City Manager Bremer, Assistant City Attorney Huff, City Assessor Norman, City Engineer McMann, and City Clerk-Controller-Treasurer Allard.

1. The minutes of the meeting held June 18, 1984, were approved as written.

2. Moseley-Seibold. That expense vouchers in the amount of \$219,179.06, and payroll vouchers in the amount of \$70,096.66, 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: Henry, Mehney, Moseley, Seibold, Edison - 5

Nays: 0

3. Pursuant to public notice, a hearing was then held on the request of Glen A. Harper, 1417 Sherwood Drive SE, to construct a pool three feet from the side lot line and six feet from the rear lot line rather than the required ten feet from each lot line. A communication favoring the granting of the variance was received from Jeffrey Holtzman, 1433 Sherwood Drive SE. Mr. Harper was present to answer any questions. There were no objections.

3-A. Moseley-Mehney. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Glen A. Harper.

Yeas: Henry, Mehney, Moseley, Edison - 4

Nays: Seibold - 1

Commissioner Deems arrived at this time.

4. Pursuant to public notice, a hearing was held on the request of Martha M. Golden, 2017 Hall Street SE, to construct an enclosed screen porch six feet from the detached garage rather than the required ten feet. Ms. Golden was not present. There were no objections.

4-A. Moseley-Seibold. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Martha M. Golden.

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

Nays: 0

5. The Assistant City Attorney recommended that the proposed ordinance amendment relative to the licensing fee for ice cream vendors, which was tabled at the June 18th meeting, be tabled again until the next regular City Commission meeting on July 16, 1984.

6. The City Clerk-Controller-Treasurer submitted a tentative schedule of regular City Commission meetings for fiscal year 1984/85.

7. The City Engineer submitted a sample of a letter which is sent to all citizens affected by sewer construction projects in the City of East Grand Rapids.

8. The City Manager distributed a letter which was received from the Department of Agriculture dealing with the Gypsy Moth management program conducted by the Department of Agriculture.

9. The minutes of the East Grand Rapids Planning Commission meeting held May 15, 1984, were received.

10. The Building Inspector's report for the month of May was received.

11. The City Manager reported that weed harvesting in Reeds Lake has been performed.

12. Commissioner Mehney inquired whether any member of the City Commission had attended the meeting concerning the Gypsy Moth problem which was conducted by the Department of Agriculture on June 26, 1984. The City Manager replied in the negative.

13. William Bennett, Chairperson of the Historical Commission, explained what his group wishes to accomplish. Mrs. Jane Henderson was also present and supported Mr. Bennett's comments and answered questions posed by the City Commission.

14. Mehney-Deems. RESOLVED, that the following budget, with a millage rate of 16.8869, be adopted as the annual General Fund Budget for the City of East Grand Rapids for the fiscal year July 1, 1984 to June 30, 1985:

ANTICIPATED REVENUES:

City Taxes	\$ 2,449,500
Licenses & Permits	8,000
Fines & Fees	25,000
Distribution from Other Agencies	594,800
Use of Money & Property	85,000
Charges for Current Services	200,300
Total Anticipated Revenues	\$ 3,362,600
Transfer from Fund Balance	249,000
Total Revenues including Transfer	\$ <u>3,611,600</u>

EXPENSE APPROPRIATIONS:

General Government	\$ 473,000
Public Safety	1,418,500
Public Service	721,900
Contributions & Aid	404,100
Other Operating Expenses	64,500
Total Operating Approp.	\$ 3,082,000
Capital Expenditure Approp.	529,600
Total Expense Approp.	\$ <u>3,611,600</u>

14-A. Seibold. That the budget, as proposed, be amended to incorporate an increase of one-half mill rather than 2.1031 mills.

The motion failed for lack of support.

14-B. Moseley. That the Recreation Department budget be established at \$250,000 rather than \$290,900 as proposed in the Expense Appropriations of the General Fund Budget.

The motion failed for lack of support.

14-C. Henry-Deems. That the budget be amended to incorporate a one-mill increase and that the expenditure budget be adopted as proposed by the City Manager except for the elimination of Contingent Funds from the budget. After discussion, a roll call vote was taken:

Yeas: Deems, Henry - 2

Nays: Mehney, Moseley, Seibold, Edison - 4

The motion failed.

7/2/84

14-D. Seibold-Moseley. 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 \$3,611,600; and that the tax rate per \$1,000 valuation is hereby determined to be 15.2838.

A roll call vote was taken:

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

The motion carried.

A roll call vote was taken on the main motion to adopt the budget and millage as amended:

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

The motion carried.

15. Commissioner Mehney reported that he had received a sketch of the Manhattan landfill site as prepared by the City Engineer.

16. Commissioner Mehney requested that a meeting be held with the auditors and the City Clerk-Controller-Treasurer.

17. Commissioner Seibold reported receiving a telephone call from a citizen complaining about the lack of service on Cambridge Boulevard by Larry's Lawn Service. The City Manager advised that Larry's Lawn Service was not at fault since Cambridge was only recently added to the area to be serviced by Larry's Lawn Service.

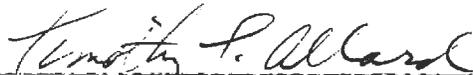
18. Commissioner Moseley reported on her visit to the recycling center at the Public Service Department.

19. The Mayor expressed his desire to formalize a plan in which the Commissioners can join him in evaluating the operations of each department within the City.

20. Mr. William Bennett, Chairperson of the Historical Commission, advised that there are 3,300 residences in the City and 2,400 children in the school system.

21. Mr. William Bennett requested the Commissioners to view the architecture of the buildings on Croswell near Jersey Junction, and then compare them with the box fronts which have been constructed for retail purposes on the existing homes on the south side of Wealthy Street across from the bus stop.

22. The meeting was adjourned, subject to the call of the Mayor, until July 16, 1984.

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

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

Regular Meeting Held July 16, 1984

The meeting was called to order by Mayor Edison.

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

Absent: Com. Henry.

Also Present: Assistant City Manager Bremer, City Attorney Richardson, Assistant City Attorney Huff, City Engineer McMann, Public Service Superintendent Smith, Assistant Public Service Superintendent Sterkenberg, Account Clerk Stewart, Public Safety Director Gallagher, Deputy Director Kroes, City Assessor Norman, and City Clerk-Controller-Treasurer Allard.

23. The minutes of the Special meeting held June 25, 1984, and of the regular meeting held July 2, 1984, were approved as written.

24. Commissioner Moseley expressed concern about the lack of compliance with the policy established in 1982 whereby department heads are required to submit requests for reimbursement for expenses incurred by the 10th day of the following month. The Assistant City Manager was directed to prepare a memo for distribution to all department heads advising that the policy established in 1982 will be enforced.

24-A. Moseley-Seibold. That expense vouchers in the amount of \$191,860.44, and payroll vouchers in the amount of \$80,867.72, 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

25. The City Attorney submitted proposed ordinances to amend Section 7.32, and to add Section 7.49 to the City Code.

25-A. Deems-Mehney. That the following ordinance amendments be introduced:

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

The City of East Grand Rapids ordains:

Section 1. Section 7.32 of Chapter 72 of Title VII of the Code of the City of East Grand Rapids shall be amended by inserting (in alphabetical order) the following Fee for License:

"Peddler of ice cream, candy and confections by motor  
or foot propelled vehicle, per calendar year, \$25.00"

Section 2. This ordinance shall be published in full within ten days after its enactment 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 \_\_\_\_\_, 1984.

AN ORDINANCE TO AMEND CHAPTER 74  
OF TITLE II OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS  
BY ADDING SECTION 7.49

The City of East Grand Rapids ordains:

Section 1. Chapter 74 of the Code of the City of East Grand Rapids is amended by adding Section 7.49, reading as follows:

## "7.49 - Rules and Regulations

The City Manager shall promulgate and may amend from time to time rules and regulations to be followed to insure compliance with the provisions of this chapter. Such regulations shall include, but not be limited to, hours and methods of operation, and the manner of compliance with the requirements of this chapter. Such rules and regulations and any changes therein shall be submitted to the City Commission for approval. Failure of a peddler to abide by said rules and regulations shall be grounds for revocation of the permit under which said peddler operates and shall constitute a violation of this chapter and subject the offender to the penalty set forth in Section 1.13 of this code."

Section 2. This ordinance shall be published in full within ten days after its enactment 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 \_\_\_\_\_, 1984.

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

Nays: Moseley - 1

26. The City Clerk advised that the 1984 summer tax bills were mailed July 6th.

27. The City Clerk advised that the Computer Operator has submitted her resignation effective August 3, 1984, and that two people have been employed on a temporary part-time basis.

28. Commissioner Deems requested that the City Clerk-Controller-Treasurer submit a revised Fiscal Year 1985 budget report to reflect all of the changes made by the City Commission.

29. A memorandum was received from the Parks and Recreation Commission relative to action taken on the development of the playground at Breton School. Lori Lewis, Chairperson of the Breton Downs Association, was present and displayed a drawing of the proposed playground improvements. Mr. Robert Foster, 1630 York Drive SE, was present and objected to the location of the proposed playground. Mrs. Lewis answered questions regarding this proposed plan.

29-A. Deems-Moseley. That the City support the Breton playground development in a manner similar to the support provided to the Wealthy School playground project.

29-B. Mertz-Deems. That the motion be amended to provide that the City contribute an amount not to exceed \$2,500 toward the Breton playground development if in-kind City services are not available within a reasonable length of time.

29-C. Mehney-Moseley. That the motion be further amended to provide the landscaping of the Breton playground be scheduled in the fall of the year to coincide with landscaping work scheduled in John Collins Park.

A vote was taken on the motion to amend (29-C above)

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

Nays: 0

Commissioner Seibold abstained.

The motion carried.

A vote was taken on the motion to amend (29-B as amended by 29-C)

Yeas: Deems, Mehney, Mertz, Edison - 4

Nays: Moseley - 1

Commissioner Seibold abstained.

The motion carried.

A vote was taken on the main motion as amended:

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

Nays: 0

The motion carried.

7/16/84

30. The City Engineer submitted a project status dated July 16, 1984, for the Silver Creek storm drain and the sanitary sewer reconstruction projects.

31. An invoice from Moore & Bruggink in the amount of \$9,430.44 for engineering services in connection with the Silver Creek drain was received for information.

32. The minutes of the Traffic Commission meeting held June 26, 1984, were received. Attention was called to Items #1 and #4. The City Engineer discussed the reason for construction of an island at the intersection of El Centro with Cascade Road (Item #4).

32-A. Mertz. That a crossing guard not be hired for the intersection of Plymouth and Wealthy Streets as recommended by the Traffic Commission (Item #1).

The motion failed for lack of support.

33. The minutes of the East Grand Rapids Planning Commission meeting held June 12, 1984, were received.

34. The report of the Building Inspector for the month of June, 1984, was received.

35. The Public Safety Department report for the month of June, 1984, was received.

36. The Assistant City Manager submitted a memorandum regarding a problem with the diesel fuel tank replacement. The Mayor appointed a committee consisting of the Mayor, the Public Service Superintendent, and the Assistant City Manager to review this matter and make a recommendation to the City Commission at the next regular City Commission meeting.

37. Commissioner Deems submitted a letter to the City Commission in behalf of the Planning Commission requesting that the City apply for a State Grant for the purpose of conducting an historical survey.

37-A. Seibold-Deems. That the City Commission authorize the Historical Commission to apply to the State for 50% funding for an area survey.

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

38. Commissioner Mehney reported that he has received several phone calls from residents objecting to the odor from the compost area and the size of the berm. The Mayor scheduled a meeting with Commissioner Mehney and the Public Service Superintendent to discuss the problem.

39. Commissioner Deems reported that he has also received phone calls objecting to the compost area.

40. Commissioner Moseley expressed concern about the length of time a political sign should be allowed to be posted before an election.

41. Commissioner Moseley expressed concern about vehicles entering a street where a "Street Closed" sign has been posted, and suggested that such signs be strictly enforced.

42. Commissioner Moseley requested that the minutes of the monthly meetings show those present and those absent.

43. Commissioner Mehney requested that financial statements be prepared and distributed at regular intervals.

44. The Mayor made the following appointments for the fiscal year 1984/85:

ADMINISTRATIVE APPOINTMENTS

CITY MANAGER	Fred H. Tholen
PUBLIC SAFETY DIRECTOR	Peter Gallagher
CITY CLERK, CONTROLLER, TREASURER	Timothy T. Allard
ASS'T CITY MANAGER	Jeffrey Bremer
CITY ATTORNEY	Robert W. Richardson
ASSESSOR	Shirley Norman
ASSISTANT ASSESSORS	George Samra
	J. Robert Green
PURCHASING AGENT	Fred H. Tholen
ASS'T PURCHASING AGENT	Jeffrey Bremer
HEALTH OFFICER	Douglas A. Mack, M.D.
HARBORMASTER	Charles Harrett
FORRESTER	William Rice
PRESIDENT OF CITY COMMISSION	Lois Moseley

COMMISSION COMMITTEES

WAYS & MEANS COMMITTEE

Lois Moseley  
 William Henry  
 Paul Seibold

STREETS, SIDEWALKS, TREES, PARKS

David Mehney  
 Stephen Mertz  
 Nyal Deems

ORDINANCE COMMITTEE

Paul Seibold  
 Nyal Deems

BOARD OF REVIEW

Shirley Norman, Chpsn.  
 George Samra  
 J. Robert Green  
 Lois Moseley  
 Stephen Mertz

EAST BELTLINE BOARD OF DIRECTORS

Ingvar Samuelson (Business)	1/1/87
F. H. Tholen (Government)	1/1/85
Thomas F. Curran (Citizen)	1/1/86

PERSONNEL COMMITTEE

Nyal Deems  
 William Edison  
 Stephen Mertz

ELECTION COMMISSION

Timothy T. Allard  
 Shirley Norman  
 Robert W. Richardson

PLANNING COMMISSION

Robert Olson	7/1/85
Judith Frey	7/1/85
Nyal Deems	7/1/86
Barbara Van't Hof	7/1/86
Starr Waddell	7/1/86
Michael J. Taylor	7/1/87
Ruth Ann Brintnall	7/1/87
Clifford O. Boyce	7/1/87
Cherry Jacobus	7/1/85
The Mayor	ex-officio
The Manager	"

TRAFFIC COMMISSION

Larry J. Titley  
 Richard G. Modery  
 Mark Levandoski  
 Peter Sears  
 Lois Moseley  
 Peter Gallagher  
 Fred H. Tholen

LIBRARY COMMISSION

Suzanne House  
 Bradley Palmer  
 Stephen Mertz  
 Jeff Beusse  
 Mary Wilson  
 Constance Haven  
 Arnold Jacobsen  
 LeRoy Kramer, III  
 Kyle Irwin

NOTE: All appointments that do not have an expiration date are for a period of one year.

BOARD OF CANVASSERS      Term Expires

Helen Maher	12/31/84
Linda S. Chervenks	12/31/86
David M. Amberg	12/31/87
Merle Johnson	12/31/87

GRETS CITIZENS ADVISORY COMMITTEE

William Ruoff

CHAMBER OF COMMERCE BUSINESS DEVELOPMENT COMMITTEE

William Henry

7/16/84

RECREATION COMMISSION

Paul Seibold 7/1/85  
Robert Conklin 7/1/86  
Janyce Huff 7/1/87  
School Board Appointees (3)  
Richard Drieborg 7/1/86  
Lou Klingman 7/1/87  
Marilyn Lundquist 7/1/85  
At-Large  
Steve Edison 7/1/86

JOINT CITY-SCHOOL RECREATIONAL FACILITIES COMMITTEE

City Appointees  
Paul Seibold  
David Mehney  
William Edison  
School Board Appointees (3)  
Garland Tupper  
John Gordon  
Kathy Muir

AGRAG REPRESENTATIVES

William Edison  
Lois Moseley

GRETS POLICY COMMITTEE

William Edison

GRETS TECHNICAL COMMITTEE

Fred H. Tholen

EAST GRAND RAPIDS ART COMMISSION

Mike Karolle, Chpsn.  
Paula Larson  
Marilyn Hagerup  
Sally LaBaugh

METRO-ENERGY PLANS, INC.

Anthony Travis

WISHBOOK COMMITTEE

Lois Moseley  
Paul Seibold

REAL ESTATE COMMITTEE

Nyal Deems  
Stephen Mertz  
William Henry

COMMUNITY ADVISORY BOARD (KENT DPW)

William Edison

GRAND RAPIDS TRANSIT AUTHORITY

Lois Moseley

REGION VIII PLANNING COMMISSION

Ralph Rye  
William Henry  
Oliver Robinson

KENT COMMUNITY ACTION PROGRAM

Lois Moseley

BUILDING AUTHORITY

Fred H. Tholen  
Timothy T. Allard  
Robert W. Richardson

LOCAL OFFICERS' COMPENSATION COMMISSION

	<u>Term Expires</u>
Katherine McIlhargey	12/31/86
Bruce Kellogg	12/31/87
Merle Johnson	12/31/88
J. Robert Green	12/31/84
Harold Roy	12/31/85

CITIZENS ADVISORY COMMITTEE ON LAKE RESTORATION

Mike Karolle, Chpsn.

BUSINESS LIAISON

David Mehney  
William Henry

BLODGETT HOSPITAL LIAISON

Nyal Deems  
David Mehney

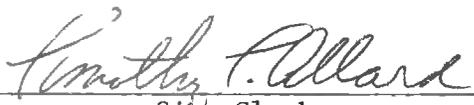
ANIMAL CONTROL ADVISORY COMMITTEE

Lois Moseley  
Sue Roberts, President PTA Council  
Patrick Daley  
Richard L. Court  
Bruce Fairbanks  
John Wiese  
East Grand Rapids School Board Appointee

HISTORICAL COMMISSION

	<u>Term Expires</u>
William L. Bennett, Chpsn.	12/31/86
Wilson D. Whittier	12/31/86
Jane Henderson	12/31/85
Don Farrant, Jr.	12/31/85
Louise Uhl	12/31/84
Joellen Clary	12/31/84
The Mayor	ex-officio
Librarian-EGR Library	"

45. The meeting was adjourned, subject to the call of the Mayor, until August 6, 1984.

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

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

Regular Meeting Held August 6, 1984

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, Assistant City Manager Bremer, City Attorney Richardson, Assistant City Attorney Huff, City Engineer McMann, City Assessor Norman, City Clerk-Controller-Treasurer Allard, Plant Engineer Baragar, and Public Safety Director Gallagher.

45. The minutes of the meeting held July 16, 1984, were corrected by deleting the following wording in Item #40: "and questioned whether a limit should be placed on the size of the sign". The minutes were then approved as corrected.

46. Moseley-Mertz. That expense vouchers in the amount of \$444,673.02, and payroll vouchers in the amount of \$156,957.43, 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

47. The Commission considered the proposed ordinance amendments relative to ice cream vendors which were introduced at the meeting of July 16, 1984.

47-A. Deems-Henry. That the following ordinance amendments be adopted and that no provision be made for pro-rating the fee:

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

The City of East Grand Rapids ordains:

Section 1. Section 7.32 of Chapter 72 of Title VII of the Code of the City of East Grand Rapids shall be amended by inserting (in alphabetical order) the following Fee for License:

"Peddler of ice cream, candy and confections  
by motor or foot-propelled vehicle, per calendar  
year, \$25.00"

Section 2. This ordinance shall be published in full within ten days after its enactment 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 August 16, 1984.

AN ORDINANCE TO AMEND CHAPTER 74  
OF TITLE II OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS  
BY ADDING SECTION 7.49

The City of East Grand Rapids ordains:

Section 1. Chapter 74 of the Code of the City of East Grand Rapids is amended by adding Section 7.49, reading as follows:

"7.49 - Rules and Regulations

8/6/84

The City Manager shall promulgate and may amend from time to time rules and regulations to be followed to insure compliance with the provisions of this chapter. Such regulations shall include, but not be limited to, hours and methods of operation, and the manner of compliance with the requirements of this chapter. Such rules and regulations and any changes therein shall be submitted to the City Commission for approval. Failure of a peddler to abide by said rules and regulations shall be grounds for revocation of the permit under which said peddler operates and shall constitute a violation of this chapter and subject the offender to the penalty set forth in Section 1.13 of this code."

Section 2. This ordinance shall be published in full within ten days after its enactment 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 August 16, 1984.

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

48. The City Attorney stated that he had previously distributed copies of the settlement agreement which was received from the attorneys representing John Gilmore and the Reeds Lake Place.

48-A. Mayor Edison-Seibold. That this matter be added as an agenda item.

A roll call vote was taken:

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

The motion carried.

48-B. Moseley. That this matter be tabled until the next regular City Commission meeting.

The motion failed for lack of support.

48-C. After discussion, it was moved by Commissioner Seibold, supported by Commissioner Moseley, that this matter be tabled until the next regular City Commission meeting.

A roll call vote was taken:

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

The motion failed.

48-D. Deems-Mertz. That the settlement agreement be approved and that the following three resolutions be adopted:

RESOLUTION OF CITY COMMISSION

WHEREAS John Gilmore and Reeds Lake Place have submitted to the City a proposed Agreement to settle and resolve the pending litigation in the Kent County Circuit Court, being Case No. 74 - 15325 CC, together with certain deeds and other instruments relative to such settlement; and

WHEREAS this City Commission has reviewed said proposed Agreement and the deeds and other instruments so submitted; and

WHEREAS this City Commission determines that it is in the best interest of the City to enter into a settlement of said litigation by entering into the proposed Agreement and by taking the necessary steps to effectuate the terms and provisions thereof,

8/6/84

NOW, THEREFORE, IT IS RESOLVED that:

1. The Agreement submitted to the City, executed by John Gilmore and Reeds Lake Place, is approved and the Mayor and Clerk are authorized to execute the same on behalf of the City and to deliver the executed agreement to the other parties thereto.
2. The deed submitted to the City, executed by Reeds Lake Place, is accepted as submitted and the City Clerk is directed to record the same.
3. The City Clerk-Controller is directed to forthwith pay the delinquent taxes on the property so deeded to the City. The Mayor is authorized to execute the letter agreement dated July 23, 1984 regarding payment of taxes.
4. The letter agreement submitted to this meeting regarding building height and property cleanup is approved and special counsel John C. Jones is authorized to execute it on behalf of the City.
5. The Mayor and City Clerk are authorized to execute and deliver, on behalf of the City, any further documents required to perform the Agreement authorized by this Resolution and to do any acts required to perform said Agreement.
6. The City's Special Counsel is authorized to dismiss the Kent County Circuit Court Case No. 74-15325 CC at such time as the terms of the Agreement have been fully performed.

RESOLUTION BY CITY COMMISSION

WHEREAS the City of East Grand Rapids, by instrument recorded with the Register of Deeds of Kent County, Michigan, in Liber 2366 at page 1328, asserted a claim with respect to property situated in the City of East Grand Rapids, Kent County, Michigan, which included Lots 67 and 68 of Boynton and Judd's Lake Addition to said City of East Grand Rapids; and

WHEREAS the present titleholders of said Lots 67 and 68 have agreed to convey to the City of East Grand Rapids that portion of Lot 68 of said addition lying north of a line 253' north of and parallel to the south line of Lot 30 of said Boynton and Judd's Lake Addition extended easterly; and

WHEREAS the City of East Grand Rapids is willing to accept said conveyance in satisfaction of its claim with respect to Lots 67 and 68 and to release any claim that it may have with respect to any other portion of said Lots 67 and 68;

NOW, THEREFORE, BE IT RESOLVED that upon receipt from the present titleholders of a deed in recordable form conveying to the City marketable title to that portion of Lot 68 of Boynton and Judd's Lake Addition lying north of a line 253' north of and parallel to the south line of Lot 30 of said plat extended easterly, the City, by its Mayor and Clerk, execute and deliver to said titleholders a quit claim deed and release of claim to said Lots 67 and 68, except only that portion of Lot 68 described in the second paragraph of this resolution.

FURTHER RESOLVED that said quit claim deed and release be executed in such form as shall be approved by the City Attorney.

8/6/84

RESOLUTION BY CITY COMMISSION

WHEREAS the present title holders of Lots 67 and 68 of Boynton and Judd's Lake Addition to the City of East Grand Rapids have agreed to convey to the City of East Grand Rapids that portion of Lot 68 of said Addition lying North of a line 253 feet North of and parallel to the South line of Lot 30 of said Boynton and Judd's Lake Addition extended Easterly; and

WHEREAS the present title holders of said Lots 67 and 68 have asked for assurance from the City that any tennis courts built on that part of Lot 31 of Boynton and Judd's Lake Addition lying East of Reeds Lake Boulevard will not be lighted without the consent of the title holders of Lots 67 and 68 being first obtained; and

WHEREAS the City of East Grand Rapids is willing to make this assurance as additional consideration for the above noted transfer of a portion of said Lot 68 to the City;

NOW, THEREFORE, BE IT RESOLVED That the City of East Grand Rapids will not permit any tennis courts which are constructed on Lot 31 of Boynton and Judd's Lake Addition lying East of Reeds Lake Boulevard to be equipped with lights to illuminate the playing surface without the consent of the title holders of Lots 67 and 68 of said Addition being first obtained.

A roll call vote was taken:

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

The motion carried.

49. The City Clerk-Controller-Treasurer submitted a General Fund Budget Summary incorporating the changes made by the City Commission.

50. A communication was received from Mr. Fred P. Keller, President of the Grand Rapids Symphony. Mr. Keller was present and introduced Marilyn Leprich, President of the Women's Committee of the Grand Rapids Symphony, who explained the Designer's Showhouse event planned for September 22 thru October 14.

50-A. Mehney-Deems. That this Commission supports the Designer's Showhouse project being planned by the Women's Committee of the Grand Rapids Symphony.

A roll call vote was taken:

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

51. A memorandum was received from the Assistant City Manager recommending repair of the ground level water storage tank. Mr. William G. Kozak, P.E., with the firm of Moore & Bruggink, was present to discuss this matter.

51-A. A memorandum from the Clerk-Controller-Treasurer regarding funding sources available for proposed ground level water storage tank project was considered and the possible alternatives discussed. The bid of D. C. Byers, to do this work, was reviewed and considered.

51-B. Deems-Moseley. That a contract for the repair of the ground level water storage tank be entered into with D. C. Byers Company. Also that the maximum project cost, including engineering fees, be limited to \$105,000.

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

52. The Assistant City Attorney submitted the proposed Animal Control Service Agreement between Kent County and the City of East Grand Rapids for the fiscal year 1984/85.

8/6/84

52-A. Moseley-Mertz. That the proposed Animal Control Service Agreement between Kent County and the City of East Grand Rapids for fiscal year 1984/85 be accepted as submitted.

A roll call vote was taken:

Yeas: Seibold, Moseley, Deems, Edison - 4

Nays: Mertz, Henry, Mehney - 3

The motion carried.

53. The Assistant City Manager submitted a memorandum regarding the replacement of two police cruisers, and recommended that the vehicles be purchased through the State purchasing program at the low bid price of \$20,552.

53-A. Mertz-Moseley. That authorization be given for the purchase, as recommended, of two replacement police cruisers through the State purchasing program.

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

Nays: 0

54. The Assistant City Manager submitted a memorandum regarding a meeting with the Mayor, Commissioners Deems and Mehney, and Public Service Superintendent, and the City Engineer regarding the composting area. Mr. David F. Huber, 3118 Cascade Road SE, submitted a memorandum and a petition containing 37 signatures of residents who object to the landfill. Mr. and Mrs. Ronald Meyers, 3122 Cascade Road SE, Mr. Ted Vogt, 3115 Cascade Road SE, and Mr. David F. Huber, 3118 Cascade Road SE, spoke in opposition to the Cascade landfill.

55. The Assistant City Manager stated that his report on the diesel fuel tank will be made at the regular City Commission meeting to be held August 20, 1984.

56. The Assistant City Manager submitted a Cooperation Agreement for a Small Cities Block Grant Program received from the Board of County Commissioners and recommended that the Agreement be approved.

56-A. Moseley-Seibold. That the Cooperation Agreement with Kent County for a three year period from July 1, 1985 thru June 30, 1988, be approved.

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

Nays: 0

57. A communication was received from the Assistant City Attorney regarding political signs. This was received for information.

58. A communication was received from Consumers Power Company recommending a change in the Standard Streetlighting Contract to improve the lighting on Rosewood between Wealthy and Robinson Road.

58-A. Deems-Moseley. That this matter be tabled until the next regular City Commission meeting.

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

Nays: 0

59. A memorandum from the Parks and Recreation Commission and a petition from residents interested in the improvement of the Manhattan playground was received. The City Manager was instructed to place this item on the agenda of the next regular City Commission meeting.

60. The Michigan Municipal League annual meeting will be held in Dearborn, September 12-14, 1984.

61. A communication was received from the Mayor of Kentwood transmitting a proposed resolution that AGRAG conduct a feasibility study of District Court Consolidation.

8/6/84

61-A. Moseley-Deems. That this Commission supports the AGRAG resolution under which AGRAG would conduct a feasibility study of District Court Consolidation.

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

62. The City Engineer submitted a project status dated August 6, 1984, with respect to the Silver Creek storm drain and the sanitary sewer reconstruction projects.

63. Commissioner Moseley inquired about the notices sent to residents regarding overhanging shrubs and trees on the sidewalks.

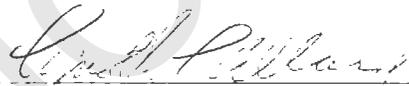
64. Commissioner Deems reported that he had received telephone calls commending the Engineering Department on the way it is handling the improvement projects.

65. Commissioner Deems advised the news media that compost material is available to citizens.

66. Commissioner Mehney inquired about bids for the landscaping of John Collins Park.

67. The Assistant City Manager submitted an appointment schedule for department tours.

68. The meeting was adjourned, subject to the call of the Mayor, until August 20, 1984.

  
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City Clerk

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

Regular Meeting Held August 20, 1984

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

69. The minutes of the meeting held August 6, 1984, were approved as written.

70. Moseley-Seibold. That expense vouchers in the amount of \$812,434.53, and payroll vouchers in the amount of \$87,562.54, 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

71. Pursuant to public notice, a hearing was then held on the request of Vilnis Meiers, 2310 Estelle Drive SE, for a zoning variance to permit construction of a new family room that would be 15 feet from the rear yard rather than the required 25 feet. A communication favoring the granting of the variance was received from Mary L. Pearce, 1432 Eastlawn Road SE. Mr. Meiers was present to answer questions. There were no objections.

71-A. Moseley-Mehney. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Vilnis Meiers.

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

72. The Public Safety Director introduced newly hired Public Safety Officer Ron Wolters.

73. The City Attorney submitted an amended resolution relative to repairs to be made to the water storage tank.

73-A. Moseley-Mertz. 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 and Sewage Disposal Improvements District; and

WHEREAS, the improvements contemplated by said agreement include, as shown on Exhibit B attached thereto, an item for constructing improvements to pumping and control system in the amount of \$280,000; and

WHEREAS, it appears to be necessary at this time to construct improvements to the existing water supply facilities in the nature of rehabilitation of the City's ground level water storage tank;

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 City's ground level water storage tank estimated to cost not in excess of \$125,000 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 improvement 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, Mcseley, Seibold, Edison - 6  
Nays: Mertz - 1

74. The City Attorney submitted a proposed resolution relative to the vacation of the south 33 feet of Elmwood between Cornell and Lenox.

74-A. Moseley-Deems. That the following resolution be adopted:

WHEREAS the City of East Grand Rapids has been notified of and made a party to a suit which is pending in the Circuit Court for the County of Kent brought for the purpose of vacating the south 33' of Elmwood from the east right-of-way line of Cornell Road to the west right-of-way line of Lenox Road, which property is situated in the City of Grand Rapids, Michigan; and

WHEREAS, the City of East Grand Rapids, by action of its City Commission, has heretofore vacated the north 33' of said portion of Elmwood; and

WHEREAS, the City of Grand Rapids has no objection to the vacation of the south 33' thereof;

NOW, THEREFORE, BE IT RESOLVED that the City Attorney be authorized to file formal consent to said vacation, subject to the conditions set forth in the resolution adopted by the Commission of the City of Grand Rapids on May 29, 1984, which resolution is attached to and made a part of the complaint filed with the Kent County Circuit Court.

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

75. The City Clerk reported on property tax collections through August 15, 1984. 84% of the summer taxes were collected by August 17th.

76. The City Clerk reported on the yearly audit being conducted by the firm of Ernst & Whinney and informed the Commission that a report will be submitted at the next regular City Commission meeting.

77. The City Engineer submitted a project status report on construction projects within the City as of August 13, 1984. Commissioner Mertz suggested that a sign be posted on Lakeside Drive advising motorists that eastbound Lake Drive at Breton Road is closed to traffic.

78. The City Manager reported that the playground equipment at the Manhattan School site was removed upon his instruction due to the unsightly and potentially dangerous condition of the equipment. Commissioners Deems and Mehney suggested that replacement of some of the equipment be considered.

79. Discussion was held relative to an additional street light on Rosewood between Robinson and Wealthy. Action on this item was delayed until the next regular City Commission meeting.

80. The City Manager reported on the replacement of the diesel fuel tank at the Public Service Building. The removed tank has no salvage value. The City Manager advised that the committee appointed by the Mayor will meet with the contractors to resolve the question of cost to the City.

81. The City Manager advised that the City Commission has been requested to designate a delegate and an alternate at the annual business meeting of the Michigan Municipal League. Commissioner Moseley was appointed delegate and Fred H. Tholen was appointed alternate delegate.

82. The City Manager submitted a memorandum from the Assistant City Manager regarding renewal rates for the second year of the City's three year insurance program.

82-A. Henry-Mehney. That the existing policy be renewed and that the renewal rates submitted by Mr. Zarafonetic for the second year of the City's three year insurance program, in the amount of \$35,109, be accepted.

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

82-B. Commissioner Henry requested that a quotation be obtained relative to replacement cost coverage for the insured fire vehicle.

83. The City Manager submitted a memorandum from the Michigan Municipal Worker's Compensation Fund relative to election of seven Trustees of the Fund.

83-A. Mehney-Mertz. That the City Manager be authorized to vote for the candidates named in his memorandum.

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

84. The City Manager submitted the resignation of Assistant City Manager Bremer effective August 24, 1984. Mr. Bremer has accepted the position of City Manager for the City of Fraser, Michigan. The Commission expressed their thanks to the Assistant City Manager for his service to the City.

85. The City Manager reported that action has been taken to eliminate the discharge of Community Pool backwash water into Reeds Lake.

86. A memorandum was received from the Public Safety Director requesting authorization to purchase dispatch radio and telephone recording system.

86-A. Mehney-Moseley. That the City purchase dispatch radio and telephone recording system at a cost of \$4,200.

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

87. The Public Safety Department report for the month of July, 1984, was received.

88. The Mayor advised that Dan Watts, reporter for the Cadence Newspaper, has resigned and will be moving to Ann Arbor. The Mayor complimented Mr. Watts on his fair and accurate reporting.

89. As requested by the City Attorney, it was moved by Commissioner Mehney, supported by Commissioner Mertz, that the appointment list for fiscal 1984/85, as submitted by the Mayor and included in the July 16, 1984 minutes, be approved.

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

89-A. Commissioner Moseley requested that in the future, the Commission consider the attendance records of those being considered for reappointment and that minutes of all meetings held by the various committees and commissions be submitted to the City Commission.

90. The Mayor requested that each Commissioner respond to the appointment schedule for department tours this week.

91. A Water Supply and Sewage Disposal System Improvements Indemnification Agreement requested by the County Board of Public Works was considered.

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91-A. That the Mayor be authorized to execute the Indemnification Agreement as submitted.

91-B. Henry-Mehney. That the Agreement be approved subject to any changes which can be negotiated by the City Attorney.

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

A vote was taken on the original motion as amended:

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

92. The Mayor submitted a request from John H. Voss, Vice-President of Governmental & Community Affairs, Grand Rapids Area Chamber of Commerce, for information.

93. Commissioner Moseley commented on material received from Barbara Hoag regarding composting and requested that this item be placed on the agenda of the next regular City Commission meeting.

94. Commissioner Moseley inquired as to when the legend "John M. Leidlein Public Safety Building" will be installed. The City Manager responded that the materials have been ordered.

95. Commissioner Mertz requested the Engineering Department to inspect defective sidewalks in the 2600 block of Richards Drive SE.

96. Commissioner Mertz inquired about the status of the work to be done in John Collins Park and about the sale of the lots on Asbury Road to Mrs. Frantz.

97. Commissioner Mertz inquired as to the status of the Gilmore property. The City Attorney advised that the matter has been finalized and that he will submit a written report to the Commission.

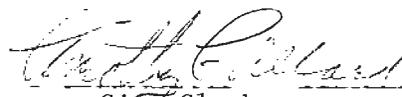
98. Commissioner Deems recommended that there be an annual review of all professional services contracted for by the City.

99. Commissioner Mehney stated that he wished to go on record as supporting Robert Pew as a candidate for appointment to the Michigan Aeronautics Commission.

100. The City Manager submitted a letter received from the Department of Natural Resources regarding the operation of the City's compost area. The matter was referred to the City Attorney for review of the D.N.R. letter and report back at the next regular City Commission meeting.

101. Commissioner Seibold requested that the no parking area abutting the drives on Wealthy Street from Lovett Street to the Blodgett Memorial Medical Center be indicated by painting the curbs.

102. The meeting was adjourned, subject to the call of the Mayor, until September 4, 1984.

  
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City Clerk

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

Regular Meeting Held September 4, 1984

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, Assistant City Attorney Huff, City Clerk-  
Controller-Treasurer Allard, City Assessor Norman, City Engineer  
McMann.

103. The minutes of the meeting held August 20, 1984, were approved as written.

104. Moseley-Henry. That expense vouchers in the amount of \$2,360,003.32, and payroll vouchers in the amount of \$81,448.14, 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

105. Mr. Christopher Rollins, representative of General Electric Cablevision Corporation, was present to discuss a resolution authorizing and approving assignment by General Electric Cablevision Corporation to UACC Midwest, Inc., of General Electric's Consent Agreement with the City for operation of a cable television system.

105-A. Deems-Mehney. That the following resolution be adopted subject to approval by the City Attorney:

WHEREAS, the City of East Grand Rapids has entered into a Consent Agreement with General Electric Cablevision Corporation, which agreement provides that General Electric Cablevision Corporation will not assign subject agreement, nor the easements, rights, licenses and privileges thereto except by assignment in writing approved by the City, and

WHEREAS, the City agreed that it will not unreasonably withhold such approval, and

WHEREAS, it appears that General Electric Cablevision Corporation has agreed to merge with and into UACC Midwest, Inc., a subsidiary of United Artists Cablesystems Corp., and

WHEREAS, it appears that the entire greater Grand Rapids metropolitan system will be merged into UACC Midwest, Inc., and

WHEREAS, upon assignment by UACC Midwest, Inc. of the duties and obligations of General Electric Cablevision Corporation pursuant to its Consent Agreement with the City of East Grand Rapids, there appears to be no reason for objection thereto.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The transfer of the Consent Agreement, as amended, from General Electric Cablevision Corporation to UACC Midwest, Inc. is hereby approved, effective immediately.

2. UACC Midwest, Inc. is hereby substituted for General Electric Cablevision Corporation as the Grantee under the Consent Agreement, as amended.

3. The City hereby grants unto UACC Midwest, Inc., all of the rights, powers, privileges and immunities of the Consent Agreement as originally granted to General Electric Cablevision Corporation, and as amended, and imposes upon UACC Midwest, Inc. all of the obligations and liabilities of General Electric Cablevision Corporation under the Consent Agreement, as amended.

4. Said transfer shall be accomplished upon UACC Midwest, Inc. filing with the City Clerk its acceptance of said assignment and the assumption by it of all duties and obligations of General Electric Cablevision Corporation pursuant to the Consent Agreement, as amended.

5. That any and all other agreements, if any, by and between the City and General Electric Cablevision Corporation incident to the operation and conduct of cable television services shall be amended to substitute UACC Midwest, Inc. as a party thereto in lieu of and in substitution for General Electric Cablevision Corporation.

6. In all other respects the Consent Agreement, as amended, shall remain in full force and effect.

7. All resolutions and parts of resolutions, insofar as the same conflict with the provisions of this resolution, be and the same are hereby rescinded.

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

106. The Commissioners discussed a memorandum from Barbara J. Hoag dated August 20, 1984, regarding environmental issues affecting East Grand Rapids. The City Manager was directed to respond to Barbara Hoag's memorandum in writing.

107. The Assistant City Attorney reported that the Department of Natural Resources has indicated that they will respond shortly to the City's request that the State release its rights in the vacant lots on Asbury Road. The Assistant City Attorney suggested that the offer made by Mrs. Frantz to purchase said lots remain under consideration until a response has been received from the D.N.R.

108. The Assistant City Attorney advised that there is nothing to report on the Gilmore property at this time.

109. The City Manager reported on a communication dated August 27, 1984, from the City Attorney regarding the Cascade Road and East Beltline fill area, and a communication received from Roger Przybysz, Water Quality Specialist with the Department of Natural Resources, who advised that the City must apply for a Solid Waste Disposal License to continue using this disposal area.

109-A. Moseley-Mayor Edison. That the City request the D.N.R. to permit continued use of the landfill area until a license can be obtained or an alternate method of disposal can be determined.

A roll call vote was taken:

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

The motion carried.

110. The City Clerk requested that the City Commission designate an officer-delegate and an officer-alternate to represent the City at the Annual Meeting of the Municipal Employees' Retirement System which is to be held September 27, 1984.

110-A. Moseley-Henry. That Timothy Allard be named officer delegate and Fred H. Tholen officer-alternate to represent the City at the Michigan Municipal Employees' Retirement System annual business meeting.

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

111. The City Manager submitted a memorandum from the Recreation Director regarding the updating of the Manhattan playground area.

111-A. Deems-Seibold. That an order for swings be placed with Seavey & Associates, Inc., in the amount of \$397.00 as presented in their quotation of July 30, 1984.

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

112. The City Manager submitted a letter from Kathy Jordan, President of the Breton Downs PTA, expressing appreciation for the improvements made to the Breton Downs playground area.

113. The City Manager reported on meetings held with representatives of Gillhespy Sales & Service regarding costs incurred for emptying the diesel fuel tank at the Public Service Building.

113-A. Seibold-Deems. That the City of East Grand Rapids pay \$1,470 to Bush Oil Company which is one-half of their amended charge for emptying the damaged diesel fuel tank and that the other half be deducted from money owed to Gillhespy Sales & Service.

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

114. The City Manager submitted a memorandum regarding professional services examination. Commissioner Deems recommended that those private firms currently retained by the City be scheduled for interviews as follows:

Auditors - Ernst & Whinney - October  
Labor Attorney - Jack Clary - December  
Engineering - Moore & Bruggink - February  
City Attorney - Robert Richardson - April

115. The City Manager submitted a letter from James M. Zarafonitis, Inc., Financial and Insurance Services Corporation, regarding replacement cost coverage for the 1985 American LaFrance fire truck. The City Manager was directed to obtain a firm quotation.

116. The City Manager reported on the recommendation from Consumers Power Company to amend the Standard Streetlighting Contract to provide an additional light on Rosewood between Wealthy and Robinson Road.

116-A. Deems-Henry. That the Standard Streetlighting Contract with Consumers Power Company be amended to provide an additional light on Rosewood between Wealthy and Robinson Road.

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

117. The City Manager submitted a memorandum regarding the \$2.5 million capital improvement program. This was received for information.

118. The City Manager resubmitted a memorandum to the City Commission dated September 18, 1979, regarding yard debris hauling costs. This was received for information.

119. The City Manager reviewed a procedure to cover the organization and operation of committees of the City which was adopted on March 5, 1984.

119-A. Moseley-Deems. That the procedure be amended to require attendance reports as part of the minutes of each meeting.

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

120. The City Attorney transmitted an invoice from John C. Jones in the amount of \$2,641.25 for services rendered in connection with the "Gilmore property" acquisition negotiations.

120-A. Deems-Mehney. That the invoice from John C. Jones in the amount of \$2,641.25 for services rendered in connection with the Gilmore property be authorized for payment.

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

121. The City Manager submitted a letter addressed to the City Engineer from Patrick Garrett, Vice-President of Blodgett Memorial Medical Center, advising that the hospital proposes to locate two temporary trailers just north of the Emergency Room canopy for the purpose of housing the Security and Traffic Control departments. The City Manager reported that a variance request will be forthcoming from Blodgett

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Hospital for the purpose of widening the driveway entering the hospital from Wealthy Street. This request will appear on the agenda of the next regular City Commission meeting.

122. The minutes of the Traffic Commission meeting held August 21, 1984, were received.

123. The report of the Building Inspector for the month of July, 1984, was received.

124. The City Engineer submitted a project status report dated September 4, 1984, with respect to the Silver Creek storm drain and the sanitary sewer reconstruction projects.

125. The City Manager reported that the Department of Natural Resources has notified that Edgar Orr, 2951 Bonnell Avenue SE, intends to erect a sea wall on his property.

126. Commissioner Seibold advised that he has submitted an amended appointment schedule for department tours.

127. Commissioner Mehney reported receipt of a phone call from a resident inquiring as to the City's intention to eradicate web worms. No action was taken.

128. Commissioner Henry requested that his appointment schedule be amended for department tours.

129. Commissioner Deems commended the Fire Department on their quick response and efficiency on a fire call over the past weekend.

130. Commissioner Mertz questioned whether the work done on the ground water reservoir was included in the \$125,000 expenditure for capital improvements. The City Manager responded in the affirmative.

131. The Mayor requested support of the Commission in proclaiming the week of September 16, 1984, as "Child Watch Week".

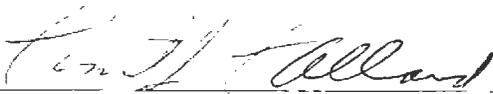
131-A. Mehney-Deems. That the Mayor proclaim the week of September 16, 1984, as "Child Watch Week".

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

132. Barbara Hoag was present and questioned whether the City is aware of where the water goes from all the drains in the schools.

133. Barbara Hoag advised that she had a copy of the report regarding the process used in the City of Tenafly, New Jersey, for composting.

134. The meeting was adjourned, subject to the call of the Mayor, until September 17, 1984.

  
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City Clerk

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

Regular Meeting Held September 17, 1984

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 Attorney Richardson, Assistant City Attorney Huff, City Clerk-Controller-Treasurer Allard, and Sports Supervisor O'Brien.

135. The minutes of the meeting held September 4, 1984, were approved as written.

136. Moseley-Seibold. That expense vouchers in the amount of \$406,114.92, and payroll vouchers in the amount of \$77,474.91, 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

137. There was no City Attorney's report.

138. The City Clerk submitted a proposed contract agreement between the City of Grand Rapids and the City of East Grand Rapids regarding temporary part-time employment under the Grand Rapids Urban Corps Program including an addendum entitled "Definitions".

138-A. Seibold-Deems. That the proposed contract agreement between the Cities of Grand Rapids and East Grand Rapids regarding temporary part-time employment under the Grand Rapids Urban Corps Program be approved for execution by the Mayor and Clerk.

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

139. The City Manager reported that the public hearing on the request from Blodgett Hospital for a zoning variance relative to changes in the parking ramp and the traffic flow has been postponed at the request of Blodgett Hospital.

140. The City Manager presented a quotation from James M. Zarafonetis, Inc., Financial and Insurance Services Corporation, regarding the premium cost of replacement cost coverage for the 1955 American LaFrance fire truck. This item was then tabled.

141. The City Manager gave a report on Gypsy Moth trapping.

142. The City Manager reported that the Grand Rapids Area Transit Authority has requested a contribution of \$4,848 as East Grand Rapids' share of cost. The City Manager was directed to include this amount in the annual budget for the fiscal year 1985/86.

143. The City Manager submitted a project status report dated September 14, 1984, with respect to the Silver Creek storm drain, the sanitary sewer reconstruction projects, and the El Centro-Cascade traffic island.

144. The Public Safety Department report for the month of August, 1984, was received.

145. The Building Inspector's report for the month of August, 1984, was received.

146. The City Manager reported that the Parking Control Officer has resigned and has accepted a full-time position with the City of Grand Rapids.

147. The City Manager reported that the Triathlon which was held on Saturday, September 15, 1984, was a success.

9/17/84

148. The City Manager submitted a quotation dated September 14, 1984, from Kappes Landscapes, Inc. in the amount of \$12,842 for improvements to Collins Park. The City Manager reported that sprinkler quotations should be received on September 28, 1984, and the quotation on the construction of concrete steps should be received the week of September 24, 1984.

148-A. Seibold-Mehney. That the proposal of Kappes Landscapes, Inc., in the amount of \$12,842 for improvements to Collins Park, be accepted.

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

149. Commissioner Deems inquired as to the impact of the withholding of Federal funds on the Grand Rapids Area Transit Authority. Commissioner Moseley will submit a report on the status of GRATA.

150. Commissioner Deems questioned the refusal of Kappes Landscapes, Inc. to re-bid on the improvements to Collins Park.

151. Commissioner Henry reported on a phone call and letter from a resident of Lakewood Hills Apartments on the appearance of Collins Park. This item was referred to the Parks and Recreation Department.

152. Commissioner Moseley distributed information relating to the impact of Proposal C "Voter's Choice" on Michigan cities.

153. Commissioner Mehney expressed appreciation to the Sheriff's Department, the volunteers, Bud Light, and the Sports Supervisor for their participation in the Triathlon.

154. The Sports Supervisor expressed his appreciation to the City Commission and the Assistant Race Director, Thomas Rosenbach, for their support of the Triathlon.

155. The Mayor introduced Jim Bratt, the new reporter for the Cadence.

156. The meeting was adjourned, subject to the call of the Mayor, until October 1, 1984.



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City Clerk

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

Regular Meeting Held October 1, 1984

The meeting was called to order by Mayor Edison.

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

Absent: Com. Seibold.

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

157. The minutes of the meeting held September 17, 1984, were approved as written.

158. Moseley-Henry. That expense vouchers in the amount of \$437,834.89, and payroll vouchers in the amount of \$49,820.23, 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, Edison - 5

Nays: 0

(Commissioner Deems arrived at this time.)

159. Pursuant to public notice, a hearing was then held on the request of Thomas B. and Susan E. Hoane, 2949 Oakwood Drive SE, for a zoning variance to permit construction of an entryway to a proposed addition 7½ ft. from the existing garage rather than the required 10 ft. Mr. Hoane presented a petition containing signatures of eight neighbors favoring the granting of the variance request. A letter was received from Thomas Tabor, 2928 Beechwood Drive SE, also favoring the granting of the variance request.

159-A. Moseley-Mertz. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Thomas B. and Susan E. Hoane on condition that all fire code requirements be complied with.

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

Nays: 0

160. The communication from Congressman Harold S. Sawyer, inviting the City Commissioners to a ceremony to honor the families of American personnel still missing in southeast Asia, which ceremony will take place on September 29, 1984, at noon, at the Hart Plaza in Detroit, Michigan, was received and filed.

161. A communication was received from the Assistant City Attorney advising that the Quit-Claim Deed signed by John Gilmore, which transfers the Waterfront Park property to the City, has been received and recorded.

162. There was no Clerk-Controller-Treasurer's report.

163. The City Engineer submitted a project status report on the Silver Creek storm drain, the sanitary sewer reconstruction, the Gladstone-Rosewood-Reed project, and the El Centro-Cascade traffic island.

164. The City Manager submitted communications received from the Department of Natural Resources regarding the compost area at Cascade Road and the East Beltline. Mr. Ronald Meyers, 3122 Cascade Road SE, was present and reiterated his objection to the odor coming from the area. The City Manager was directed to respond to the D.N.R. advising that the City has applied for a permit to use the disposal site, and requesting advice as to available alternatives should a permit not be issued.

165. The City Manager reported receipt of a communication from Mr. Garrett, Vice-President of Blodgett Memorial Medical Center, requesting that the hearing on its request for a variance to change the traffic patterns at the Hospital be delayed until the next meeting of the Commission.

10/1/84

166. The City Manager reported that two bids were received for a sprinkler system to be installed at Collins Park, and that one bid was received for the construction of a new concrete stairway at the south end of the park. He recommended that a contract for installation of a sprinkler system be awarded to Proos-Helmus, Inc., the low bidder, in the amount of \$8,651.00.

166-A. Mehney-Mertz. That a contract be awarded to Zomberg Concrete Construction Company, the sole bidder, in the amount of \$2,246.80 for construction of a concrete stairway at the south end of Collins Park.

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

166-B. Mehney-Moseley. That a contract be awarded to Proos-Helmus, Inc., the low bidder, in the amount of \$8,651.00 for installation of a sprinkler system in John Collins Park.

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

167. The City Manager reported that Merle Johnson, Jr., has requested authorization to sell Christmas trees from City land south of the Public Safety Building.

167-A. Deems-Henry. That Mr. Johnson be permitted to sell Christmas trees on the property south of the Public Safety Building provided that Mr. Johnson agree to donate \$500 to a charity to be designated by the City Commission.

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

168. The City Manager reported on the 1984 tree planting program and requested authorization to advertise for bids.

168-A. Deems-Mehney. That the City Manager be authorized to advertise for bids for the 1984 tree planting program.

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

169. Commissioner Henry stated that he concurs with the program of the East Grand Rapids Families in Action.

170. Commissioner Deems commended all persons who were involved in making the annual City picnic a success.

171. Commissioner Moseley suggested that an ordinance be enacted which would require that all fences be installed with the finished side facing out.

172. Commissioner Moseley expressed her concern about the placing of garage sale signs on the outlawn and on trees.

173. Commissioner Mertz inquired about the progress on the repair of the ground level water storage tank. He was advised that work is underway.

174. The Mayor advised that he has accepted an invitation to become Vice-President of the East Grand Rapids Community Action Council and requested that the City Commission support this organization.

174-A. Deems-Mehney. That the City Commission endorse the efforts and goals of the East Grand Rapids Community Action Council.

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

175. The Mayor reported that he had received attendance reports relative to meetings between the Commissioners and the department heads.

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176. The Mayor reported that a department head will appear before the City Commission at the meeting of November 5, 1984, and each subsequent meeting, to answer questions regarding department budget and program.

177. The meeting was adjourned, subject to the call of the Mayor, until October 15, 1984.



City Clerk

UNOFFICIAL  
Reference Only

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

Regular Meeting Held October 15, 1984

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 Clerk-Controller-Treasurer Allard, Public Service Superintendent Smith, City Engineer McMann, City Attorney Richardson, Assistant City Attorney Huff, City Assessor Norman, and Public Safety Director Gallagher.

178. The minutes of the meeting held October 1, 1984, were corrected by changing Item 172 to reflect that Commissioner Moseley did not request any member of the City staff to remove garage sale signs.

179. Moseley-Seibold. That expense vouchers in the amount of \$123,170.24, and payroll vouchers in the amount of \$80,167.34, 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, Moseley, Seibold, Edison - 6

Nays: 0

180. Pursuant to public notice, a hearing was then held upon the request of Fred H. Tholen, 2825 Oakwood Drive SE, to construct an addition to his home eight feet from the existing garage rather than the required ten feet.

180-A. Seibold-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Fred H. Tholen on condition that all fire code requirements be complied with.

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

Nays: 0

181. Mr. Gary Humphries, a partner of Ernst & Whinney, was present to discuss the professional services their firm offers the City of East Grand Rapids in connection with the annual audit.

182. The Assistant City Attorney submitted a proposed ordinance to amend Chapter 83 of Title VIII of the Code of the City of East Grand Rapids.

182-A. Deems-Henry. That the proposed ordinance to amend Chapter 83 of Title VIII of the Code of the City of East Grand Rapids be introduced:

AN ORDINANCE TO AMEND CHAPTER 83  
OF TITLE VIII OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Sections 8.61 and 8.62 of Chapter 83 of Title VIII of the East Grand Rapids City Code are amended to read as follows:

Sec. 8.61. Requirements

It shall be unlawful for any person to construct, cause to have constructed or to maintain any fence upon any property within the corporate limits of the City except in accordance with the requirements and restrictions herein provided.

- (1) No fence, except as provided in (8) and (9) below, shall exceed six (6) feet in height above the lot grade nor be placed within one foot of the property line fronting on any street.

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- (2) In all residential zones, no fence shall be erected within fifteen (15) feet of the front lot line which is higher than three (3) feet above the average sidewalk grade, measured at the center of the lot.
- (3) No fence over thirty (30) inches in height from top of curb at street level shall be erected or maintained in any zone district on any corner lot within twenty (20) feet of the corner so as to interfere with traffic visibility across the corner.
- (4) Fences shall be constructed and maintained vertical to the contour of the adjoining land. All fences constructed or reconstructed following the adoption of this section shall have the front side facing neighboring property. The back side of a fence shall face the owner's property and shall contain the fence posts and bracing.
- (5) There shall not be attached, affixed or placed on any fence any spike, nail, barb (including barb wire), or other pointed instrument, and all cleaved selvages and sharp points or wire fences shall be removed or bent to eliminate any sharp extrusions.
- (6) No fence shall be constructed or maintained which is charged or connected with an electrical current.
- (7) Temporary construction fences and fences for protection around excavations shall comply with all requirements of the Basic Building Code. Such fences shall not be maintained for a period greater than a year without special approval of the zoning board of appeals.
- (8) Fences enclosing tennis courts shall not exceed twelve (12) feet in height and shall be of a standard open wire-mesh type and if in excess of six (6) feet in height shall not encroach upon the front yard or side yard required to be maintained under the provisions of Chapter 50, Zoning, of the Code of the City of East Grand Rapids without the prior approval of the city commission. The city commission, in considering applications to construct such fences, shall give consideration to the character of the neighborhood and the preservation of property values and may attach to its approval such conditions regarding the location, character, landscaping or treatment thereof as it may deem to be reasonably necessary for the protection of the neighbors and for the furtherance of the intent of this chapter.
- (9) The city commission may, for good cause, authorize exceptions from the strict requirements of this chapter upon written application and following a public hearing. The procedure for such application and hearing shall be as set forth in sections 5.171 and 5.173 inclusive of this Code with respect to variances from the city zoning ordinance.

Sec. 8.62. Maintenance of fences.

- (1) All fences shall be protected from deterioration with properly applied paint, stain, or other protective coating, with the exception of metal fences, redwood and cedar fences, or fences constructed with pressure-treated lumber which are of a type not customarily intended to be so painted, stained or coated, but such fences shall be properly maintained to prevent deterioration.

- (2) Fences shall be maintained to retain their original appearance, shape and configuration. Elements of the fence that are missing, damaged, destroyed or deteriorated shall be replaced and repaired to maintain conformity with the original fence design.
- (3) Any fence which because of a failure to comply with the provisions of this Chapter becomes unsafe so as to create possibility of bodily injury or becomes unsightly to neighbors or the general public is hereby declared a nuisance. The building inspector shall serve the owner, agent or person in control of the property upon which such fence is located, a written notice describing the unsafe or unsightly condition and specifying the required repairs or modifications to be made or requiring the fence or any portion thereof to be removed, and shall provide a time limit for such repair, modification or removal. Any person failing to comply with such notice within the time limited therefor shall be guilty of a violation of this Code.

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1984.

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, Moseley, Seibold, Edison - 6  
Nays: 0

183. The City Clerk submitted a resolution and a summary of substantive changes regarding House Bill 5788 which deals with the operation of the Municipal Employees' Retirement System.

183-A. Moseley-Deems. That the resolution of support regarding House Bill 5788 be adopted.

183-B. Deems-Mehney. That action on the resolution regarding House Bill 5788 be tabled.

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

184. The City Engineer gave a verbal project status report regarding the various reconstruction projects being performed in the City of East Grand Rapids.

185. Commissioner Deems submitted the minutes of the meeting held by the Streets, Sidewalks, Trees and Parks Committee on October 4, 1984, regarding the Cascade-Beltline disposal area.

186. The City Engineer submitted a summary of bids received for the annual tree planting program and recommended that the bid of Tepper Nursery, the low bidder, be accepted in the amount of \$13,969.00, and that the cost for trees ordered by individuals be set at \$20.50 per tree.

186-A. Deems-Mehney. That a contract be awarded to Tepper Nursery, the low bidder, in the amount of \$13,969.00 for the 1984 annual tree planting program and that the City Engineer increase the number of non-maple trees that are to be planted over the number indicated in the bid.

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

187. The City Manager submitted a memorandum reporting on the bids received for de-icing salt, and recommended that a contract be awarded to Domtar Chemicals, the low bidder, in the amount of \$23.60 per ton.

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187-A. Deems-Seibold. That the bid of Domtar Chemicals, the low bidder, in the amount of \$23.60 per ton be accepted and a contract awarded to them for de-icing salt.

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

188. A memorandum was submitted by the City Manager regarding bids received for a salt spreader, and recommended that a contract be awarded to Schultz Equipment, the low bidder, in the amount of \$3,700.00.

188-A. Deems-Henry. That the bid of Schultz Equipment, the low bidder, in the amount of \$3,700.00 be accepted and a contract awarded to them for a salt spreader.

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

189. A memorandum was submitted by the City Manager regarding bids received for the replacement of two automobiles in the Police Department, and recommended that the bid of Berger Chevrolet, the second low bidder, be accepted in the amount of \$19,653.30, in that the bid of Courtesy Dodge, the low bidder in the amount of \$19,400.00, does not meet the specification for the transmission.

189-A. Henry-Deems. That the bid of Berger Chevrolet, in the amount of \$19,653.30, be accepted and a contract be awarded to them for two automobiles.

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

190. The City Engineer submitted a summary of bids for Richards Drive sidewalk ramps and recommended that the bid of Zomberg Concrete Construction Company, the low bidder, in the amount of \$1,470.30 be accepted.

190-A. Moseley-Deems. That the bid of Zomberg Concrete Construction Company, the low bidder, in the amount of \$1,470.30 be accepted and a contract awarded to them for Richards Drive sidewalk ramps.

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

191. The City Clerk submitted information received from the Michigan Municipal League regarding Proposal C. No action was required.

192. The minutes of the Traffic Commission meeting held September 25, 1984, were received. No action being taken by the City Commission regarding the action of the Traffic Commission, "No Parking" signs will be placed on Lake Drive, from Plymouth Road to Locust Street, and on Cardinal Drive, which prohibit parking during certain hours of the day.

193. The Building Inspector's report for September, 1984, were received.

194. The Public Safety Department report for September, 1984, was received.

195. Commissioner Deems commented on garage sale signs.

196. Commissioner Moseley commended the work being done in Collins Park and on the newly installed steps.

197. The Mayor commented on the misinterpretation of garage sale sign memoranda and advised that corrective measures will be taken immediately.

198. The Recreation Director submitted a memorandum to the City Manager advising that the Parks and Recreation Commission meeting scheduled for October 17, 1984, has been rescheduled for October 24, 1984, at 7:30 p.m.

199. The Mayor submitted a letter received from James Sebastian, representative of GGREAT, requesting a letter of support from the City of East Grand Rapids.

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199-A. Seibold-Henry. That the City of East Grand Rapids supports GGREAT in its efforts, and that the Mayor be directed to respond to Mr. Sebastian's letter.

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

200. Mrs. Margaret Bradshaw, 2724 Darby Drive SE, was present and again presented her request for a pedestrian path to be placed around the gates on the south arm of Reeds Lake Blvd. Mrs. Bradshaw presented photographs and advised that current signs are misworded. The City Manager was directed to prepare a memo to the proper department to correct this situation.

201. The meeting was adjourned, subject to the call of the Mayor, until November 5, 1984.

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

UNOFFICIAL  
Reference Only

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

Regular Meeting Held November 5, 1984

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 Assessor Norman, City Engineer McMann, Plant Engineer/  
Building Inspector Baragar, Public Service Superintendent Smith,  
Recreation Director Rhodes, and Recreation Clerk Rowden.

202. The minutes of the meeting held October 15, 1984, were approved as written.

203. Moseley-Seibold. That expense vouchers in the amount of \$271,613.68, and payroll vouchers in the amount of \$78,967.05, 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, Mehney, Mertz, Moseley, Seibold, Edison - 7  
Nays: 0

204. Representative Walter DeLange was present and discussed the present status of House Bill 5788 relative to the Municipal Employees' Retirement System. Mr. DeLange was requested to inform the City Commission of any future changes and developments of House Bill 5788.

205. Mr. Gary Humphries, a partner of Ernst & Whinney, was present to discuss the fiscal year 1984 audit. The receivables for the Water and Sewer Fund and for the Special Assessment Fund were given special consideration.

206. The City Attorney recommended adoption of the Fence Ordinance which was introduced at the meeting of October 15, 1984.

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

AN ORDINANCE TO AMEND CHAPTER 83  
OF TITLE VIII OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

Section 1. Sections 8.61 and 8.62 of Chapter 83 of Title VIII of the East Grand Rapids City Code are amended to read as follows:

Sec. 8.61. Requirements.

It shall be unlawful for any person to construct, cause to have constructed or to maintain any fence upon any property within the corporate limits of the city except in accordance with the requirements and restrictions herein provided.

- (1) No fence, except as provided in (8) and (9) below, shall exceed six (6) feet in height above the lot grade nor be placed within one foot of the property line fronting on any street.
- (2) In all residential zones, no fence shall be erected within fifteen (15) feet of the front lot line which is higher than three (3) feet above the average sidewalk grade, measured at the center of the lot.
- (3) No fence over thirty (30) inches in height from top of curb at street level shall be erected or maintained in any zone district on any corner lot within twenty (20) feet of the corner so as to interfere with traffic visibility across the corner.

- (4) Fences shall be constructed and maintained vertical to the contour of the adjoining land. All fences constructed or reconstructed following the adoption of this section shall have the front side facing neighboring property. The back side of a fence shall face the owner's property and shall contain the fence posts and bracing.
- (5) There shall not be attached, affixed or placed on any fence any spike, nail, barb (including barb wire), or other pointed instrument, and all cleaved selvages and sharp points on wire fences shall be removed or bent to eliminate any sharp extrusions.
- (6) No fence shall be constructed or maintained which is charged or connected with an electrical current.
- (7) Temporary construction fences and fences for protection around excavations shall comply with all requirements of the Basic Building Code. Such fences shall not be maintained for a period greater than a year without special approval of the Zoning Board of Appeals.
- (8) Fences enclosing tennis courts shall not exceed twelve (12) feet in height and shall be of a standard open wire-mesh type and if in excess of six (6) feet in height shall not encroach upon the front yard or side yard required to be maintained under the provisions of Chapter 50, Zoning, of the Code of the City of East Grand Rapids without the prior approval of the City Commission. The City Commission, in considering applications to construct such fences, shall give consideration to the character of the neighborhood and the preservation of property values and may attach to its approval such conditions regarding the location, character, landscaping or treatment thereof as it may deem to be reasonably necessary for the protection of the neighbors and for the furtherance of the intent of this chapter.
- (9) The City Commission may, for good cause, authorize exceptions from the strict requirements of this chapter upon written application and following a public hearing. The procedure for such application and hearing shall be as set forth in Sections 5.171 and 5.173 inclusive of this Code with respect to variances from the City Zoning Ordinance.

Sec. 8.62. Maintenance of fences.

- (1) All fences shall be protected from deterioration with properly applied paint, stain, or other protective coating, with the exception of metal fences, redwood and cedar fences, or fences constructed with pressure-treated lumber which are of a type not customarily intended to be so painted, stained or coated, but such fences shall be properly maintained to prevent deterioration.
- (2) Fences shall be maintained to retain their original appearance, shape and configuration. Elements of the fence that are missing, damaged, destroyed or deteriorated shall be replaced and repaired to maintain conformity with the original fence design.
- (3) Any fence which because of a failure to comply with the provisions of this Chapter becomes unsafe so as to create possibility of bodily injury or becomes unsightly to neighbors or the general public is hereby declared a nuisance. The Building Inspector shall serve the owner, agent or person in control of the property upon which such fence is located, a written notice describing the unsafe or unsightly condition and specifying the required repairs or modifications to be made or requiring the fence or any portion thereof to be removed, and shall provide a time limit for such repair, modification or removal. Any person failing to comply with such notice within the time

limited therefor shall be guilty of a violation of this Code.

Section 2. This ordinance shall be effective on December 1, 1984.

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

207. The City Attorney reported on the status of the sale of the vacant lots at 1770 and 1771 Asbury Road, to Elizabeth Frantz. No action was required.

208. There was no Clerk-Controller-Treasurer's report.

209. The City Manager distributed a report from the Library Commission regarding expansion of the facilities at the library. Commissioner Mertz presented the recommendations of the Library Commission and the necessity for use of the lower level by the library.

Gail DeYoung, Librarian for the East Grand Rapids Branch, Kent County Library System, gave a slide presentation of the library facilities in the Cities of Wyoming and Kentwood.

209-A. Deems-Mehney. That a committee consisting of Commissioners Seibold and Mertz, Librarian DeYoung, Recreation Director Rhodes, and the Mayor, be appointed to study the needs of the Recreation Department and the Library and report back to the City Commission by the first of the year.

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

210. Assessor Norman was present to discuss the operation of the assessing department and the budget implications. Public Safety Director Gallagher will be present at the meeting of November 19, 1984, to discuss the Public Safety Department budget projections.

211. The City Manager submitted a report on the financial position of the East Grand Rapids water supply and sewage disposal system improvements. A revised report will be provided after November 20th.

211-A. The City Manager's report of costs of repair of the water storage tank was received and filed.

212. The City Manager distributed a report from the Recreation Department of revenues and expenditures. This report was received for information.

213. The minutes of the Traffic Commission meeting held October 16, 1984, were received. Approval was given by the Traffic Commission for the establishment of Fire Lane designation on East Grand Rapids Library driveway, and a "No Parking or Standing" sign during certain hours of the day be placed in front of Breton Downs School to establish a drop off zone for buses. No action was taken by the City Commission and, as a result, these recommendations become effective.

214. The City Manager reported that the Fire Department has signed the labor agreement and the City has withdrawn the unfair labor practice charge.

215. Commissioner Seibold objected to City trucks parking double on Plymouth Road while collecting leaves.

216. Commissioner Seibold reported that trash pickup trucks licensed by the City park on the corner of Argentina and Lakeside to pick up trash, which is a dangerous practice.

217. Commissioner Henry reported that he has received a letter from a citizen inquiring about a barrel which is chained to a tree near the boat access. The City Manager advised that the barrel contains a hydrograph which is used to monitor the water entering the lake through the Barnard Street storm drain.

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218. Commissioner Moseley advised she missed the project status report usually submitted by the City Engineer.

219. Commissioner Moseley reported that she is pleased that all political signs will be removed in a day or so.

220. Commissioner Mehney inquired as to when a quarterly budget report will be submitted. The Treasurer advised that a report will be submitted at the next meeting for the period ending October 31, 1984.

221. Commissioner Deems requested a brief update on the improvements to Collins Park.

222. Commissioner Deems commended the Public Safety Officers on their conduct Halloween night.

223. The Mayor distributed a copy of a letter sent to the GGREAT Policy Board expressing the City Commission's support of the organization.

224. The meeting was adjourned, subject to the call of the Mayor, until November 19, 1984.

  
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City Clerk

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

Regular Meeting Held November 19, 1984

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 Daley, and Deputy Chief Kroes.

225. Item 216 of the minutes of the meeting held November 5, 1984, were corrected to read as follows: "Commissioner Seibold reported that trash pickup trucks licensed by the City park on the corner of Argentina and Lakeside to pick up trash, which is a dangerous practice". The minutes were then approved as corrected.

226. Moseley-Henry. That expense vouchers in the amount of \$74,524.47, and payroll vouchers in the amount of \$110,584.43, 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

227. Pursuant to public notice, a hearing was then held upon the request of Lawrence G. and Mary Laham, 1524 Lake Grove Avenue SE, for a zoning variance to allow construction of an addition to their home to a point 4 ft. from the existing garage rather than the required 10 ft. A communication was received from Paul and Kathy Williamson, 1530 Lake Grove Avenue SE, favoring the granting of the variance request. Mr. Laham was present to explain his request for a variance.

227-A. Moseley-Mertz. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Lawrence G. and Mary Laham on condition that all fire code requirements be complied with.

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

228. Pursuant to public notice, a hearing was then held upon the request of Bruce B. and Annette M. Baldwin, 245 Manhattan Road SE, for a zoning variance to construct an addition to the garage at 750 San Jose Drive SE, to the north lot line with the only remaining side yard of 9 ft. 1 inch rather than the required 11 ft. and 7 ft., for a total of 18 ft. in side yard. Mr. Baldwin was present to explain his request for a variance. Mr. Larry J. Titley, 746 San Jose Drive SE, was present and spoke in opposition to granting of the variance as presented. Communications were received from Carol S. Godfrey, 728 San Jose Drive SE, and Dr. Christopher H. Southwick, 760 San Jose Drive SE, expressing opposition.

228-A. Seibold-Moseley. That this Commission, acting as the Board of Zoning Appeals, deny the variance requested by Bruce B. and Annette M. Baldwin.

Yeas: Henry, Mehney, Mertz, Moseley, Seibold, Edison - 6  
Nays: 0  
Commissioner Deems abstained.

229. A hearing was then held upon the appeal of Kevin M. Malarney of the denial of his request for a driveway snowplowing license. City Manager Tholen presented the reasons for denial of the license. Mr. Malarney was present and was represented by Legal Counsel Patti McKenney, of Meana, Spruit & Bedevia, who requested that the license be granted. Mr. Peter Sears, 1311 Woodshire Drive SE, was present and commented on the action by Mr. Malarney in piling snow on newly planted trees on the Sears property while plowing a neighbor's driveway. Mr. Harvey Wahn, 1033 San Juan Drive SE, was present and questioned the validity of refusing to issue a license to Shawn Malarney and Matthew Malarney on the basis of negligence on the part of Kevin Malarney.

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229-A. Deems-Moseley. That the City Manager's action to deny a license for snow removal to Kevin Malarney be supported.

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

230. The Assistant City Attorney submitted a proposed ordinance amending the definition of "family" which is found in Chapters 50 and 85 of the City Code and recommended that the amendment be referred to the Planning Commission for review and report back to the City Commission.

230-A. Seibold-Moseley. That the proposed ordinance amendment be referred to the Planning Commission for review and report back to the City Commission.

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

231. The Controller-Treasurer submitted a memorandum and summary of East Grand Rapids rate adjustments for the water-sewer rate study.

232. The Controller-Treasurer submitted a Budget Performance Report for the month ending October 31, 1984. Commissioner Mehney requested that a more detailed format be adopted for submission of the Budget Performance Reports. Commissioner Mehney and Mr. Allard are to meet relative to this.

233. Peter Gallagher, Public Safety Director, was present to discuss budget implications in the Public Safety Department.

234. The City Manager submitted a request from Canum Contractors for an extension of the completion date of their contract.

234-A. Mehney-Mertz. That the completion date of the contract with Canum Contractors be extended to June 1, 1985.

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

235. The City Manager submitted a request from the Arts Council of Greater Grand Rapids for a contribution.

~~235-A. Deems. That the request from the Arts Council be tabled.~~

The motion failed for lack of support.

235-B. Moseley-Mehney. That the Arts Council be advised of the policy of the Commission in making contributions and that it be requested to have a representative appear before the City Commission for consideration in the 1985/86 budget.

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

236. The City Manager reviewed H.B. 5788 relative to the Municipal Employees' Retirement System. No action was taken.

Commissioner Mehney left the meeting at this time.

237. The City Manager read the following statement:

This was a hard summer for a lot of our residents. Nearly three miles of street were torn up, in many instances from sidewalk to sidewalk. Residents on Lake Drive, San Jose, San Lu Rae, San Lucia, Santa Cruz, Burchard, Hall Street, Wilshire, Breton, Maplewood, Elmwood, and Eastlawn suffered from noise, dirt, a long walk to and from a parked car and other inconveniences all summer long, virtually without complaint.

Residents on other streets were disrupted in their attempts to reach their destination. Even Grand Rapids folks on Hall Street were exceptionally cooperative.

Staff and I want to extend our heartfelt thanks to all of you for your really marvelous cooperation.

Some of you will remember April of 1967, when the tornado went thru. We felt then, and we again feel, real pride in the people for whom we work.

I trust the City Commission will join me in also extending thanks to Clifford McMann and his staff for their service during these difficult times. Mac will say .... "it's just my job", but I know that he extended himself well beyond the norm to make matters as convenient as possible in difficult circumstances.

237-A. Moseley-Deems. That the above statement be adopted by the City Commission and printed as part of the minutes.

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

238. The Building Inspector's report for October, 1984, was received.

239. The Public Safety Department report for October, 1984, was received.

240. The City Manager requested all Commissioners planning to attend the Annual AGRAG meeting on November 21, 1984, so advise the City Clerk.

241. Commissioner Deems commended the Public Safety Director on his discussion of budget implications in the Public Safety Department.

242. Commissioner Mertz inquired as to progress on repair of sidewalks on Richards Drive.

243. Commissioner Mertz suggested that a letter be addressed to the news media advising that the discussions between the Library and Recreation Department regarding use of the lower level of the Library building is not a "dogfight".

244. Commissioner Moseley advised that there will be no Traffic Commission meeting November 20, 1984.

245. Commissioner Moseley inquired whether the Recreation and Planning Commissions have met and if minutes are available. Commissioner Deems advised that minutes of the Planning Commission meetings will be forthcoming.

246. Commissioner Moseley inquired as to the progress being made on the pedestrian path around the gates on the south arm of Reeds Lake Blvd.

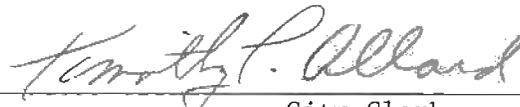
247. Commissioner Moseley commented on the attractive appearance of the El Centro triangle at the intersection of Cascade Road.

248. The Mayor reported that William Baragar, Plant Engineer/Building Inspector, will be present at the December 3rd meeting of the City Commission to report on the budget implications for his department.

249. The Mayor advised that a meeting of the Library-Recreation Commission was held this past week. Another meeting will be held in two weeks. This item will appear on the agenda of the City Commission meeting of December 17, 1984.

250. Public Safety Director Gallagher reported that there were five accident reports for the month of October, which sets a record.

251. The meeting was adjourned, subject to the call of the Mayor, until December 3, 1984.



City Clerk

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

Regular Meeting Held December 3, 1984

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, and  
Plant Engineer/Building Inspector Baragar.

252. The minutes of the meeting held November 19, 1984, were approved as written.

253. Moseley-Deems. That expense vouchers in the amount of \$61,424.62, and payroll vouchers in the amount of \$75,683.19, 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

254. Pursuant to public notice, a hearing was then held upon the request of James M. Carl, 2303 El Dorado Drive SE, for a zoning variance to allow construction of a garage addition to a point 2.5 ft. from the east lot line rather than the required 10.7 ft. Mr. Edward A. Oberfeld, 2311 El Dorado Drive SE, was present and expressed his approval of the granting of the variance request. There were no objections.

254-A. Seibold. That the variance requested by James M. Carl be denied.

The motion failed for lack of support.

254-B. Deems-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by James M. Carl.

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

255. Mr. Patrick Garrett, Vice-President of Blodgett Memorial Medical Center, was present to discuss matters relative to changes in the parking lot and ramps at the hospital. Mr. Garrett displayed a diagram and explained the proposed traffic flow pattern which the hospital has presented to the neighbors. He stated that it is hoped that the changes will solve the problems. If not, other changes will have to be made.

256. The Assistant City Attorney submitted a proposed ordinance amendment regarding snow removal contractors.

256-A. Mehney-Mertz. That the following ordinance amendment be introduced for consideration at the meeting of December 17, 1984:

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 7.90 of Chapter 78 of Title VII of the East Grand Rapids City Code is amended to read as follows:

"Sec. 7.90 Same - License required.

No snow removal contractor shall advertise its snowplowing services in East Grand Rapids, represent itself to be a licensed snow removal contractor within East Grand Rapids, solicit or enter into contracts for snowplowing 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 permit fee shall be as set forth in Section 7.32 of the East Grand Rapids City Code. Permits shall cover the period from August 1 through May 1 and a new permit must be secured for each such permit year. All such contractors shall abide by such reasonable regulations as the City Manager shall promulgate and the City Commission shall approve."

Section 2. This ordinance shall be effective on \_\_\_\_\_, 1984.

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

257. The Clerk-Controller distributed a communication received from General Electric Cablevision Corporation regarding a rate increase scheduled to take effect January 1, 1985.

258. The Clerk-Controller distributed a statement of revenue and expenses, a statement of cash and investments, and a statement of available unreserved balance as of June 30, 1984, of the Water and Sewer Fund. The Clerk-Controller was directed to continue the study of the Water-Sewer Fund and to report his recommendations for new rates to the City Commission at the first meeting in January, 1985.

259. William Baragar, Plant Engineer/Building Inspector, was present to discuss budget implications for City Buildings operations.

260. The City Manager reported receipt of a communication from the Arts Council advising that they will have a representative appear before the City Commission to request consideration of a contribution for the 1985/86 budget year.

261. The City Manager submitted a memorandum including an itemized financial statement of operations for the Reeds Lake Triathlon.

262. The City Manager distributed an estimate of the final costs of sewage disposal system improvements, and stated that this is a reasonably "hard" estimate permitting decisions relating to the Water Pumping Station portion of the project.

263. The minutes of the East Beltline Association meeting held November 16, 1984, were received indicating a proposed design incorporating an extension of the existing design south of I-96.

264. The minutes of the Parks and Recreation Commission meetings held June 20, July 18, September 19, and October 24, were received.

265. The minutes of the Ad Hoc Committee on Recreation and Library Facilities meeting held November 14, 1984, were received.

266. The minutes of the Personnel Committee meeting held November 27, 1984, were received.

267. The City Manager reported that the lettering "John Leidlein Public Safety Building" has been installed on the Public Safety Building. Representative Ehlers has advised that he has a resolution in honor of Mr. Leidlein which will be presented at a later date.

12/3/84

268. Commissioner Deems advised that he would like to resolve the problem of a "track" for departmental budgets and suggested that the Ways and Means Committee might like to work on this.

269. Commissioner Henry concurred with Commissioner Deems.

270. The Mayor reported that DeWinter & Associates had offered to prepare a preliminary study and cost estimates for the remodeling of the library building at a cost not to exceed \$2,500.

270-A. Mehney-Seibold. That the offer of DeWinter & Associates to perform a preliminary study and cost estimates for the remodeling of the library building be added as an agenda item.

A roll call vote was taken:

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

Nays: Moseley - 1

The motion carried.

270-B. Seibold-Mertz. That an amount not to exceed \$2,500 be expended for the purpose of having DeWinter & Associates prepare a preliminary study and cost estimates for the remodeling of the library building.

A roll call vote was taken:

Yeas: Mehney, Mertz, Seibold, Edison - 4

Nays: Deems, Henry, Moseley - 3

The motion carried.

271. The Mayor advised that Jack Clary, Labor Attorney, and William Rhodes, Recreation Director, will appear before the City Commission on December 17, 1984, to discuss budget implications.

272. The meeting was adjourned, subject to the call of the Mayor, until December 17, 1984.

  
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City Clerk