

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

Regular Meeting Held January 4, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters, and Mayor Leidlein.

Absent: None.

259. The minutes of the meeting held December 21, 1981, were approved as written.

260. Moseley-Lorch. That expense vouchers in the amount of \$55,695.52, and payroll vouchers in the amount of \$40,893.69, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

261. Mr. Harold Cogan's request to void a special assessment on Lot 72 of Albert Realtors Hampshire Replat was considered. Mr. Cogan was present to discuss his request with the Commission.

261-A. Moseley-Hoff. That the request of Mr. Cogan be denied.

A roll call vote was taken:

Yeas: Hoff, Moseley, Waters - 3

Nays: Hoag, Lorch, Seibold, Leidlein - 4

The motion failed.

261-B. Seibold-Waters. That this matter be referred to the Engineering Department for reconsideration.

Yeas: Hoag, Lorch, Seibold, Waters, Leidlein - 5

Nays: Moseley, Hoff - 2

262. The City Manager reported that he has been in the process of obtaining quotations for the printing of the Municipal Code and recommended that a contract be awarded to Municipal Code Corporation of Tallahassee, Florida. Commissioner Hoff requested that additional study be given.

262-A. Seibold-Waters. That the contract for printing of the code be awarded to Municipal Code Corporation of Tallahassee, Florida.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: Hoff - 1

263. The City Manager reported that the Department of Natural Resources will be in the city next Wednesday to commence work on the Ordinary High Water Level survey, which is in conjunction with the application of Joseph Martin for a fill permit.

264. The proposed Personnel Policy for non-bargaining unit employees of the City which was introduced at the last City Commission meeting was discussed.

264-A. Lorch-Hoff. That the Personnel Policies Manual for the non-bargaining unit employees of the City be approved as submitted.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

265. A proposed agreement between the City of East Grand Rapids and Sweder Inspection Services was discussed.

265-A. Moseley-Hoff. That the Mayor and Clerk be authorized to sign the above mentioned agreement.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: Hoff - 1

266. The City Manager submitted an invoice from Moore & Bruggink for services relative to the water pumping station modifications which was in the amount of \$8,552.54 and recommended its payment.

266-A. Waters-Hoag. That the invoice from Moore & Bruggink be approved for payment.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

267. The City Manager reported on the sale of the City Brochure to the public and recommended that the price be reduced from \$3.75 to \$1.50.

267-A. Lorch-Waters. That authorization be given to reduce the sale price of the City Brochure to \$1.50.

Yeas: Hoag, Lorch, Seibold, Waters, Leidlein - 5
Nays: Hoff, Moseley - 2

258. The City Manager reported on the Capital Improvement Plan progress and stated that he is awaiting the final report from the Engineers on upstream equalization basin feasibility which should be forthcoming within the next 30 to 60 days.

269. The report from the Fire Department for the month of December, 1981, was received for information.

270. The Mayor reported receipt of a letter from Nyal Deems, Chairman of the Planning Commission, dated December 31, 1981, advising that the Planning Commission recommends that the Gilmore property be rezoned to multi-family, that the City should attempt to acquire the lakefront, and that the plat should not be approved as submitted by Mr. Gilmore. Mr. Gilmore was present and Mr. Richard Rankin, representing Mr. Gilmore, was also present to discuss this matter with the Commission.

270-A. Waters-Hoag. That the City Commission direct the Planning Commission, with the assistance of the City Attorney and a professional planner if needed, to proceed with rezoning the Gilmore property in accordance with the Gilmore Agreement of November 25, 1974, and that the Planning Commission report to the City Commission within a month.

A roll call vote was taken:

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

The motion carried.

270-B. Waters-Hoag. That the Preliminary Plat which was submitted by Mr. Gilmore be denied in respect to the property that is committed to the City by agreement dated November 25, 1974, for the reason that the applicant does not have a sufficient interest in this property.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Waters, Leidlein - 5

Nays: 0

Commissioners Hoff and Seibold abstained.

The motion carried.

271. The Mayor recommended the following committee appointments: East Beltline Association - reappointment of Fred H. Tholen; Local Officers Compensation Commission - reappointment of Katherine McIlhargey, Board of Canvassers - appointment of Helen C. Maher to replace Sally Boshoven. There were no objections to these appointments.

272. Commissioner Hoag reported that she is still in the process of working on the Tree Maintenance Policy.

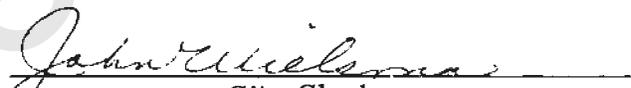
273. Commissioner Moseley requested that staff look into the possibility of a business being conducted out of the home at 543 Greenwood SE, and also into complaints about abandoned cars in that area. She also requested that the Police Department check into the illegal parking of vehicles on the triangle at Greenwood and Lovett.

274. Commissioner Seibold inquired about insurance coverage for punitive damage awards. This is to be investigated.

275. The Mayor reported that he is in the process of setting a date for a joint City Commission/Planning Commission meeting and that more details will be forthcoming.

276. There were eight persons in attendance at this meeting.

277. The meeting was adjourned, subject to the call of the Mayor, until January 18, 1982.


City Clerk

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

Regular Meeting Held January 18, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.
Absent: None.

278. The minutes of the meeting held January 4, 1982, were approved as written.

279. Moseley-Waters. That expense vouchers in the amount of \$1,775,116.12, and payroll vouchers in the amount of \$37,502.11, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

280. Pursuant to public notice, a hearing was held upon the zoning variance request of R. William Decker, 2738 Pioneer Club Road SE, to permit construction of an addition four feet from the easterly lot line, rather than the required seven feet. A copy of Mr. Decker's letter to Peter Wege, informing him of this zoning variance request, with Mr. Wege's favorable response, was received for information. The City Clerk reported that Mr. Decker had called him late today to report that he would be unable to attend the City Commission meeting. There were no objections raised to this zoning variance request.

280-A. Hoag-Lorch. That this Commission, acting as the Board of Zoning Appeals, grant the zoning variance request submitted by Mr. Decker.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

281. A letter from Margit Sarne regarding the request for variance relative to 543 Greenwood was received for information. Commissioner Waters reported that this letter had also been received by the Planning Commission and was being included in the Planning Commission's consideration of the request.

282. An invoice for services rendered in connection with the Manhattan property litigation was submitted by the City Attorney.

282-A. Waters-Hoag. That this Commission authorize payment of \$3,089.55 to the City Attorney.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

283. The City Clerk/Controller submitted a report on the status of Ernst & Whinney's recommendations. This was received for information.

284. A letter from Greg Purcell, Administrative Assistant to the City Manager of Grand Rapids, regarding membership to the CAP Governing Board, was received for information. The Mayor directed that the name of Lois Moseley be submitted to Mr. Purcell.

285. The City Manager reported on an invoice he received from the Advisory Center for Teens and recommended its approval based upon prior City Commission expression of intent to participate in this program.

285-A. Hoag-Moseley. That this Commission authorize payment of the amount of \$1,148.00 to the Advisory Center for Teens.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

286. The City Manager reported on a meeting he and the City Attorney had with the Department of Natural Resources regarding the proposed contract between the Department and the City for lake restoration. Upon reading the proposed language change suggested by the Attorney, it was the consensus of the Commission to accept the new language. The City Manager also reported that the Department of Natural Resources will be performing an Ordinary High Water Mark Study in the spring and will also establish a jurisdictional line under the Wetlands Protection Act.

287. The City Manager reported that the Police Department had conducted an investigation at 543 Greenwood, and found that the complaint that wood was being sold on the premises was unfounded and that there was a satisfactory reason for having two abandoned cars being temporarily on the premises. The Mayor recommended that this police report be referred to the Planning Commission for its information.

288. The City Manager reported that he was anticipating a final report from the Engineers on the upstream equalization basin feasibility study by February 1, 1982, after which he will be consulting with the Bond Attorney to determine alternate methods of financing the Capital Improvement Program.

289. Departmental reports for the month of December from the Police Department and Building Inspector, and the annual report of the Fire Department were received for information.

290. The minutes of the Planning Commission meetings held December 10, and December 29, 1981, were received for information.

291. Mr. Steve Mertz, member of the Planning Commission, gave a summary report of the Planning Commission's activities.

292. Commissioner Hoag submitted a Tree Maintenance Policy for review by the Commission and discussion at the February 1 meeting.

293. Commissioner Hoag inquired about the bid process for the sale of the Baxter Barn. The City Manager responded that bids will be opened publicly in the City Clerk's Office on February 1, 1982, at 4:00 p.m., and a report of the bids will be given to the City Commission that evening.

294. Commissioner Seibold inquired about providing a shelter by the Eberhard parking lot for those waiting for the bus. It was recommended that this matter be discussed with the Village Merchants Association members.

295. The Mayor reported that a conference entitled "Michigan Communities in the 80's" will be held January 28 and 29 in the City of Saginaw and invited any Commissioners who are interested to join him in attending this conference.

296. The Mayor recommended that the City Manager be authorized to attend the Congressional Cities Conference, which is sponsored by the National League of Cities, in Washington, D.C. from February 27 to March 2, 1982.

296-A. Mayor Leidlein-Lorch. That the City Manager be authorized to attend the Congressional Cities Conference at an estimated cost of \$837.00.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

1/18/82

297. There were four persons in attendance at this meeting.

298. The meeting was adjourned, subject to the call of the Mayor, until February 1, 1982.

A handwritten signature in dark ink, appearing to read "John J. ...", is written over a horizontal line. Below the line, the text "City Clerk" is printed in a serif font.

City Clerk

UNOFFICIAL
Reference Only

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

Regular Meeting Held February 1, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold and Mayor Leidlein.

Absent: Com. Waters.

299. The minutes of the meeting held January 18, 1982, were approved as written.

300. Moseley-Hoff. That expense vouchers in the amount of \$461,623.18, and payroll vouchers in the amount of \$41,843.17, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6

Nays: 0

301. Kent County Commissioner Vern Ehlers was present to discuss the progress of the Kent-Ottawa Resource Recovery Project and distributed an information bulletin relating to a Refuse to Energy Plant. He invited the members of the Commission to attend the February 11th AGRAG meeting at which a consultant will discuss the refuse resource recovery project. He stated that a request will be forthcoming from the County to local units of government to indicate their approval for going ahead with the project, and possibly supporting this project in concept, including management and/or financial assistance.

(Commissioner Waters arrived at this time.)

302. The City Attorney discussed the letter he had sent to the City Manager as to ordinance requirements relative to dish antennae which are used to pick up television signals from satellites. This letter was received for information.

303. The City Attorney reported on the progress of the Manhattan School litigation and distributed copies of the pre-trial statement received from the Judge. The Court has been asked to set a trial date. This will probably be sometime after the end of March. He reported that the attorney for the plaintiff is considering taking depositions of some city officials.

304. The City Attorney reported that the zoning matter relating to the Gilmore property was referred to the Planning Commission. He anticipates that this will be reported on at the next City Commission meeting. He stated that he has met with the Planning Consultants, Mr. Miller and Mr. Landsmann, from Williams & Works, and has been discussing the matter with them.

305. Commissioner Moseley reported on the progress relating to implementing the recommendations which were included in the Ernst & Whinney 1981 audit report. A draft copy of the travel expense and reimbursement policy and procedures was distributed and reviewed. Commissioner Moseley suggested an amendment to Section C under "Other Rules". This draft was referred back to staff for modifications as discussed at this meeting and is to be resubmitted at the next regular City Commission meeting.

306. The City Controller submitted a memorandum relating to State-shared revenues and the effects of the recent revisions on the City of East Grand Rapids. This report was received for information.

307. Pursuant to published notice, the City Manager reported that one bid was received for the City-owned "Barn" on Croswell. It was submitted by Bonnie Hamlin, for an amount of \$70,000.00 cash, subject to City approval for the intended use as well as all permits and permissions necessary for renovation of the building and operation of the business. It is the intent to use the property for a country-concept store featuring Habersham Plantation furniture. The Mayor appointed Commissioners Bryson Hoff, Paul Seibold and Barbara Hoag as a sub-committee of the Commission to review the bid and to report back at the next City Commission meeting.

308. The City Manager recommended that the Mayor and Clerk be authorized to sign an authorization for change in Standard Streetlighting Contract between the City of East Grand Rapids and the Consumers Power Company providing for the installation of three 24,000 high pressure sodium street lights at the parking lot on the west side of Croswell Avenue and for the removal of two 6,000 incandescent and two 6,500 mercury vapor street lights on Plymouth Boulevard southeast between Franklin Street and Lake Drive SE.

308-A. Lorch-Waters. RESOLVED, that it is hereby deemed advisable to authorize Consumers Power Company to make changes in the streetlighting service as provided in the Standard Streetlight Contract between the Company and the City of East Grand Rapids dated April 20, 1977, in accordance with the authorization that change in Standard Streetlighting Contract dated ~~as~~ of February 1, 1982, heretofore submitted to and considered by this Commission, and

Resolved Further, that the Mayor and City Clerk be and are authorized to execute such authorization for change in behalf of the City.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

309. The City Manager reported on discussions he has had with Mr. Pat Garratt, Public Relations Director of Blodgett Memorial Medical Center, and that a meeting is scheduled for February 24th, with the Community Relations Committee to discuss lighting matters with the neighbors. A report which was submitted to Blodgett by its consultants regarding the parking lot lighting was found to be unacceptable to the neighbors.

310. The City Manager reported on an invoice which was submitted by the East Grand Rapids Public Schools for replacement of the electrical control panel and circuitry at the Wealthy School Pool, the total bill being \$3,063.78, of which the School has requested the City to pay one-half of the cost, or \$1,531.89, pursuant to agreement between the City and the School.

310-A. Waters-Lorch. That the invoice be approved for payment in the amount of \$1,531.89.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

311. The City Manager reported that a December article in Cadence indicated that the school system was looking into the purchase of computers for instructional purposes and for business office use. It was suggested that, should the City or the School be in the position to purchase or lease computer equipment for their accounting functions, they consult with one another as to the possibility of sharing use and costs for such equipment.

312. The City Manager reported on Capital Improvement Programs and stated that the report will not be completed until after the spring runoff so that more accurate and appropriate data can be obtained. He stated that he has sufficient information available to consult with the Bonding Attorney as to the alternate means of financing the Capital Improvement Projects.

313. The City Manager reported on the request of Harold Cogan as it relates to the Norfolk Storm Drain project and that the cost of making a temporary improvement would be in the vicinity of \$1,000.00. Staff was directed to obtain more specific cost estimates for the temporary improvement. The matter was also referred to the Traffic Commission for review of the safety of the existing conditions.

314. The minutes of the Traffic Commission meeting held January 19, 1982, were received for information.

315. The minutes of the Library Commission meeting held January 6, 1982, were received for information.

316. The City Manager reported on an offer which was received from Mr. J. Brock Albert in the amount of \$4,000.00 for the purchase of 1771 Asbury SE, which is a vacant lot owned by the City

316-A. Hoag-Waters. That the offer be rejected.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

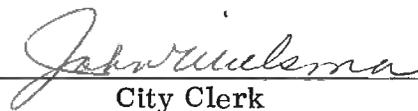
317. Commissioner Moseley reported that she attended a meeting of GRATA in which discussion was held regarding the financial concerns of the bus system and stated that GRATA anticipates financial problems which may result in local units of government being asked to give financial support.

318. The Mayor reported on his attendance of the conference on "Michigan Communities in the 80's" which covered planning and development of major cities.

319. The Mayor reported that May 17th would be Mayor Exchange Day and inquired of the Commissioners as to whether they were interested in participating in this program. It was the consensus of the Commission and the recommendation of the Mayor that this Commission not participate in Mayor Exchange Day.

320. There were seven persons in attendance at this meeting.

321. The meeting was adjourned, subject to the call of the Mayor, until February 15, 1982.


City Clerk

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

Regular Meeting Held February 15, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.
Absent: None.

322. The minutes of the meeting held February 1, 1982, were approved with a correction requested by the Mayor that the correct spelling for the consultant from Williams & Works in Item 304 should be "Landsmann".

323. Moseley-Lorch. That expense vouchers in the amount of \$351,040.40, and payroll vouchers in the amount of \$42,793.04, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays; 0

324. The City Attorney reported on the progress of the Manhattan School litigation. The Court has set a date of May 19 for a non-jury trial. He reported that the attorney for the plaintiff has filed a motion for a separate and early trial on Count #5 which deals with the hearing before the Board of Zoning Appeals. He recommended that an executive session be held after the regular meeting to review this pending litigation.

324-A. Mayor Leidlein-Moseley. That the City Commission adjourn to an executive session after the regular meeting to consider the Manhattan School litigation.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

325. The City Attorney reported that he has been in contact with Larry Miller, Planning Consultant with Williams & Works, regarding the so-called Gilmore property and that three alternative courses of action have been prepared by the consultant for consideration by the Planning Commission. Mayor Leidlein reported that the Planning Commission will meet Tuesday, February 16, at 4:30 p.m., to discuss several matters.

326. The City Clerk reported that the Michigan Municipal League 1982 regional meeting for Region V will be held April 22, in Greenville. Additional notices and registration forms will be sent prior to the meeting. He also requested that all members of the Commission interested in attending the March 24, 1982 Legislative Conference in Lansing let him know as soon as possible.

327. The City Manager reported on the revised draft of the Travel Expense and Reimbursement Policy, corrected as directed by the City Commission.

327-A. Lorch-Moseley. That the City Commission approve the revised draft of the Travel Expense and Reimbursement Policy as submitted by the City Manager. Commissioner Waters requested that his reservations about this policy be discussed at a later date.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

328. The City Manager reported on the memorandum from the City Assessor relative to the assessment process. Commissioners asked the Assessor questions regarding the reliability of sales studies, percentage of land contracts to mortgages, and percentage of increase in assessments.

329. The City Manager reported on the request from the City Engineer for approval of the action instituted by the City of Grand Rapids regarding the vacation of Ridgewood, south of the East Grand Rapids corporate limits.

329-A. Hoag-Hoff. That the City Commission approve the proposed vacation of the first 100 feet of Ridgewood Avenue south of the East Grand Rapids corporate limits as proposed by the City of Grand Rapids subject to the changes by the City Engineer in his February 5, 1982 memorandum.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

330. The City Manager reported on the tabulation of bids on the purchase of athletic equipment. The low bidder is Reynolds Sporting Goods, with a bid of \$2,447.04.

330-A. Waters-Lorch. That the low bid of Reynolds Sporting Goods in the amount of \$2,447.04 be accepted.

330-B. Hoff-Waters. That the motion be amended to read: "that the low bid of Reynolds Sporting Goods be accepted on the condition that the softballs and baseballs to be furnished meet the bid specifications".

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

A vote was then taken on the motion as amended.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

331. A report on the action taken by the Citizens Committee on Consolidation of Governmental Services relative to 9-1-1 was received for information.

332. The City Manager reported receipt of a notice of public hearing before the Grand Rapids City Commission on a request for zoning change from R-1 residential zone to a Planned Unit Development (P. U. D.) zone for property in the vicinity of Robinson Road and Woodward Lane. The hearing will be held March 2, 1982, at 7:00 p. m., in the Grand Rapids Commission Chamber.

333. Departmental reports from the Police Department, Fire Department, and Building Inspector were received for information.

334. The minutes of the Planning Commission meeting held January 12, 1982, were received for information.

335. The City Manager introduced William Baragar, who is a new employee classified as Plant Engineer.

336. Commissioner Hoag reported on the committee meeting regarding the bid from Bonnie Hamlin for the warehouse on Crosswell Avenue. She reported that Ms. Hamlin expects to have all renovation completed and the business in operation by August 1st of this year. Commissioner Hoag said that no action by the Commission is necessary until the necessary plans are submitted and permits approved. Commissioner Waters suggested that a meeting be held to consider possible historical designation for the warehouse.

337. Commissioner Hoag suggested that now is the appropriate time to give the City Manager guidelines for the preparation of the budget and that Commissioners give thought to this preparatory to future discussion.

338. Commissioner Hoag reported on the front-loading of property tax credits pursuant to information furnished at a recent meeting of the Finance and Taxation Committee of the Michigan Municipal League.

339. Mayor Leidlein reported on a special AGRAG meeting he and three others attended Thursday, February 11, 1982, relative to the Kent/Ottawa Resource Recovery Project.

340. There were two persons in attendance at this meeting.

341. The meeting was adjourned, subject to the call of the Mayor, until March 1, 1982.



City Clerk

UNOFFICIAL
Reference Only

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

Regular Meeting Held March 1, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold and Mayor Leidlein.

Absent: Com. Waters.

342. The minutes of the meeting held February 15, 1982, were approved as written.

343. Moseley-Lorch. That expense vouchers in the amount of \$1,700,578.60, and payroll vouchers in the amount of \$38,986.53, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6

Nays: 0

(Commissioner Waters arrived at this time.)

344. Mr. David Andrus, Chairman of the Lakeside '82 Committee, was present to discuss plans of the July 5th celebration with the Commission. He stated that the East Lions Club intends to contribute \$1,200 toward purchase of fireworks, requested that, if there are no objections, the band shell be moved from the John Collins Park to the Middle School for the evening of the 5th of July and stated that he would be willing to answer any questions the Commission might have. No action was taken on the request that the band shell be moved.

345. A memorandum from the Planning Commission regarding Helen V. Johnson's request for a Tavern license was received. It was the recommendation of the Planning Commission that this request for a Tavern license be approved by the City Commission. Mr. Michael Johnson was present to discuss the request for a Tavern license with the Commission. Mr. Steve Mertz, from the Planning Commission, was also present to discuss this matter with the Commission. The matter was discussed at length by the Commission and those present.

345-A. Lorch-Hoag. That the request of Helen V. Johnson for a Tavern license at 2162 Wealthy Street SE, be denied.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Leidlein - 4

Nays: Hoff, Seibold, Waters - 3

The motion carried.

346. A memorandum was received from the Planning Commission regarding the variance request at 543 Greenwood recommending denial of the variance request of Drs. Braunohler and Waddell.

346-A. Waters-Hoag. That this Commission, acting as the Board of Zoning Appeals, deny the variance request submitted by Drs. Braunohler and Waddell for the property located at 543 Greenwood SE.

A roll call vote was taken:

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

The motion carried.

347. A letter from the Chairman of the Planning Commission regarding the potential uses for the property owned by the East Grand Rapids Board of Education upon which the Administration Building is located, was received for information. Mrs. Nancy Cook, representing the East Grand Rapids PTA Council, stated that they are interested in the possible revenue that could be generated from the sale or lease of the Administration Building and read the following excerpt from a letter that they had intended to send to the Planning Commission and City Commission:

"Realizing that the Manhattan property is still in litigation and maximum effort is being made to bring this to conclusion, we urge that we move forward on the Administration Building. The resolvment as to the use of this building is necessary now so responsible decisions can be made on school budget, facilities, and programs, etc., for 1982-83."

347-A. Waters-Hoag. That this Commission endorse the recommendation of the Planning Commission and that these recommendations be submitted to the East Grand Rapids School Board.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

348. A letter from J. Brock Albert regarding a Laurel Street watermain refund was tabled until the return of the City Engineer.

349. A letter from the City Attorney regarding fireworks regulations was received for information.

350. The Clerk-Controller submitted a report of the Board of Canvassers relative to the City Primary Election held February 15th, which was received for information.

351. The Clerk-Controller submitted the financial report for a six-month period ended December 31, 1981, which was received for information.

352. The Administrative Aide requested that the City Commission consider indicating its support for the Municipal Liability Pool legislation which is incorporated in Senate Bill 348.

352-A. Seibold-Hoag. That this matter be tabled until the Commission has an opportunity to review Senate Bill 348.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

353. The Administrative Aide reported receipt of an invoice from Williams & Works in the amount of \$1,524.32 for Planning Consultant services in connection with the Gilmore property.

353-A. Mayor Leidlein-Waters. That the invoice from Williams & Works in the amount of \$1,524.32 be authorized for payment.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

354. The minutes of the Recreation Commission meeting held February 17, 1982, were received for information.

355. The Traffic Commission minutes of their meeting held February 16, 1982, were received for information.

356. The Administrative Aide reported that a report regarding the Capital Improvement Program will be forthcoming the early part of April.

357. The Administrative Aide reported receipt of an invoice from Calvin College in the amount of \$1,107.50, representing damage done to a light post by one of our snow-plows and stated that this will be sent to the insurance company which provides the City's liability coverage.

358. Commissioner Hoff recommended that the Traffic Commission look into the regulation regarding designating parking spaces for handicapped persons on City-owned property.

359. Commissioner Hoag requested that the Controller obtain sample specifications from other local units of government who put out to bid their annual audit services.

360. The Mayor reminded the Commissioners that the Joint Facilities Agreement expires June 30, 1982, and that discussion will be held regarding this agreement in the near future.

361. The Mayor reported that he has received several compliments from residents regarding the fine job the Service Department has done this winter in plowing the streets and sidewalks.

362. The Mayor set March 8, 1982, at 7:00 p.m., for a work session to be held in the East Grand Rapids City Hall for the purpose of discussing the recommendations of Williams & Works for zoning of the Gilmore property with representatives of the Planning Commission and Williams & Works.

363. Commissioner Hoag reported that she has had meetings with Bonnie Hamlin regarding the Baxter Barn and the possibility of it being established as an historical site. More information will be forthcoming on this matter.

364. There were 16 persons in attendance at this meeting.

365. The meeting was adjourned, subject to the call of the Mayor, until March 15, 1982.



City Clerk

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

Regular Meeting Held March 15, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Moseley, Seibold and Mayor Leidlein.

Absent: Coms. Lorch and Waters.

366. The minutes of the meeting held March 1, 1982, were approved as written.

367. Moseley-Hoag. That expense vouchers in the amount of \$272,580.74, and payroll vouchers in the amount of \$38,064.28, 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: Hoag, Hoff, Moseley, Seibold, Leidlein - 5

Nays: 0

368. The City Attorney reported that there was a hearing on the Manhattan litigation on March 5, 1982, regarding the motion to separate the trial to take Count #5 before the rest of the case, which motion was denied by Judge Boucher. The entire case is to be heard on May 19, 1982.

369. The City Controller reported receipt of a proposed amendment to the Water and Sewer Service Agreement between the City of Grand Rapids and the City of East Grand Rapids.

369-A. Moseley-Hoag. That the Mayor and Clerk be authorized to sign the amendment to the Water and Sewer Service Agreement between the City of Grand Rapids and the City of East Grand Rapids as presented.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5

Nays: 0

(Commissioner Lorch arrived at this time.)

370. The City Clerk-Controller reported receipt of an application for a Tavern license, resubmitted by Helen V. Johnson, to permit sale of beer and wine for consumption on the premises only in the building located at 2162 Wealthy Street SE. He reported that a filing fee of \$50 was paid and the application filed on March 2, 1982. Mr. Michael Johnson, representing Helen V. Johnson, was present to discuss this application with the Commission. The City Attorney submitted a letter for the purpose of clarifying the authority the City has over persons or establishments which have been issued a Tavern license by the Michigan Liquor Control Commission.

370-A. Hoff-Lorch. That the application for a Tavern license submitted by Helen V. Johnson be referred to the Planning Commission.

Yeas: Hoag, Lorch, Hoff, Moseley, Seibold, Leidlein - 6

Nays: 0

371. A letter from Albert Builders, Inc., requesting a refund on Laurel Street watermain transmission charges, was discussed by the City Engineer.

371-A. Hoag-Hoff. That this Commission does not wish to deviate from the previously established policy and, therefore, the request of Albert Builders, Inc. for reimbursement be denied.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6

Nays: 0

372. The City Manager reported on the Public Safety Building's air handling unit and the problems that exist with carbon monoxide and other noxious gases being circulated throughout the building on frequent occasions. He recommended that the City Commission authorize the acquisition and installation of a Farr universal glide pack, absolute, filter package with odor control at a cost of \$1,301.00, plus installation cost not to exceed \$1,000.00, and that a transfer of necessary funds be made from the Contingency Fund.

372-A. Lorch-Hoag. That authorization be given to the City Manager to obtain the recommended equipment at a cost not to exceed \$2,301.00, and that a transfer of the necessary funds be made from the Contingency Fund.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

373. The City Manager reported on bids which were received for the purchase of Reeds Lake Run T-shirts and recommended that the low bid of R. T. Brown in the amount of \$3,278.00 be accepted. He stated that this expense will be recovered from entry fees charged to the participants.

373-A. Hoff-Lorch. That this Commission accept the low bid of R. T. Brown in the amount of \$3,278.00 for the purchase of Reeds Lake Run T-shirts.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

374. The City Manager reported on several invoices for installation of a new circulation desk at the Library in the total amount of \$2,834.11, and recommended payment of these invoices. Funds were included in the 1981-82 budget.

374-A. Moseley-Hoff. That authorization be given to pay the invoices in the amount of \$2,834.11 for the circulation desk at the Library.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

375. The City Manager reported on the progress of the DNR-East Grand Rapids Agreement on the lake restoration project. He stated that the DNR is waiting for language changes recommended by the Environmental Protection Agency before the agreement can be approved.

376. The City Manager reported that the Capital Improvement Projects memorandum will be available April 6, 1982.

377. The City Manager reported that Mr. Weston Weber, Deputy Fire Chief, who has been with the East Grand Rapids Fire Department for 34 years, has retired and recommended that an appropriate resolution be prepared commending him for his services.

377-A. Moseley-Hoff. That the following resolution be adopted:

WHEREAS, Deputy Fire Chief Weston J. Weber retired from the employ of the City of East Grand Rapids on March 4, 1982; and,

WHEREAS, his term of service in the Fire Department spanned nearly 34 years starting on June 1, 1948; and,

WHEREAS, his duties during his last 24 years as a shift commander included added responsibilities in the field of fire prevention and arson investigation;

NOW, THEREFORE, BE IT RESOLVED THAT;

The City Commission of the City of East Grand Rapids, in session assembled this 15th day of March, 1982, express its heartfelt and sincere gratitude and appreciation to Weston J. Weber, and to the members of his family, for his long term of highly valued service to the citizens of East Grand Rapids; and,

BE IT FURTHER RESOLVED THAT;

He be presented with a certified copy of this resolution on the occasion of his retirement dinner being held on March 24, 1982.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6

Nays: 0

378. The report from the Fire Department for the month of February was received for information.

379. The report from the Police Department for the month of February was received for information.

380. The Planning Commission minutes of their meetings held February 9, and February 16, 1982, were received for information.

381. The City Manager distributed a draft of a policy memorandum regarding tree planting, maintenance, and removal. This was referred to the next regular City Commission meeting on April 5, 1982.

382. The City Manager distributed copies of Senate Bill #348 which is an act to authorize inter-governmental contracts between municipal corporations; and to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; and to authorize contracts between municipal corporations to form group self-insurance pools and to prescribe conditions for the performance of those contracts. This matter was referred to the next regular City Commission meeting on April 5, 1982.

383. Commissioner Hoag reported on the progress of the "Baxter Barn" bid and stated that Ms. Hamlin will be meeting with the City Assessor/Building Inspector for the purpose of preparing the necessary forms for a barrier-free request.

384. The Mayor thanked the members of the Commission who had participated in the Board of Review hearings.

385. Commissioner Hoag stated that she has received a request from Michael Bobitch to discuss with the Commission the nuclear weapons freeze initiative. This matter will be placed on the next regular City Commission agenda.

386. The Mayor reported on the work session regarding the Planning Commission's recommendation for the property northwest of Reeds Lake. The City Attorney submitted a proposed ordinance to amend the Code of the City of East Grand Rapids to provide for a planned unit development section and a site plan review. The City Attorney reminded the Commission that a notice of hearing must be published 15 days prior to the hearing date.

386-A. Seibold-Hoff. That this ordinance be referred to the Planning Commission for the purpose of its holding a joint hearing with the City Commission.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6

Nays: 0

387. Mr. John Gilmore was present to discuss concerns he has relative to the proposed zoning.

3/15/82

388. The meeting was adjourned, subject to the call of the Mayor, until April 5, 1982.



City Clerk

UNOFFICIAL
Reference Only

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

Regular Meeting Held April 5, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold and Mayor Leidlein.
Absent: Com. Waters.

389. The minutes of the meeting held March 15, 1982, were approved as written.

390. Moseley-Hoff. That expense vouchers in the amount of \$144,308.29, and payroll vouchers in the amount of \$78,639.72, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

391. The Mayor acknowledged receipt of a petition from business owners in the Gaslight Village expressing their objection to the application of Helen V. Johnson for a license to sell beer and wine for consumption on the premises at 2162 Wealthy Street SE. He also reported receipt of letters on the same subject from Dorothy L. Judd, Nancy Loeschner, Joe and Sue Robert, and Bradley H. Palmer.

392. A letter of resignation was received from Terry Krywicki as member of the Energy Task Force.

392-A. Lorch-Hoag. That this Commission accept the resignation of Terry Krywicki with regret.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

393. The Mayor reported receipt of a letter of resignation from Mr. Charles F. Behler as member of the Recreation Commission.

393-A. Moseley-Hoag. That this Commission accept the resignation of Mr. Behler with regret.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

394. The Assistant City Attorney reported on a meeting of area attorneys regarding the Kent-Ottawa Resource Recovery Program on March 25, 1982, at which time potential legal problems were discussed. Additional information may be forthcoming.

395-A. Mayor Leidlein-Hoff. That the following water and sewer rates be adopted effective May 1, 1982:

Water rates changed - \$1.10 per 1,000 gallons. (Increased from 80¢)

Sewer rates increased - \$1.00 per 1,000 gallons of winter consumption.
(Increased from 55¢)

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

The City Attorney advised that it will be necessary to amend the ordinance establishing water and sewer rates and that he will prepare the required amendment.

396. The City Clerk notified the Commission of the Region V meeting to be held April 22, 1982, in Greenville, and requested Commissioners to indicate their interest in attending this meeting by calling City Hall on or before April 15, 1982.

397. The Tree Planting, Maintenance, and Removal Policy was discussed.

397-A. Hoag-Lorch. That the Tree Planting, Maintenance, and Removal Policy as submitted by the Streets and Sidewalk Committee be adopted.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

398. A memorandum from the City Engineer regarding the cost to extend Norfolk Storm Drain was received.

398-A. Lorch-Hoag. That the Norfolk Storm Drain be extended as recommended by the City Engineer at a cost not to exceed \$2,310.

Yeas: Hoag, Lorch, Seibold, Leidlein - 4
Nays: Hoff, Moseley - 2

399. The City Manager submitted a position paper he received from Representative Paul B. Henry regarding the Governor's proposal. This was received for information.

400. The City Manager reported that he has compared the Parking Fee Schedule of East Grand Rapids with that of Grand Rapids and recommended a review of the present East Grand Rapids schedule.

400-A. Hoag-Moseley. That the City Attorney be requested to review the present ordinance relative to parking fines.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

401. The City Manager reported on Senate Bill 348 regarding self-insurance pools. After discussion, the Commission chose to take no position regarding this legislation.

402. A memorandum from the Plant Engineer regarding bids which were received for energy conservation measures consisting of de-lamping, cleaning the existing shades and re-lamping.

402-A. Hoag-Moseley. That a purchase order be issued to Johnson Electric Company in the amount of \$4,293.

Yeas: Hoag, Lorch, Moseley, Seibold - 4
Nays: Hoff, Leidlein - 2

The motion carried.

403. The City Manager submitted an invoice from Williams & Works in the amount of \$1,061.19 for services rendered to the Planning Commission.

403-A. Hoag-Lorch. That the invoice in the amount of \$1,061.19 from Williams & Works be authorized for payment.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

404. Commissioner Hoag submitted a copy of Public Act No. 5 regarding Truth in Taxation and a Legislative Bulletin from Michigan Municipal League describing this Act. This material was received for information.

405. Commissioner Hoff reported that he had met with Shirley Norman, City Assessor/Building Inspector, and Bonnie Hamlin, prospective buyer of the Baxter property, regarding barrier-free design. He stated that he is awaiting information regarding this matter.

406. Commissioner Moseley discussed the Trapping Ordinance which was recently passed by the City of Kentwood. The Assistant City Attorney reported that the DNR may pre-empt local units of government in this area and that he is in consultation with the Legal Counsel for the City of Kentwood and the Animal Control Director for the purpose of determining whether local ordinances on this subject are permitted.

407. Commissioner Moseley reported that she received a call from a resident complaining that a garbage collection service in that area is littering garbage between the residence to the garbage truck. This was referred to the City Manager.

408. Commissioner Moseley inquired about an ordinance to regulate satellite disc antennas. The City Manager reported that he will be in contact with the City Attorney regarding this.

409. Commissioner Hoff asked the City Manager to report on the status of application for barrier-free design waiver on the Croswell property.

410. There were three persons in attendance at this meeting.

411. The meeting was adjourned, subject to the call of the Mayor, until April 17, 1982.



City Clerk

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

Regular Meeting Held April 19, 1982

The meeting was called to order by President Glenn Lorch.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold and Waters.

Absent: Mayor Leidlein.

412. The minutes of the meeting held April 5, 1982, were approved as written.

413. Moseley-Hoff. That expense vouchers in the amount of \$52,172.23, and payroll vouchers in the amount of \$37,110.22, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6

Nays: 0

414. Pursuant to public notice, a hearing was then held on the zoning variance request of Patrick T. Thompson, 964 Maxwell SE, to permit construction of a 2½ car attached garage which would be 17 ft. rather than the required 25 ft. from the rear lot line. There were no objections presented at this hearing.

414-A. Seibold-Waters. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. Thompson.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6

Nays: 0

415. Pursuant to public notice, a hearing was then held on the zoning variance request of Stevens C. and Nancy A. Steketee, 1549 Lake Grove SE, to permit construction of an addition to their home which would be 5½ ft. from the side yard lot line rather than the required 7 ft. Mr. & Mrs. Steketee were present to discuss their request with the Commission. There were no objections presented at this hearing.

415-A. Moseley-Waters. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. & Mrs. Steketee.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6

Nays: 0

416. A letter was received from Theresa M. Krywicki, 526 Lovett SE, requesting that a variance be granted permitting her residence to be changed from single-family to two-family.

416-A.- Hoag-Hoff. That this request be referred to the Planning Commission, subject to the payment of the \$25.00 filing fee.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6

Nays: 0

417. Letters from Geraldine M. Norman, owner of Crosswell Corners, and from Mrs. Donald L. Johnson, 416 Edgemere SE, objecting to the issuance of a Tavern license for Gaslight Inn were received for information.

418. A letter from Tom Hipskind regarding trapping in the Reeds Lake swamp was received for information.

419. The City Attorney submitted a proposed ordinance amendment relative to water and sewer rates.

419-A. Moseley-Hoff. That the following ordinance be adopted:

AN ORDINANCE TO AMEND SECTIONS
2.83 AND 2.83a OF CHAPTER 19 OF
TITLE I OF THE CODE OF THE CITY OF
EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 2.83 of Chapter 19 of Title I of the Code of the City of East Grand Rapids is amended to read as follows:

"2.83. Water Rates. Charges for water service shall be payable every three months. The charge for water service shall be a total of the Consumption Rate of \$1.10 per 1,000 gallons and the following quarterly meter service charge depending on meter size:

1/2 - 3/4"	Meter	-	\$4.75
1"	Meter	-	\$8.50
1-1/4"	Meter	-	\$13.00
1-1/2"	Meter	-	\$19.00
2"	Meter	-	\$34.00
3"	Meter	-	\$76.00
4"	Meter	-	\$135.00
6"	Meter	-	\$305.00

Section 2. Section 2.83a of Chapter 19 of Title I is amended to read as follows:

"2.83a. Sewer Rates. Charges for sanitary sewer service shall be payable every three months. The charges for sanitary sewer service shall be \$1.00 per 1,000 gallons of water consumption and shall be based on water consumption during the preceding winter quarter for each user. For the purposes of this section, the winter quarter shall mean the 3-month period ending, as to each user, on either the last day of December, January, or February preceding the billing date."

Section 3. This ordinance is declared to be an emergency ordinance and shall be effective on May 1, 1982.

Section 4. This ordinance shall be published in full within 10 days after its enactment pursuant to the provisions of Chapter VIII, Section 5, of the City Charter.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6
Nays: 0

420. The City Controller reported that a meeting is scheduled with the Ways & Means Committee for Wednesday, at 3:30 p.m., for the purpose of reviewing materials he has received and to discuss procedures in obtaining proposals for the annual audit, and that a report will be made at the next City Commission meeting.

421. The City Clerk reported receipt of two resolutions from the City of Walker; one being in opposition to the annual raft race, and the second recommending promotion of a family event in place of the annual raft race. These resolutions were received for information.

422. The City Manager reported on bids which were received for the Beechwood cul-de-sac at Breton Road and Hall Street, and recommended that the low bid of Smith Brothers Contracting, Inc., be accepted in the amount of \$20,989.00.

422-A. Hoag-Seibold. That the low bid be accepted and the contract be awarded to Smith Brothers Contracting Inc., in the amount of \$20,989.00.

422-B. Lorch-Hoff. That the above motion be tabled.

Yeas: Hoag, Hoff, Lorch, Moseley - 4

Nays: Seibold, Waters - 2

423. The City Manager reported on a letter he received from the Environmental Protection Agency regarding the Novation Agreement between the EPA, Michigan Department of Natural Resources, and the City of East Grand Rapids, which requires additional study by all parties concerned.

424. A memorandum from the City Manager regarding the partial completion of the lower level of the Municipal Offices was received. The City Manager recommended that the City Commission authorize the transfer of \$1,784.49 from the Contingency Fund to provide materials for this project.

424-A. Seibold-Waters. That the City Manager be authorized to proceed with the partial completion of the lower level of the Municipal Offices and that an amount of \$1,784.49 be transferred from the Contingency Fund for this purpose.

A roll call vote was taken:

Yeas: Hoag, Lorch, Seibold, Waters - 4

Nays: Hoff, Moseley - 2

The motion carried.

425. A letter from the Advisory Center for Teens requesting that the City adopt a resolution of intent to provide financial aid in the amount of \$1,148.00 for the fiscal year 1982/83. This matter was referred to the next regular City Commission meeting.

426. The City Manager reported on water tap rates and recommended an adjustment in the rates as follows:

1-inch tap from \$175.00 to \$255.00.

1½-inch tap \$310.00 to \$420.00.

2-inch tap \$430.00 to \$580.00.

426-A. Seibold-Waters. That the water tap rates be established as recommended by the City Manager, and that these rates become effective immediately.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6

Nays: 0

427. The City Manager requested a permit for the 4th of July fireworks display.

427-A. Waters-Moseley. That the City Manager be issued a fireworks permit as requested.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6

Nays: 0

428. The City Manager reported that a letter had been received from the Municipal Code Corporation as to the progress in the printing of the City's Ordinance Code.

429. The City Manager submitted a memorandum regarding the Certified Development Corporation program which included a model resolution from the West Michigan Regional Planning Commission.

429-A. Waters-Hoag. That the following resolution be adopted:

WHEREAS, there are over 9,000 businesses in Kent County, many of whom would like to expand, yet find it next to impossible to obtain long-term financing;

WHEREAS, economic progress has been difficult for Kent County firms, because they are also facing high interest rates and recession which has idled 30,000 workers in Kent County;

WHEREAS, this new program requires the initiation of a "Certified Development Corporation," and no such corporation exists in Kent County, outside of the City of Grand Rapids;

NOW, THEREFORE, BE IT RESOLVED, that the City of East Grand Rapids supports the formation of a Certified Development Corporation to serve the portions of Kent County not presently served by the Grand Rapids Certified Development Corporation; and urges Kent County to work with local units of government and the West Michigan Regional Planning Commission to establish and fund the start-up of such a corporation.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6

Nays: 0

430. The minutes of the Planning Commission meeting held March 9, 1982, were received for information.

431. The Police report for the month of March was received for information.

432. The Fire Department report for the month of March was received for information.

433. The Building Inspector's report for the months of February and March, 1982, were received for information.

434. A memorandum from Mayor Leidlein regarding a meeting he had with the City Manager and potential Gilmore Plat developers was received for information.

435. Commissioners Hoff and Hoag reported on the status of the sale of the Crosswell property.

436. Appointments to the Energy Task Force was discussed. The City Manager was requested to contact Mr. Geoffrey Hughes regarding this appointment.

437. Commissioner Moseley recommended the name of Robert Post to fill the vacancy on the Recreation Commission, and Commissioner Lorch reported that the Mayor had submitted the name of Robert Conklin to fill this position. This matter was referred to the next regular City Commission meeting.

438. Commissioner Waters requested that the Recreation Commission look into the possibility of having a good quality basketball backboard and courts somewhere within the city for those wishing to participate in this sport.

439. Commissioner Seibold discussed problems that are created by closing off during evening hours of Reeds Lake Blvd. south of the lake.

439-A. Waters-Seibold. That the gates across Reeds Lake Blvd. be left open 24 hours a day.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6
Nays: 0

440. Commissioner Seibold indicated his concern about the Commission getting involved in highly political issues of state and national concern and stated his belief that a public forum would be more appropriate for discussing these types of issues.

441. Seibold-Moseley. That this Commission be adjourned, subject to the call of the Mayor, until May 3, 1982.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters - 6
Nays: 0

442. Waters-Hoag. That this Commission reconvene for the purpose of giving Mr. Michael Babitch an opportunity to make a short presentation on the subject of nuclear weapon freeze initiative.

Yeas: Hoag, Lorch, Moseley, Waters - 4
Nays: 0
Abstained: Hoff - 1
Commissioner Seibold was absent at this time.

Mr. Babitch requested endorsement by the East Grand Rapids City Commission to the initiative to place the question of the state and national nuclear war weapon freeze on the ballot at the next general election if not enacted into law by the Legislature. In view of the fact that a Commissioner and the Mayor were absent, Commissioner Hoag recommended that this matter be referred to the next regular City Commission meeting, and that the City Attorney be requested to review the Commission's authority as to making a decision on this matter.

443. The meeting was adjourned, subject to the call of the Mayor, until May 3, 1982.



City Clerk

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

Regular Meeting Held May 3, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold and Mayor Leidlein.

Absent: Com. Waters.

444. The minutes of the meeting held April 19, 1982, were approved as written.

445. Moseley-Hoff. That expense vouchers in the amount of \$175,177.02, and payroll vouchers in the amount of \$48,282.95, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6

Nays: 0

446. Mr. Larry Bratschie was present to discuss the problems concerning the South Arm of Reeds Lake Blvd., and requested that the Commission reconsider its decision of April 19, 1982, to leave the gates unlocked. The following persons were present at this meeting and also requested that the gates be locked from sundown to sunrise: Chris Panopoulos, Edgar Orr, Mrs. Alfred Swanson, James Catchick, Don Buske, Mrs. Jennie Bratschie, David Mehney and Dr. John Weiss. The Mayor reported as to letters received from Dr. Alfred Swanson, Dr. John Weiss, Larry Bratschie, Thomas F. Jones, Chris Panopoulos and Mrs. Fred Vogt, all requesting nighttime closing of the gates. Letters were also submitted at the Commission meeting from R. B. Lierle, Mrs. Robert S. Smith, III, Erwin G. Clahassey, M.D., and Edgar Orr.

446-A. Lorch-Hoag. That the gates on the South Arm of Reeds Lake Blvd. be secured from dusk to dawn, that this road be designated as a scenic drive, that the speed limit be established at 15 miles per hour, that no parking be permitted on this road, and that speed bumps be installed.

446-B. Hoff-Moseley. That the above motion be amended to provide for the securing of the gates on the South Arm of Reeds Lake Blvd. from dusk to dawn and that the Traffic Commission be requested to study this matter and submit possible solutions to the problems that currently exist.

A roll call vote was taken:

Yeas: Hoag, Hoff, Lorch, Moseley, Leidlein - 5

Nays: Seibold - 1

The motion carried.

A roll call vote was taken on the main motion as amended:

Yeas: Hoag, Hoff, Lorch, Moseley, Leidlein - 5

Nays: Seibold - 1

The main motion as amended carried.

447. The Controller reported on a meeting held with the Ways & Means Committee on April 21, 1982, for the purpose of discussing the feasibility of obtaining audit proposals for the City's annual audit. He reported that the Ways & Means Committee recommends that Ernst & Whinney be retained for the purpose of auditing the financial statements of the City for its fiscal year ended June 30, 1982, and that the Controller be directed to prepare specifications for the purpose of obtaining audit proposals for the City's fiscal year ending June 30, 1983, that these

specifications be prepared by September, 1982, and that the proposal be for a 3-year period.

447-A. Moseley-Hoff. That the recommendation of the Ways & Means Committee be concurred in.

Yeas: Hoff, Lorch, Moseley, Seibold, Leidlein - 5
Nays: Hoag - 1

448. Hoff-Lorch. That this Commission remove from the table the resolution regarding awarding of bids for the Beechwood cul-de-sac.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

448-A. Letters opposing the cul-de-sac were received from Tom & Nancy Buskirk, and petitions with 38 signatures were also received, objecting to the construction of the cul-de-sac on Beechwood. Mrs. William Laidlaw, 2714 Beechwood Drive SE, and Brigitte Alix, 2627 Beechwood Drive SE, were present to object to the cul-de-sac, and Jim Triant, 2410 Beechwood Drive SE, requested that the Commission act favorably for the improvement.

448-B. Seibold-Hoag. That the low bid be accepted and the contract be awarded to Smith Brothers Contracting, Inc., in the amount of \$20,989.00 for the Beechwood cul-de-sac improvement.

A roll call vote was taken:

Yeas: Hoag, Seibold, Leidlein - 3
Nays: Hoff, Lorch, Moseley - 3

The motion failed.

449. Hoag-Lorch. That the request of the Advisory Center for Teens for funding be removed from the table.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

449-A. After discussing the various requests which come before the Commission for funding, it was the consensus of this Commission that these requests for funding be considered at the time the budget is being discussed and that the request from the Advisory Center for Teens be included in the discussion of the 1982/83 General Fund budget.

450. The City Manager reported that he has received a sample copy of a satellite antenna ordinance from the City of Lake Forest, Illinois. He was directed to circulate copies of this ordinance to the City Commissioners for their review and placement on a future agenda.

451. The City Manager reported on a conversation he had with Mr. Geoffrey Hughes regarding the Energy Task Force. He reported that an office has been established at Mercy Academy and is partially staffed from funds received from a Chamber of Commerce grant.

452. A letter from the City Attorney regarding the Commission's authority as it relates to the question of a State and National nuclear weapons freeze was received. It was the Attorney's opinion that the nuclear war weapons freeze is a question which is properly the concern of the national government under the Constitution and laws of the United States and is not within the authority of any municipality.

453. The Mayor nominated Robert Conklin to fill the vacancy on the Parks & Recreation Commission.

453-A. Lorch-Seibold. That Robert Conklin be appointed to the Parks & Recreation Commission.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: 0

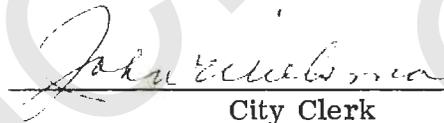
454. Commissioner Hoag expressed concern about joggers running in the road when there are sidewalks and bicycle paths available for them. The Police Department was requested to be observant of this problem and to inform joggers of the rules requiring use of the sidewalk or bicycle path where available.

455. Commissioner Hoag stated that she has a full set of plans, including site drawings of the proposed expansion of the Cascade Country Club and the proposed condominiums and golf course. She stated that she is very interested in this project inasmuch as it is in the watershed area of Reeds Lake.

456. The Mayor set May 10, 1982, at 7:00 p.m., as a joint meeting of the City Commission and Planning Commission for the purpose of discussing a proposed amendment to the Zoning Ordinance providing for a Planned Unit Development section.

457. There were 23 persons in attendance at this meeting.

458. The meeting was adjourned, subject to the call of the Mayor, until May 17, 1982.



City Clerk

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

Special Meeting Held May 10, 1982

This joint meeting of the City Commission and Planning Commission was called to order by Mayor Leidlein and Chairman Deems.

Commissioners Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters, and Mayor Leidlein.

Absent: None.

Planning Commissioners Present: Deems, Mertz, Martindill, Brintnall, Olson, and Waters.

Absent: Boorstein, Van't Hof, and Worfel.

459. Pursuant to public notice, a hearing was held on the proposed amendments to the Zoning Ordinance. There were no persons present who expressed opposition to the ordinance amendments as proposed. Following the hearing, the Planning Commission recessed to consider the proposed amendments.

(Planning Commissioner Worfel arrived at this time.)

460. The City Attorney requested that the Commission go into executive session to consider matters pertaining to the pending litigation involving the Manhattan School property.

460-A. Lorch-Hoag. That this Commission go into closed session.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

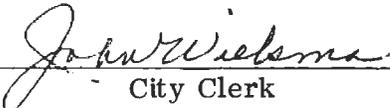
Nays: 0

Following the executive session, the Mayor reconvened the meeting.

461. The following persons were present to present a proposal including drawings for a proposed condominium development on the "Gilmore" property: Mark DeVries, Howard Reenders, Robert Grooters, David Riebel, Ken Snedigar and Charles Gibson. The Commission received the proposal for consideration but there was no action taken by this Commission at this time.

462. The Planning Commission returned to the meeting and Chairman Deems reported that the Planning Commission has reviewed the proposed Planned Unit Development Ordinance and has voted to recommend to the City Commission adoption of the proposed ordinance amendments and further to recommend that the City Commission consider and determine whether final approval of a P.U.D. should be by the City Commission or by the Planning Commission.

463. The meeting was adjourned, subject to the call of the Mayor, until May 15, 1982.



City Clerk

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

Regular Meeting Held May 17, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.

Absent: Com. Hoff.

464. The minutes of the meeting held May 3, 1982, were approved as written.

465. Moseley-Waters. That expense vouchers in the amount of \$203,804.99, and payroll vouchers in the amount of \$39,722.49, 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: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

466. A letter from Micki Benz, objecting to the City Commission's decision that it has no authority to act with regard to the proposed Michigan Nuclear Weapons Freeze, was received for information.

467. Assistant City Attorney Huff reported that the Planning Commission has held a public hearing and recommends adoption of the amendments to the Zoning Ordinance relative to Planned Unit Development and Site Plan Review. At the request of the Commission, a letter will be forthcoming from the Attorney's Office discussing Section 5.147 of the proposed ordinance prior to the next meeting.

468. Attorney Huff reported that the Attorney's Office is considering an amendment to the Uniform Traffic Code for presentation to the Commission shortly.

469. Attorney Huff reported that the Manhattan lawsuit is scheduled for May 19, 9:30 a.m., in Circuit Court before Judge Boucher.

470. Waters-Moseley. That the following ordinance be introduced at this time:

AN ORDINANCE TO AMEND THE CODE OF THE
CITY OF EAST GRAND RAPIDS BY ADDING NEW
SECTIONS, WHICH NEW SECTIONS SHALL BE
DESIGNATED AS SECTIONS 5.135 THROUGH 5.148
OF CHAPTER 39 - ZONING, OF TITLE V OF SAID
CODE

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. The Code of the City of East Grand Rapids is amended by adding new Articles XIII-A and XIII-B, being Sections 5.135 through 5.148, to Chapter 39 - Zoning of Title V of said Code to read as follows:

ARTICLE XIII-A
PUD - PLANNED UNIT DEVELOPMENT

5.135 DESCRIPTION AND PURPOSE. The use, area, height, bulk and placement regulations of this Ordinance are primarily applicable to the usual situation of one principal building on a lot. In certain large developments, these requirements might result in situations less in the interest of public health, safety, and general welfare than if a controlled degree of flexibility were allowed. The PUD - Planned Unit Development is intended to permit and control the development of preplanned areas for various compatible uses allowed by The Zoning Ordinance and for other exceptional uses not so provided.

It is intended that uses in a PUD shall afford each type of land use reasonable protection from encroachment or interference by other incompatible land uses, and that reasonable protection be afforded to uses adjacent to a PUD.

Under this Article, all proceedings shall be conducted with due consideration for maintenance of reasonable conditions regarding emission and transmission of injurious or obnoxious noise, fire or explosion hazard, liquid or solid waste disposal, vibration, gas fumes, smoke, dust, litter, odor, light, glare, traffic congestion, ingress and egress, ease of police and fire protection, drainage, lateral land support, blighting influence, effect on property values, light and air, overcrowding of persons, sanitation, general appearance of the area, surface and ground water quality, and other similar considerations having an effect on public health, safety, and general welfare of the people of the surrounding area.

5.136 PERMITTED USES. Any use permitted in any district, including uses which may be permitted upon special application to and approval of the Board of Zoning Appeals or the Planning Commission under the provisions of Chapter 39 of the Code of the City of East Grand Rapids, may be permitted in a Planned Unit Development provided that all of the objectives and standards of this Article XIII-A are determined to be met and the procedures of this Article XIII-A are complied with.

5.137 OBJECTIVES. The following objectives shall be met by any application for any PUD in order to realize the inherent advantages of coordinated, flexible, comprehensive, long-range planning and development.

- (a) To provide more desirable living, shopping, and working environments by preserving as much of the natural character of the property as possible, including, but not limited to, open space, stands of trees, brooks, ponds, floodplains, hills, and similar natural assets.
- (b) To encourage the provision of open space and the development of recreational and, where included in the plan, other support facilities in a generally central location within reasonable distance of all living units.
- (c) To encourage developers to use a more creative and imaginative approach to the development of areas.
- (d) To encourage underground utilities which can be more efficiently designed when master planning a larger area.
- (e) To allow phased construction with the knowledge that subsequent phases will be approved as originally planned and approved by the City.
- (f) To promote flexibility in design and permit planned diversification in the location of structures.
- (g) To promote the efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land use, and utilities.
- (h) To combine and coordinate architectural styles, building forms, and building relationships within the Planned Unit Development.
- (i) To insure a quality of construction commensurate with other developments within the City.

5.138 MAXIMUM DENSITY. The maximum density for any residential Planned Unit Development is eight (8) units per acre. The number of family units in a residential apartment or condominium building shall not exceed 12.

5.139 PROCEDURES. All applications for Planned Unit Development shall be considered as amendments to the Ordinance and consistent with the provisions of Article XVI and shall include a site plan and narrative in accordance with the requirements of Article XIII-B.

5.140 BASIS OF DETERMINATION. Prior to approval of a Planned Unit Development application, the Planning Commission shall insure that the standards specified in this section, as well as applicable standards established elsewhere in this Ordinance, shall be satisfied by the completion of the Planned Unit Development under consideration.

- (a) General Standards - The Planning Commission shall review the particular circumstances of the Planned Unit Development application under consideration in terms of the following standards and shall recommend approval of a Planned Unit Development only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:
- (1) The Planned Unit Development shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
 - (2) The Planned Unit Development shall not change the essential character of the surrounding area.
 - (3) The Planned Unit Development shall not be hazardous to adjacent property, or involve uses, activities, materials, or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, or glare.
 - (4) The Planned Unit Development shall not place demands on public services and facilities in excess of current capacity.
- (b) Conditions - The Planning Commission may recommend conditions with the approval of a Planned Unit Development which are necessary to insure compliance with the standards for approval stated in this section and any other applicable standards contained in this Ordinance. Such conditions shall be considered an integral part of the Planned Unit Development approval and shall be enforced by the Building Inspector.

ARTICLE XIII-B SITE PLAN REVIEW

5.141. PURPOSE. The intent of this section is to provide for consultation and cooperation between the applicant and the City Planning Commission in order that the applicant may accomplish the applicant's objectives in the utilization of the land within the regulations of this Zoning Ordinance and with minimum adverse effect on the use of adjacent streets and highways, and on existing and future uses and environment in the immediate area and vicinity.

5.142 SCOPE. The Building Inspector shall not issue a building permit for multi-family or commercial buildings or a change of use until a site plan has been reviewed and approved by the Planning Commission, except where the development is in accordance with a PUD as established under Article XIII-A.

5.143 APPLICATION PROCEDURES. Any application for Site Plan Review, plus either a preliminary or final site plan, shall be submitted to the Building Inspector who will review the application and plans for completeness, and if all requirements are met, will forward them to the Planning Commission for review and approval.

5.144 PRELIMINARY PLAN REVIEW. Preliminary sketches of proposed site development plans may at the option of the applicant be submitted for review to the Planning Commission prior to final site plan submission. The purpose of such procedure is to allow discussion between the applicant and the Planning Commission to better inform the applicant of acceptability of the proposed plans prior to incurring extensive engineering and other costs which might be necessary for final site plan approval. Such plans shall include such of the following as shall be deemed necessary by the Building Inspector.

- (a) Legal description of the property.
- (b) Small scale sketch of properties, streets, and use of land within five hundred (500) feet of the proposed site.
- (c) A generalized map showing any existing or proposed arrangement of:
 - (1) Streets
 - (2) Lots
 - (3) Access points
 - (4) Other transportation facilities
 - (5) Buffer strips
 - (6) Natural characteristics, including but not limited to open space, stands of streets, brooks, ponds, floodplains, hills, and similar natural assets.
 - (7) Signs - location and lighting
 - (8) Buildings
- (d) A narrative describing:
 - (1) The overall objectives of the proposed development.
 - (2) Number of acres allocated to each proposed use and gross area in building, structures, parking, public and/or private streets and drives, and open space.
 - (3) Dwelling unit densities by type.
 - (4) Proposed method of providing sewer and water service, as well as other public and private utilities.
 - (5) Proposed method of providing storm drainage.
 - (6) Proposed method of revegetating open areas, both pre-existing and newly created, to a stable condition.

In addition to the above, said applicant shall submit a fee in accordance with the fee schedule established by the City Commission to cover the normal and specially incurred expenses of the Planning Commission.

5.145 PLANNING COMMISSION REVIEW OF PRELIMINARY SITE PLAN. If a preliminary site plan is submitted, the Planning Commission shall review the preliminary site plan and make recommendations to the applicant at a regular Planning Commission meeting based on the purposes, objectives, and requirements of this Ordinance, and specifically, the following considerations when applicable:

- (a) Ingress and egress to the property and proposed structures thereon with particular reference to motor vehicle and pedestrian safety and convenience, traffic flow and control, and access in cases of fire, catastrophe or emergency.
- (b) Off-street parking and loading areas where required, with particular attention to noise, glare and odor effects of each use in the plan on adjoining properties and properties in the proposed development.
- (c) Sewer, water, and storm drainage with reference to locations, availability, and compatibility.
- (d) Screening and buffering with reference to type, dimensions, and character.
- (e) Signs, if any, and their proposed lighting relative to glare, traffic, economic effect, and compatibility and harmony with adjoining properties.
- (f) Required yards.
- (g) General compatibility with adjacent properties.
- (h) The general purposes and spirit of this Ordinance.

5.146 FINAL SITE PLAN REVIEW. The final site plan shall include the following information and such items as may be requested by the Planning Commission from its review of the optional preliminary site plan, if any, or from its initial review of the final site plan as initially submitted.

- (a) Legal description of the property.
- (b) Small scale sketch of properties, streets, and use of land within five hundred (500) feet of the area.
- (c) A map at a scale not to exceed one (1) inch equals two hundred (200) feet (1"=200'). The following items shall be shown on the map:
 - (1) Date site plan was prepared.
 - (2) Name and address of the preparer.
 - (3) The topography of the site at a minimum of five (5) foot intervals and its relationship to adjoining land.
 - (4) Existing man-made features.
 - (5) Dimensions of setbacks, locations, heights, and size of buildings and structures.
 - (6) Street rights-of-way, indicating proposed access routes, internal circulation, and relationship to existing rights-of-way.
 - (7) Proposed grading.

- (8) Location and type of drainage, sanitary sewers, storm sewers, and other utilities.
- (9) Location and type of fences, landscaping, buffer strips, and screening.
- (10) Location and type of signs and on-site lighting.
- (11) Proposed parking areas and drives. Parking areas shall be designed by lines showing individual spaces and shall conform with the provisions of Article VI.
- (12) Easements, if any.
- (13) Dimensions and number of proposed lots.

(d) A narrative describing the items indicated in Section 5.144(d).

5.147 PLANNING COMMISSION REVIEW OF FINAL SITE PLAN. The Planning Commission shall review the final site plan and either approve, deny, or approve with conditions, the final site plan based on the purposes, objectives, and requirements of this Ordinance and specifically the considerations listed in Section 5.145.

5.148 TIME LIMIT ON SITE PLAN APPROVAL. The Planning Commission shall undertake and complete all site plan reviews within sixty (60) days of submission of all required information by the applicant. Upon approval of said plan, the Chairman of the Planning Commission shall sign three (3) copies thereof. One (1) signed copy shall be made a part of the Commission's files and one (1) shall be forwarded to the Building Inspector for issuance of a building permit. The third copy shall be returned to the applicant.

Each development shall be under construction within one (1) year after the date of final site plan approval by the Planning Commission. If the applicant does not fulfill this provision, the commission may grant a sixty (60) day extension provided the applicant presents reasonable evidence to the effect that said development has encountered unforeseen difficulties but is then ready to proceed. Should neither of the aforementioned provisions be fulfilled or a sixty (60) day extension has expired without construction underway, the site development plan shall be null and void.

Section 2. This ordinance shall be effective on _____, 1982.

Section 3. This ordinance shall be published in full pursuant to Chapter VIII of the City Charter.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

471. The Controller submitted a list of water and sewer bills which are more than 60 days delinquent and requested that they be reassessed on the 1982 City Tax Roll as follows:

Delinquent water bills, Ledger A	\$ 5,000.86
Delinquent water bills, Ledger B	\$ 2,048.91
Delinquent water bills, Ledger C	\$ 2,964.18

471-A. Hoag-Lorch. That the following delinquent water and sewer bills be reassessed on the 1982 City Tax Roll:

DELINQUENT WATER FOR LEDGER A

<u>PARCEL NO.</u>	<u>ADDRESS</u>	<u>BILL AM'T</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
41 14-33-103-036	519 Briarwood	\$ 144.32	\$ 14.43	\$ 158.75
14-28-352-011	320 Gladstone	139.85	13.99	153.84
14-28-351-015	351 Gladstone	131.20	13.12	144.32
14-33-101-004	413 Gladstone	61.80	6.18	67.98
14-33-101-005	417 Gladstone	148.81	14.88	163.69
14-33-151-006	627 Gladstone	255.00	25.50	280.50
14-33-302-001	802 Gladstone	97.65	9.77	107.42
14-33-207-009	614 Greenwood	279.75	27.98	307.73
14-33-103-033	1673 Lake Drive	157.85	15.79	173.64
14-34-301-019	2513 Lake Drive	111.70	11.17	122.87
18-03-204-001	2885 Lake Drive	108.29	10.83	119.12
14-33-129-006	558 Locust	28.75	2.86	31.61
14-33-480-005	1132 Orchard	51.50	5.15	56.65
14-33-176-011	730 Plymouth	258.61	25.86	284.47
14-33-152-014	1617 Reed	112.58	11.26	123.84
14-28-353-018	344 Rosewood	50.31	5.03	55.34
14-33-107-016	535 Rosewood	108.77	10.88	119.65
14-33-107-018	549 Rosewood	288.89	28.89	317.78
14-33-154-010	646 Rosewood	52.60	5.26	57.86
14-33-154-014	700 Rosewood	242.12	24.21	266.33
14-33-378-016	1065 San Lucia	121.66	12.17	133.83
14-33-452-001	1010 San Juan	119.20	11.92	131.12
14-33-403-003	2126 San Lu Rae	135.25	13.53	148.78
14-33-151-002	1608 Sherman	240.43	24.04	264.47
14-33-154-002	1646 Sherman	225.19	22.52	247.71
14-33-203-027	2053 Wealthy	301.65	30.17	331.82
14-33-252-009	662 Lovett	158.72	15.87	174.59
14-34-378-029	2660 Lake Dr.	<u>413.77</u>	<u>41.38</u>	<u>455.15</u>
TOTAL Delinquent LEDGER A		\$ 4,546.22	\$ 454.64	\$ 5,000.86

5/17/82

DELINQUENT WATER FOR LEDGER B

<u>PARCEL NO.</u>	<u>ADDRESS</u>	<u>BILL AM'T</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
41 14-33-455-013	2204 Argentina	\$ 197.63	\$ 19.76	\$ 217.39
14-33-430-015	937 Breton	204.57	20.46	225.03
14-84-353-010	1120 Breton	64.20	6.42	70.62
18-04-434-020	1761 Breton	187.87	18.79	206.66
18-03-306-018	1725 Conlon	132.53	13.25	145.78
14-33-457-019	2129 Coronado	128.65	12.87	141.52
14-34-356-031	1109 Eastwood	128.90	12.89	141.79
14-34-351-011	2450 Gilmour	167.17	16.72	183.89
14-33-478-005	1058 Lakeside	66.27	6.63	72.90
14-33-403-027	941 Pinecrest	72.65	7.27	79.92
14-28-451-004	2100 Robinson Rd.	177.70	17.77	195.47
14-28-476-005	2170 Robinson Rd.	56.25	5.63	61.88
18-03-255-010	1427 Woodcliff	163.74	16.37	180.11
14-34-476-012	3061 Woodcliff Cir.	<u>114.50</u>	<u>11.45</u>	<u>125.95</u>
TOTAL Delinquent LEDGER B		\$1,862.63	\$ 186.28	\$2,048.91

DELINQUENT WATER FOR LEDGER C

<u>PARCEL NO.</u>	<u>ADDRESS</u>	<u>BILL AM'T</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
41 18-04-202-003	2054 Anderson Dr.	\$ 198.46	\$ 19.86	\$ 218.31
18-04-204-010	2145 Anderson Dr.	185.34	18.53	203.87
18-04-277-018	2223 Audobon	64.65	6.47	71.12
18-04-402-006	2110 Boston	168.58	16.86	185.44
18-03-155-013	2455 Boston	69.65	6.97	76.62
18-03-182-017	2551 Boston	87.04	8.70	95.74
18-03-183-022	2741 Boston	143.56	14.36	157.92
18-04-431-002	2340 Brighton	224.12	22.41	246.53
18-03-328-012	1747 Danby Lane	149.62	14.96	164.58
18-04-277-009	2242 Estelle	60.55	6.06	66.61
18-03-206-012	3010 Oakwood	178.84	17.88	196.72
18-03-180-011	2600 Richards	66.54	6.65	73.19
18-03-179-020	2715 Richards	140.30	14.03	154.33
18-04-328-027	1746 Vesta Lane	183.66	18.37	202.03
18-04-433-017	1771 Whitfield	346.70	34.67	381.37
18-04-228-025	2335 Wilshire	225.59	22.56	248.15
18-04-229-003	2318 Wilshire	<u>201.50</u>	<u>20.15</u>	<u>221.65</u>
TOTAL Delinquent LEDGER C		\$ 2,694.70	\$ 269.48	\$ 2,964.18

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

472. The Controller distributed the Motor Equipment Use Rate Review as prepared by Ernst & Whinney for informational purposes. A report regarding implementation of the recommendations contained within the Motor Equipment Revolving Fund report will be submitted to this Commission as soon as possible.

473. The Controller submitted a financial report for a 9-month period ended March 31, 1982, which was received for information.

474. The Clerk/Controller reported that the 84th Annual Convention of the Michigan Municipal League will be held at the Grand Hotel on Mackinac Island on September 16-18, 1982, and that room reservations must be received by the Hotel no later than June 30, 1982. He requested Commissioners who are interested in attending this convention notify him prior to June 30, 1982.

475. A request from the City Assessor to participate in the Kent County Computer System Program to assign a specific neighborhood number to each parcel of property at a cost of approximately \$312.00 was received.

475-A. Waters-Hoag.

WHEREAS, it would be to the benefit and best interests of the City of East Grand Rapids to establish a neighborhood coding system for listing and factoring real estate for purposes of valuation determination. Now be it

RESOLVED, that the assessing officer of the City of East Grand Rapids is hereby authorized to adopt said system and be it further

RESOLVED, that the assessing officer shall establish and maintain all codes and records to be kept and be it further

RESOLVED, that the coding system shall be in accordance with the County's uniform code scheme.

Yeas: Hoag, Loch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

475-B. Waters-Hoag.

WHEREAS, the City of East Grand Rapids of the County of Kent has heretofore approved the establishment of a neighborhood code system for listing and factoring real estate for purposes of valuation determination and

WHEREAS, the estimated cost of developing and putting into operation said system is 8 cents per parcel in accordance with the attached schedule which is marked Exhibit "A" and made a part hereof. Now therefore be it

RESOLVED, that the City of East Grand Rapids here appropriates the sum of \$312.00 for said purpose and be it further

RESOLVED, that the City of East Grand Rapids hereby enters into the attached agreement with the County of Kent which agreement is hereunto annexed, marked Exhibit "B" and made a part hereof, and that the Mayor and Clerk be authorized to sign this agreement.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

476. The City Manager reported that he has received the agreement between the Department of Natural Resources Environmental Protection Agency and the City of East Grand Rapids for the Lake Restoration Program.

477. The City Manager reported that the Animal Control Agreement between Kent County and the City of East Grand Rapids will expire July 20, 1982. Mr. Mark Miller, County Dog Warden, was present to discuss this matter with the Commission. Inasmuch as the Commissioners did not have an opportunity to review the Animal Control Agreement, this matter was referred to a subsequent Commission agenda and those Commissioners who have questions about the agreement should discuss them with the County prior to this matter being placed on a future agenda.

478. The Attorney's report relative to Satellite Antenna Ordinance as adopted by the City of Lake Forest, Illinois, was discussed.

478-A. Moseley-Hoag. That the City Attorney be requested to prepare an ordinance draft regulating satellite antennas for consideration by this Commission.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

479. The City Manager reported on a meeting he had with the Superintendent of Public Schools and stated that the School Board had accepted the bid for the sale of the School Administration Building for occupancy as condominium units and that a zoning variance hearing will be scheduled June 7 regarding this matter. It was decided that this be a joint hearing of the Planning Commission and City Commission, and that the members of the Planning Commission be sent information relative to this matter.

480. Reports for the month of April from the Police Department, Fire Department and Building Inspector were received for information.

481. Mr. Steve Mertz, member of the Planning Commission, brought up the matter of public access to Reeds Lake and, particularly, the possible relocation of the boat launch on Barnard Street to eliminate traffic problems on Lakeside Drive. Ruth Ann Brintnall, Planning Commission member, reported that a report will be forthcoming from the sub-committee of the Planning Commission regarding the lakefront property.

482. The Mayor submitted a report on his investigation regarding biodegradable plastic bags and has found that the companies contacted do not manufacture such a product. He reported that he will continue to monitor the market and submit a further report when such a bag does exist.

483. The Capital Improvement report which was submitted by the City Manager to the Commission on April 6th, will be discussed at a work session on Monday, May 24, at 7:00 p.m.

484. The Mayor scheduled June 1, 1982, 7:00 p.m., as a work session to review the proposed 1982/83 budget.

485. Commissioner Waters questioned the City Attorney's ruling regarding matters that are within the scope of the authority of the City Commission and distributed a letter to the Commissioners regarding this matter.

486. Commissioner Waters reported on a letter he had received from Mr. Richard R. Frost regarding the lack of maintenance of the City-owned property on Ross Court. He also submitted petitions with 71 signatures requesting the City Commission to take immediate action with reference to vacant land owned by the City at the end of Ross Court, with the request that this land be made into a playground for the use of the community or be maintained by the City. He suggested that in its present condition it presents a safety hazard to young children living nearby. The City Manager was directed to look into this matter and report back to the City Commission.

487. Waters-Seibold. That the Beechwood cul-de-sac issue be placed on the agenda for reconsideration.

A roll call vote was taken:

Yeas: Seibold, Waters - 2

Nays: Hoag, Lorch, Moseley, Leidlein - 4

The motion failed.

488. There were 7 persons in attendance at this meeting.

489. The meeting was adjourned, subject to the call of the Mayor, until June 7, 1982.



City Clerk

UNOFFICIAL
Reference Only

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

Regular Meeting Held June 7, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.

Absent: None.

Also Present: City Manager Tholen, City Clerk Wielsma, Attorney Richardson, Assistant Attorney Huff, and the following Planning Commission members: Deems, Brintnall, Martindill, Mertz, Olson, Waters, Worfel and Boerstein.

490. The minutes of the Special joint City Commission/Planning Commission meeting held May 10, 1982, and Regular City Commission meeting held May 17, 1982, were approved as written with the exception of correcting Item 478 in the minutes of May 17, 1982, by changing "Oak Forest" to "Lake Forest".

491. Letters from Mary Ann Gwatkin and Fr. John W. Collins, expressing appreciation for the resolution in memory of John A. Collins, former Mayor of East Grand Rapids, were received for information.

492. Moseley-Hoff. That expense vouchers in the amount of \$417,721.60, and payroll vouchers in the amount of \$37,529.82, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

493. Pursuant to public notice, a hearing was then held by the Board of Zoning Appeals in conjunction with the Planning Commission on the zoning variance request of Schoolhouse Associates relative to the School Administration Building at 2006 Wealthy Street SE. Martin Packard discussed the plans of the Schoolhouse Associates and submitted a copy of an appraisal by Blandford Appraisals, Inc., a copy of a report by Reid Associates, an architectural rendering of the exterior of the building and property, and three sheets of floor plans of the interior of the building. Members of the Planning Commission who spoke regarding this issue were Nyal Deems and Ruth Ann Brintnall. Mr. Carl Fleetwood requested that a resolution include a proviso that the building exterior remain in its present configuration. Following the discussion, the Mayor declared a recess to permit the Planning Commission to consider the request.

494. Pursuant to public notice, a hearing was then held by the Board of Zoning Appeals upon the zoning variance request of Theresa M. Krywicki to permit the use of the home located at 526 Lovett SE, as a two-family residence. Ms. Krywicki was present to discuss her request with the Commission. Letters expressing support for this variance were received from thirteen persons living near the home in question.

494-A. Waters-Hoag. That this hearing be recessed until the Planning Commission can be present to discuss this matter.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

495. The Planning Commission submitted its recommendation for approval of the application of Helen V. Johnson for a Tavern license at 2162 Wealthy Street SE. Helen and Michael Johnson were present and submitted petitions with 2,074 signatures of persons favoring the granting of a license. Lois Daunt and Elizabeth Douglas spoke in favor of the Johnson's request. Kate Williams, Marilyn Allen, Harry Allen, and Sue Verhey, representing the High School PTSA, spoke in opposition to approving the license.

495-A. Seibold-Hoff. That the request of Helen V. Johnson for a Tavern license at 2162 Wealthy Street SE, be approved subject to Liquor Control Commission action.

A roll call vote was taken:

Yeas: Hoff, Lorch, Seibold, Waters - 4
Nays: Hoag, Moseley, Leidlein - 3

The motion carried.

496. At this time, the Planning Commission returned to the meeting and the Mayor reconvened the Board of Zoning Appeals' hearing on the zoning variance request of Schoolhouse Associates. The Chairman of the Planning Commission reported that the Planning Commission recommends approval of the variance based upon the site plans as submitted and subject to prior approval of any changes in the site plan.

496-A. Lorch-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance request of the Schoolhouse Associates.

A roll call vote was taken:

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

The motion carried.

496-B. Lorch-Moseley. Resolved, that the City Attorney, with the assistance of the Planning Commission, prepare findings of fact, conclusions, and conditions with respect to this variance for consideration by the Board of Zoning Appeals at the June 21, 1982, meeting.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

497. Pursuant to public notice, a hearing was then held on a proposed amendment to the City Zoning Ordinance as introduced at the meeting held on May 17, 1982. No one appeared in opposition to the proposed amendment.

497-A. The City Attorney discussed the proposed Planned Unit Development Ordinance and submitted a suggested addition to Section 5.139.

497-B. Lorch-Waters. That the following ordinance, including the addition to Section 5.139, be adopted:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF EAST GRAND RAPIDS BY ADDING NEW SECTIONS, WHICH NEW SECTIONS SHALL BE DESIGNATED AS SECTIONS 5.135 THROUGH 5.148 OF CHAPTER 39 - ZONING, OF TITLE V OF SAID CODE

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. The Code of the City of East Grand Rapids is amended by adding new Articles XIII-A and XIII-B, being Sections 5.135 through 5.148, to Chapter 39 - Zoning of Title V of said Code to read as follows:

ARTICLE XIII-A
PUD-PLANNED UNIT DEVELOPMENT

5.135. DESCRIPTION AND PURPOSE. The use, area, height, bulk and placement regulations of this Ordinance are primarily applicable to the usual situation of one principal building on a lot. In certain large developments, these requirements might result in situations less in the interest of public health, safety, and general welfare than if a controlled degree of flexibility were allowed. The PUD-Planned Unit Development is intended to permit and control the development of preplanned areas for various compatible uses allowed by The Zoning Ordinance and for other exceptional uses not so provided.

It is intended that uses in a PUD shall afford each type of land use reasonable protection from encroachment or interference by other incompatible land uses, and that reasonable protection be afforded to uses adjacent to a PUD.

Under this Article, all proceedings shall be conducted with due consideration for maintenance of reasonable conditions regarding emission and transmission of injurious or obnoxious noise, fire or explosion hazard, liquid or solid waste disposal, vibration, gas fumes, smoke, dust, litter, odor, light, glare, traffic congestion, ingress and egress, ease of police and fire protection, drainage, lateral land support, blighting influence, effect on property values, light and air, overcrowding of persons, sanitation, general appearance of the area, surface and ground water quality, and other similar considerations having an effect on public health, safety, and general welfare of the people of the surrounding area.

5.136 PERMITTED USES. Any use permitted in any district, including uses which may be permitted upon special application to and approval of the Board of Zoning Appeals or the Planning Commission under the provisions of Chapter 39 of the Code of the City of East Grand Rapids, may be permitted in a Planned Unit Development provided that all of the objectives and standards of this Article XIII-A are determined to be met and the procedures of this Article XIII-A are complied with.

5.137 OBJECTIVES. The following objectives shall be met by any application for any PUD in order to realize the inherent advantages of coordinated, flexible, comprehensive, long-range planning and development.

- (a) To provide more desirable living, shopping, and working environments by preserving as much of the natural character of the property as possible, including, but not limited to, open space, stands of trees, brooks, ponds, floodplains, hills, and similar natural assets.
- (b) To encourage the provision of open space and the development of recreational and, where included in the plan, other support facilities in a generally central location within reasonable distance of all living units.
- (c) To encourage developers to use a more creative and imaginative approach to the development of areas.
- (d) To encourage underground utilities which can be more efficiently designed when master planning a larger area.
- (e) To allow phased construction with the knowledge that subsequent phases will be approved as originally planned and approved by the City.
- (f) To promote flexibility in design and permit planned diversification in the location of structures.

- (g) To promote the efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land use, and utilities.
- (h) To combine and coordinate architectural styles, building forms, and building relationships within the Planned Unit Development.
- (i) To insure a quality of construction commensurate with other developments within the City.

5.138 MAXIMUM DENSITY. The maximum density for any residential Planned Unit Development is eight (8) units per acre. The number of family units in a residential apartment or condominium building shall not exceed 12.

5.139 PROCEDURES. All applications for Planned Unit Development shall be considered as amendments to the Ordinance and consistent with the provisions of Article XVI and shall include a site plan and narrative in accordance with the requirements of Article XIII-B.

The City Planning Commission is designated as the body which will review and approve Planned Unit Development requests under the procedures established by Section 4b of Michigan Public Act 209 of 1921, as amended, (MCL Section 125.584(b); MSA Section 5.2934(2)), hold the hearings thereon, make its decision as to approval, denial, or approval with conditions, of the request, and submit its reports, summaries of comments received at the public hearings, minutes of all proceedings, and all documents related to the PUD requests to the City Commission for its consideration in making final decisions thereon.

5.140 BASIS OF DETERMINATION. Prior to approval of a Planned Unit Development application, the Planning Commission shall insure that the standards specified in this section, as well as applicable standards established elsewhere in this Ordinance, shall be satisfied by the completion of the Planned Unit Development under consideration.

- (a) General Standards - The Planning Commission shall review the particular circumstances of the Planned Unit Development application under consideration in terms of the following standards and shall recommend approval of a Planned Unit Development only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:
 - (1) The Planned Unit Development shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
 - (2) The Planned Unit Development shall not change the essential character of the surrounding area.
 - (3) The Planned Unit Development shall not be hazardous to adjacent property, or involve uses, activities, materials, or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare.
 - (4) The Planned Unit Development shall not place demands on public services and facilities in excess of current capacity.
- (b) Conditions - The Planning Commission may recommend conditions with the approval of a Planned Unit Development which are necessary to insure compliance with the standards for approval stated in this section and any other applicable standards contained in this Ordinance. Such conditions shall be considered an integral part of the Planned Unit Development approval and shall be enforced by the Building Inspector.

ARTICLE XIII-B
SITE PLAN REVIEW

5.141 PURPOSE. The intent of this section is to provide for consultation and cooperation between the applicant and the City Planning Commission in order that the applicant may accomplish the applicant's objectives in the utilization of the land within the regulations of this Zoning Ordinance and with minimum adverse effect on the use of adjacent streets and highways, and on existing and future uses and environment in the immediate area and vicinity.

5.142 SCOPE. The Building Inspector shall not issue a building permit for multi-family or commercial buildings or a change of use until a site plan has been reviewed and approved by the Planning Commission, except where the development is in accordance with a PUD as established under Article XIII-A.

5.143 APPLICATION PROCEDURES. Any application for Site Plan Review, plus either a preliminary or final site plan, shall be submitted to the Building Inspector who will review the application and plans for completeness, and if all requirements are met, will forward them to the Planning Commission for review and approval.

5.144 PRELIMINARY PLAN REVIEW. Preliminary sketches of proposed site development plans may at the option of the applicant be submitted for review to the Planning Commission prior to final site plan submission. The purpose of such procedure is to allow discussion between the applicant and the Planning Commission to better inform the applicant of acceptability of the proposed plans prior to incurring extensive engineering and other costs which might be necessary for final site plan approval. Such plans shall include such of the following as shall be deemed necessary by the Building Inspector.

- (a) Legal description of the property.
- (b) Small scale sketch of properties, streets, and use of land within five hundred (500) feet of the proposed site.
- (c) A generalized map showing any existing or proposed arrangement of:
 - (1) Streets
 - (2) Lots
 - (3) Access points
 - (4) Other transportation facilities
 - (5) Buffer strips
 - (6) Natural characteristics, including but not limited to open space, stands of trees, brooks, ponds, floodplains, hills, and similar natural assets.
 - (7) Signs - location and lighting.
 - (8) Buildings
- (d) A narrative describing:
 - (1) The overall objectives of the proposed development.
 - (2) Number of acres allocated to each proposed use and gross area in building, structures, parking, public and/or private streets and drives, and open space.
 - (3) Dwelling unit densities by type.

- (4) Proposed method of providing sewer and water service, as well as other public and private utilities.
- (5) Proposed method of providing storm drainage.
- (6) Proposed method of revegetating open areas, both pre-existing and newly created, to a stable condition.

In addition to the above, said applicant shall submit a fee in accordance with the fee schedule established by the City Commission to cover the normal and specially incurred expenses of the Planning Commission.

5.145 PLANNING COMMISSION REVIEW OF PRELIMINARY SITE PLAN. If a preliminary site plan is submitted, the Planning Commission shall review the preliminary site plan and make recommendations to the applicant at a regular Planning Commission meeting based on the purposes, objectives, and requirements of this Ordinance, and specifically, the following considerations when applicable:

- (a) Ingress and egress to the property and proposed structures thereon with particular reference to motor vehicle and pedestrian safety and convenience, traffic flow and control, and access in cases of fire, catastrophe or emergency.
- (b) Off-street parking and loading areas where required, with particular attention to noise, glare and odor effects of each use in the plan on adjoining properties and properties in the proposed development.
- (c) Sewer, water, and storm drainage with reference to locations, availability, and compatibility.
- (d) Screening and buffering with reference to type, dimensions, and character.
- (e) Signs, if any, and their proposed lighting relative to glare, traffic, economic effect, and compatibility and harmony with adjoining properties.
- (f) Required yards.
- (g) General compatibility with adjacent properties.
- (h) The general purposes and spirit of this Ordinance.

5.146 FINAL SITE PLAN REVIEW. The final site plan shall include the following information and such items as may be requested by the Planning Commission from its review of the optional preliminary site plan, if any, or from its initial review of the final site plan as initially submitted.

- (a) Legal description of the property.
- (b) Small scale sketch of properties, streets, and use of land within five hundred (500) feet of the area.
- (c) A map at a scale not to exceed one (1) inch equals two hundred (200) feet (1" = 200'). The following items shall be shown on the map:
 - (1) Date site plan was prepared.
 - (2) Name and address of the preparer.
 - (3) The topography of the site at a minimum of five (5) foot intervals and its relationship to adjoining land.

- (4) Existing man-made features.
 - (5) Dimensions of setbacks, locations, heights, and size of buildings and structures.
 - (6) Street rights-of-way, indicating proposed access routes, internal circulation, and relationship to existing rights-of-way.
 - (7) Proposed grading.
 - (8) Location and type of drainage, sanitary sewers, storm sewers, and other utilities.
 - (9) Location and type of fences, landscaping, buffer strips, and screening.
 - (10) Location and type of signs and on-site lighting.
 - (11) Proposed parking areas and drives. Parking areas shall be designed by lines showing individual spaces and shall conform with the provisions of Article VI.
 - (12) Easements, if any.
 - (13) Dimensions and number of proposed lots.
- (d) A narrative describing the items indicated in Section 5.144(d).

5.147. PLANNING COMMISSION REVIEW OF FINAL SITE PLAN. The Planning Commission shall review the final site plan and either approve, deny, or approve with conditions, the final site plan based on the purposes, objectives, and requirements of this Ordinance and specifically the considerations listed in Section 5.145.

5.148 TIME LIMIT ON SITE PLAN APPROVAL. The Planning Commission shall undertake and complete all site plan reviews with sixty (60) days of submission of all required information by the applicant. Upon approval of said plan, the Chairman of the Planning Commission shall sign three (3) copies thereof. One (1) signed copy shall be made a part of the Commission's files and one (1) shall be forwarded to the Building Inspector for issuance of a building permit. The third copy shall be returned to the applicant.

Each development shall be under construction within one (1) year after the date of final site plan approval by the Planning Commission. If the applicant does not fulfill this provision, the Commission may grant a sixty (60) day extension provided the applicant presents reasonable evidence to the effect that said development has encountered unforeseen difficulties but is then ready to proceed. Should neither of the aforementioned provisions be fulfilled or a sixty (60) day extension has expired without construction underway, the site development plan shall be null and void.

Section 2. This ordinance shall be effective on June 17, 1982.

Section 3. This ordinance shall be published in full pursuant to Chapter VIII of the City Charter.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

498. The City Attorney submitted a letter from Charles C. Lundstrom regarding locking the Reeds Lake Blvd. gates at 10 p.m. each evening, and he reported that his staff is doing further research on this matter and that additional information will be forthcoming from the Attorney's Office.

499. Assistant City Attorney Huff submitted a proposed ordinance to amend Section 210b (2) of Chapter 105 of Title X of the Code of the City of East Grand Rapids and to add Section 5.60(b) to Chapter 105 of Title X of said Code.

499-A. Waters-Seibold. That the following ordinance be introduced at this time.

AN ORDINANCE TO AMEND SECTION 2.10b (2)
OF CHAPTER 105 OF TITLE X OF THE CODE OF
THE CITY OF EAST GRAND RAPIDS AND TO ADD
SECTION 5.60(b) OF CHAPTER 105 OF TITLE X
OF SAID CODE

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 210b(2) of Chapter 105 of Title X of the Code of the City of East Grand Rapids is amended to read as follows:

"2.10b (2). A police officer may issue a citation to a person who is a driver of a motor vehicle which is involved in an accident if, based upon personal investigation, the officer has reasonable and probable grounds to believe that the person is responsible for a civil infraction in connection with the accident. A police officer may issue a citation to a person who is a driver of a motor vehicle when, based upon personal investigation by the police officer of a complaint by someone who witnessed the person violating the act or a local ordinance substantially corresponding to the act, which violation is a civil infraction, the officer has reasonable cause to believe that the person is responsible for a civil infraction and if the Prosecuting Attorney or the City Attorney approves in writing the issuance of the citation".

Section 2. Chapter 105 of Title X of the Code of the City of East Grand Rapids is amended by adding the following new Section:

"5.60(b). Child restraint systems, use; violation as civil infraction.

(1) The provisions of Section 710d of Public Act 300 of 1949, as amended, are hereby adopted by reference.

(2) A person who violates this section is responsible for a civil infraction. The civil fine ordered for a violation of this section shall not exceed \$10.00. The court shall waive any civil fine or cost against a person who received a civil infraction citation for a violation of this section if the person, before the appearance date on the citation, supplies the court with evidence of acquisition, purchase, or rental of a child seating system meeting the requirements of Section 710d of Public Act 300 of 1949, as amended."

Section 3. This amendatory ordinance shall be effective on _____, 1982.

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: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

500. The City Attorney submitted a draft of the proposed Satellite Antennae Ordinance which was received for information.

501. The City Attorney submitted a statement in connection with the Manhattan litigation in the amount of \$7,150.00.

501-A. Hoag-Waters. That the statement in the amount of \$7,150.00 as submitted by the City Attorney be approved and that funds be transferred from Contingencies to cover these costs.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

502. The City Clerk reported that he has received a notice of application by Lawrence Treece to operate an Adult Foster Care Small Group Home at 2603 Lake Drive SE. Several citizens in attendance expressed concern relative to the possible issuance of this license, including Ralph Stover, Wayne Dosker, and Ralph Fleminger. The City Clerk submitted a proposed public notice to be published in Cadence to notify residents within 1,500 ft. of 2603 Lake Drive SE, that an application has been submitted to the Michigan Department of Social Services. The purpose of this notice is to allow persons to submit any comments for or against this license application to the Department of Social Services.

503. The City Controller reported on the Expense Report Policy which was recently enacted by the Commission and stated that in most cases the policy has been adhered to.

504. It was decided that consideration of the Animal Control Service Agreement along with the recommendation submitted by Commissioner Moseley should be postponed until the July 12, 1982, meeting.

505. Commissioner Waters moved that the action previously taken by the Commission relative to acceptance of the low bid for the construction of a cul-de-sac at the intersection of Beechwood and Breton Road be considered.

505-A. Waters-Seibold. That an appeal be taken from the Mayor's ruling and that the previous action with respect to the Beechwood cul-de-sac bid be reconsidered.

A roll call vote was taken:

Yeas: Hoag, Seibold, Waters, Leidlein - 4
Nays: Hoff, Lorch, Moseley - 3

The motion carried.

505-B. Waters-Seibold. That the low bid of Smith Brothers Contracting, Inc., in the amount of \$20,989.00 for the Beechwood cul-de-sac improvement, be accepted and the contract awarded providing the bid is still available.

A roll call vote was taken:

Yeas: Hoag, Seibold, Waters, Leidlein - 4
Nays: Hoff, Lorch, Moseley - 3

The motion carried.

506. A recommendation was received from the Parks & Recreation Commission that the repair of the Wealthy Pool be put out for bid so that cost figures can be obtained. They further recommended that State I and II be combined for bids. Five City Commissioners concurred in the recommendations of the Parks & Recreation Commission and directed the City Manager to obtain bids. Two Commissioners expressed opposition to these recommendations.

507. The recommendation from the Parks & Recreation Commission for the City Commission to go into a share-cost with the East Grand Rapids Public Schools for a security gate at Wealthy Pool was deferred until more information is obtained on the pool repairs.

508. The Chairman of the Planning Commission then reported that the Planning Commission had met with Ms. Krywicki and that her variance request to change use of the residence at 526 Lovett SE, from a single-family to a two-family will be supplemented and resubmitted.

509. The City Manager reported that the City property at the end of Ross Court is ready for hydromulching and that the improvement is near completion.

510. The Library Commission minutes of the meeting held May 19, 1982, were received for information.

511. The Traffic Commission minutes of the meeting held May 18, 1982, were received for information.

512. A memorandum from the City Engineer containing cost estimates for recommended street construction and related projects was received for information.

513. The City Manager submitted a memorandum regarding the 1982/83 budget adjustments. This was received for information.

514. Seibold-Waters. That a "Truth In Taxation" hearing be held June 21, 1982, and notices of this hearing be published indicating a millage rate of 15.3259 which represents a 3.67% increase over the prior year's tax levy, and that a budget supplement be published prior to the June 28th budget hearing.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

515. The Mayor requested that the Commissioners submit their recommendations to him relative to the Mayor's appointments for the 1982/83 fiscal year at the earliest possible date.

516. The Mayor reported that the study for parking meters for Lakeside Drive was referred to the Traffic Commission.

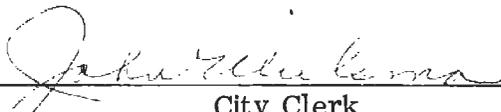
517. A letter from Commissioner Waters regarding matters to be heard by the City Commission was received for information. A letter from the City Attorney on the same subject is to be distributed to the Commissioners.

518. Commissioner Hoag reported that Bonnie Hamlin has been given assurance that a barrier free exemption will be granted for the "Baxter Warehouse" and that a meeting is scheduled along with the Fire Chief at 8:30, June 8th, to discuss fire code requirements.

519. The Mayor reported that he has received information from the management of Jacobson's that the restaurant is likely to be completed in the fourth quarter of this year.

520. The City Manager informed the Commission that a revenue sharing hearing will be held June 16th, at 7:30 p.m., in the Commission Room. This hearing is required by the Revenue Sharing Act to be held by the person responsible for submitting budget recommendations (in our case this is the City Manager).

521. The meeting was adjourned, subject to the call of the Mayor, until June 21, 1982.



City Clerk

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

Regular Meeting Held June 21, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Seibold, Waters and Mayor Leidlein.

Absent: Com. Moseley.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson,
Assistant City Attorney Huff, and Planning Commission Member Mertz.

522. The minutes of the regular City Commission meeting held June 7, 1982, were amended as follows: Item 505 was restated to read "Commissioner Waters moved that the action previously taken by the Commission relative to acceptance of the low bid for the construction of a cul-de-sac at the intersection of Beechwood and Breton Road be considered". Item 506 was amended by changing the last sentence to read "Five City Commissioners concurred in the recommendations of the Parks & Recreation Commission and directed the City Manager to obtain bids. Two Commissioners expressed opposition to these recommendations". The minutes were then approved as amended.

523. Seibold-Hoff. That expense vouchers in the amount of \$525,556.61, and payroll vouchers in the amount of \$40,180.76, 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: Hoag, Hoff, Lorch, Seibold, Waters, Leidlein - 6

Nays: 0

524. Pursuant to published notice, a Truth In Taxation hearing was then held on the proposed millage rate of 15.3259 which represents a total property tax revenue increase of 3.67% over the 1981 tax levy for operating purposes of the General Fund. There were no persons present who desired to discuss this matter with the Commission. The Mayor declared the hearing closed.

525. Pursuant to public notice, a hearing was then held upon the request of Thomas A. and Christine Cole, 918 Orchard Avenue SE, for a zoning variance to permit construction of a new garage to be located 5 feet from the house rather than the required 10 feet. Mr. Cole was present to answer any questions the Commission might have. There were no persons present who objected to this request.

525-A. Lorch-Waters. That this Commission, acting as the Board of Zoning Appeals, grant the request of Mr. & Mrs. Cole providing that the garage be constructed with approved firewall.

Yeas: Hoag, Hoff, Lorch, Seibold, Waters, Leidlein - 6

Nays: 0

526. Pursuant to public notice, a hearing was then held on the request of Robert Riddle, 1521 Rosalind Road SE, for a zoning variance to permit construction of a fence 7 ft. 6 inches in height rather than the required 6 ft. Mr. Riddle and his builder, David Warwick, were present to discuss this request with the Commission. A letter from Mr. & Mrs. Robert Williams objecting to this request was received. Lois Clarkson objected to the material used for the extension on the fence and submitted a petition signed by 9 persons opposing the zoning variance request. Pictures of the proposed fence were distributed to the Commissioners for their review.

526-A. Waters-Seibold. That this Commission, acting as the Board of Zoning Appeals, deny the request of Mr. Riddle.

526-B. Lorch-Hoag. That the above motion be tabled.

Yeas: Hoag, Hoff, Lorch, Seibold, Leidlein - 5

Nays: Waters - 1

527. The City Attorney submitted a draft of findings of fact and conclusion relative to the request of the Schoolhouse Associates for a zoning variance to allow renovation of the existing structure into 19 condominium units.

527-A. Waters-Hoff. That this Commission, acting as the Board of Zoning Appeals, adopt the findings of fact and conclusion as prepared by the City Attorney.

Yeas: Hoag, Hoff, Lorch, Seibold, Waters, Leidlein - 6
Nays: 0

528. Assistant City Attorney Huff reviewed the proposed amendment to Chapter 105 of the City Code which was introduced at the last City Commission meeting.

528-A. Lorch-Waters. That the following ordinance be adopted:

AN ORDINANCE TO AMEND SECTION 2.10b (2)
OF CHAPTER 105 OF TITLE V OF THE CODE OF
THE CITY OF EAST GRAND RAPIDS AND TO ADD
SECTION 5.60(b) OF CHAPTER 105 OF TITLE X
OF SAID CODE

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 2.10b(2) of Chapter 105 of Title X of the Code of the City of East Grand Rapids is amended to read as follows:

"2.10b(2). A police officer may issue a citation to a person who is a driver of a motor vehicle which is involved in an accident if, based upon personal investigation, the officer has reasonable and probable grounds to believe that the person is responsible for a civil infraction in connection with the accident. In addition, a police officer may issue a citation to a person who is a driver of a motor vehicle when, based upon personal investigation by the police officer of a complaint by someone who witnessed the person violating the act or a local ordinance substantially corresponding to the act, which violation is a civil infraction, the officer has reasonable cause to believe that the person is responsible for a civil infraction and if the Prosecuting Attorney or the City Attorney approved in writing the issuance of the citation".

Section 2. Chapter 105 of Title X of the Code of the City of East Grand Rapids is amended by adding the following new Section:

"5.60(b). Child restraint systems, use; violation as civil infraction.

(1) The provisions of Section 710d of Public Act 300 of 1949, as amended, are hereby adopted by reference.

(2) A person who violates this section is responsible for a civil infraction. The civil fine ordered for a violation of this section shall not exceed \$10.00. The court shall waive any civil fine or cost against a person who received a civil infraction citation for a violation of this section if the person, before the appearance date on the citation, supplies the court with evidence of acquisition, purchase, or rental of a child seating system meeting the requirements of Section 710d of Public Act 300 of 1949, as amended."

Section 3. This amendatory ordinance shall be effective on July 1, 1982.

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: Hoag, Hoff, Lorch, Seibold, Waters, Leidlein - 6
Nays: 0

529. The City Attorney reported that his staff is researching the Reeds Lake Blvd. south arm matter and that a written opinion will be prepared prior to the next regular City Commission meeting.

530. A letter from the City Attorney commenting on the question of the scope of the authority of the City Commission was received for information.

531. The City Attorney submitted a proposed resolution for the purpose of officially adopting Roberts Rules of Order by the City Commission.

531-A. Waters-Mayor Leidlein. That the following resolution be adopted:

RESOLVED, that Roberts Rules of Order, newly revised (1970), are hereby adopted as the parliamentary rules of procedure for the East Grand Rapids City Commission and for all commissions and committees established by the East Grand Rapids City Charter, East Grand Rapids City Code or by other action of the City Commission of the City of East Grand Rapids.

FURTHER RESOLVED, that in any instance in which the provisions of said Roberts Rules of Order are in conflict with specific provisions of the City Charter or City Code or of the provisions of the statutes of the State of Michigan, the provisions of such charter, code or statute shall take precedence.

This resolution shall be effective on June 21, 1982, and shall continue in effect indefinitely subject to further action by the East Grand Rapids City Commission.

A roll call vote was taken:

Yeas: Hoff, Lorch, Waters, Leidlein - 4

Nays: Hoag, Seibold - 2

The motion carried.

532. The City Manager introduced Dave Andrus, Chairman of the Lakeside '82 Committee, who reviewed the plans for the "Lakeside '82" celebration to be held on July 5th, which is co-sponsored by the Southeast Grand Rapids Lions Club and the City of East Grand Rapids.

533. A report of the West Michigan Regional Planning Commission activities during the past year was received from the East Grand Rapids representative, William R. Bacon. The Mayor and Commissioners thanked Mr. Bacon for keeping the East Grand Rapids City Commission informed relative to the WMRPC activities.

534. Reports for the month of May from the Police Department, Fire Department, and Building Inspector were received for information.

535. The minutes of the East Grand Rapids Planning Commission meeting held May 11, 1982, were received for information.

536. A memorandum regarding appointments for the 1982/83 fiscal year was received for information. The Mayor requested that Commissioners contact him by Monday, June 28th, as to their recommendations for persons filling the various positions.

537. Commissioner Hoag reported that Bonnie Hamlin has obtained an architect to draw up plans for the Crosswell building and that the plans will be presented to the City Commission soon.

538. Commissioner Hoag reported on a meeting she called with residents who had comments or concerns relative to the Adult Foster Care application for 2603 Lake Drive SE, and said that she will be preparing recommendations to the City Commission relative to procedures to be followed in processing Adult Foster Care applications in the future.

539. Commissioner Hoag stated she was pleased with the progress of the Ross Court property and that she was hopeful that work on the Hoenpyl Nature Trail which includes chipping of the trail and the placement of benches will be expedited.

540. Commissioner Hoag reported that Cascade residents adjacent to the East Grand Rapids landfill have requested that a bulldozer be scheduled for Friday afternoons to cover up the yard wastes to avoid obnoxious odors over weekends. Mr. Tholen will attempt to implement this request.

541. Commissioner Waters submitted a proposed resolution outlining representations relied on by the Commission in approving the Tavern license granted to Helen V. Johnson for the Gas Light Inn. This matter was held over until the July 12th City Commission meeting.

542. The meeting was adjourned, subject to the call of the Mayor, until June 28, 1982.



City Clerk

UNOFFICIAL
Reference Only

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

Special Meeting Held June 28, 1982

The meeting was called to order by Mayor Leidlein at 7:30 p.m.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.
Absent: None.
Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson.

543. Pursuant to published notice, a public hearing was then held by the City Commission for the purpose of considering the proposed budget for the fiscal year 1982/83. There was one resident in attendance at this meeting.

543-A. Seibold-Hoag. 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 \$3,327,800; that the tax rate per \$1,000 valuation is hereby determined to be 14.7838.

A roll call vote was taken:

Yeas: Hoag, Hoff, Moseley, Seibold - 4
Nays: Lorch, Waters, Leidlein - 3

The motion carried.

543-B. Seibold-Hoag. That the following budget be adopted as the annual General Fund Budget for the City of East Grand Rapids for the fiscal year July 1, 1982 to June 30, 1983:

ANTICIPATED REVENUES:

City Taxes	\$ 2,158,400
Licenses & Permits	5,800
Fines & Fees	20,000
Distribution from Other Agencies	595,800
Use of Money & Property	150,000
Charges for Current Services	<u>194,600</u>
Total Anticipated Revenues	\$ 3,124,600
Transfer from Fund Balance	<u>203,200</u>
Total Revenues including Transfer	\$ <u>3,327,800</u>

EXPENSE APPROPRIATIONS:

General Government	\$ 454,800
Public Safety	1,287,500
Public Service	703,500
Contributions & Aid	352,200
Other Operating Expenses	<u>156,500</u>
Total Operating Approp.	\$ 2,954,500
Capital Expenditure Approp.	<u>373,300</u>
Total Expense Approp.	\$ <u>3,327,800</u>

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

544. The proposed budget for the Water Fund for the years 1981/82 and 1982/83 was reviewed.

544-A. Seibold-Hoag. RESOLVED, that the following budget be adopted as the annual Water Fund Budget for the City of East Grand Rapids for the fiscal years July 1, 1981 to June 30, 1982, and July 1, 1982 to June 30, 1983:

ANTICIPATED REVENUES:

1981/82	\$ 496,700
1982/83	575,000

EXPENSE APPROPRIATIONS:

1981/82	\$ 541,307
1982/83	541,130

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

545. The proposed budget for the Sewer Fund for the year 1982/83 was reviewed.

545-A. Seibold-Hoag. RESOLVED, that the following budget be adopted as the annual Sewer Fund Budget for the City of East Grand Rapids for the fiscal year July 1, 1982 to June 30, 1983:

ANTICIPATED REVENUES	\$ 322,800
EXPENSE APPROPRIATIONS	322,800

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

546. The proposed budget for the Motor Equipment Revolving Fund for the fiscal years 1981/82 and 1982/83 was reviewed.

546-A. Seibold-Hoag. RESOLVED, that the following budget be adopted as the annual Motor Equipment Revolving Fund for the City of East Grand Rapids for the fiscal year July 1, 1981 to June 30, 1982, and July 1, 1982 to June 30, 1983:

ANTICIPATED REVENUES:

1981/82	\$ 264,800
1982/83	340,750

EXPENSE APPROPRIATIONS:

1981/82	\$ 236,930
1982/83	260,350

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

547. The proposed budget for the Major Street Fund for the fiscal years 1981/82 and 1982/83 was reviewed.

547-A. Seibold-Hoag. RESOLVED, that the following budget be adopted as the annual Major Street Fund for the City of East Grand Rapids for the fiscal years July 1, 1981 to June 30, 1982, and July 1, 1982 to June 30, 1983:

ANTICIPATED REVENUES:

1981/82	\$ 150,000
1982/83	259,400

EXPENSE APPROPRIATIONS:

1981/82	\$ 150,000
1982/83	259,400

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

548. The proposed budget for the Local Street Fund for the fiscal years 1981/1982 and 1982/83 was reviewed.

548-A. Seibold-Hoag. RESOLVED, that the following budget be adopted as the annual Local Street Fund for the City of East Grand Rapids for the fiscal years July 1, 1981 to June 30, 1982, and July 1, 1982 to June 30, 1983:

ANTICIPATED REVENUES:

1981/82	\$ 109,000
1982/83	251,000

EXPENSE APPROPRIATIONS:

1981/82	\$ 109,000
1982/83	251,000

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

549. The proposed budget for the Housing Rehab Fund for the fiscal years 1981/82 and 1982/83 was reviewed.

549-A. Seibold-Hoag. RESOLVED, that the following budget be adopted as the annual Housing Rehab Fund for the City of East Grand Rapids for the fiscal years July 1, 1981 to June 30, 1982, and July 1, 1982 to June 30, 1983:

ANTICIPATED REVENUES:

1981/82	\$ 2,050
1982/83	2,150

EXPENSE APPROPRIATIONS:

1981/82	\$ 2,050
1982/83	2,150

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

550. The proposed budget for the Health Care Fund for the fiscal years 1981/82 and 1982/83 was reviewed.

550-A. Seibold-Hoag. RESOLVED, that the following budget be adopted as the annual Health Care Fund for the City of East Grand Rapids for the fiscal years July 1, 1981 to June 30, 1982, and July 1, 1982 to June 30, 1983:

ANTICIPATED REVENUES:

1981/82	\$ 70,200
1982/83	180,510

EXPENSE APPROPRIATIONS:

1981/82	\$ 70,200
1982/83	180,510

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

551. There being no further business to be brought before this Commission, the meeting was adjourned, subject to the call of the Mayor, until July 12, 1982.



 City Clerk

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

Regular Meeting Held July 12, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.
Absent: None.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson,
Assistant Attorney Huff, Police Chief Babcock, Assessor Norman,
and City Engineer McMann.

1. The minutes of the Regular City Commission meeting held June 21, 1982, were amended by adding "In addition" preceding the second sentence, Section 1, 2.10b(2) of Item 528-A. The minutes were then approved as amended. The minutes of the Special meeting held June 28, 1982, were amended to reflect the proper vote of Yeas-4 and Nays-3 on the millage of 14.7838. The minutes of the Special meeting were then approved as amended.

2. Moseley-Hoff. That expense vouchers in the amount of \$481,082.69, and payroll vouchers in the amount of \$95,401.67, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

3. Commissioner Moseley gave a brief report on the pre-audit conference held by the Ways and Means Committee with a representative of Ernst & Whinney on June 28, 1982.

4. Moseley-Waters. That the request of Robert Riddle, 1521 Rosalind Road SE, for a zoning variance to permit construction of a fence 7 ft 6 inches in height be removed from the table.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

Mr. Riddle reported that he has met with his immediate neighbors and has resolved the objections which were raised at the hearing held June 21, 1982.

4-A. Waters-Hoff. That Mr. Riddle be granted a variance for construction of a fence 7 ft. 6 inches subject to the fence being constructed as a stockade type fence to its full height.

Yeas: Hoag, Hoff, Lorch, Moseley, Waters, Leidlein - 6
Nays: Seibold - 1

5. The Clerk submitted a tentative schedule of Commission meetings for 1982/83 which was received for information.

6. The Controller gave a progress report of the Motor Equipment Revolving Fund as it relates to the implementation of the Ernst & Whinney recommendations.

7. A letter from Old Kent Bank & Trust Company requesting that they be designated as the principal depository for the City's fiscal year of 1982/83 was received.

7-A. Lorch-Hoff. That Old Kent Bank & Trust Company be designated as the principal depository for 1982/83.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

8. The Assistant Attorney submitted an ordinance draft to amend Chapter 107 of the City Code.

8-A. Hoag-Moseley. That the following ordinance amendment be introduced at this time:

AN ORDINANCE TO AMEND SECTIONS 10.66 AND
10.67 OF CHAPTER 107 OF TITLE X OF THE CODE
OF THE CITY OF EAST GRAND RAPIDS AND TO ADD
SECTIONS 10.68 AND 10.69 OF CHAPTER 107 OF
TITLE X OF SAID CODE

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 10.66 of the East Grand Rapids City Code is amended as follows:

"10.66 Schedule of Penalties. The following violations may be settled at the Parking Violations Bureau when so provided in this Chapter by imposition and payment of fines as herein set forth:

(a) UNIFORM TRAFFIC CODE VIOLATIONS.

U. T. CODE SECTION (as amended)	<u>OFFENSE</u>	<u>PENALTY</u>
8.1-8.2	Parking too far from curb	\$ 5.00
5.58	Unattended vehicle with motor running or parked without brakes set	8.00
5.58	Parked on grade, wheels not turned to curb	5.00
8.3	Angle parking violations	5.00
8.4	Violation of loading/unloading permit	5.00
8.5	Obstructing traffic	10.00
8.8(a)	Parked during darkness without proper rear light or reflector	5.00
8.9	Parked without dimming lights	5.00
8.9(a)	Parked on too narrow road	8.00
8.10	Prohibited parking (signs unnecessary unless noted)	
8.10(a)	on sidewalk	5.00
8.10(b)- 8.9(a)	opposite drive or within 10 feet of edge of driveway	5.00
8.10(c)	within intersection	10.00
8.10(d)	within 15 feet of hydrant	8.00
8.10(e)	on crosswalk	8.00
8.10(f)	within 20 feet of crosswalk or 15 feet of corner lot lines	5.00
8.10(g)	within 30 feet of approach to traffic sign or signal	5.00
8.10(h)	Not applicable	
8.10(i)	Not applicable	
8.10(j)	within 20 feet of fire station driveway or within 75 of fire station driveway on opposite side of street (when posted)	8.00
8.10(k)	along side or opposite street excavation when traffic is obstructed thereby	10.00
8.10(l)	double parking	8.00
8.10(m)	parking on bridge	8.00
8.10(n)	within 200 feet of accident where police are in attendance	5.00
8.10(o)	Not applicable	

8.10(p)	blocking emergency exit	\$ 5.00
8.10(q)	blocking fire escape	5.00
8.10(r)	where parking is prohibited by posted sign	8.00
8.10(s)	handicapped space	20.00
8.10(t)	within 500 feet of fire apparatus	5.00
8.10(u)	failure to move parked vehicle on request when parked beyond time limit	5.00
8.13	Parking in alley unless authorized by sign	5.00
8.14	Parking for purpose prohibited by Sec. 8.14	
8.14(a)	displaying vehicle for sale	5.00
8.14(b)	working on or repairing vehicle	8.00
8.14(c)	displaying advertising	5.00
8.14(d)	selling merchandise	5.00
8.14(e)	storage over 48 hours	15.00
8.15	On wrong side of boulevard or divided roadway	5.00
8.16-8.17-		
8.18	Loading zone violation	5.00
8.19	Bus or taxicab unauthorized parking	5.00
8.20	Bus stop or taxicab stand violation	8.00
8.21	Parking meter violations	5.00
8.22	Meters, not parked within space	5.00
8.25	Parked on lawn extension	5.00
6.17-6.17(a)	Bicycle parking violations	2.00

(b) ADDITIONAL EAST GRAND RAPIDS CITY PARKING VIOLATION.

The following violation may be settled at the Parking Violations Bureau by the imposition and payment of a fine as herein set forth:

Overtime parking in time restricted zones first hour or fraction thereof	5.00
each additional hour or fraction thereof	5.00

(c) **PENALTIES FOR NON-PAYMENT.** If the penalty listed in subsection (a) or (b) above is not paid or postmarked within ten (10) days of issuance of the notice of violation, the penalty shall be twice the amount of the penalty set forth in subsection (a) or (b) above; if not paid or postmarked within forty-five (45) days, the penalty shall be four (4) times the amount of the penalty set forth in subsection (a) or (b) above. The traffic ticket or notice of violation shall indicate that the violation fee shall be so increased if not timely paid."

Section 2. Section 10.67 of Chapter 107 of Title X of the Code of the City of East Grand Rapids is amended to read as follows:

"10.67 Impoundment. A vehicle parked in violation of any provision of this Code is hereby declared to be a nuisance. In addition to placing a traffic ticket or parking violation notice on said vehicle, the City may remove or cause said vehicle to be removed to the vehicle pound. The owner or operator of any vehicle which has been removed to the vehicle pound may have said vehicle released by paying all violation charges at the Parking Violations Bureau, which are due against said vehicle and paying all costs of impoundment to the towing contractor of the City of East Grand Rapids. Any lienholder may claim an impounded vehicle by entering into an indemnity agreement with the City of East Grand Rapids to save harmless the City

from any and all liability the City may incur at the hands of the registered owner for releasing said vehicle to said lienholder, and upon paying all charges due against said vehicle. The aforementioned charges shall include, but not be limited to, all parking violation penalties presently outstanding against the vehicle, and all levies, costs of towing, storage and other impoundment expenses. All costs of impoundment shall be paid to the towing contractor of the City of East Grand Rapids."

Section 3. Chapter 107 of Title X of the Code of the City of East Grand Rapids is amended by adding the following new sections:

"10.68 Release of Impounded Vehicle. Any owner or operator of an impounded vehicle who shall have denied committing the offense shall have the vehicle returned by requesting the vehicle at the East Grand Rapids Police Department and posting bond or security sufficient to pay such towing and impound charges should the offense be found to have been committed. Such bond or security shall be returned should the offense be found to have not been committed.

10.69 Part of Chapters in Conflict. All chapters or parts of chapters in conflict with this chapter are, to the extent of such conflict, hereby repealed.

Section 4. This amendatory ordinance shall be effective on _____, 1982.

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

8-B. Waters-Lorch. That this motion be amended by changing sub-part (b) to read that "overtime parking in time restricted zones first hour or fraction thereof be \$5.00 and each additional hour or fraction thereof, not to exceed 4 hours be \$5.00".

A roll call vote was taken:

Yeas: Lorch, Seibold, Waters - 3
Nays: Hoag, Hoff, Moseley, Leidlein - 4

The motion failed.

A roll call vote was taken on the main motion:

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6
Nays: Waters - 1

The motion carried.

9. The City Attorney submitted a draft of a Satellite ordinance.

9-A. Moseley-Hoag. That the following ordinance be introduced at this time:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF EAST GRAND RAPIDS BY ADDING A NEW CHAPTER TO BE DESIGNATED AS CHAPTER 41 OF TITLE V OF SAID CODE

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. The Code of the City of East Grand Rapids is hereby amended by adding a new chapter entitled Satellite Antennae, which new chapter shall be designated as Sections 5.221 to 5.226 inclusive of Chapter 41 of Title V of said Code.

CHAPTER 41 - SATELLITE ANTENNAE

5.221. Permit Required. It is hereby determined that satellite antennae, customarily known as TVRO systems, are of such character that construction, installation and use thereof requires review and approval by the City prior to the installation thereof.

5.222. Compliance with Code. All satellite antennae which are to be constructed in the open and not contained within buildings shall be considered structures subject to the terms of the City Code and shall be subject to all ordinances relating to structures, including applicable provisions of Chapters 39 and 79 of the City Code.

5.223. Height Restrictions and Location. No satellite antenna constructed or installed in the City shall be of a size greater than 12 feet in diameter or other maximum dimension and shall not rise from ground level in excess of 12 feet in height at its maximum point; provided that if the elevation at the point at which the satellite antenna is to be erected is lower than the ground level of the adjacent properties measured at the closest building setback on said adjacent properties, the highest point on the satellite antenna shall not rise from the ground in excess of 15 feet in height at its maximum point or in excess of 12 feet in height above the ground level of the adjacent properties at said building setback lines, whichever is greater. No installation shall be located in the front or side yard of premises as described in Chapter 39 of the City Code.

5.224. Applications for Permit. Applications for permit to install a satellite antenna shall be submitted to the City building inspector. The application shall include a plot plan showing the proposed location of the installation, site plan, including building locations, of the lot or premises on which the same is to be installed and of all abutting properties, including properties abutting on the other side of the street from the proposed location.

The application shall also include a detailed description of the proposed installation including a picture or sketch of all elements thereof which would be exposed to view from adjacent properties and shall contain a statement as to the visual impact of the installation on such abutting properties. The application shall also state the proposed coloration of the antenna and contain detailed information as to the construction and stability thereof, together with such other pertinent information as may be required by the building inspector.

5.225. City Commission Consideration. The building inspector shall submit the application, together with such other information as the building inspector shall deem pertinent, together with his report and recommendations, to the City Commission and shall notify the owners of all abutting properties of the application and of the date on which the request for permit will be considered by the City Commission.

Following receipt of the application and other information from the building inspector, the City Commission shall consider the application and shall give all interested property owners an opportunity to be heard on the matter. The City Commission may thereafter grant the request for permit, deny the request, or approve the request with conditions attached. Denial of a request which otherwise complies with the specific requirements of this Chapter and of other applicable provisions of the City Code shall be based upon a finding that the installation would have a substantial detrimental effect upon one or more adjoining private or public properties or would otherwise be contrary to public safety, health or welfare, specifying

the basis for such finding. The conditions which may be attached may relate to the following: location, size, elevation, color, screening, landscaping, fencing, or other matters having impact on adjoining properties.

5.226. No deviation from this ordinance shall be permitted except by a grant of a zoning variance by the City Board of Zoning Appeals pursuant to the provisions of Chapter 39 of the City Code.

Section 2. This ordinance shall become effective on _____, 1982.

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

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

10. The Commission discussed the proposed Animal Control Service Agreement and reviewed the recommendations submitted by the sub-committee of the Commission to revise the fine schedule to change tickets issued by the Animal Control Officer to County civil citations to establish an Animal Advisory Committee, and to clarify the Kent County Animal Control Officer's responsibilities for scheduling and supervising the East Grand Rapids officer.

10-A. Moseley-Hoag. That the Animal Control Service Agreement be adopted as previously submitted and that the Mayor and Clerk be authorized to sign the Agreement.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

10-B. The matter of fine schedules and procedures was referred to the City Attorney for review and report.

11. The City Manager requested authorization to advertise for bids on street improvements listed on the schedule which had previously been distributed to the Commission.

11-A. Hoff-Seibold. That the City Manager be authorized to advertise for bids on the following streets:

LAKE DRIVE - Breton to Hall	\$	50,000
SHERMAN - W. City Limits to Cambridge		32,000
PINECREST - San Lu Rae to Burchard		21,330
FLORAL - San Lu Rae to El Dorado		23,500
GILMORE - Breton to Kenesaw		6,040
MONTEREY - Argentina to El Dorado		8,200
Total	\$	141,070

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

12. The City Manager reported receipt of insurance binders for the public officials and police liability insurance. This was referred to the Administrative Aide and the City Attorney for further review.

13. The City Manager requested authorization to issue a purchase order in the amount of \$1,525.21 for the replacement of the traffic signals at Hall and Breton.

13-A. Hoag-Waters. That the City Manager be authorized to issue a purchase order to the City of Grand Rapids in the amount of \$1,525.21 for the traffic signals.

Yeas: Hoag, Lorch, Seibold, Waters, Leidlein - 5

Nays: Hoff, Moseley - 2

14. The City Manager reported on bids received for the exterior painting of the City Complex buildings and recommended that the low bid of Kooi Industrial Painting in the amount of \$2,612 be accepted.

14-A. Waters-Moseley. That this Commission accept the low bid of Kooi Industrial Painting and that the contract be awarded in the amount of \$2,612.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

15. The City Manager reported on a meeting he had with the GRETS Transportation Technical Committee regarding the transportation improvement program for 1982-1985. He stated that the City of East Grand Rapids is scheduled to be responsible for \$7,800 in 1983, in 1984 that amount will be increased two and one-half times, and in 1985 the amount will be \$33,500. This program was approved by the GRETS Transportation Technical Committee and referred to the GRETS Policy Committee for their review and action. No action was taken at this time.

16. Reports for the month of June from the Building Inspector and Fire Department were received for information.

17. The minutes of the Traffic Commission meeting held June 22, 1982, were received for information.

18. Hoag-Moseley. That this Commission accept the recommendation of the Traffic Commission that a Parking Control Officer be employed on a 3-month trial basis for enforcement of City parking regulations.

A roll call vote was taken:

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

The motion carried.

19. Mayor Leidlein submitted the following recommendations for 1982/83 appointments:

ADMINISTRATIVE APPOINTMENTS

CITY MANAGER	Fred H. Tholen
PUBLIC SAFETY DIRECTOR	Fred H. Tholen
CITY CLERK, CONTROLLER, TREAS.	John Wielsma
ASS'T. CITY MANAGER	John Wielsma
CITY ATTORNEY	Robert W. Richardson
ASSESSOR	Shirley Norman
ASSISTANT ASSESSORS	George Samra
	J. Robert Green
POLICE CHIEF	Farrell D. Babcock
FIRE CHIEF	John F. Terpstra
HEALTH OFFICER	Dr. Richard J. Potter
HARBORMASTER	Charles Harrett
FORRESTER	William Rice
PRESIDENT OF CITY COMMISSION	Glenn Lorch

COMMISSION COMMITTEES

WAYS & MEANS COMMITTEE

Lois Moseley
Bryson Hoff
Paul Seibold

STREETS, SIDEWALKS, TREES, PARKS

Barbara Hoag
John Waters
Glenn Lorch

PLANNING COMMISSION

	<u>Term Expires</u>
Robert Olson	7/1/85
Judith Frey	7/1/83
Steve F. Mertz	7/1/85
Nyal Deems	7/1/83
Barbara Van't Hof	7/1/83
John Waters	7/1/83
Christopher Worfel	7/1/84
Ruth Ann Brintnall	7/1/84
William H. Martindill	7/1/84
John Leidlein	ex-officio
F. H. Tholen	"

ORDINANCE COMMITTEE

Barbara Hoag, Chpsn.
Glenn Lorch

BOARD OF REVIEW

Shirley Norman, Chpsn.
George Samra
J. Robert Green
Lois Moseley
Bryson Hoff

EAST BELTLINE BOARD OF DIRECTORS

Ingvar W. Samuelson (Business) 1/1/84
F. H. Tholen (Government) 1/1/85
Jack Steketee (Citizen) 1/1/83

PERSONNEL COMMITTEE

Barbara Hoag
John Leidlein
John Waters

ELECTION COMMISSION

John Wielsma
Shirley Norman
Robert W. Richardson

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

BOARD OF CANVASSERS

Helen Maher
Linda S. Chervenka
David M. Amberg
Merle Johnson

Term Expires

12/31/84
12/31/82
12/31/83
12/31/83

RECREATION COMMISSION

Paul Seibold
Robert Conklin
Janyce Huff
3 School Board Appointees

7/1/85
7/1/83
7/1/84

At-Large
Simon Francis

7/1/83

HOUSING BOARD OF APPEALS

Richard M. Osler
Robert H. Bennett, Jr.
Mildred Gray
Ross DeWindt
Dr. Potter
William Baragar
John Terpstra

7/1/83
7/1/83
7/1/84
7/1/84

JOINT CITY-SCHOOL RECREATIONAL FACILITIES COMMITTEE

City Appointees
Paul Seibold
John Waters
John Leidlein
School Board Appointees

TRAFFIC COMMISSION

Larry J. Titley
Irene Robberson
Mark Levandoski
Peter Sears
Lois Moseley
Farrell Babcock
F. H. Tholen

LIBRARY COMMISSION

Suzanne House
Mary Dutcher
Bryson Hoff
Jeff Beusse
Mary Wilson
Constance Haven
Arnold Jacobsen
LeRoy Kramer, III
Kyle Irwin

GRETS CITIZENS ADVISORY COMMITTEE

William Ruoff

CHAMBER OF COMMERCE BUSINESS DEVELOPMENT COMMITTEE

Bryson Hoff

GRAND RAPIDS TRANSIT AUTHORITY

Lois Moseley

REGION VIII PLANNING COMMISSION

Ralph Rye
Barbara Hoag
William Bacon

KENT COMMUNITY ACTION PROGRAM

Lois Moseley

BUILDING AUTHORITY

F. Tholen
J. Wielsma
R. Richardson

LOCAL OFFICERS' COMPENSATION COMMISSIONTerm Expires

Katherine McIlhargey 12/31/86
Bruce Kellogg 12/31/82
Merle Johnson 12/31/83
J. Robert Green 12/31/84
Harold Roy 12/31/83

CITIZENS ADVISORY COMMITTEE ON LAKE RESTORATION

Mike Karolle, Chpsn.

AGRAG REPRESENTATIVES

John Leidlein
Glenn Lorch

GRETS POLICY COMMITTEE

Glenn Lorch

GRETS TECHNICAL COMMITTEE

F. H. Tholen

REHABILITATION REVIEW COMMITTEE

Carl Nestor
Shirley Norman
Lois Dyksterhouse
Paul Haviland
Philip Jacobus

EAST GRAND RAPIDS ART COMMISSION

Mike Karolle, Chpsn.
Paula Larson
Marilyn Hagerup
June Stoppels
Sally LaBaugh

19-A. Mayor Leidlein-Waters. That this Commission accept the appointments as presented by the Mayor.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

20. Commissioner Hoag reported that there has been no progress with the architect relative to the Baxter Barn and that Bonnie Hamlin has requested a meeting to discuss the cost to bring the building up to code.

21. Commissioner Hoag reported on a meeting that was held with residents on Reeds Lake Blvd. and recommended that this matter be passed on to the Traffic Commission for their study and recommendation. Mr. Jim VerMeulen, property owner on Reeds Lake Blvd., was present to discuss the problems he has had in connection with the locked gates.

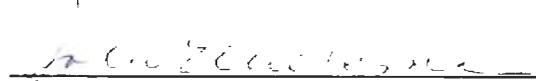
22. Mayor Leidlein reported that he had received a letter from Judge Stuart Hoffius regarding a donation of a sculpture by the Breakfast Club of Grand Rapids in memory of John A. Collins, with a request that the sculpture be placed in the John A. Collins Park on August 3, 1982, which would have been Mr. Collins' 100th birthday.

22-A. Mayor Leidlein-Lorch. That authorization be given for the installation of the sculpture as requested and that the City Manager be authorized to place a base in preparation of the installation of the sculpture, and that the Parks Commission and Art Commission be authorized to decide the location of the sculpture in the John A. Collins Park.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

23. Commissioner Waters submitted a proposed memorandum relative to the Tavern license issued to Gaslight Inn and also one relative to the Tavern license to Jacobson's. This matter was referred to the next regular City Commission meeting.

24. The meeting was adjourned, subject to the call of the Mayor, until July 26, 1982.



City Clerk

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

Regular Meeting Held July 26, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoff, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.

Absent: Com. Hoag.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson, Assistant Attorney Huff, Police Chief Babcock, Assessor Norman, City Engineer McMann, Plant Engineer Baragar, and Recreation Director Rhodes.

25. The minutes of the regular meeting held July 12, 1982, were approved as written.

26. Moseley-Hoff. That expense vouchers in the amount of \$228,684.69, and payroll vouchers in the amount of \$47,821.24, 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: Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

27. The Assistant City Attorney submitted revisions to the proposed amendment to Chapter 107 of the City Code to give the parking control officer the right to issue violation notices.

27-A. Moseley-Hoff. That the ordinance with revisions as submitted be adopted.

27-B. Waters-Lorch. That the proposed ordinance amendment be amended as follows:

Section 8.9a - the fee be changed from \$8 to \$5.

Section 8.14(b) - the fee be changed from \$8 to \$5.

Section 8.14(e) - add "each additional 24 hours after notification \$15."

Section 10.66(b) - that the fee for each hour or fraction thereof of overtime parking in restricted zones be \$5 with a maximum daily charge of \$20.

A roll call vote was taken:

Yeas: Lorch, Seibold, Waters, Leidlein - 4

Nays: Hoff, Moseley - 2

A roll call vote was taken on the main motion, as amended, to adopt the following ordinance:

AN ORDINANCE TO AMEND SECTIONS
10.65, 10.66, and 10.67 OF CHAPTER 107
OF TITLE X OF THE CODE OF THE CITY OF
EAST GRAND RAPIDS AND TO ADD SECTIONS 10.68 AND
10.69 OF CHAPTER 107 OF TITLE X OF SAID CODE

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 10.65 of the East Grand Rapids City Code is amended as follows:

"10.65 Notice of Violation. The issuance of a citation or parking violation notice by a police officer or parking control officer of the City shall be deemed an allegation of a parking violation. Such citation or parking violation notice shall indicate the length of time in which the person to whom the same was issued must respond before the Parking Violations Bureau. It shall also indicate the address of the Bureau, the hours during which the Bureau is open, the amount of the penalty scheduled for the offense for which the citation or parking violation notice was issued and advise that a warrant for the arrest of the person to whom the citation or parking violation notice was issued will be sought if such person fails to respond within the time limited.

Section 2. Section 10.66 of the East Grand Rapids City Code is amended as follows:

"10.66 Schedule of Penalties. The following violations may be settled at the Parking Violations Bureau when so provided in this Chapter by imposition and payment of fines as herein set forth:

(a) UNIFORM TRAFFIC CODE VIOLATIONS.

<u>U. T. CODE SECTION (as amended)</u>	<u>OFFENSE</u>	<u>PENALTY</u>
8.1-8.2	Parking too far from curb	\$ 5.00
5.58	Unattended vehicle with motor running or parked without brakes set	8.00
5.58	Parked on grade, wheels not turned to curb	5.00
8.3	Angle parking violations	5.00
8.4	Violation of loading/unloading permit	5.00
8.5	Obstructing traffic	10.00
8.8(a)	Parked during darkness without proper rear light or reflector	5.00
8.9	Parked without dimming lights	5.00
8.9(a)	Parked on too narrow road	5.00
8.10	Prohibited parking (signs unnecessary, unless noted)	
8.10(a)	on sidewalk	5.00
8.10(b)- 8.9(a)	opposite drive or within 10 feet of edge of driveway	5.00
8.10(c)	within intersection	10.00
8.10(d)	within 15 feet of hydrant	8.00
8.10(e)	on crosswalk	8.00
8.10(f)	within 20 feet of crosswalk or 15 feet of corner lot lines	5.00
8.10(g)	within 30 feet of approach to traffic sign or signal	5.00
8.10(h)	Not applicable	
8.10(i)	Not applicable	
8.10(j)	within 20 feet of fire station driveway or within 75 feet of fire station driveway on opposite side of street (when posted)	8.00
8.10(k)	along side or opposite street excavation when traffic is obstructed thereby	10.00
8.10(l)	double parking	8.00
8.10(m)	parking on bridge	8.00
8.10(n)	within 200 feet of accident where police are in attendance	5.00

8.10(o)	Not applicable	
8.10(p)	blocking emergency exit	\$ 5.00
8.10(q)	blocking fire escape	5.00
8.10(r)	where parking is prohibited by posted sign	8.00
8.10(s)	handicapped space	20.00
8.10(t)	within 500 feet of fire apparatus	5.00
8.10(u)	failure to move parked vehicle on request when parked beyond time limit	5.00
8.13	Parking in alley unless authorized by sign	5.00
8.14	Parking for purpose prohibited by Sec. 8.14	
8.14(a)	displaying vehicle for sale	5.00
8.14(b)	working on or repairing vehicle	5.00
8.14(c)	displaying advertising	5.00
8.14(d)	selling merchandise	5.00
8.14(e)	storage over 48 hours	15.00
	each additional 24 hours after notification	15.00
8.15	On wrong side of boulevard or divided roadway	5.00
8.16-8.17-		
8.18	Loading zone violation	5.00
8.19	Bus or taxicab unauthorized parking	5.00
8.20	Bus stop or taxicab stand violation	8.00
8.21	Parking meter violations	5.00
8.22	Meters, not parked within space	5.00
8.25	Parked on lawn extension	5.00
6.17-6.17(a)	Bicycle parking violations	2.00

(b) ADDITIONAL EAST GRAND RAPIDS CITY PARKING VIOLATION.

The following violation may be settled at the Parking Violations Bureau by the imposition and payment of a fine as herein set forth:

Overtime parking in time restricted zones	
each hour or fraction thereof	5.00
Maximum daily charge	20.00

(c) PENALTIES FOR NON-PAYMENT. If the penalty listed in sub-section (a) or (b) above is not paid or postmarked within ten (10) days of issuance of the citation or parking violation notice, the penalty shall be twice the amount of the penalty set forth in sub-section (a) or (b) above; if not paid or postmarked within forty-five (45) days, the penalty shall be four (4) times the amount of the penalty set forth in sub-section (a) or (b) above. The citation or parking violation notice shall indicate that the violation fee shall be so increased if not timely paid."

Section 3. Section 10.67 of Chapter 107 of Title X of the Code of the City of East Grand Rapids is amended to read as follows:

"10.67 Impoundment. A vehicle parked in violation of any provision of this Code is hereby declared to be a nuisance. In addition to placing a citation or parking violation notice on said vehicle, the City may remove or cause said vehicle to be removed to the vehicle pound. The owner or operator of any vehicle which has been removed to the vehicle pound may have said vehicle released by paying all violation charges at the Parking Violations Bureau, which are due against said vehicle and paying all costs of impoundment to the towing contractor of the City of East Grand Rapids.

Any lienholder may claim an impounded vehicle by entering into an indemnity agreement with the City of East Grand Rapids to save harmless the City from any and all liability the City may incur at the hands of the registered owner for releasing said vehicle to said lienholder and upon paying all charges due against said vehicle. The aforementioned charges shall include, but not be limited to, all parking violation penalties presently outstanding against the vehicle, and all levies, costs of towing, storage and other impoundment expenses. All costs of impoundment shall be paid to the towing contractor of the City of East Grand Rapids."

Section 4. Chapter 107 of Title X of the Code of the City of East Grand Rapids is amended by adding the following new sections:

"10.68 Release of Impounded Vehicle. Any owner or operator of an impounded vehicle who shall have denied committing the offense shall have the vehicle returned by requesting the vehicle at the East Grand Rapids Police Department and posting bond or security sufficient to pay such towing and impound charges should the offense be found to have been committed. Such bond or security shall be returned should the offense be found to have not been committed.

10.69 Part of Chapters in Conflict. All chapters or parts of chapters in conflict with this chapter are, to the extent of such conflict, hereby repealed."

Section 5. This amendatory ordinance shall be effective on August 5, 1982.

Section 6. 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: Lorch, Moseley, Waters, Leidlein - 4

Nays: Hoff, Seibold - 2

The motion carried.

28. The City Attorney submitted a letter recommending revisions in the proposed Satellite Antennae Ordinance.

28-A. Moseley-Hoff. That the following ordinance be adopted:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF EAST GRAND RAPIDS BY ADDING A NEW CHAPTER TO BE DESIGNATED AS CHAPTER 41 OF TITLE V OF SAID CODE

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. The Code of the City of East Grand Rapids is hereby amended by adding a new chapter entitled Satellite Antennae, which new chapter shall be designated as Sections 5.221 to 5.226 inclusive of Chapter 41 of Title V of said Code.

CHAPTER 41 - SATELLITE ANTENNAE

5.221. Permit Required. It is hereby determined that satellite antennae, customarily known as TVRO systems, are of such character that construction, installation and use thereof requires review and approval by the City prior to the installation thereof.

5.222. Compliance with Code. All satellite antennae which are to be constructed in the open and not contained within buildings shall be considered structures subject to the terms of the City Code and shall be subject to all ordinances relating to structures, including applicable provisions of Chapters 39 and 79 of the City Code.

5.223. Height Restrictions and Location. No satellite antenna constructed or installed in the City shall be of a size greater than 12 feet in diameter or other maximum dimension and shall not rise from ground level in excess of 12 feet in height, at its maximum point; provided that if the elevation at the point at which the satellite antenna is to be erected is lower than the ground level of the adjacent properties measured at the closest property line on said adjacent properties, the highest point on the satellite antenna shall not rise from the ground in excess of 15 feet in height at its maximum point or in excess of 12 feet in height above the ground level of the adjacent properties at said closest property lines, whichever is greater. No installation shall be located in the front or side yard of premises as described in Chapter 39 of the City Code.

5.224. Applications for Permit. Applications for permit to install a satellite antenna shall be submitted to the City building inspector. The application shall include a plot plan showing the proposed location of the installation, site plan, including building locations, of the lot or premises on which the same is to be installed and of all abutting properties, including properties abutting on the other side of the street from the proposed location. The application shall also include a detailed description of the proposed installation including a picture or sketch of all elements thereof which would be exposed to view from adjacent properties and shall contain a statement as to the visual impact of the installation on such abutting properties. The application shall also state the proposed coloration of the antenna and contain detailed information as to the construction and stability thereof, together with such other pertinent information as may be required by the building inspector.

5.225. City Commission Consideration. The building inspector shall submit the application, together with such other information as the building inspector shall deem pertinent, together with his report and recommendations, to the City Commission and shall notify the owners of all abutting properties of the application and of the date on which the request for permit will be considered by the City Commission.

Following receipt of the application and other information from the building inspector, the City Commission shall consider the application and shall give all interested property owners an opportunity to be heard on the matter. The City Commission may thereafter grant the request for permit, deny the request, or approve the request with conditions attached. Denial of a request which otherwise complies with the specific requirements of this Chapter and of other applicable provisions of the City Code shall be based upon a finding that the installation would have a substantial detrimental effect upon one or more adjoining private or public properties or would otherwise be contrary to public safety, health or welfare, specifying the basis for such finding. The conditions which may be attached may relate to the following: location, size, elevation, color, screening, landscaping, fencing, or other matters having impact on adjoining properties.

5.226. No deviation from this ordinance shall be permitted except by a grant of a zoning variance by the City Board of Zoning Appeals pursuant to the provisions of Chapter 39 of the City Code.

Section 2. This ordinance shall become effective on August 5, 1982.

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

Yeas: Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

29. A letter was received from the City Attorney regarding proposed revisions in the animal control procedure revisions and setting out the fine schedule under the County Animal Control regulations as compared to the fine schedule under the present City Ordinance. It was determined that the Animal Control Committee meet with the City Attorney to discuss this matter and that this item be placed on the agenda for the next regular City Commission meeting of August 9, 1982.

30. The City Manager reported that a letter has been received, dated July 13th, from Ordinance Code Publications advising that the City Code will be shipped to us within three weeks.

31. The City Attorney submitted a preliminary review of the liability insurance policies of the City. He reported that he plans to review this matter with the insurance agent, Crosby & Henry.

32. Letters were received from Louis F. Battjes and Henry Welmers, current retirees under the City's Municipal Retirement System, requesting that the City Commission consider adopting Benefit Programs E and E-1 which would bring the retirees' pensions more in line with the Consumer Price Index. The City Controller submitted a memorandum explaining the benefit programs, the dollar savings to the City as a result of the Retirement Board's action to permit change in the economic assumptions which reduce the City's contribution by \$51,064 for the fiscal year 1982/83, and indicating the cost to implement Benefit Programs E, E-1, and E-2. After some discussion, it was decided that this matter be referred to the next regular City Commission meeting.

33. The Planning Commission submitted its recommendation to the City Commission that the variance request of Theresa M. Krywicki, to change the use of her home at 526 Lovett SE, from a single-family to a two-family dwelling be denied.

33-A. Moseley-Waters. That this Commission, acting as the Board of Zoning Appeals, deny the request of Theresa M. Krywicki for the reasons stated by the Planning Commission.

A roll call vote was taken:

Yeas: Hoff, Moseley, Waters, Leidlein - 4

Nays: Lorch, Seibold - 2

The motion carried.

34. The City Manager reported that Theresa M. Krywicki had called him by telephone regarding alternatives and suggestions which she would like considered to improve the area in which she is living. The Mayor requested that she submit this in writing to the City Commission.

35. The City Manager reported on bids which were received for the 1982 Summer Street Improvement Program and recommended that the low bidder, Rieth-Riley Construction Company, be awarded the contracts.

35-A. Waters-Moseley. That contracts be entered into with the low bidder, Rieth-Riley Construction Company, as follows:

Lake Drive	\$ 43,573.07
Pinecrest	22,318.75
Floral	22,527.70
Monterey	5,873.65
Gilmore	6,598.58
Sherman	32,173.15
Lakeside	<u>2,985.76</u>

Total \$ 135,050.66

Yeas: Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

36. The City Manager reported on bids which were received for water system materials and recommended that they be purchased from the low bidder, Etna Supply Company, in the amount of \$11,227.60, with a 2% discount, resulting in a net amount of \$11,003.05.

36-A. Waters-Hoff. That the water system materials be purchased from Etna Supply Company at the bid price of \$11,003.05.

Yeas: Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

37. A memorandum regarding the rehabilitation program of the Wealthy Pool was received from William Baragar, Plant Engineer. He reported on bids which were received for piping portions of the Wealthy Pool, the low bid being Holwerda-Huizenga in the amount of \$10,219.00. The City Manager further reported that at 10:00 a.m. today the Kent County Health Department ordered the pool closed because of need for repairs. The City Manager also reported that he has been in contact with the Superintendent of Public Schools regarding the School's willingness to consider sharing the cost of repairs which will be considered at the East Grand Rapids School Board at their meeting of August 9, 1982. The matter of the repairs to the Wealthy Pool was referred to the Parks & Recreation Commission to consider the feasibility and cost effectiveness of keeping the Wealthy Pool in use.

38. The City Manager reported on an invoice received from the Gaslight Village Merchants Association which represented quarterly dues in the amount of \$60.

38-A. Waters-Lorch. That the City continue its support of the Gaslight Village Merchants Association and allocate an amount of \$240 from Contingencies to cover this expenditure.

Yeas: Lorch, Seibold, Waters, Leidlein - 4
Nays: Moseley, Hoff - 2

39. A memorandum was received from the City Manager regarding the labor contract with the East Grand Rapids Public Service Department outlining changes from the contract which expired on June 30, 1982.

39-A. Waters-Moseley. That the labor contract between the City and the Public Service Department as submitted by the Manager be approved and the Mayor and Clerk be authorized to sign the contract.

Yeas: Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

40. The City Manager submitted a memorandum requesting authorization to purchase quick-coupling equipment for the front-end loader and the backhoe in the amount of \$2,100.

40-A. Waters-Moseley. That the City Manager be authorized to purchase the equipment requested in the amount of \$2,100.00, and that pursuant to Sec. 1.213(1) of the City Code competitive bids not be required.

Yeas: Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

41. The Police report for the month of June, 1982, was received for information.

42. The minutes of the Planning Commission meeting held June 8, 1982, were received for information.

43. Commissioner Moseley reported on the Traffic Commission meeting held regarding the south arm of Reeds Lake Blvd. It was decided to adjourn discussion of this item until the next regular City Commission meeting, at which time the Commissioners will have had an opportunity to review the Traffic Commission minutes relating to this issue.

44. Commissioner Moseley requested that eight minutes be set aside at the next regular City Commission meeting to provide an opportunity to have a slide presentation of the Kent CAP Program.

45. Commissioner Waters discussed the findings of fact he presented to the Commission at the last meeting and recommended several changes which were discussed at this meeting.

45-A. Waters-Seibold. That the following resolution be adopted:

RESOLVED, that the decision to approve the granting of a tavern license to Jacobson's was based on the Commission's understanding that the following conditions will exist after the license is granted, with such understanding being based on express representation by applicant:

1. The primary purpose of the restaurant is to serve store customers and shoppers, who generally are more mature adults.
2. The restaurant will be generally similar to other restaurants operated by applicant in conjunction with other store locations in Michigan, and beer and wine will be served principally to compliment food service.
3. The design of the restaurant will conform essentially with the plans discussed with the Planning Commission and City Commission in connection with the present tavern license application.
4. The owners will inspect age identification closely to ensure that underage patrons are not served alcoholic beverages.
5. The owners will maintain the restaurant in a manner such that the restaurant will not detract from the character of the Gaslight Village area.

BE IT FURTHER RESOLVED, that the decision to approve the granting of a tavern license to Helen Johnson at the Gas Light Inn was based on the Commission's understanding that the following conditions will exist after the license is granted, with such understanding being based on express representations by applicant:

1. The restaurant will close no later than 10:00 p.m.
2. The clientele of the restaurant consist mainly of more mature adults and will not change after the license is granted.
3. Beer and wine will be served principally to compliment food service, such that the character of the establishment will not change.
4. No entertainment will be provided, particularly the type that would attract a younger clientele.
5. The owners will not seek to convert the license to a full liquor license.
6. The owners will not request a carry-out license and will not sell carry-out alcoholic beverages.
7. The owners will inspect age identification closely to ensure that underage patrons are not served alcoholic beverages.
8. The owners have a lease on the Gas Light Inn that is renewable for a total period of twelve years, and the owners intend to continue to own and operate the restaurant for at least the next few years.
9. The owners will maintain the restaurant in a manner such that the restaurant will not detract from the character of the Gaslight Village area.

BE IT FURTHER RESOLVED, that this Commission review these conditions as they relate to the operation of the businesses six weeks prior to the annual renewal of the licenses.

A roll call vote was taken:

Yeas: Lorch, Moseley, Seibold, Waters - 4
Nays: Hoff, Leidlein - 2

The motion carried.

46. Commissioner Seibold reported that Bonnie Hamlin has withdrawn her bid for the purchase of the Baxter Warehouse. It was decided that the City should delay advertising for the sale of this building for a few weeks to see what interest is expressed.

47. Mayor Leidlein submitted, for information, a letter he received from the Department of Social Services regarding licensing Adult Foster Care Facilities.

48. Mr. William Bennett inquired if the City had any plans to place public restrooms in the John A. Collins Park. He was informed by the City Manager that there were no provisions in the 1982/83 budget for this type of capital improvement.

49. The meeting was adjourned, subject to the call of the Mayor, until August 9, 1982.



City Clerk

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

Regular Meeting Held August 9, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.

Absent: None.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson, Assistant Attorney Huff, Police Chief Babcock, Assessor Norman, City Engineer McMann and Plant Engineer Baragar.

50. The minutes of the regular meeting held July 26, 1982, were approved as written.

51. Moseley-Hoff. That expense vouchers in the amount of \$86,023.19, and payroll vouchers in the amount of \$44,947.44, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

52. A letter was received from Terri Krywicki requesting that the City consider hiring a planner to prepare a land use plan for the Lovett-Greenwood area. Ms. Krywicki was present to discuss the request with the Commission. Mayor Leidlein stated that funds have been budgeted for a planner and that the Planning Commission is proceeding with the Central City Study and the possibility of hiring a professional land use planner.

53. Consideration of Assistant City Attorney Huff's letter of July 26, 1982, regarding animal control regulations was deferred until later in the meeting when the Director of Animal Control for the County can be present to discuss this matter with the Commission.

54. A proposed model resolution for local municipalities regarding the Kent/Ottawa Resource Recovery Project was submitted by Assistant City Attorney Huff. The Commission requested copies of Act 641 concerning the solid waste management plan and requested that the County be requested to make presentation to this Commission regarding the project, and that other communities within the Kent/Ottawa region be surveyed as to their position.

55. The City Attorney reported that the Municipal Code Corporation has completed printing of the East Grand Rapids Code and that they are awaiting the binders. Unbound copies of the Code will be received shortly.

56. The material submitted by the Clerk/Controller at the last Commission meeting regarding Retirement Benefit Plans E and E-1 was discussed.

56-A. Waters-Hoag. That this matter be referred to the Personnel Commission for study and that this matter be placed on the agenda for the first meeting in November.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

57. Mr. Mark Miller, Director of Animal Control for Kent County, arrived at this time and the animal control regulations were discussed. Mr. Miller stated that the County citation system was easier for the County to administer and that he would be willing to ask the County Board of Commissioners to reimburse the City for fines collected. He stated that he has no problem with utilizing the East Grand Rapids reporting forms currently being used.

57-A. Moseley-Hoag. That an Animal Advisory Committee be established.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

57-B. Moseley-Seibold. That the Kent County Director of Animal Control will be in charge of the administration and reporting duties of the East Grand Rapids Animal Control Officer subject to the direction of the East Grand Rapids City Commission.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Seibold, Waters - 5

Nays: Hoff, Leidlein - 2

The motion carried.

58. The minutes of the Traffic Commission meeting held July 20, 1982, were discussed relative to its action regarding the south arm of Reeds Lake Blvd. There were several persons in attendance at this meeting to discuss this matter with the City Commission. Mrs. Nancy VerMeulen read a statement regarding the closing of Reeds Lake Blvd. Mrs. Calvin Miller objected to the locking of the gates. Dr. Alfred Swanson commented on problems that have existed as they relate to property damage, unruly crowds and speeding autos on the south arm of Reeds Lake Blvd. Mr. Keith Weldy, 3218 Reeds Lake Blvd., reported on problems that have existed including the parking of cars on his yard in the wintertime. Mr. Edgar Orr, 2159 Bonnell Avenue SE, stated that problems don't occur when the gates are locked. Mr. Jim VerMeulen stated that, to his knowledge, no one has been given tickets and requested that the Police Department take care of the problem. Mr. Chris Panopoulos also spoke to the issue of closing the road at night and expressed concern relative to the speeding vehicles on this portion of Reeds Lake Blvd.

58-A. Hoag-Moseley. That this Commission concur in the recommendations of the Traffic Commission as recorded in its minutes of July 20, 1982.

58-B. Lorch-Waters. That the above motion be amended by including as Item 6, Section B, that access to the property by property owners can be obtained during closed hours by their making application to the East Grand Rapids Police Department.

A roll call vote was taken:

Yeas: Lorch, Seibold, Waters - 3

Nays: Hoag, Hoff, Moseley, Leidlein - 4

The motion failed.

58-C. Waters-Seibold. That the above motion be amended to provide that keys be furnished to the non-resident property owners subject to an agreement that one key be issued to each non-resident property owner, and no keys be allowed to be duplicated.

A roll call vote was taken:

Yeas: Lorch, Seibold, Waters - 3

Nays: Hoag, Hoff, Moseley, Leidlein - 4

The motion failed.

A roll call vote was then taken on the main motion:

Yeas: Hoag, Moseley, Leidlein - 3

Nays: Hoff, Lorch, Seibold, Waters - 4

The motion failed.

58-D. Seibold-Waters. That the gates remain open and that the Public Safety Director be directed to maintain law and order in the area of Reeds Lake Blvd. south arm.

A roll call vote was taken:

Yeas: Seibold, Waters - 2

Nays: Hoag, Hoff, Lorch, Moseley, Leidlein - 5

The motion failed.

58-E. Waters-Seibold. That the recommendations of the Traffic Commission be adopted with the exception that non-resident property owners be given keys to the gates.

A roll call vote was taken:

Yeas: Lorch, Seibold, Waters - 3

Nays: Hoag, Hoff, Moseley, Leidlein - 4

The motion failed.

58-F. Hoag-Moseley. That Items 1, 2 and 3 of the Traffic Commission recommendations be accepted.

58-G. Lorch-Waters. That the above motion be amended by establishing 11:00 p.m. as the time for closing the gates.

A roll call vote was taken:

Yeas: Hoff, Lorch, Seibold, Waters, Leidlein - 5

Nays: Hoag, Moseley - 2

The motion carried.

A roll call vote was then taken on the main motion (Item 58-F) as amended:

Yeas: Hoag, Hoff, Lorch, Moseley, Waters, Leidlein - 6

Nays: Seibold - 1

The motion carried.

58-H. Hoag-Waters. That Items 4 and 5 of the Traffic Commission recommendations be accepted.

A roll call vote was taken:

Yeas: Hoag, Lorch, Seibold, Waters, Leidlein - 5

Nays: Hoff, Moseley - 2

The motion carried.

58-I. Moseley-Hoag. That the City staff be directed to consult with a landscape engineer regarding design of permanent gates at the west and east ends of Reeds Lake Blvd. south arm.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Leidlein - 4

Nays: Hoff, Seibold, Waters - 3

The motion carried.

The Mayor thanked Commissioners Hoag, Seibold and Moseley for their interest and time spent on the Reeds Lake Blvd. issue.

59. The City Manager reported on a memorandum he had submitted to the Commission relative to the requests he has received for displaying banners across Wealthy Street and suggested that poles specifically for displaying banners be erected on Wealthy Street and that a rental fee be charged for their use.

59-A. Seibold-Hoag. That the City Manager be instructed to investigate the cost and submit a proposal for the installation of poles on Wealthy Street for purposes of hanging display banners.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: Hoff - 1

60. A letter was received from the Director of Recreation regarding the Recreation Commission's recommendations to request bids to upgrade the outdoor basketball court at Wealthy School.

60-A. Waters-Seibold. That the City Manager be authorized to advertise for bids for the upgrading of the Wealthy School basketball courts.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

61. A letter was received from the Arts Council of Greater Grand Rapids, Inc. requesting the City consider support of its program to the extent of \$1,500 for the 1982/83 fiscal year.

61-A. Lorch-Waters. That this Commission continue its support of the Arts Council by contributing the amount of \$1,500 and that these funds be transferred from the Contingency Fund to the Community Service Project Account.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: Hoff - 1

62. A letter was received from the Michigan Municipal Workers' Compensation Self-Insurers Fund regarding the annual election of fund trustees, to which was attached a ballot for the election of six trustees to serve two-year terms beginning October 1, 1982.

62-A. Moseley-Hoag. That the ballot be voted for the following trustees to serve on the Michigan Municipal Workers' Compensation Self-Insurers Board for a two-year term expiring on September 30, 1984: Jerry Coffman, Richard N. Conti, Larry L. Opelt, Charles E. Palmer, Fred H. Tholen and Joanne C. Wrench.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

63. The City Manager submitted a letter he had sent to Dr. James E. Morse, Superintendent of Schools, regarding conflicts in dates between the regular meetings of the School Board and City Commission. Commissioner Seibold suggested that when holidays fall on the first or third Monday, the City Commission meet on Tuesday. It was decided to await response from Dr. Morse to the City Manager's letter. The City Manager was directed to submit a revised schedule which would not conflict with the regular meetings of the East Grand Rapids School Board.

64. A letter from the Music Performance Trust Fund acknowledging payment of \$200 to the Music Performance Trust Fund, and thanking the Commission for the contribution, was received for information.

65. The City Manager reported on the study of Moore & Bruggink relative to the upstream equalization basin and stated that this report is still in process. The City Manager reported that he has met with the Michigan Department of Natural Resources and they have assured the City of East Grand Rapids of a grant which would provide 75% of the funding for Stage II, which is engineering design, and for Stage III construction which includes the rehabilitation of sewers, reconstruction of the Wealthy Trunk Sewer, and the elimination of lift stations. The Project Engineers, Moore & Bruggink, were instructed to submit the certifiable application to the Department of Natural Resources by September 30, 1982.

66. A communication was received from the Recreation Commission regarding use of the Wealthy Pool with its recommendation that repairs needed to bring the Wealthy Pool into code compliance be completed as set forth in the Plant Engineer's letter of August 4th, and that Stages I and II be undertaken at the bid price of \$10,291. It further recommended that the grouting and tile repair, Stage IV, be done as an in-house project at the lowest possible cost. A letter from Betsy Fleetwood, requesting that the Wealthy Pool be kept open, was received for information.

66-A. Seibold-Waters. That this Commission concur in the recommendation of the Recreation Commission and that an amount not to exceed \$13,000 be allocated to this project and that funds be transferred from the Contingency Fund to the Building Repairs and Maintenance Account to cover these costs.

A roll call vote was taken:

Yeas: Hoag, Lorch, Seibold, Waters, Leldlein - 5
Nays: Hoff, Moseley - 2

The motion carried.

67. The report of the City Attorney regarding the City's liability insurance coverage will be considered at a future meeting after a response has been received from Crosby & Henry, the City's insurance agent.

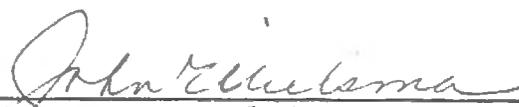
68. Commissioner Moseley gave a slide presentation regarding the Kent CAP Program as her report to the City Commission as the City's representative on the Kent CAP Board.

69. The Mayor reported receipt of a letter from the President of the Lakeshore Club Apartments regarding the traffic on Lakeside and the establishment of regulations for loading and unloading of boats at the Barnard Street launching site. This was referred to the Traffic Commission and the Recreation and Parks Commission.

70. The Mayor reported that he had attended the Michigan Mayors Summer Workshop and said that if Commissioners have any questions he will be happy to discuss them.

71. The Mayor reported receipt of a letter from Judge Hoffius inviting the Commissioners to attend the Grand Rapids Breakfast Club meeting to be held 7:30 a.m., Wednesday, August 11, at John A. Collins Park for the dedication of the sculpture which the Breakfast Club has donated in memory of Mr. Collins.

72. The meeting was adjourned, subject to the call of the Mayor, until August 23, 1982.



City Clerk

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

Regular Meeting Held August 23, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Moseley, Seibold and Mayor Leidlein.

Absent: Coms. Lorch and Waters.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson, Assistant City Attorney Huff, Planning Commission Secretary Bremer, and Planning Commission Member Mertz.

73. The minutes of the meeting held August 9, 1982, were amended by adding to Section 33 that the City Manager was directed to submit a revised schedule which would not conflict with the regular meetings of the East Grand Rapids School Board. The minutes were then approved as amended.

74. Moseley-Hoff. That expense vouchers in the amount of \$694,056.12, and payroll vouchers in the amount of \$44,143.81, 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: Hoag, Hoff, Moseley, Seibold, Leidlein - 5

Nays: 0

75. Pursuant to public notice, a hearing was then held upon the request of Sue and Karl Osborn, 2225 Englewood Drive SE, for a zoning variance to permit construction of a one-story addition to the kitchen of their residence 21 feet from the rear lot line rather than the required 25 feet. Mr. & Mrs. Osborn were present to discuss their request with the Commissioners. There were no objections.

75-A. Moseley-Hoag. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. and Mrs. Osborn.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5

Nays: 0

76. Pursuant to public notice, a hearing was then held upon the request of Dr. John P. Papp, 2815 Lake Drive SE, for a variance to permit construction of a brick wall which would involve the following three variances to the ordinance requirements for fences:

1. To allow construction of the wall 7 feet from the front lot line rather than the required 15 feet.
2. To allow construction of a front yard wall 6 feet in height rather than the required 3 feet.
3. To allow construction of a wall along the southwesterly lot line 8 feet in height rather than the required 6 feet.

The City Manager reported that five residents within the 300 foot radius had not received the usual notice of this hearing and that the City Attorney had prepared a form of waiver of notice which was signed by all five residents which waives any defect in the service of notice of the hearing. Dr. Papp was present to discuss his request with the Commission. Mr. Donald Gray Slawson was present and expressed no objection to Dr. Papp's request.

76-A. Hoag-Seibold. That this Commission, acting pursuant to Chapter 82 of the City Code, grant the request of Dr. Papp.

A roll call vote was taken:

Yeas: Hoag, Hoff, Moseley, Leidlein - 4
Nays: Seibold - 1

The motion carried.

77. The City Attorney reported that he has received the Code revision and that his office is currently proof reading the Code. He recommended that a hearing on adoption of the revised Code be held on the first meeting following September 7, 1982, and that the City Clerk be directed to publish notice to that effect.

77-A. Moseley-Hoag. That a public hearing be set for the next meeting following September 7, 1982, and that the City Clerk be authorized to publish the notice as provided by the City Attorney.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5
Nays: 0

78. The City Attorney reported on the decision of the Circuit Court in the Manhattan School case. Copies of the opinion were distributed to the Commission previous to this meeting. The City Attorney stated that should the Commission wish to appeal the Judge's opinion, that the appeal process would take approximately a year, with the outcome being very uncertain. He suggested that the question of use of this property be for study and that it consider establishing a master plan. Commissioner Moseley recommended that the building on the property be closed.

78-A. Mayor Leidlein=Hoag. That the City Manager be directed to close Manhattan School prior to the start of the fall recreation program and that he obtain quotations for the demolition of the building.

A roll call vote was taken:

Yeas: Hoag, Hoff, Moseley, Leidlein - 4
Nays: Seibold - 1

The motion carried.

79. A revised schedule of Commission meetings for 1982/83, prepared pursuant to Commissioner Seibold's suggestion at the last regular City Commission meeting, was submitted to the Commissioners for their review.

79-A. Moseley-Seibold. That the revised schedule of Commission meetings be approved as submitted.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5
Nays: 0

80. The Controller requested that the need for purchase of plastic bags be placed on the agenda.

80-A. Moseley-Hoff. That this Commission consider the matter of purchasing plastic bags at this time.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5
Nays: 0

80-B. The Controller reported on quotations which were received for the purchase of plastic bags and recommended that the low bid of Petoskey Plastics, Inc., in the amount of \$4.07 per 50/bag roll be accepted and a purchase order be issued to it in the amount of \$2,035 for the purchase of 500 rolls of bags.

80-C. Seibold-Hoag. That this Commission accept the low bid of Petoskey Plastics, Inc., and that a purchase order be issued in the amount of \$2,035.

Yeas: Hoag, Hoff, Seibold, Leidlein - 4

Nays: Moseley - 1

81. The Mayor requested the ad hoc committee of the Commission to present him with a list of persons to be considered for appointment to the Animal Control Advisory Committee as soon as possible.

82. A letter from the Voluntary Action Center was received. Carol Wittenbach, Executive Director of VIA, was present to discuss its request for support from the City in the amount of \$2,000. The Commission took no action. The Mayor reported receipt of a letter from Margaret Reeves requesting funding for the VIA programs.

83. The City Manager requested authorization to issue a purchase order to General Electric Company for the purchase of one General Electric Master 11 Mobile Radio in the amount of \$1,427.

83-A. Seibold-Moseley. That the City Manager be authorized to issue a purchase order to General Electric Company in the amount of \$1,427 for the purchase of one police mobile radio.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5

Nays: 0

84. The City Manager requested authorization to file a competitive project application with Kent County under the Community Development Block Grant Program. The estimated project cost is \$143,428.90, which would be for the replacement of 4-inch watermains in Rosewood, Reed and Gladstone Streets with 6" mains.

84-A. Moseley-Hoag. That the City Manager be authorized to file the application as requested.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5

Nays: 0

85. The City Manager reported on the progress of the negotiations for the Joint Facilities Agreement between the City of East Grand Rapids and the East Grand Rapids School Board and advised that a meeting will be held August 25th, at 4:00 p.m., to discuss this agreement with the Joint Facilities members.

86. The City Manager reported that repairs to the Wealthy Pool are nearly completed and that the pool will be filled Friday to test the repairs.

87. The City Manager reported that one-third of the Hodenpyl trails have received wood chips and that the balance of the trail will be completed shortly.

88. The City Manager reported that bids were received for the repair of broken sidewalk between the Police building and the City Hall, and the walk leading from the Recreation Office toward the north at the lower level and recommended that the low bid of Bill VanderGalien in the amount of \$1,339.65 be accepted and that monies be transferred from Contingencies to cover these costs.

88-A. Hoff-Mayor Leidlein. That this Commission consider this matter at this time.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5

Nays: 0

88-B. Mayor Leidlein-Hoag. That this Commission accept the low bid of Bill VanderGallen in the amount of \$1,339.65 and that this amount be transferred from Contingencies to the Building Repairs Account.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5
Nays: 0

89. Reports for the month of July from the Police Department and Fire Department were received for information.

90. The Planning Commission minutes of their meeting held July 13, 1982, were received for information.

91. Minutes of the Library Commission of their meeting held August 11, 1982, were received for information.

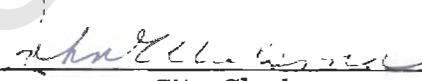
92. The City Manager submitted an amended plan for the Schoolhouse Associates condominium site which was approved by the Planning Commission. This was received for information.

93. The City Manager reported that he had received a letter from Merrill Rodin, owner of the Bijou Theatre, indicating his interest in exploring the possibility of utilizing the Baxter Barn on Croswell as a site for his theatre. The City Manager stated that he had informed Mr. Rodin that theatres are not on the list of permitted uses in the commercial district. It was decided that consideration of the Croswell property be placed on the agenda for the next meeting.

94. Commissioner Moseley reported that Mr. Bill Allen would be willing to answer any questions the Commission might have regarding Act 641 involving the energy recovery process and requested that this item be placed on the next City Commission agenda. The Assistant City Attorney was directed to report at the next Commission meeting as to which municipalities have approved the Consent Agreement.

95. The City Manager distributed information relative to a proposed "Head Shop" Ordinance. This was received for information.

96. The meeting was adjourned, subject to the call of the Mayor, until September 7, 1982.



City Clerk

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

Regular Meeting Held September 7, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.
Absent: None.

Also Present: City Manager Tholen, City Clerk Wielsma, Assistant City Attorney Huff,
and Planning Commission Secretary Bremer.

97. The minutes of the meeting held August 23, 1982, were approved as written.

98. Moseley-Hoff. That expense vouchers in the amount of \$2,750,572.90, and payroll vouchers in the amount of \$42,470.07, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

99. Pursuant to public notice, a hearing was then held upon the request of Mrs. Dorothy Wilks Baughman, 2545 Frederick Drive SE, for a zoning variance to permit construction of a carport on the westerly lot line and 3' 4" from the front lot line. Mr. Baughman and Mrs. Wilks Baughman were present to discuss their request with the Commission. The City Clerk reported that he had received a call from Tom Golden, resident within 300 ft. radius of above property, who stated that he had no objections to this variance request. There were no objections raised at this hearing.

99-A. Waters-Lorch. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Dorothy Wilks Baughman.

Yeas: Hoag, Hoff, Lorch, Moseley, Weibold, Waters, Leidlein - 7
Nays: 0

100. Pursuant to public notice, a hearing was then held upon the request of Theodore and Margaret Lewis, 1101 Breton Road SE, for a zoning variance to permit construction of an attached garage 10 ft. from the rear lot line. Mr. and Mrs. Lewis were present to discuss their request with the Commission. Mr. Dan DeMeister, builder for the Lewis', reviewed the schematic drawings with the Commission. Mr. and Mrs. Southwell, residents living within the 300 ft. radius of the Lewis property, were present and stated that they had no objections regarding this request. There were no objections raised at this hearing.

100-A. Waters-Lorch. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. and Mrs. Lewis.

Yeas: Hoag, Hoff, Lorch, Moseley, Waters, Leidlein - 6
Nays: Seibold - 1

101. The Assistant City Attorney reported that review of the City's liability coverage was still in progress and that more information would be available at the next City Commission meeting.

102. The Commission considered the proposed Drug Paraphernalia Ordinance.

102-A. Seibold-Hoag. That the following ordinance be introduced at this time:

AN ORDINANCE TO AMEND THE CODE OF THE CITY
OF EAST GRAND RAPIDS BY ADDING A NEW CHAPTER
OF TITLE TO PROHIBIT THE
POSSESSION, MANUFACTURE AND SALE OF DRUG
RELATED PARAPHERNALIA

WHEREAS, it is recognized that in many communities there are retail establishments which engage in the sale of paraphernalia associated with drug use; and

WHEREAS, it is recognized that such establishments serve only to entice young persons to abuse marihuana and other illegal controlled substances; and

WHEREAS, it is in the best interests of the health, safety, and welfare of the citizens of the City of East Grand Rapids to prohibit within the City of East Grand Rapids the sale of paraphernalia associated with drug use.

NOW, THEREFORE, the City of East Grand Rapids ordains as follows:

Section 1: The Code of the City of East Grand Rapids is amended by adding thereto a new Chapter of title which shall read as follows:

Chapter . . Sale of Drug Related Paraphernalia.

Sec. . . 01 DEFINITIONS.

- (a) "Controlled substance" means a controlled substance as defined by Michigan Compiled Laws.
- (b) "Deliver" or "delivery" means the actual or constructive transfer from one person to another of drug paraphernalia, whether or not there is an agency relationship. For purposes of this ordinance, it also includes an offer to sell drug paraphernalia. Proof of an offer to sell must be corroborated by a person other than the offeree or by evidence other than a statement of the offeree.
- (c) "Drug paraphernalia" means equipment, a product, or a material of any kind that is used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, or concealing a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq. or in injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq. It includes, but is not limited to:
 - (1) a kit used or intended for use in planting, propagating, cultivating, growing, or harvesting any species of plant that is a controlled substance or from which a controlled substance can be derived;
 - (2) a kit used or intended for use in manufacturing, compounding, converting, producing, processing, or preparing a controlled substance;

- (3) an isomerization device used or intended for use in increasing the potency of any species of plant that is a controlled substance;
- (4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness, or purity of a controlled substance;
- (5) a scale or balance used or intended for use in weighing or measuring a controlled substance;
- (6) a diluent or adulterant, such as quinine hydrochloride, mannitol, mannite, dextrose, or lactose, used or intended for use in cutting a controlled substance;
- (7) a separation gin or sifter used or intended for use in removing twigs and seeds from or in otherwise cleaning or refining marihuana;
- (8) a blender, bowl, container, spoon or mixing device used or intended for use in compounding a controlled substance;
- (9) a capsule, balloon, envelope, or other container used or intended for use in packaging small quantities of a controlled substance;
- (10) a container or other object used or intended for use in storing or concealing a controlled substance;
- (11) a hypodermic syringe, needle, or other object used or intended for use in parenterally injecting a controlled substance into the human body; and
- (12) an object used or intended for use in ingesting, inhaling, or otherwise introducing marihuana, cocaine, hashish or hashish oil into the human body, such as:
 - (a) a metal, wooden, acrylic, glass, stone, plastic, or ceramic pipe with or without a screen, permanent screen, hashish head, or punctured metal bowl;
 - (b) a water pipe;
 - (c) a carburetion tube or device;
 - (d) a smoking or carburetion mask;
 - (e) a chamber pipe;
 - (f) a carburetor pipe;
 - (g) an electric pipe;
 - (h) an air-driven pipe;
 - (i) a chillum;
 - (j) a bong; or
 - (k) an ice pipe or chiller.

Sec. _____ .02 POSSESSION OR DELIVERY OF DRUG
PARAPHERNALIA.

- (a) No person shall knowingly or intentionally use or possess with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal a controlled substance in violation of Michigan Compiled Laws SS333.7401 et seq. or to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq.
- (b) No person shall knowingly or intentionally deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia knowing that the person who receives or who is intended to receive the drug paraphernalia intends that it be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq. or to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq.
- (c) This Chapter does not apply to persons licensed to manufacture, distribute, prescribe or dispense controlled substances in accordance with Michigan Compiled Laws S333.7303.

Sec. _____ .03 PENALTIES AND REMEDIES.

- (a) Every person convicted of a violation of this Chapter shall be subject to fine and/or imprisonment as provided in section 1.13 of this Code.
- (b) Any drug paraphernalia used or possessed in violation of this Chapter shall be seized and forfeited to the City.

Sec. _____ .04 EVIDENTIARY RULES. In considering whether an item is drug paraphernalia under this Chapter, a court or other authority shall consider, in addition to all other logically relevant factors, but subject to current rules or evidence:

- (a) statements by an owner or by anyone in control of an object concerning its use;
- (b) the existence of any residue of controlled substance on the object;
- (c) direct or circumstantial evidence of the intent of an owner or of anyone in control of the object to deliver it to persons whom he knows or should reasonably know intend to use the object to facilitate a violation of this Ordinance (the innocence of an owner or of anyone in control of the object as to a direct violation of this Ordinance does not prevent a finding that the object is intended for use or designed for use as drug paraphernalia);
- (d) instructions, oral or written, provided with the object concerning its use;
- (e) descriptive materials accompanying the object which explain or depict its use;
- (f) the manner in which the object is displayed for sale;

- (g) whether the owner or anyone in control of the object is a supplier of similar or related items to the community, such as a licensed distributor or dealer or tobacco products;
- (h) direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
- (i) the existence of scope of uses for the object in the community;
- (j) the physical design characteristics or the item; and
- (k) expert testimony concerning its use.

Section 2: Notice of adoption of the Ordinance shall be published in full within ten days after its enactment as provided in Chapter VIII, Section 5, of the Charter of the City of East Grand Rapids.

Section 3. This Ordinance shall be effective on _____.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

103. The Assistant City Attorney submitted a listing of proposed changes to the East Grand Rapids City Code recodification draft for review by the City Commission.

103-A. Hoag-Moseley. That the revised City Code, as prepared and printed by the Municipal Code Corporation and as submitted to this Commission, be introduced for consideration at a later meeting and that a hearing be set for September 20 to review the East Grand Rapids City Code and that the corrections noted by the City Attorney be incorporated in the recodification draft.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

104. The City Clerk reported receipt of a petition from residents on Lovett requesting the elimination of parking fines issued to residents when parking in front of their residences. This matter was referred to the Traffic Commission.

105. Mayor Leidlein stated that the letter received from the President of the Lakeshore Club Apartments Association was inappropriately referred to the Recreation and Parks Commission and is to be referred to the City Commission Committee on Streets, Sidewalks, Trees, and Parks.

106. The City Clerk reported that the City Commission is to appoint an official and alternate delegate to represent the City at the Municipal Employees Retirement System business meeting.

106-A. Moseley-Waters. That Fred H. Tholen be named official delegate and John Wielsma alternate to represent the employer interests at the MMERS business meeting.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

107. The City Manager submitted a memorandum informing the Commission about the need to appoint a delegate and an alternate to the annual meeting of the Michigan Municipal League.

107-A. Moseley-Waters. That Mayor Leidlein be named delegate and Commissioner Lorch alternate to represent the City of East Grand Rapids at the annual meeting of the Michigan Municipal League.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

108. A letter from the Advisory Center for Teens requesting permission to address the City Commission as soon as possible was received for information. The Mayor suggested that Mr. Ellis, Executive Director of ACT, be contacted to coordinate a date for his appearance before this Commission.

109. The City Manager submitted a memorandum to the Commission regarding the Kent/Ottawa Resource Recovery Project. It was the consensus of the City Commission to wait and see what the attitude of other units of government is regarding this project before this Commission indicates its intent to participate in this project.

110. Commissioner Moseley requested the City Commission to consider eliminating the City's policy of selling plastic bags to its citizens.

110-A. Moseley-Hoff. That this Commission direct the staff to discontinue the sale of plastic bags.

A roll call vote was taken:

Yeas: Hoff, Moseley - 2

Nays: Hoag, Lorch, Seibold, Waters, Leidlein - 5

The motion failed.

111. The City Manager asked direction as to the readvertisement for sale of the Crowell property.

111-A. Hoag-Waters. That the City Manager be authorized to readvertise the Crowell property eliminating the minimum bid provision as set forth in the original advertisement for bids.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

112. The City Manager reported that the spreading of wood chips on the Hodenpyl Trail has nearly been completed and that the benches are in the process of being painted and placed in their proper locations.

113. The City Manager submitted a memorandum regarding the Wealthy Street Display Banner and a letter from the Gaslight Village Merchants Association objecting to placing banners on Wealthy Street. This material was received for information.

114. The City Manager submitted a memorandum regarding fencing at the Public Service Building and recommended that the low bid of American Fence Erectors in the amount of \$1,965.00 be accepted. Commissioner Seibold moved to award the contract to American Fence Erectors; however, the motion failed for lack of support.

115. The City Manager submitted a memorandum regarding the awarding of de-icing salt bids which are bid through the City of Grand Rapids.

115-A. Lorch-Hoag. That authorization be given to award the de-icing salt contract to Morton Salt Company in the amount of \$22.90 per ton.

115-B. Moseley-Hoff. That the above motion be tabled until the next meeting.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

116. The City Manager submitted a memorandum regarding participation in Recreation Programs which was received for information.

117. The City Manager asked the Commission to consider its policy in issuing Civic Service Award Plaques and stated that he has received a request to present such an award to the persons involved in the Lakeside '82 event. It was the consensus of the Commission that they not alter their current policy and that another form of recognition for such persons be considered.

118. Mr. William Poisson requested the Commission consider the elimination of minimum bills for water and sewer customers, particularly for those customers who are senior citizens and living on a limited income. This report was received for information and the City Controller was requested to do an analysis as to the effect this request would have on the Water and Sewer fund.

119. The minutes of the Traffic Commission meeting held August 17, 1982, were received for information.

120. Commissioner Moseley recommended that the Animal Control Advisory Committee membership be represented by the following organizations: Kent County Animal Control Director, City Commission, School Board, PTA Council, Police Department, and three residents living within the Breton Downs, Lakeside, and Wealthy School areas. This recommendation was taken under advisement by the Mayor.

121. The City Manager reported that City Staff were in the process of obtaining quotations for the purchase of life and accidental death benefits for the City's employees to replace its current carrier.

121-A. Waters-Hoag. That the City Manager be authorized to obtain the quotations needed to provide life and accidental death coverage for the City's employees and that he be given authorization to proceed with the purchase of such insurance subject to the consultation and approval of Commissioner Seibold.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: Hoff - 1

122. The meeting was adjourned, subject to the call of the Mayor, until September 20, 1982.



 City Clerk

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

Regular Meeting Held September 20, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Moseley, Seibold, Waters and Mayor Leidlein.

Absent: Com. Lorch.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson,
Assistant City Attorney Huff, and Planning Commission Secretary Bremer.

123. The minutes of the meeting held September 7, 1982, were corrected as to Item 103-A by inserting the following at the beginning of that item: "That the revised City Code, as prepared and printed by the Municipal Code Corporation and as submitted to this Commission, be introduced for consideration at a later meeting and ***". The minutes were then approved as corrected.

124. Moseley-Hoff. That expense vouchers in the amount of \$82,243.36, and payroll vouchers in the amount of \$39,603.86, 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: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

125. Pursuant to public notice, a hearing was then held upon the request of Mr. & Mrs. Michael J. Madura, 2429 Hall Street, for a zoning variance to permit construction of a two-story addition 16 feet from the rear lot line rather than the required 25 feet. Mr. & Mrs. Madura were present to discuss their request with the Commission. No objections were raised at this hearing.

125-A. Waters-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. & Mrs. Michael J. Madura.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

126. Pursuant to public notice, a hearing was then held upon the recodification of the City Code. The Mayor requested comments from the public with reference to this matter. There were no persons present who spoke for or against the recodification of the City Code.

126-A. Moseley-Waters. That the City of East Grand Rapids adopt the ordinance entitled "An Ordinance to Provide for the Exercise of Certain Municipal Powers of the City of East Grand Rapids, Michigan, and for the Health, Safety and Welfare of Persons and Property in the City, and to Provide Penalties for the Violation of the Provisions Thereof", as prepared and printed by the Municipal Code Corporation of Tallahassee, Florida, 1982.

126-B. Waters-Seibold. That the motion be amended as follows: That (1) the proposed ordinance include the corrections and revisions to Sections 4.27, 5.135-5.148 inclusive, 5.221-5.226 inclusive, 7.65, 10.66, preface, table of contents and index submitted by the City Attorney and (2) that the effective date in Section 1.15 thereof be October 1, 1982.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

The proposed amendment was adopted.

A vote was taken on the adoption of the ordinance, as amended.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

126-C. Waters-Hoag. Resolved that pursuant to Section 5 of Chapter VIII of the City Charter, the following statement or summary of the purposes of the above ordinance be published not later than September 30, 1982, in a newspaper of general circulation in the City of East Grand Rapids:

"NOTICE OF ADOPTION OF ORDINANCE

"TAKE NOTICE that the City of East Grand Rapids, by action of the City Commission taken at a regular meeting on September 20, 1982, adopted an ordinance entitled

"An Ordinance to Provide for the Exercise of Certain Municipal Powers of the City of East Grand Rapids, Michigan, and for the Health, Safety and Welfare of Persons and Property in the City, and to Provide Penalties for the Violation of the Provisions Thereof"

which ordinance recodifies the Code of the City of East Grand Rapids, pursuant to authority granted by Section 5-b of Michigan Public Act 279 of 1909, as amended. Said Code contains all of the ordinances of the City of East Grand Rapids in effect on the effective date of the Code and replaces and supersedes the City Code of the City of East Grand Rapids heretofore adopted and amended. Said ordinance is on file with the East Grand Rapids City Clerk and may be examined and copies may be obtained at the office of the City Clerk, 750 Lakeside Drive SE, East Grand Rapids, Michigan."

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

127. The City Attorney recommended that action on the Drug Paraphernalia Ordinance be deferred to the next regular City Commission meeting. This matter was then set over to the next City Commission meeting.

128. The City Attorney reported that he has been in contact with the insurance agent relative to the scope of liability coverage as it relates to temporary and punitive damages included in the coverage and he is awaiting a response to his request for an endorsement to the policy.

129. The City Controller reported that all field work has been completed by Ernst & Whinney for the audit for the fiscal year ended June 30, 1982, and that the final report should be completed within a week or two. He further reported that he is in the process of gathering information regarding the obtaining of proposals, including specifications, for future annual audits pursuant to the Commission's directive of May 3, 1982. He stated that the City of Kentwood has recently adopted an ordinance establishing purchasing policies and bidding procedures for which they have exempted professional services, such as legal and auditing services, from the bidding process. This report was received for information.

130. The Controller reported on the progress being made in maintaining a record of costs on a per equipment basis in the Motor Equipment Revolving Fund and reported that he is working as closely as possible with the Public Service Department to insure that proper procedures are being followed in purchasing of parts and materials that are chargeable to equipment and in establishing inventory control procedures. This report was received for information.

131. The City Controller submitted a memorandum relative to amending the 1981/82 water fund budget to correct an error in the budget adopted at the hearing on June 28, 1982.

131-A. Waters-Moseley. That the 1981/82 water fund budget be corrected to read as follows:

Revenues	\$ 527,250
Expenses	\$ 521,250

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

132. Mr. Douglas Ellis, Director of the Advisory Center for Teens, was present to discuss with the Commission its request for funding in the amount of \$1,148 for the 1982/83 fiscal year.

132-A. Hoag-Waters. That this Commission continue its support to the extent of \$1,148 for the operations of the Advisory Center for Teens and that this amount be transferred from Contingencies to cover this non-budgeted item.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters - 5
Nays: Leidlein - 1

133. The City Manager submitted a report on use of de-icing salt.

133-A. Moseley-Hoff. That the motion to authorize the award of the de-icing salt contract to Morton Salt Company in the amount of \$22.90 per ton be taken from the table.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

133-B. Lorch-Hoag. That authorization be given to award the de-icing salt contract to Morton Salt Company in the amount of \$22.90 per ton.

133-C. Hoff-Waters. That the above motion be amended by adding that the City Manager attempt to reduce salt usage by 20% and that he provide the Commission with monthly reports as to the salt usage.

A roll call vote was taken:

Yeas: Hoag, Hoff, Waters - 3
Nays: Moseley, Seibold, Leidlein - 3

The motion failed.

A vote was then taken on the main motion:

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

134. The City Manager submitted a memorandum relative to the Wealthy Pool security gate and recommended that the City Commission authorize 50/50 sharing of the total purchase price of \$792.

134-A. Seibold-Hoag. That this matter be referred back to the Recreation & Parks Commission for reconsideration.

Yeas: Hoag, Hoff, Moseley, Seibold, Leidlein - 5
Nays: Waters - 1

135. The City Manager reported on the progress of the PUD project at the west end of Reeds Lake. He stated that he had talked with the potential developer, who still maintains an interest in the property and is negotiating purchase of the property from the current owner. This report was received for information.

136. The City Manager submitted a memorandum relative to continued employment of the Chief of Police who will reach the age of 70 in October of 1982, which is beyond retirement age specified by the Michigan Municipal Employees' Retirement System, and recommended a six-month extension of employment of the Police Chief.

136-A. Hoag-Moseley. That the six-month extension of employment of the Police Chief beyond his required retirement on November 1, 1982, be allowed.

A roll call vote was taken:

Yeas: Hoag, Hoff, Moseley, Seibold, Waters - 5

Nays: Leidlein - 1

The motion carried.

137. The City Manager submitted a memorandum setting forth his salary and wage recommendations for non-bargaining unit personnel for the fiscal year beginning July 1, 1982.

137-A. Mayor Leidlein-Waters. That the salary and wage increases as recommended by the City Manager for the non-bargaining unit personnel for fiscal year beginning July 1, 1982, be approved.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

138. The Police Department report for the month of August was received for information.

139. The Fire Department report for the month of August was received for information.

140. The Building Inspector's report for the months of July and August was received for information.

141. The minutes of the Planning Commission meeting held August 17, 1982, were received for information.

142. The City Manager reported that he received on September 20, 1982, a copy of a letter which was sent by the Michigan Department of Natural Resources to the Grant Management Section of the Environmental Protection Agency recommending approval by the Federal Agency of the East Grand Rapids application. This indicates that the Department of Natural Resources has approved the application for a grant to rehabilitate the City sewer system. This report was received for information.

143. The Mayor and Commissioners complimented the City Engineer on his recent receipt of the coveted Samuel A. Greeley Local Government Service Award which was presented to him on September 13, at the 1982 International Public Works Conference and Equipment Show in Houston, Texas.

144. The Mayor reported on the activities of the Joint Facilities Committee as they relate to the agreement between the City and School for use of the facilities, which will be presented to the City Commission soon. He also stated that the Superintendent of Schools and President of the East Grand Rapids School Board thanked City Manager Tholen and staff for their cooperation during the recent strike by teachers.

145. Commissioner Hoag reported that a letter received from Dr. Swanson has been referred to the Traffic Commission.

146. Commissioner Hoag inquired about the placing of chips on the Manhattan Nature Trail. The City Manager reported that he will be in contact with the Public Service Superintendent relative to this matter.

147. The Mayor reported that a letter from Keith D. Weldy regarding the location of the lower gates of Reeds Lake Blvd. has been referred to the Traffic Commission.

148. Because of the absence of Commissioner Lorch, the City Manager reported on a memorandum the City Engineer had written regarding the placing of an asphalt overlay on Lakeside Drive from Robinson Road to Greenwood Avenue. It was decided that this item be placed on the next City Commission agenda.

149. The City Manager reported on a letter which was received from Mrs. John Horn, 2925 Beechwood Drive SE, requesting additional barrier-free curbs on Lake Drive. The Commission took no action on this request at this time.

150. The meeting was adjourned, subject to the call of the Mayor, until October 4, 1982.



City Clerk

UNOFFICIAL ONLY
Reference

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

Regular Meeting Held October 4, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Lorch, Moseley, Seibold and Mayor Leidlein.

Absent: Coms. Hoff and Waters.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson, Assistant City Attorney Huff, City Engineer McMann, and Planning Commission Secretary Bremer.

151. The minutes of the meeting held September 20, 1982, were approved as written.

152. Moseley-Lorch. That expense vouchers in the amount of \$264,694.12, and payroll vouchers in the amount of \$43,061.74, 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: Hoag, Lorch, Moseley, Seibold, Leidlein - 5

Nays: 0

153. The proposed Drug Related Paraphernalia Ordinance which was introduced at the September 7th Commission meeting was discussed.

153-A. Moseley-Hoag. That the Drug Related Paraphernalia Ordinance as included in the minutes of September 7th, be amended to reflect the changes submitted by the City Attorney relating to codifying the ordinance as Chapter 62 of Title VI, and that the ordinance Section numbers be as follows:

Section 6.21 - Definitions

Section 6.22 - Possession of or Delivery of Drug Paraphernalia

Section 6.23 - Penalties and Remedies

Section 6.24 - Evidentiary Rules

Yeas: Hoag, Lorch, Moseley, Seibold, Leidlein - 5

Nays: 0

153-B. Hoag-Moseley. That the following ordinance be adopted as amended:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF
EAST GRAND RAPIDS BY ADDING A NEW CHAPTER 62 OF
TITLE VI TO PROHIBIT THE POSSESSION, MANUFACTURE AND
SALE OF DRUG RELATED PARAPHERNALIA

WHEREAS, it is recognized that in many communities there are retail establishments which engage in the sale of paraphernalia associated with drug use; and

WHEREAS, it is recognized that such establishments serve only to entice young persons to abuse marijuana and other illegal controlled substances; and

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of the City of East Grand Rapids to prohibit within the City of East Grand Rapids the sale of paraphernalia associated with drug use.

NOW, THEREFORE, the City of East Grand Rapids ordains as follows:

Section 1: The Code of the City of East Grand Rapids is amended by adding thereto a new Chapter _____ of title _____, which shall read as follows:

Chapter 62. Sale of Drug Related Paraphernalia.

Sec. 6.21 DEFINITIONS.

- (a) "Controlled substance" means a controlled substance as defined by Michigan Compiled Laws.
- (b) "Deliver" or "delivery" means the actual or constructive transfer from one person to another of drug paraphernalia, whether or not there is an agency relationship. For purposes of this ordinance, it also includes an offer to sell drug paraphernalia. Proof of an offer to sell must be corroborated by a person other than the offeree or by evidence other than a statement of the offeree.
- (c) "Drug paraphernalia" means equipment, a product, or a material of any kind that is used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, or concealing a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq. or in injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq. It includes, but is not limited to:
- (1) a kit used or intended for use in planting, propagating, cultivating, growing, or harvesting any species of plant that is a controlled substance or from which a controlled substance can be derived;
 - (2) a kit used or intended for use in manufacturing, compounding, converting, producing, processing, or preparing a controlled substance;
 - (3) an isomerization device used or intended for use in increasing the potency of any species of plant that is a controlled substance;
 - (4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness, or purity of a controlled substance;
 - (5) a scale or balance used or intended for use in weighing or measuring a controlled substance;
 - (6) a dilutant or adulterant, such as quinine hydrochloride, mannitol, mannite, dextrose, or lactose, used or intended for use in cutting a controlled substance;
 - (7) a separation gin or sifter used or intended for use in removing twigs and seeds from or in otherwise cleaning or refining marihuana;
 - (8) a blender, bowl, container, spoon or mixing device used or intended for use in compounding a controlled substance;

- (9) a capsule, balloon, envelope, or other container used or intended for use in packaging small quantities or a controlled substance;
- (10) a container or other object used or intended for use in storing or concealing a controlled substance;
- (11) a hypodermic syringe, needle, or other object used or intended for use in parenterally injecting a controlled substance into the human body; and
- (12) an object used or intended for use in ingesting, inhaling, or otherwise introducing marihuana, cocaine, hashish or hashish oil into the human body, such as:
 - (a) a metal, wooden, acrylic, glass, stone, plastic, or ceramic pipe with or without a screen, permanent screen, hashish head, or punctured metal bowl;
 - (b) a water pipe;
 - (c) a carburetion tube or device;
 - (d) a smoking or carburetion mask;
 - (e) a chamber pipe;
 - (f) a carburetor pipe;
 - (g) an electric pipe;
 - (h) an air-driven pipe;
 - (i) a chillum;
 - (j) a bong; or
 - (k) an ice pipe or chiller.

Sec. 6.22. POSSESSION OF OR DELIVERY OF DRUG PARAPHERNALIA.

- (a) No person shall knowingly or intentionally use or possess with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal a controlled substance in violation of Michigan Compiled Laws SS333.7401 et seq. or to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq.
- (b) No person shall knowingly or intentionally deliver, possess with intent to deliver drug paraphernalia knowing that the person who receives or who is intended to receive the drug paraphernalia intends that it be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq. or to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of Michigan Compiled Laws, SS333.7401 et seq.

- (c) This Chapter does not apply to persons licensed to manufacture, distribute, prescribe or dispense controlled substances in accordance with Michigan Compiled Laws S333.7303.

Sec. 6.23 PENALTIES AND REMEDIES

- (a) Every person convicted of a violation of this Chapter shall be subject to fine and/or imprisonment as provided in section 1.13 of this Code.
- (b) Any drug paraphernalia used or possessed in violation of this Chapter shall be seized and forfeited to the City.

Sec. 6.24 EVIDENTIARY RULES. In considering whether an item is drug paraphernalia under this Chapter, a court or other authority shall consider, in addition to all other logically relevant factors, but subject to current rules or evidence:

- (a) statements by an owner or by anyone in control of an object concerning its use;
- (b) the existence of any residue of controlled substance on the object;
- (c) direct or circumstantial evidence of the intent of an owner or to anyone in control of the object to deliver it to persons whom he knows or should reasonably know intend to use the object to facilitate a violation of this Ordinance (the innocence of an owner or of anyone in control of the object as to a direct violation of this Ordinance does not prevent a finding that the object is intended for use or designed for use as drug paraphernalia);
- (d) instructions, oral or written, provided with the object concerning its use;
- (e) descriptive materials accompanying the object which explain or depict its use;
- (f) the manner in which the object is displayed for sale;
- (g) whether the owner or anyone in control of the object is a supplier of similar or related items to the community, such as a licensed distributor or dealer of tobacco products;
- (h) direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
- (i) the existence of scope of uses for the object in the community;
- (j) the physical design characteristics of the item; and
- (k) expert testimony concerning its use.

Section 2: Notice of adoption of the Ordinance shall be published in full within ten days after its enactment as provided in Chapter VIII, Section 5, of the Charter of the City of East Grand Rapids.

Section 3: This ordinance shall be effective on October 15, 1982.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

154. With respect to the City's liability insurance, the City Attorney reported that the insurer advised that the exclusion in the policy relative to punitive and exemplary damages would not be enforced so long as it is the position of the Michigan Insurance Commission that it will not approve a policy which contains an exclusion for punitive and exemplary damages. The City Attorney further stated that any endorsement specifically eliminating the exclusion would extend to the City only and not to its employees. It was the consensus of the Commission that the City continue with the current policy without securing such endorsement and that the City Manager prepare a letter for the Mayor's signature addressing remaining questions to the Michigan Insurance Commission.

155. The City Manager brought before the Commission Commissioner Lorch's request that the City consider an asphalt overlay on Lakeside Drive from Robinson Road to Greenwood. Mr. David Carpenter was present to request the Commission to favorably consider the asphalt overlay for Lakeside Drive.

155-A. Lorch-Seibold. That the City contract for asphalt overlay of 1 $\frac{1}{4}$ " on Lakeside Drive from Robinson Road to Greenwood at an estimated cost of \$9,460.25.

A roll call vote was taken:

Yeas: Hoag, Lorch, Seibold - 3

Nays: Moseley, Leidlein - 2

The motion carried.

156. The City Manager reported on the status of the Wealthy Pool repairs and submitted a copy of the swimming pool inspection report by the Kent County Health Department which indicates that the pool is in excellent condition following the repairs. This report was received for information.

157. Reports for the 1982 softball participation provided by the Recreation Department were received for information.

158. The City Manager submitted a proposed amendment to the Consumers Power Streetlighting Contract for the addition of a street light on Fisk Road near Gladstone.

158-A. Moseley-Lorch. Resolved that it is deemed advisable to authorize Consumers Power Company to make changes in the streetlighting service as provided in the Standard Streetlighting Contract between the Company and the City of East Grand Rapids dated April 20, 1977, in accordance with the authorization for change in Standard Streetlighting Contract dated as of October 4, 1982, heretofore submitted to and considered by the Commission, and,

Resolved, Further, that the Mayor and Clerk be and are authorized to execute such authorization for change on behalf of the City.

Yeas: Hoag, Lorch, Moseley, Seibold, Leidlein - 5

Nays: 0

159. The minutes of the Traffic Commission meeting held September 21, 1982, were received for information. The Mayor requested that, inasmuch as the intent of the Traffic Commission is to postpone action on the matter of restricting parking on Lakeside Drive until June of 1983, the proper action is to remove the matter from the table and pass a resolution to postpone until June, 1983.

160. The City Manager submitted an article taken from the September 23rd issue of Michigan Roads and Construction regarding the problems all units of government have as the result of declining revenues and increasing construction costs. This article was received for information.

161. A letter from the Kent County Library System Director, Mr. Niemi, regarding the cost of \$80,704 for contractual library services for the fiscal year January 1, 1982 to December 31, 1983, was received for information.

162. Mayor Leidlein brought to the attention of the Commission the recent painting within the stairwell of the library building and complimented the artists who did such a fine job.

163. The City Manager presented plans for a recreation building to replace the Quonset hut at the Middle School ball diamond. The building would be 19½' x 16' with a patio 10½' x 16½' along the north of the building. Toilet facilities would also be provided. The cost of the project is estimated between \$13,000 and \$15,000. This matter was held over until the next meeting of the City Commission.

164. The Mayor reported on the discussion of the Personnel Committee regarding amending ERS benefit programs E and E-1. It was the opinion of the Personnel Committee that it would not be in the best interests of the City Commission to adopt these programs, primarily because of the precedent that would be set should these programs be adopted. Commissioner Seibold requested that more information be obtained and that this matter be considered at either the first or second meeting in November. It was so ordered.

165. Mayor Leidlein submitted a list of appointees to the Animal Control Commission as follows:

Lois Moseley, City Commission representative
 Sue Robert, PTA Council representative
 Patrick Daley, East Grand Rapids Police representative
 Richard L. Court
 Bruce Fairbanks
 Dr. John Wiese
 East Grand Rapids School Board representative to be named later.

165-A. Mayor Leidlein-Hoag. That the above appointments be approved and that Commissioner Moseley be named Chairman Pro-tem of that Commission.

Yeas: Hoag, Lorch, Moseley, Seibold, Leidlein - 5
 Nays: 0

166. The Mayor submitted a letter he had received from the Metro Energy Plans, Inc., requesting an appointment to its Board of Directors. The Mayor recommended that Anthony Travis be named East Grand Rapids representative to the Board of Directors of the Metro Energy Plans, Inc.

166-A. Mayor Leidlein-Lorch. That the Mayor's recommendation be concurred in.

Yeas: Hoag, Lorch, Moseley, Seibold, Leidlein - 5
 Nays: 0

167. Commissioner Moseley moved, and it was supported by Commissioner Hoag, that a letter be drafted for consideration by the City Commission calling for restructuring of a gas and weight tax formula to provide more adequate funds for the maintenance and construction of major and local streets.

Yeas: Hoag, Lorch, Moseley, Seibold, Leidlein - 5
 Nays: 0

168. Commissioner Moseley distributed a catalog of possible gifts to be made to governmental units in the Traverse Bay area and requested that Commissioners review it and decide if they wish to create such a catalog for the City of East Grand Rapids.

169. Commissioner Hoag inquired about the work to be done on the Manhattan nature trail and requested that this matter be placed on the next City Commission agenda.

170. Commissioner Hoag reported on the Blodgett Community Relations Advisory Committee and expressed concern that very little progress is being made regarding the lighting violations. She requested that a meeting be set with Shirley Norman, Fred Tholen, and herself to review Blodgett's plans. The Mayor ordered this to be done.

171. Commissioner Hoag questioned the City Manager as to progress made on sign installations on the south arm of Reeds Lake Blvd.

172. Commissioner Hoag asked whether a flashing signal was to be installed at Elmwood and Lake Drive and requested that trees obscuring vision of warning signs be trimmed.

173. The Mayor reported on a letter he had received from Dr. James Morse, Superintendent of Schools of East Grand Rapids, dated September 27, 1982, thanking the Commission for the cooperation which the Schools received from the City in helping with the September 17th teacher strike problem.

174. The meeting was adjourned, subject to the call of the Mayor, until October 18, 1982.



City Clerk

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

Regular Meeting Held October 18, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.
Absent: None.

Also Present: City Clerk Wielsma, City Attorney Richardson, Assistant City Attorney Huff, City Engineer McMann, Administrative Aide Bremer, Plant Engineer Baragar, Public Works Superintendent Smith.

175. The minutes of the meeting held October 4, 1982, were approved as written.

176. Moseley-Waters. That expense vouchers in the amount of \$127,268.13, and payroll vouchers in the amount of \$38,824.03, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

177. Pursuant to public notice, a hearing was then held upon the request of Donald Smith and Richard Voorhies for a zoning variance to convert the residence at 700 Rosewood Drive SE, from a single-family to a two-family dwelling. Mr. Smith and Mr. Voorhies were present to discuss their request with the Commission. The City Clerk reported that the following persons had either called or sent letters in opposition to this request: Clayton Pettibone, Ronald and Patty Miller, Robert A. Kirchgessner, Mr. & Mrs. Larry Weber. A petition opposing the variance containing nine signatures was presented to Nick Searl. Present opposing the zoning variance request were Kim Jarvi, Irene VanHuisen and Wallace Sherwood.

177-A. Seibold-Hoag. That this Commission, acting as the Board of Zoning Appeals, deny the variance requested by Mr. Smith and Mr. Voorhies.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

178. The City Attorney reported that the new Code books have been received and that distribution has been made as set forth in the memorandum prepared by the City Manager.

178-A. Waters-Hoag. That the procedure for distribution of the Ordinance Code book as submitted by the City Manager be concurred in and that the price for sale of the Code books, including all future supplements, be established at \$25.00 per set.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: Hoff - 1

179. The Administrative Aide discussed a memorandum prepared by the City Manager regarding steps to be taken in connection with the sewer rehabilitation program. Mr. Ray Bruggink was present to discuss the grant program with the Commission.

179-A. Waters-Moseley. That authorization be granted to the City Manager to sign the grant agreement on behalf of the City of East Grand Rapids; that the engineering firm of Moore & Bruggink be authorized to proceed with the design of the project involving the reconstruction of the Wealthy trunk, the elimination of lift stations, and the rehabilitation of sanitary sewer structures at locations throughout the community; also that the City Manager and the Controller be authorized to work with Bond Counsel Robert Cooper in developing plans for the issuance of bonds to cover the estimated City share of \$254,825.00.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

180. The City Manager submitted a memorandum regarding Manhattan School.

180-A. Hoag-Hoff. That staff proceed with the closing of the Manhattan School building at a cost of \$1,500.00 and that the neighborhood representatives be invited to advise the City Commission of uses which they would propose for the Manhattan School property.

Yeas: Hoag, Hoff, Moseley, Waters, Leidlein - 5

Nays: Lorch, Seibold - 2

181. The proposal to construct a building to replace the Quonset hut at the Middle School property was discussed.

181-A. Waters-Moseley. That the City Manager be authorized to advertise for bids for construction and that the Mayor discuss this proposal with the East Grand Rapids Team Boosters Club.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

182. A memorandum was received from the City Manager regarding maintenance of the Manhattan Nature Trail. This maintenance will be completed by the end of March, 1983.

183. The City Manager submitted a memorandum relative to the Transportation Package to be considered by the State Legislature this fall. This was received for information.

184. A memorandum from the City Manager regarding composting of leaves at the Cascade-East Beltline site was received for information.

185. The City Manager submitted a memorandum regarding the 1982 Tree Planting Program requesting authorization to obtain bids with the cost allocation between the City and the property owners to be determined by the Commission at the time of bid award.

185-A. Hoff-Waters. That the City Manager be authorized to advertise for bids for the 1982 Tree Planting Program.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

186. A memorandum from the City Manager requesting authorization to advertise for bids for motor equipment replacement was received.

186-A. Moseley-Lorch. That the City Manager be authorized to advertise for bids for the equipment scheduled in Phases I and II of the City Manager's report.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

187. A memorandum from the City Manager regarding the request of Merle Johnson, Jr., to sell Christmas trees south of the Public Safety Building was received.

187-A. Lorch-Hoff. That Mr. Johnson be permitted to sell Christmas trees on the property south of the Public Safety Building subject to the City Manager negotiating a mutually agreeable rental fee with Mr. Johnson. In addition, a new designee of the funds be named.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7

Nays: 0

188. The Police Department report for the month of September was received for information.

189. The Building Inspector's report for the month of September was received for information.

190. The Fire Department report for the month of September was received for information.

191. The minutes of the Planning Commission meeting held September 14, 1982, were received for information.

192. The minutes of the East Grand Rapids Planning Commission public hearing held September 28, 1982, with respect to the property to the north of Breton Village Shopping Center were received for information.

192-1. The Mayor brought to the attention of the Commission a letter he received from the Chairman of the Breton Village Committee.

193. The meeting was adjourned, subject to the call of the Mayor, until November 4, 1982.



City Clerk

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

Regular Meeting Held November 1, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Lorch, Moseley, Seibold and Mayor Leidlein.

Absent: Coms. Hoag, Hoff and Waters.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson, Assistant City Attorney Huff, City Engineer McMann, Administrative Aide Bremer, City Assessor Norman, and Fire Chief Terpstra.

194. The minutes of the meeting held October 18, 1982, were amended as follows: Item 187-A is to be amended by adding "In addition, a new designee of the funds be named". Also, by adding Item 192-1 "The Mayor brought to the attention of the Commission a letter he received from the Chairman of the Breton Village Committee." The minutes were then approved as amended.

195. Moseley-Lorch. That expense vouchers in the amount of \$285,827.15, and payroll vouchers in the amount of \$32,914.76, 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: Lorch, Moseley, Seibold, Leidlein - 4

Nays: 0

196. Pursuant to public notice, a hearing was then held upon the zoning variance request of Ian and Deborah Edwards, 1050 Pinecrest Avenue SE, to permit construction of a fence 7 ft. 1 inch in height, in excess of the 6 ft. permitted by the Zoning Ordinance. Mr. & Mrs. Edwards were present and explained the problem which results from the grade of the lot. There were no objections raised at this hearing.

196-A. Lorch-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the request of Mr. & Mrs. Edwards.

Yeas: Lorch, Moseley, Leidlein - 3

Nays: Seibold - 1

The Mayor pointed out that due to the absence of three Commissioners, under the provisions of Code Sec. 5.161 this matter will be carried over to the next regular Commission meeting to be held November 15, 1982.

197. Assistant City Attorney John Huff reported that he was currently reviewing an update of ordinance notices relative to recent State legislation regarding arrest of individuals while driving under the influence of alcohol.

198. The City Controller reported receipt of the audit report for the City's fiscal year ended June 30, 1982, and distributed copies of this report to the Commissioners for their review. He further reported that the Ways & Means Committee will be meeting with the auditors at 6:30 p.m., November 15, 1982, to review the management letter and audit reports.

199. The Mayor requested that the Controller submit financial reports for the current year to the Commissioners by November 15, 1982.

200. The City Manager reported receipt of a bid for the Croswell Avenue property from Circa Gallery in the amount of \$11,200. This matter was tabled for the purpose of discussing the bid with the City Attorney and Real Estate Committee.

201. The City Manager reported on bids for stump removal and recommended that the low bid of T. J. Miller in the amount of \$2,436 be accepted.

201-A. Moseley-Lorch. That this Commission concur in the City Manager's recommendation.

Yeas: Lorch, Moseley, Seibold, Leidlein - 4
Nays: 0

202. The City Manager reported on bids for tree planting and recommended that the low bid of Tepper Nursery Company, in the amount of \$2,267 be accepted.

202-A. Moseley-Seibold. That this Commission award the contract to the low bidder, Tepper Nursery Company, in the amount of \$2,267 and that the cost of trees ordered by property owners be established at \$17.50 per tree.

Yeas: Lorch, Moseley, Seibold, Leidlein - 4
Nays: 0

203. The minutes of the Traffic Commission meeting held October 19, 1982, were received for information.

The City Manager directed the Commissioners' attention to Items 3 and 4 of these minutes regarding the Lakeside Drive petition for parking and the temporary Parking Control Officer.

203-A. Moseley-Lorch. That this Commission continue the employment of the temporary Parking Control Officer for an additional three months as recommended by the Traffic Commission.

Yeas: Lorch, Moseley, Seibold, Leidlein - 4
Nays: 0

204. The Mayor presented a resolution relating to employment of handicapped persons which was recommended by the Kent County Board of Commissioners.

204-A. Mayor Leidlein-Lorch.

WHEREAS, all persons have the right to be accepted as humans and the right to employment at the highest levels at which they are capable, and

WHEREAS, these rights are not to be abridged by reason of physical or emotional or developmental disability, and

WHEREAS, the efforts of all persons are needed if we are to meet the challenges facing this municipality, and

WHEREAS, disabled persons have shown themselves to be productive workers who contribute to the public good far in excess of the amount spent on their rehabilitation and on providing the necessary means to provide them accessibility, and

WHEREAS, employers in both the public and the private sectors can testify to the credentials and value of these disabled employees.

NOW, THEREFORE, BE IT RESOLVED that the month of November be officially proclaimed as a special celebration of the National Year of Disabled Persons and that meaningful observance of this month be made by acknowledging the contributions of disabled persons as workers and citizens and by increasing the employment opportunities available to them.

Yeas: Lorch, Moseley, Seibold, Leidlein - 4
Nays: 0

11/1/82

205. The Mayor reported that he had contacted Mr. Robert Brown and Dr. Norman Keller of the Manhattan Association and invited them to attend a City Commission meeting.

206. The Mayor reported that he has contacted the East Grand Rapids Booster Club regarding replacement of the warming booth and stated that a meeting is scheduled for November 2, 1982, with this committee and that a report will be forthcoming.

207. Commissioner Moseley reported a meeting of the Animal Control Advisory Committee will be held the second week in November, and that the Committee is canvassing the community regarding animal control policies and soliciting positive and negative comments from the residents.

208. Commissioner Moseley inquired about the recycling center and the progress that is being made as far as containers for recycling oil and disposition of paper. The City Manager stated that a report will be made at the next regular City Commission meeting.

209. Commissioner Lorch reported on a community relations meeting held at Blodgett on the afternoon of November 1, 1982, and stated that lights in Lots A and B have been lowered, that baffles on the parking ramp are being temporarily installed to mute noises and that the hospital will be calling the neighbors for comments as to the aesthetics of these baffles and the reduction in the noise level that may result in the installation of the baffles. He reported that Blodgett anticipates beginning its landscaping this week or next and the cost is estimated at \$18,000.00, that a new mechanical room is being planned to be located between the Hospital and the Medical Building and is currently being designed.

210. A letter was received from Marianne Perry thanking the Commission for financing the repairs to the Wealthy Pool.

211. The meeting was adjourned, subject to the call of the Mayor, until November 15, 1982.



City Clerk

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

Regular Meeting Held November 15, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Waters and Mayor Leidlein.

Absent: Com. Hoff.

Also Present: City Manager Tholen, City Clerk Wielsma, Assistant City Attorney Huff,
Administrative Aide Bremer, Fire Chief Terpstra and Bond Counsel Cooper.

212. The minutes of the meeting held November 1, 1982, were approved as written.

213. Moseley-Waters. That expense vouchers in the amount of \$804,182.77, and payroll vouchers in the amount of \$64,675.69, 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: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

214. Pursuant to provisions of the City Code Section 5.161, the request of Ian and Deborah Edwards, for a zoning variance at 1050 Pinecrest Avenue SE, to permit construction of a fence 7 ft. 1 inch in height was reconsidered.

214-A. Lorch-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the zoning variance request of Mr. & Mrs. Edwards.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

The motion carried.

214-B. Mayor Leidlein-Waters. That the request of Mr. & Mrs. Edwards be given immediate effect.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

215. The Assistant City Attorney submitted a proposed ordinance to amend the Code of the City of East Grand Rapids by adding a new Chapter 87 entitled "Electrical Code of Title VIII".

215-A. Waters-Moseley. That the following ordinance be introduced at this time:

AN ORDINANCE TO AMEND THE CODE OF THE
CITY OF EAST GRAND RAPIDS BY ADDING A
NEW CHAPTER 87 - ELECTRICAL CODE OF
TITLE VIII

The City of East Grand Rapids ordains:

Section 1:

The Code of the City of East Grand Rapids is amended by adding thereto a new Chapter 87 of Title VIII which shall read as follows:

Chapter 87 - Electrical Code

Section 8.701. Electrical Code

The electrical code of the City of East Grand Rapids is contained in the following:

- (1) Article 20 of the BOCA Basic Building Code, 1981 edition, which is adopted for use in East Grand Rapids by Section 8.1 of this Code; and
- (2) The National Electrical Code which is adopted and incorporated by Article 20 of said BOCA Basic Building Code; and
- (3) The amendments to said Code which are adopted by Chapter 80, Section 8.4, subsections 2000.4 through 2008.2 of this Code at pages 1557-1566 hereof.

Section 2:

Notice of adoption of this ordinance shall be published in full within 10 days after its enactment as provided in Chapter VIII, Section 5, of the Charter of the City of East Grand Rapids.

Section 3:

This ordinance shall be effective on December _____, 1982.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

216. The City Controller submitted a financial report for a period ending September 30, 1982, which was received for information.

217. The City Clerk submitted a memorandum relative to the City Primary Election which will be held February 21, 1983. Petitions containing not less than 25 signatures of qualified electors are to be filed with the City Clerk before 5:00 p.m., February 1, 1983. This memorandum was received for information.

218. The City Manager submitted a memorandum regarding the replacement of the Quonset hut building at the northwest corner of the Junior High ballfield and recommended that the City Commission authorize him to solicit bids for the construction of a warming house facility.

218-A. Waters-Seibold. That this Commission proceed with the project and authorize the City Manager to advertise for bids.

A roll call vote was taken:

Yeas: Seibold, Waters, Leidlein - 3
Nays: Hoag, Lorch, Moseley - 3

The motion failed.

219. The City Manager reported on a proposed resolution to purchase, acquire and construct water supply system facilities and sewage disposal facilities and to publish notice of intention to issue revenue bonds. Bond Attorney Cooper was present to answer questions of the Commission.

219-A. Lorch-Moseley.

WHEREAS, the City Commission deems it to be in the best interest of the City to purchase, acquire and construct certain improvements to the water supply system facilities, commonly referred to as the "East Grand Rapids Water Supply System Project", for the benefit of the City and to finance such

improvements by the issuance of bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended; and

WHEREAS, the City Commission deems it to be in the best interest of the City to purchase, acquire and construct certain improvements to the sewage disposal system facilities, commonly referred to as the "East Grand Rapids Sewage Disposal System Project", for the benefit of the City and to finance such improvements by the issuance of bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended; and

WHEREAS, it is necessary to publish a Notice of Intent to Issue Bonds, for such public improvement, pursuant to Section 33 of Act 94, Public Acts of Michigan, 1933, as amended.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of East Grand Rapids hereby determines it necessary to purchase, acquire and construct certain improvements to the water supply system facilities commonly referred to as the "East Grand Rapids Water Supply System Project", at an estimated total cost of not to exceed \$150,000 and an estimated useful life of twenty-five (25) years and to pay a portion of the cost through the issuance of revenue bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended.

BE IT FURTHER RESOLVED that the City Commission of the City of East Grand Rapids hereby determines it necessary to purchase, acquire and construct certain improvements to the sewage disposal system facilities commonly referred to as the "East Grand Rapids Sewage Disposal System Project", at an estimated total cost not to exceed \$350,000 and an estimated useful life of twenty-five (25) years and to pay a portion of the cost through the issuance of revenue bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended.

BE IT FURTHER RESOLVED, that a Notice of Intent to Issue Bonds be published in accordance with Section 33 of Act 94, Public Acts of Michigan, 1933, as amended and that the City Clerk is authorized and directed to publish the Notice of Intent to Issue Bonds in the Grand Rapids Press, a newspaper of general circulation in the City of East Grand Rapids, determined to be the newspaper reaching the largest number of persons to whom said Notice is directed, which Notice shall be in the following form:

NOTICE OF INTENT TO ISSUE BONDS
TO ELECTORS AND TAXPAYERS OF THE
CITY OF EAST GRAND RAPIDS

PLEASE TAKE NOTICE THAT THE CITY COMMISSION OF THE CITY OF EAST GRAND RAPIDS intends to issue the following bonds:

Bonds in an amount not to exceed \$150,000 (the "Water Bonds") shall be issued for the purpose of defraying the cost of acquisition, construction, and improvement of water supply system facilities including plants, works, and appurtenant facilities for water supply, treatment and/or distribution of water, commonly referred to as the "East Grand Rapids Water Supply System Project".

The Water Bonds of this issue shall mature serially with interest on the unpaid balance at a rate of not to exceed fifteen percent (15%) per annum. The Water Bonds shall be issued pursuant to Act 94, Public Acts of Michigan, 1933, as amended.

Bonds in an amount not to exceed \$350,000 (the "Sewer Bonds") shall be issued for the purpose of defraying the cost of acquisition, construction, and improvement of sewage disposal system facilities including plants, works, and appurtenant facilities for sewage collection, treatment, and/or disposal, commonly referred to as the "East Grand Rapids Sewage Disposal System Project".

The Sewer Bonds of this issue shall mature serially with interest on the unpaid balance at a rate of not to exceed fifteen percent (15%) per annum. The bonds shall be issued pursuant to Act 94, Public Acts of Michigan, 1933, as amended.

SOURCE OF PAYMENT

The Principal and Interest on the Water Bonds shall be payable solely from the net revenues derived from the operation of the water supply system facilities and the Principal and Interest on the Sewer Bonds shall be payable solely from the operation of the sewage disposal system facilities, and said principal and interest shall not constitute a general obligation of the City nor an indebtedness of the City within any constitutional or statutory limitation.

REFERENDUM

The Water Bonds and the Sewer Bonds will be issued without a vote of the electors approving said bonds, unless, within 45 days from the publication of this Notice of Intent, a petition, signed by not less than 10% of the registered electors residing within the limits of the City of East Grand Rapids shall have been filed with the Clerk, or other recording officer of the City requesting a referendum upon the question of the issuance of said bonds, then the bonds shall not be issued until approved by the vote of a majority of the electors of the City voting thereon.

This Notice is published pursuant to the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended.

John Wielsma, Clerk
City of East Grand Rapids

BE IT FURTHER RESOLVED that the firm of Clary, Nantz, Wood, Hoffius, Rankin & Cooper is hereby employed as bond counsel to the City to prepare the documents for the issuance of Bonds for the acquisition of the System.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

The motion carried.

220. The City Manager submitted a memorandum regarding the paper and oil recycling at the Public Service Department recycling station. Due to the termination of our original paper recycling contractor, the City is using the facilities offered by Fenske Enterprises on Wilson Avenue SW. The City Manager has recently been made aware of Recycle Unlimited capabilities to paper recycling and if there are no objections from the Commission, new arrangements will be made to have the Recycle Unlimited pick up the paper. He further reported that a drum for recycling oil has arrived and will be installed sometime prior to March 1, 1983.

221. The City Manager reported on handicap access to the public buildings. He has been doing research relative to the handicapped parking space requirements and stated that two parking spaces in the City Hall parking lot would be reserved for handicapped parking and would be so designated by appropriate signs. Consideration is being given to reconstructing the south curb leading to the Library.

222. The City Manager reported on the meeting of the Joint Facilities Committee meeting of November 9th, and submitted copies of the Joint Facilities Agreement which would be effective July 1, 1982 through June 30, 1985.

222-A. Mayor Leidlein-Waters. That the Joint Facilities Use Agreement be approved as submitted and the City Manager and Mayor be authorized to sign said agreement and that an amount of \$30,121 be transferred from the Contingency Fund to the Recreation Facilities account to cover the additional cost resulting from this agreement.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

223. The City Manager submitted a memorandum regarding Benefit Plan E of the Michigan Municipal Employees' Retirement System. He and the Controller recommend that the Commission approve implementation of Benefit Plan E at a cost of \$5,834 to be effective January 1, 1983, and covering the 5-year period from January 1, 1978 through December 31, 1982. It was further recommended that the City Commission recommends to future Commissions that at 5-year intervals the compensation paid to the position at the beginning and end of the five year period be determined, the multiplier calculated and averaged among all retirants on the roll during the period, and that the Commission only consider future adoptions of Benefit Plan E if the average multiplier for the five years exceeds 1.33.

223-A. Seibold-Waters.

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

WHEREAS, Act No. 314, Public Acts of 1969, amended the said Act No. 135 to permit participating municipalities to adopt a new benefit program, as provided in Section 68 of said Act; now

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids does hereby elect to adopt Benefit Program E, effective January 1, 1983, for those members eligible to receive said benefit, and

BE IT FURTHER RESOLVED, that the City Clerk shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement System within 10 days after its adoption.

A roll call vote was taken:

Yeas: Lorch, Moseley, Seibold, Waters - 4
Nays: Hoag, Leidlein - 2

The motion carried.

224. The City Manager submitted a memorandum regarding the "Transportation Survival Package" and included a proposed resolution urging the Governor and the Legislature to give immediate and priority attention to restructuring the motor fuels and motor vehicles tax systems in order to provide the revenue growth necessary to keep pace with the impact of inflation upon the ability of units of government to maintain their street systems.

224-A. Moseley-Waters. That the following resolution be adopted:

WHEREAS, the 1978 Transportation Tax Package failed to accomplish a restructuring of the Transportation Tax System and, as a result, State and Local governments are falling further behind in their ability to meet transportation needs; and

WHEREAS, continuing to base the Transportation Revenue System on gallons of motor fuel sold and weight of vehicles, will not meet revenue needs as fuel economy requirements are implemented and the vehicles become smaller and lighter in weight and will result in an ever widening gap between the needs and the revenues to meet those needs especially in view of current rates of inflation; and

WHEREAS, the cost of operating and maintaining present street, road, and public transportation systems has long exceeded Michigan transportation fund revenues distributed to cities and villages; and

WHEREAS, gas and weight tax revenues for city, village, and county road commissions have dropped significantly and will continue to drop unless legislative action is taken; and

WHEREAS, the transportation revenue crisis will not go away but will continue to increase in severity unless immediate action is taken;

NOW THEREFORE BE IT RESOLVED, that the East Grand Rapids City Commission in session assembled this 15th day of November, 1982, urges the Governor and the Legislature to give immediate and priority attention to restructuring the motor fuels and motor vehicle tax systems in order to provide the revenue growth necessary to keep pace with the impact of inflation and to meet known transportation needs by quickly passing the road and transportation fiscal package contained in House Bills 4937 thru 4940 currently awaiting action by the House Tax Committee.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

225. The City Manager reported on bids which were received for the purchase of one pickup and recommended acceptance of the low bid of Borgman Ford in the amount of \$7,147.85, less a trade-in of \$300, leaving a net total cost of \$6,847.85.

225-A. Moseley-Seibold. That this Commission accept the low bid of Borgman Ford and award the contract to them in the amount of \$6,847.85.

Yeas: Lorch, Moseley, Seibold, Waters, Leidlein - 5
Nays: Hoag - 1

226. The City Manager reported on a Community Development Block Grant application for the purpose of defraying costs of a proposed project consisting of replacing a 6" watermain with a 10" main on Wealthy Street between Sherman and Plymouth. The total project cost is estimated at \$61,170 and the City proposes to use the governmental allocation of \$38,199 and City funds to complete the project in conjunction with the sewer rehabilitation project.

226-A. Moseley-Lorch. That the City Manager be authorized to sign the application.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

227. A summary of the cost of street resurfacing projects for 1982, comparing the contract cost with the final cost was received for information.

228. A report of the building activities for the month of October was received from the Building Inspector.

229. A report of Fire Department activities for the month of October, 1982, was received for information.

230. A report of the activities of the East Grand Rapids Police Department during the month of October, 1982, was received for information.

231. The minutes of the East Grand Rapids Planning Commission meeting held October 12, 1982, were received for information.

232. The City Manager reported that the Department of Natural Resources has received a letter from the Environmental Protection Agency approving the budget and giving authorization to draw down funds for the lake restoration project.

233. Commissioner Moseley reported on a meeting of the Ways & Means Committee and the auditors regarding the audit report for the year ended June 30, 1982. Copies of the audit report were submitted to the Commissioners at the last regular City Commission meeting.

234. Commissioner Hoag reported on a meeting of the Real Estate Committee regarding the Baxter Barn and recommended that the bid which was submitted by Circa Galleries be rejected on the grounds that the plans were not complete, that this committee did not wish to agree to the conditions listed in the bid, and that the bid was too low.

234-A. Hoag-Waters. That the bid of Circa Galleries be rejected and that the property be readvertised after January 1, 1983.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

235. The Mayor reported on a meeting of the Personnel Committee which was held recently.

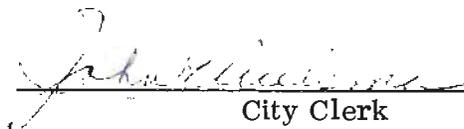
235-A. Mayor Leidlein-Hoag. That the City Manager's salary be increased from \$42,510 to \$45,000 per year effective January 1, 1983.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

236. Commissioner Hoag reported on a meeting she had with the Merchants Association and discussed a number of concerns the merchants had expressed to her. The City Manager was requested to review the snowplowing problems connected with the Croswell parking lot presented by Commissioner Hoag and report back.

237. Commissioner Hoag reported on a meeting she had with the Woodstone Association sometime ago, at which time concern was expressed relative to the condition of the home at 429 Rosewood SE.

238. The meeting was adjourned, subject to the call of the Mayor, until December 6, 1982.



City Clerk

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

Regular Meeting Held December 6, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Lorch, Moseley, Seibold and Mayor Leidlein.

Absent: Com. Waters.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson, Assistant City Attorney Huff, Administrative Aide Bremer, City Engineer McMann, Fire Chief Terpstra, Assessor Norman, Bond Counsel Cooper, Attorney Sevald, and First of Michigan Financial Consultant Gavin.

239. The minutes of the regular meeting held November 15, 1982, were approved as written.

240. Moseley-Hoff. That expense vouchers in the amount of \$98,252.68, and payroll vouchers in the amount of \$48,552.02, 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: Hoag, Hoff, Lorch, Moseley, Seibold, Leidlein - 6

Nays: 0

(Commissioner Waters arrived at this time.)

241. A proposed resolution regarding City interest in the Kent/Ottawa Resource Recovery Project was submitted by the Kent County Civil Counsel Jon DeWitt. Mr. DeWitt was present to discuss this project with the City Commission. Mr. DeWitt explained that adoption of the proposed resolution would place no legal obligation on the City with respect to future action.

241-A. Lorch-Hoff.

WHEREAS, the State of Michigan Solid Waste Management Act (Act 641 of the Public Acts of 1978, hereafter referred to as "Act 641") requires that local municipalities or counties shall assure that all solid waste is removed from the site of generation frequently enough to protect the public health, and is delivered to solid waste disposal areas, and

WHEREAS, Act 641 requires the adoption of a "solid waste management plan" (hereafter "Act 641 Plan") by each county, or if not by a county, by local municipalities, or if not by local municipalities, by the state, which plan must encompass all municipalities within the county, and include an enforceable program and process to assure that the nonhazardous solid waste generated or to be generated in the planning area for a twenty-year period is collected, recovered, processed, or disposed of at facilities which comply with state law and rules promulgated by the state governing location, design, and operation of the facilities; and

WHEREAS, Kent County has begun preparation of a solid waste management plan in accordance with Act 641 and the rules adopted under Act 641; and

WHEREAS, the Act 641 rules require that the Act 641 Plan evaluate and select technically and economically feasible solid waste management options, and

WHEREAS, Kent and Ottawa Counties have conducted research under the auspices of the Kent/Ottawa Resource Recovery Project to determine the waste management options best suited to meet the needs of the public, which are also technically and economically feasible, and

WHEREAS, the Kent/Ottawa Resource Recovery Project has concluded and recommended that the needs of the public can best be met by the establishment, acquisition, or construction of a mass-burn steam energy-generating plant and establishment of a source-separation recycling program; and

WHEREAS, the economic feasibility of such a plant and program, whether owned or operated privately, publicly, or in combination, depends upon a reliable supply of refuse fuel to power the energy-generating plant, and

WHEREAS, it is proposed that a reliable supply of refuse fuel be provided through the adoption of the Act 641 Plan and contracts between municipalities, and between municipalities and other persons for delivery of refuse to the energy-generating plant, based upon the express requirements of Act 641, the provisions of the Waste Management and Resource Recovery Finance Act of 1978 (Act 345 of the Public Acts of 1978), and the power of municipalities to control use of their streets and to protect the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED:

1. The City of East Grand Rapids hereby acknowledges the effort made to date by the Kent/Ottawa Resource Recovery Project and concurs in principle with the results and recommendations of that Project.
2. The City of East Grand Rapids supports the proposal to establish a mass-burn steam energy-generating plant and source-separation recycling program and encourages Kent County to proceed to adopt an Act 641 Plan incorporating such a plant and program.
3. It is the present intent of the City of East Grand Rapids to enter into contracts or to take other steps necessary as allowed by law to provide for a reliable supply of fuel to power the proposed energy-generating plant.

A roll call vote was taken:

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

The motion carried.

242. A letter from VIA requesting the City of East Grand Rapids to continue its support of their program in the amount of \$2,000 was received. No action was taken.

243. The proposed ordinance to amend the Code of the City of East Grand Rapids by adding a new Chapter 87 entitled "Electrical Code of Title VIII" which was introduced at the last regular City Commission meeting was considered.

243-A. Moseley-Waters. That the following ordinance be adopted at this time:

AN ORDINANCE TO AMEND THE CODE OF THE
CITY OF EAST GRAND RAPIDS BY ADDING A
NEW CHAPTER 87 - ELECTRICAL CODE OF
TITLE VIII

The City of East Grand Rapids ordains:

Section 1:

The Code of the City of East Grand Rapids is amended by adding thereto a new Chapter 87 of Title VIII which shall read as follows:

Chapter 87 - Electrical Code

Section 8.701. Electrical Code.

The electrical code of the City of East Grand Rapids is contained in the following:

- (1) Article 20 of the BOCA Basic Building Code, 1981 edition, which is adopted for use in East Grand Rapids by Section 8.1 of this Code; and
- (2) The National Electrical Code which is adopted and incorporated by Article 20 of said BOCA Basic Building Code; and
- (3) The amendments to said Code which are adopted by Chapter 80, Section 8.4, subsections 2000.4 through 2008.2 of this Code at pages 1557-1566 hereof.

Section 2:

Notice of adoption of this ordinance shall be published in full within 10 days after its enactment as provided in Chapter VIII, Section 5, of the Charter of the City of East Grand Rapids.

Section 3:

This ordinance shall be effective on December 6, 1982.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

244. A revised resolution to purchase, acquire and construct water supply system facilities and sewage disposal facilities and to publish notice of intent to issue revenue bonds was discussed. Bond Counsel Cooper discussed this matter with the City Commission. Dr. K. Vining made statements pertaining to this project.

244-A. Seibold-Hoag. That the following resolution be adopted:

WHEREAS, the City Commission deems it to be in the best interest of the City to purchase, acquire and construct certain improvements to the water supply and sewage disposal system facilities, commonly referred to as the "East Grand Rapids Water Supply and Sewage Disposal System Project," for the benefit of the City and to finance such improvements by the issuance of bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended; and

WHEREAS, it is necessary to publish a Notice of Intent to Issue Bonds, for such public improvement, pursuant to Section 33 of Act 94, Public Acts of Michigan, 1933, as amended.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of East Grand Rapids hereby determines it necessary to purchase, acquire and construct the East Grand Rapids Water Supply and Sewage Disposal System Project, at an estimated total cost of not to exceed \$3,500,000 and an estimated useful life of twenty-five (25) years and to pay a portion of the cost through the issuance of revenue bonds in one or more series over the next 18 months pursuant to Act 94, Public Acts of Michigan, 1933, as amended.

BE IT FURTHER RESOLVED, that a Notice of Intent to Issue Bonds be published in accordance with Section 33 of Act 94, Public Acts of Michigan, 1933, as amended and that the City Clerk is authorized and directed to publish the Notice of Intent to Issue Bonds in the Grand Rapids Press and the Cadence, newspapers of general circulation in the City of East Grand Rapids, determined to be the newspapers reaching the largest number of persons to whom said Notice is directed, which Notice shall be in the following form:

NOTICE OF INTENT TO ISSUE BONDS
TO ELECTORS AND TAXPAYERS OF THE
CITY OF EAST GRAND RAPIDS

PLEASE TAKE NOTICE THAT THE CITY COMMISSION OF THE CITY OF EAST GRAND RAPIDS intends to issue the following bonds:

Bonds in an amount not to exceed \$3,500,000 shall be issued in one or more series over the next 18 months for the purpose of defraying the cost of acquisition, construction, and improvement of the water supply and sewage disposal system facilities including plants, works, and appurtenant facilities for water supply and distribution and/or sewage collection, treatment, and/or disposal, together commonly referred to as the "East Grand Rapids Water Supply and Sewage Disposal System Project."

The bonds of this issue shall mature serially with interest on the unpaid balance at a rate of not to exceed fifteen percent (15%) per annum. The bonds shall be issued pursuant to Act 94, Public Acts of Michigan, 1933, as amended.

SOURCE OF PAYMENT

The Principal and Interest on the bonds shall be payable solely from the net revenues derived from the operation of the water supply and sewage disposal system facilities, and said principal and interest shall not constitute a general obligation of the City nor an indebtedness of the City within any constitutional or statutory limitation.

REFERENDUM

The bonds will be issued without a vote of the electors approving said bonds, unless, within 45 days from the publication of this Notice of Intent, a petition, signed by not less than 10% of the registered electors residing within the limits of the City of East Grand Rapids shall have been filed with the Clerk, or other recording officer of the City requesting a referendum upon the question of the issuance of said bonds, then the bonds shall not be issued until approved by the vote of a majority of the electors of the City voting thereon.

This Notice is Published pursuant to the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended.

John Wielsma, Clerk
City of East Grand Rapids

BE IT FURTHER RESOLVED that the firm of Clary, Nantz, Wood, Hoffius, Rankin & Cooper is hereby employed as bond counsel to the City to prepare the documents for the issuance of bonds for the acquisition of the East Grand Rapids Water Supply and Sewage Disposal System Project.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

The Bonding Attorney recommended the hiring of First of Michigan Corporation as financial consultant to assist the City in its preparation of the application to the Municipal Finance Commission and the submission to the bond rating agencies. Mr. Thomas Gavin was present to discuss the services which First of Michigan Corporation would be able to provide.

244-B. Seibold-Hoag. That the Mayor be authorized to sign a Financial Consulting Agreement between the City and First of Michigan Corporation as recommended to this meeting.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

245. A memorandum from the City Manager regarding deferred compensation plans which were discussed with the Personnel Committee of the City Commission.

245-A. Hoag-Waters.

WHEREAS, the City of East Grand Rapids has considered the establishment of a Deferred Compensation Plan for its employees as a means of aiding to assure reasonable retirement security to said employees; and

WHEREAS, investigation revealed the desirability of offering the availability of Deferred Compensation Plans offered by two companies.

NOW, THEREFORE, BE IT RESOLVED that the City of East Grand Rapids establish said Deferred Compensation Plans for said employees and hereby authorizes its Mayor to execute the Deferred Compensation Plans with:
1) the International City Management Association Retirement Corporation; and,
2) Grand Rapids Mutual Federal Savings and Loan Association; and,

BE IT FURTHER RESOLVED, that the Clerk-Controller, on behalf of the City of East Grand Rapids, execute all Joinder Agreements with said employees and other eligible officials and officers, which are necessary for said persons' participation in the Plans.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Waters, Leidlein - 5
Nays: Hoff, Seibold - 2

The motion carried.

246. The City Manager reported that the Joint Facilities Agreement between the City and the East Grand Rapids School Board which was adopted by the City at a previous meeting has also now been adopted by the East Grand Rapids School Board.

247. The City Manager submitted a memorandum regarding the Croswell parking lot. This was discussed by the Commissioners. The question of prohibiting parking in the lot between 11 p.m. and 7 a.m. was referred to the Traffic Commission.

248. The City Manager submitted a memorandum regarding maintenance of the gaslights along Wealthy Street reporting that the cost for repairs and maintenance of gaslights by Michigan Consolidated Gas Company would be \$1,088.38.

248-A. Hoag-Hoff. That the City of East Grand Rapids enter into a contract with Michigan Consolidated Gas Company at a cost of \$1,088.38.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

249. The City Manager submitted a memorandum regarding the sewer and water rate increase by the City of Grand Rapids. This was received for information.

250. The City Manager reported that the Department of Natural Resources has conducted their study for the Ordinary High Water Mark in Reeds Lake and Fisk Lake and that a report will be available within two weeks.

251. The City Manager reported on the Reeds Lake restoration project and advised that the City staff is currently monitoring the flows and that most of the cost involved in this project is the nature of inkind services.

252. A memorandum from the City Manager regarding bids for heating units for the lower level of the Municipal Complex was received.

252-A. Mayor Leidlein-Lorch. That the low bid of Rite-Way Plumbing and Heating be accepted and the contract be awarded to it in the amount of \$2,050.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

253. The City Manager reported on negotiations with Merle Johnson for use of the City parking lot adjacent to the Middle School to sell Christmas trees, resulting in Mr. Johnson's agreement to pay \$500. He further requested that the City Commission designate the charitable organizations to which the monies would be contributed. The Mayor recommended that the Commissioners submit their suggestions to him after which a decision will be made as to the distribution of these funds.

254. Mr. John Dean and Mr. Harry VanderMark were present to discuss purchase of the Baxter Barn. The City Attorney stated that the City would need to readvertise for bids before making a sale of this property.

254-A. Waters-Hoag. That this property be readvertised with bids to be opened January 31, 1983, at 4 o'clock p.m.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

It was recommended that the advertisement provide for payment in cash or on suitable terms.

255. The City Manager reported on bids which were received for the purchase of three 6-cylinder motor vehicles, and one 4-cylinder motor vehicle, and recommended that the low bid of Courtesy Dodge, in the amount of \$32,788.00, less \$8,100 for trade-ins, leaving a net price of \$24,688.00 be accepted. He further reported that only three bids were received out of a potential fifteen automobile dealers to which specifications were mailed.

255-A. Hoag-Waters. That the low bid of Courtesy Dodge in the net amount of \$24,688.00 be accepted.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

256. The Parks and Recreation Commission recommendation that the City participate in one-half the cost of the Wealthy School security gate to provide added safety for younger participants at the Wealthy School and security for the balance of the building was considered.

256-A. Waters-Hoag. That the City share the cost of such security gate equally with the East Grand Rapids School Board.

Yeas: Hoag, Hoff, Lorch, Moseley, Seibold, Waters, Leidlein - 7
Nays: 0

257. The minutes of the Traffic Commission meeting held November 16, 1982, were received for information.

258. The financial report of the Recreation Department for a 3-month period ended September 30, 1982, was received for information.

259. Commissioner Hoag reported that the Blodgett Community Relations Committee met and expressed very favorable comments regarding services of the Temporary Parking Control Officer. On behalf of the Blodgett Neighborhood Association, Mr. Pestle requested that the Traffic Commission consider retaining this position on a permanent basis.

260. Mayor Leidlein reported that he has received a letter from Mrs. Walter Laidlaw as Chairman of the Community Relations Committee of Blodgett Memorial Medical Center inviting the members of the City Commission, the City Manager and the administrative staff to meet at the Medical Center in the near future to view the site of the proposed addition to the hospital.

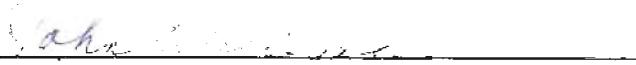
261. Commissioner Lorch submitted his resignation as First Ward Commissioner to be effective immediately, and thanked the Commission for its leadership and cooperation and the dedication of the staff.

261-A. Mayor Leidlein-Hoag. That the resignation of Commissioner Lorch be accepted with regret.

Yeas: Hoag, Hoff, Lorch, Moseley, Waters, Leidlein - 6
Nays: Seibold - 1

262. Commissioner Hoag submitted the names of three persons whom she had contacted who would be interested in being appointed to the Commission to fill the vacancy. After discussion, it was decided that the Commission will make a selection at the next regular City Commission meeting.

263. The meeting was adjourned, subject to the call of the Mayor, until December 20, 1982.


City Clerk

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

Regular Meeting Held December 20, 1982

The meeting was called to order by Mayor Leidlein.

Present: Coms. Hoag, Hoff, Moseley, Seibold, Waters and Mayor Leidlein.

Absent: None.

Also Present: City Manager Tholen, City Clerk Wielsma, City Attorney Richardson, Assistant City Attorney Huff, Administrative Aide Bremer, City Engineer McMann, Fire Chief Terpstra, Public Service Superintendent Smith, Plant Engineer Baragar.

264. The minutes of the regular meeting held December 6, 1982, were approved as written.

265. Pursuant to public notice, a hearing was then held on the zoning variance request of David M. and Cara V. Cassard, 1132 Kenesaw Drive SE, to permit construction of an addition to the rear of their residence which would be 19 ft. 2 inches from the rear property line rather than the required 25 ft. Mr. and Mrs. Cassard were present to discuss their request with the Commission. There were no objections raised.

265-A. Waters-Hoag. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by David and Cara Cassard.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

266. Moseley-Hoff. That expense vouchers in the amount of \$161,229.59, and payroll vouchers in the amount of \$40,007.47, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

267. Mayor Leidlein introduced Mr. Dave Andrus and Mr. Ed Rose, members of the Southeast Grand Rapids Lions Club, who requested that the Commission approve the placing of the Lions Club Service Trailer on the blacktop area adjacent to the Fire Building to be used as a concession stand for persons utilizing the iceskating rink. They stated that they would return in April to discuss with the City Commission the possibility of supporting the construction of a warming shed and possibly a concession stand in the area of the ice rink-ball diamond.

267-A. Seibold-Waters. That this matter be placed on the agenda for consideration at this time.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6

Nays: 0

267-B. Waters-Seibold. That this Commission grant permission to the Southeast Grand Rapids Lions Club to place its concession trailer on the parking lot adjacent to the Fire Department during the skating season.

A roll call vote was taken:

Yeas: Hoag, Hoff, Seibold, Waters, Leidlein - 5

Nays: Moseley - 1

The motion carried.

268. The City Attorney reported on a lawsuit which has been filed by Jeffrey H. Beusse, 2660 Oakwood Drive SE, regarding a flooded basement caused by an obstruction in the main sewer line. He reported that the suit has been referred to the carrier's general liability policy.

269. The Assistant City Attorney reported on a meeting he had with the Attorney General's Office regarding a new State law which became effective September 30, dealing with the forfeiture of proceeds of certain criminal activity which could cause some funds to be paid to the City. On the sale of confiscated items, the City would receive 75% of the proceeds and the State would receive 25%.

270. A water and sewer rate analysis report was submitted by the Controller which indicated that the commodity charges to water and sewer customers should remain at \$1.10 for water and \$1.00 for sewer per 1,000 gallons consumed for the period ending December 31, 1983.

270-A. Hoff-Moseley. That the City not increase the water and sewer rates at this time.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

271. The City Manager submitted a memorandum relative to the salary rates for the Police and Fire Chiefs, with the recommendation that the positions be increased from their present rate of \$29,510 to a rate of \$30,680 effective July 1, 1982.

271-A. Waters-Seibold. That the pay rate for the Police and Fire Chiefs be increased to \$30,680 effective July 1, 1982.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

272. The City Manager reported on a physical fitness program which is being developed for City employees in cooperation with Blodgett Hospital.

273. The City Manager reported on the Quality Circles Program which is being discussed by the department heads which involves employees in the decision-making process.

274. The City Manager reported as an emergency item to be discussed by the City Commission a matter which relates to the engineering work on the rehab program which has uncovered a number of unrecorded sewer lateral connections along the Wealthy trunk sewer line. He recommended that a contract be awarded to A & B Cleaning, Inc. in the amount of \$1,741.59 to locate these lateral connections.

274-A. Waters-Moseley. That this Commission place this matter on the agenda for consideration at this time.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

274-B. Waters-Moseley. That a contract for inspection of the Wealthy trunk sewer line be awarded to A & B Cleaning, Inc. in the amount of \$1,741.59.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

275. The Police Department report for the month of November was received for information.

276. The Fire Department report for the month of November was received for information.

277. The Building Inspector's report for the month of November was received for information.

278. The minutes of the Planning Commission meeting held November 9, 1982, were received for information.

279. The naming of a replacement for Commissioner Lorch was discussed. The following names were placed in nomination: Harold Davidson and Nyal Deems. The vote was then taken, as follows:

Commissioner Hoag voted for Nyal Deems.
Commissioner Hoff voted for Harold Davidson.
Commissioner Moseley voted for Nyal Deems.
Commissioner Seibold voted for Harold Davidson.
Commissioner Waters voted for Nyal Deems.
Mayor Leidlein voted for Nyal Deems.

Nyal Deems was thereupon appointed to replace Commissioner Lorch as First Ward Commissioner to serve until a successor be elected.

280. Commissioner Moseley submitted the minutes of the Animal Control Advisory Committee of their meeting held October 21, 1982, which were received for information.

281. Commissioner Seibold stated that he has received six requests to either put the flag up at the end of Wealthy Street or turn the light out on the pole.

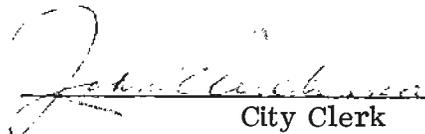
281-A. Seibold-Waters. That the City Manager be directed to fly a flag during the winter months.

Yeas: Hoag, Hoff, Moseley, Seibold, Waters, Leidlein - 6
Nays: 0

282. The contribution of the \$500 received for the use of parking lot adjacent to the Fire Department for sale of Christmas trees was discussed. It was determined that the contribution be made to the Capitol Lunch Program.

283. Commissioner Hoag reported on a problem that a resident is having at 415 Gladstone regarding the inability to park in front of his home due to the location of the "No Parking" sign. The City staff was asked to consider any possible alternate solutions to this parking problem.

284. The meeting was adjourned, subject to the call of the Mayor, until January 3, 1983.



City Clerk