

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

Regular Meeting Held January 7, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Frost, Waters, Hoag, Lorch, Gale, Worfel and Mayor Stoppels.
Absent: None.

259. The minutes of the meeting held December 17, 1979, were approved as written.

260. The Mayor reported that he had received a request from residents in the vicinity of Wealthy and Plymouth that they be given an opportunity to discuss City ownership and potential use of property near the northwest corner of Wealthy and Plymouth. There were several residents present to discuss this with the City Commission. Mr. Hoult expressed concern that, should the property become a park, proper supervision be provided by the City. Mr. & Mrs. Bill Sefton, Dr. Maternowski, and others also expressed their concern about use of this property for a park. A petition requesting that those residents located in the immediate area of this property be advised as to the intended use of this land by the City was submitted. The Mayor thanked the residents for coming and discussing their concerns and stated that they would be kept informed.

261. The City Engineer submitted a proposed resolution setting a hearing on the necessity of the improvement of the Norfolk storm drain. He discussed the need for this improvement.

261-A.
BY COMMISSIONERS WORFEL-GALE:

RESOLVED, that the statement of preliminary proceedings with respect to this proposed improvement having been filed with the City Clerk, a public hearing be held before the City Commission at the City Hall on Monday, January 21, 1980, at 7:30 p.m., relative to necessity of the proposed improvement consisting of constructing a 12" storm drain including manholes, catch basins, catch basin leads, sand backfill, and restoration on

NORFOLK ROAD from the existing 12" storm drain 68 feet West of the East line of Lot 86 to the East line of Lot 60 Albert Realtors Hampshire Replat (Norfolk Road from Covington Road to Andover Lane extended South)

and that the Clerk cause notice of this hearing to be published and mailed as required by Ordinance Section 1.303 (b) at least 10 days prior to the date of such hearing.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels -7
Nays: 0

262. The City Manager submitted a memorandum to the City Commission regarding a recommended equipment replacement schedule through 1982, and a tabulation of bids which were received for the purchase of three units which are scheduled for immediate replacement.

262-A. Worfel-Gale. That the low bid for the replacement of the three units be accepted as follows:

2 Packer Trucks	
Chassis - Jack Keller Ford	\$ 45,497.88
Truck Bodies - A. M. Klinger	<u>22,572.00</u>
Total	\$ 68,069.88
Dump - Self Loader Truck	
Chassis - Jack Keller Ford	\$ 25,091.08
Body - Allied Truck	2,673.00
Loader - Lodal	<u>8,650.00</u>
Total	\$ 36,414.08

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

263. A letter from the attorney of the Kent County Public Works Department regarding execution of a Letter of Understanding concerning proposed rates at the Plainfield landfill was received.

263-A. Frost-Lorch. That the Mayor and City Clerk be authorized to sign the Letter of Understanding as submitted, calling for a rate reduction from \$7.66/yd. to \$7.50/yd.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

264. The Recreation Director submitted a listing of programs that will utilize Manhattan School during the 1980 winter program schedule. This was received for information.

265. The City Clerk submitted a memorandum regarding the primary election which will be held February 18, 1980, and advised that the last date to file petitions will be January 29, 1980, at 5:00 p.m. Commissioner Frost announced that he will not be a candidate for re-election.

266. Reports for the month of December were received from the Police Department, Fire Department and Building Inspector.

267. A statistical report for the East Grand Rapids Library, for a period covering October 31 to November 27, 1979, was received for information.

268. The City Commission discussed the hiring of a planning consultant to study the parking needs in the commercial area.

268-A. Lorch-Worfel. That a contract be entered into with Jan Krygowski for the purpose of developing a plan for the central business community, including a plan for parking, with the cost of this contract not to exceed \$8,000.00.

Yeas: Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 6
Nays: 0
Commissioner Frost abstained.

269. The City Manager reported that the Fire Chief, John Terpstra, is doing quite well in recovering from heart surgery.

270. The City Manager reported that the County Clerk intends to place the names, addresses, and telephone numbers of the Commissioners in the County Directory and asked if there were any objections. There were no objections and the City Manager was authorized to give the County Clerk the necessary information for the County Directory.

271. The City Manager reported that the Commissioners will be receiving revisions of Titles I, II, III, VI, and VII of the Ordinance Code for their review.

272. The City Manager reported that he has received the files of National Biocentric, Inc., from the Wood Grover Associates and that a project manager of EPA will be visiting our community January 15th instead of January 8th as previously announced.

273. Commissioner Frost reported that the Ways & Means Committee has a couple of policy items to discuss at a Committee-of-the-Whole work session.

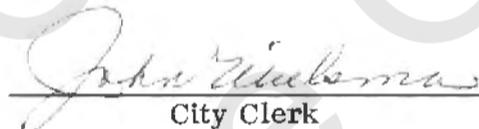
274. Hoag-Worfel. That expense vouchers in the amount of \$2,428,638.65, and payroll vouchers in the amount of \$32,779.16, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

275. The City Attorney reported that on January 2nd, Blodgett Memorial Medical Center's appeal regarding taxes on their parking facilities was heard before the Court of Appeals and that an opinion will probably be forthcoming in the next six to eight weeks.

276. There were 11 residents in attendance at this meeting.

277. The meeting was adjourned, subject to the call of the Mayor, until January 21, 1980.



City Clerk

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

Regular Meeting Held January 21, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Frost, Waters, Hoag, Lorch, Gale, Worfel and Mayor Stoppels.

Absent: None.

278. The minutes of the meeting held January 7, 1980, were approved as written.

279. Pursuant to published notice, a hearing was held on the necessity of the improvement of the Norfolk storm drain. The City Engineer explained the need for this improvement. Mr. & Mrs. Paul Koehl, 1748 Danby Lane SE, encouraged the Commission to approve this project.

279-A.

BY COMMISSIONERS FROST-HOAG:

RESOLVED, that the improvement consisting of constructing a 12" storm drain including manholes, catch basins, catch basin leads, sand backfill, and restoration on

NORFOLK ROAD from the existing 12" storm drain 68 feet West of the East line of Lot 86 to the East line of Lot 60 Albert Realtors Hampshire Replat (Norfolk Road from Covington Road to Andover Lane extended South)

is a necessary public improvement and that the cost and expense of such improvement shall be paid by special assessment levied upon the lands and premises, except public highways and alleys, benefitting from said improvement, according to front footage.

BE IT FURTHER RESOLVED, that the plans and specifications for said improvement as prepared by the City Engineer are approved, that the estimated cost of the portion of the improvement which is under the jurisdiction of East Grand Rapids is \$7,614.00, that \$1,903.50 of said cost shall be paid by the City of East Grand Rapids at large and \$5,710.50 by special assessment payable in 10 annual installments with interest at the rate of 7% per annum on installments not paid within 30 days of confirmation of the assessment roll.

BE IT FURTHER RESOLVED, that the special assessment district upon which special assessments shall be levied is established as consisting of Lots 60, 72, 73, and 85 Albert Realtors Hampshire Replat and that this Commission deems and declares that all real estate within said district is benefitting by said improvement.

BE IT FURTHER RESOLVED, that the City Manager prepare or cause to be prepared a special assessment roll in accordance with the determinations of this Commission.

279-B. Waters-Gale. That the above motion be amended to provide that the owners of all lots involved in this improvement receive specific notice of the amount of the special assessments they will be obligated to pay over a 10-year period, if they so choose, with a 7% annual interest rate.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

The vote on the main motion as amended was as follows:

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

280. Mr. Jan Krygowski submitted a proposed contract between his company and the City for the study of the commercial area. Commissioner Worfel suggested certain changes in the contract.

280-A. Hoag-Gale. That the contract be reviewed by the City Attorney and that the Mayor and Clerk be authorized to sign said contract after the City Attorney has approved it.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

281. A letter from Mr. William L. Bennett, 2311 Wealthy Street SE, regarding the proposed parking lot in the commercial area was received and referred to Mr. Krygowski for his information.

282. A memorandum was received from the Planning Commission regarding a public hearing on Wednesday, February 6, 1980, at 7:30 p.m., in the City Commission Chambers to discuss the land use plan for the Manhattan School property concerning both the procedure and substance of the Planning Commission's recommendations on the uses of that property.

283. The City Manager reported that he and Dr. Woons had met and that the Kent Intermediate School District may be interested in the Manhattan School in meeting their long-term needs, but the facilities would not be suitable for immediate use. Mayor Stoppels expressed an interest in resolving the problem that exists between the East Grand Rapids School Board and the City Commission regarding the Manhattan School property use as it relates to the deed received from the School for the 36 acre parcel. It was the consensus of the Commission that the City either retain the entire 36 acre parcel or turn the entire parcel back to the School. The Mayor stated he would contact the School to set up a Joint Facilities Committee meeting as soon as possible to discuss this issue.

284. A claim for payment from Jack Wassenaar Builder for installing a lateral at 319 Kingswood, was received. Memoranda from the City Manager and Engineer regarding this matter were also received.

284-A. Waters-Gale. That payment be made to Jack Wassenaar in the amount of \$2,745.00, provided that Mr. Wassenaar will accept this settlement as payment in full for his claim and that this amount be transferred from contingencies.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

285. A letter was received from Mr. Norman Maney of Aquatic Weed Harvesting Corporation asking if the City is interested in having his services for the 1980 season.

285-A. Gale-Worfel. That the City Manager notify Mr. Maney that the City is interested in having him include Reeds Lake in his 1980 schedule.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

286. The City Engineer submitted a recommended street construction program for 1980. The City Manager suggested that the Commission establish priorities from this list so that the Engineering Department can obtain bids for these improvements in February, if possible. It was determined that this matter be discussed at the next City Commission work session and be placed on the agenda for February 4, 1980.

287. A communication was received from the City of Grand Rapids requesting that the City indicate its support of House Bill 4702, which relates to funding of the local air pollution control program.

287-A. Worfel-Lorch. That the following resolution be adopted:

WHEREAS, the City of East Grand Rapids depends on State funding to maintain appropriate levels of air pollution control, and

WHEREAS, proposed House Bill No. 4702 provides a method to continue funding the East Grand Rapids program at the appropriate level,

NOW, THEREFORE, BE IT RESOLVED, that the City of East Grand Rapids support proposed House Bill No. 4702 and urges prompt passage of said Bill.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

288. Notification of the annual legislative conference of the Michigan Municipal League, which will be held in Lansing on February 28th, was received for information. The Mayor recommended that the Commissioners who are interested in attending this meeting contact the City Clerk by February 15th, so that reservations can be made.

289. Minutes of the Planning Commission meeting held January 8, 1980, were received for information.

290. The City Manager reported that the Public Service Department contract is in the process of being finalized and that the contract will be considered at the next City Commission meeting.

291. Consideration of the policy to limit professional activities of department heads was referred to the next Committee-of-the-Whole session.

292. The Mayor set January 28th, at 7:00 p.m., as the next work session of the City Commission.

293. The City Manager reported that a seminar will be held on February 6th, at the Harley House Hotel for the purpose of describing the activities of GRETS. The Mayor requested that the Commissioners let the City Clerk know if they are interested in attending this seminar.

294. The Mayor reported that he had received a resolution from the City of Kentwood regarding flying the United States flag at half-mast until the hostages are released. He reported that copies of this resolution will be sent to the City Commissioners along with agenda materials for the next City Commission meeting.

295. The City Manager submitted an invoice in the amount of \$1,206.68 from Clary, Nantz, Wood, Hoffius, Rankin & Cooper for legal fees relating to arbitration hearing, contract analysis, and preparation of opinion letter regarding the Public Service Department contract.

295-A. Worfel-Waters. That payment of the invoice from Clary, Nantz, Wood, Hoffius, Rankin & Cooper be approved and the amount of \$1,206.68 be transferred from contingencies.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

296. The City Manager reported that he had received the plans and specifications from Progressive Engineering for the reconstruction of the air handling system in the lower level of the Library and City Hall.

296-A. Gale-Hoag. That the City Manager be authorized to obtain bids based on the four alternatives outlined in the plans and specifications and that the City reserve the right to accept or reject any and all bids.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

297. Financial reports for a 6-month period ended December 31, 1979, were received for information.

298. An audit report of the housing rehab fund as prepared by Ernst & Whinney was received for information.

299. The City Manager submitted outstanding invoices from National Biocentric, Inc. for lab work and requested the Commission to consider paying these bills.

299-A. Waters-Gale. That payment of the outstanding invoices from National Biocentric, Inc. for testing of water quality in the amount of \$2,621.60 is authorized.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

300. The City Manager requested a volunteer from the City Commission to participate in a panel discussion with him relative to communication between the City staff and City Council on January 30th, at 10:00 a.m., in Ann Arbor, as part of the ICMA Winter Conference.

301. Waters-Frost. That expense vouchers in the amount of \$465,663.51, and payroll vouchers in the amount of \$31,125.15, 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.

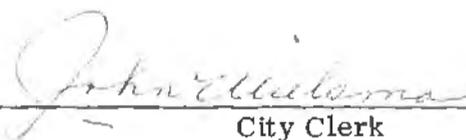
Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

302. Commissioner Worfel reported on a Library Commission meeting which was held the afternoon of January 21. He commented on the pedestrian traffic fatality that occurred recently and reported that the Library Commission would like the Traffic Commission to look at the intersection of Lakeside and Wealthy to see whether pedestrian signs should be placed in that area. He reported that the Sunday hours are very successful. He further reported that the Library Commission would like four spaces reserved for 15-minute library parking on the north side of the library.

303. Commissioner Gale requested that the animal control policies be put on the work session agenda.

304. There were 10 residents in attendance at this meeting.

305. The meeting was adjourned, subject to the call of the Mayor, until February 4, 1980.



City Clerk

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

Regular Meeting Held February 4, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Waters, Lorch, Gale and Mayor Stoppels.

Absent: Coms. Frost, Hoag and Worfel.

306. The minutes of the meeting held January 21, 1980, were approved as written.

307. A letter was received from Myrna B. Herz, Corresponding Secretary for the Breton Downs PTA, inquiring about the possibility of an ice rink at the Breton Downs School.

307-A. Gale-Waters. That staff reply to her letter and to study this request and report on the feasibility and cost of this project.

Yeas: Waters, Lorch, Gale, Stoppels - 4

Nays: 0

308. Because of the absence of Commissioner Worfel, the discussion regarding the animal control ordinance was deferred to the next regular City Commission meeting.

309. A resolution and proclamation was received from the City of Kentwood regarding flying of flags at half-mast until hostages in Iran are released. This material was received for information.

310. The City Clerk submitted bids which were received on January 31, 1980, for the sale of parcels located on Ross Court. He reported that two bids were received as follows:

Parcel #2 - Bid from H. F. Damon, 863 Orchard Ave. SE, in the amount of \$325.00.

Parcel #3 - Bid from Stephen A. O'Brien, 859 Orchard Ave. SE, in the amount of \$25.00.

310-A. Gale-Waters. That the two bids received for the sale of the Ross Court property be rejected due to the fact that they do not meet minimum established value.

Yeas: Waters, Lorch, Gale - 3

Nays: Stoppels - 1

311. The City Manager reported on a letter received from Crosby & Henry Insurance Agency regarding umbrella liability, public officials' liability, and police professional liability insurance coverage. There was a question regarding the need for coverage on wrongful acts for Commissioners and employees. The Commission requested that this matter be referred back to staff for review and report back to this Commission at its next regular meeting.

312. A letter and title opinion from the City Attorney relative to the Wealthy Street frontage owned by George Gordon was received. There was a discussion as to possible uses of this property.

312-A. Gale-Waters. That the City complete the purchase of the Gordon property for \$8,000.00, and that this amount be transferred from contingencies.

A roll call vote was taken:

Yeas: Waters, Lorch, Gale - 3

Nays: Stoppels - 1

The motion carried.

312-B. The City Manager reported on a letter from the City Attorney regarding the status of the property abutting the George Gordon lot on Wealthy Street, the permanent parcel number being 41-14-28-354-023. The City Attorney recommended that staff check with the State Treasurer's Office to see if the City can secure a deed from the State relative to the 1972 - 1976 taxes, after which we may want to contact Blackhawk, Inc. to attempt to secure a deed from it.

312-C. Lorch-Waters. That the City staff continue its investigation as to acquiring this property.

Yeas: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

313. Preliminary estimates for suggested street construction for the 1980 street program were received from the City Engineer.

313-A. Mayor Stoppels-Waters. That the City Engineer advertise for bids for the following street construction improvements:

MAJOR STREETS:

Lakeside - from Robinson Road to Greenwood.
Wealthy Street - from Lovett to Lakeside.
Reeds Lake Blvd. - from Manhattan to East City Limits.

LOCAL STREETS - Resurfacing

Eastgate - from West City Limits to Laurel.
Laurel - from Eastgate to end of street.
Keneberry Way - from El Dorado to Kenesaw.
Kenesaw - from El Dorado to Hall Street.
Rosewood - from Robinson to Wealthy Street.

LOCAL STREETS - Assessable reconstruction.

Pioneer Club Road - from a point 433 ft. west of Manhattan, thence westerly extending through Reeds Lake Blvd. Cutoff to Reeds Lake Blvd. This project is to be a maintenance program using sealcoat topping.

LOCAL STREETS - gravel maintenance.

Hodenpyl - from Rexford to Meadowvale.
Hodenpyl - Meadowvale to Reeds Lake Blvd.
Lansing - from Lakeside to end of street.
Durant - from Lakeside to end of street.

Yeas: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

314. A memorandum from Mr. Richard J. Platte, County Controller, regarding consolidation of the various district courts into one county-wide district court was received for information.

315. The Mayor and City Manager reported on AGRAG district assignments for ambulance coverage. In East Grand Rapids, Mercy Ambulance Service would be on a first-call basis.

315-A. Waters-Gale. That this Commission supports the district assignment as approved by AGRAG.

Yeas: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

316. An invoice was received from the West Michigan Regional Planning Commission for the local contribution for fiscal year 1979/80, at the rate of \$9.12 per capita as approved by the Region VIII Executive Committee.

316-A. Lorch-Waters. That the invoice from West Michigan Regional Planning Commission, in the amount of \$1,146.00 be approved for payment.

Yeas: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

317. The City Manager reported that the Public Service Department Employee contract has been ratified by the employees of the Public Service Department.

317-A. Gale-Waters. That this Commission approves the Service Department Employee contract to become effective when signature copies are available.

Yeas: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

318. The City Clerk submitted a report as to candidates who have filed petitions to run for a City Commission seat in the City Primary Election to be held February 18, 1980.

319. Departmental reports for the month of January, from the Police Department, Fire Department and Building Inspector were received for information.

320. Commissioner Waters submitted a proposed supplemental agreement between the City of East Grand Rapids and the East Grand Rapids Board of Education relative to the transfer to the City of the 36-acre parcel including the Manhattan School site, and athletic fields, etc. This document was referred to the City Attorney for his review.

321. The Mayor reminded the Commissioners that a hearing will be held by the East Grand Rapids Planning Commission on February 6, 1980, for the purpose of discussing a land use plan for the Manhattan School property.

322. The Mayor welcomed the Advanced Journalism Class from Aquinas College to this meeting.

323. Commissioner Lorch reported on the Citizens' Advisory Committee meeting which was held recently, at which the Committee considered how to collect and transfer information to Ms. Gewirth, Project Director for EPA, so as to release the \$40,000 which EPA has been holding pending receipt of this information. It was further noted that the EPA grant expires at the end of February, 1980, and the information requested must be furnished prior to the expiration date. The City Manager recommended that Mr. Bruce Munholand, engineer with Wood, Grover & Associates, Inc., which firm prepared the various lake study reports, be requested to provide the detailed information requested by EPA, and that the City Commission consider requesting Environmental Research Group from Ann Arbor to review the statistical information that will be provided from Wood, Grover & Associates, Inc.

323-A. Waters-Gale. That the City Manager be authorized to contract with Bruce Munholand to prepare the statistical analysis requested by EPA for a cost not to exceed \$6,000.00, and that an interview between Environmental Research Group and this Commission be scheduled.

Yeas: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

324. Commissioner Lorch further reported that the Citizens' Advisory Committee would like the City Commission to consider the following resolution:

MOVED, to restrict the quantity of anhydrous phosphoric acid present in lawn fertilizer used in East Grand Rapids to no more than 1% by weight unless by demonstration through tests of soil samples presented to the Michigan Department of Agriculture that a larger treatment is required on a particular lawn, and that labels be supplied by the City to local merchants to affix to such fertilizer to identify such low-phosphate products.

324-A. Waters-Gale. That the City Attorney be requested to prepare an ordinance in accordance with the Citizens' Advisory Committee's recommendation.

Yeas: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

325. A report was received from the Recreation Director regarding the action of Kathy VanValkenburg in rescuing a drowning victim in Wealthy Pool.

325-A. Waters-Lorch.

WHEREAS, this Commission wishes to recognize the heroic action of Kathy VanValkenburg on January 28, 1980, in rescuing a person from drowning in Wealthy Pool;

NOW, THEREFORE, BE IT RESOLVED, that this Commission commend Kathy for her excellent response in time of emergency when a life was in jeopardy.

Yeas: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

326. A request was received from the Recreation Department that SCAN, the organization dealing with suspected child abuse and neglect under the Department of Kent County Social Services, be permitted to utilize the Manhattan School for a 5-week training program at a rental fee of \$10 per hour.

326-A. Waters-Gale. That SCAN be permitted to utilize the Manhattan School for a 5-week training program at the proposed rental.

Yeas: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

327. Waters-Gale. That expense vouchers in the amount of \$1,575,647.55, and payroll vouchers in the amount of \$37,066.44, 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: Waters, Lorch, Gale, Stoppels - 4
Nays: 0

328. Commissioner Waters commended the City Manager, Administrative Aide, Public Service Superintendent and Recreation Director for their efforts in flooding the ice rink at the Junior High School.

329. Commissioner Gale requested that the East Grand Rapids Arts Council be placed on the next regular City Commission agenda.

330. Commissioner Gale reported that a number of students are visiting from Chile and requested that a certificate be prepared which they can take with them as a memento of East Grand Rapids. It was decided that a presentation be made at the next regular City Commission meeting, if possible.

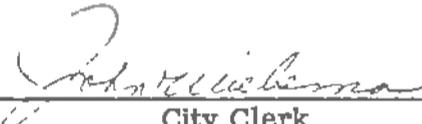
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331. The City Attorney reported that the Court of Appeals has ruled in favor of the City on the Blodgett Memorial Medical Center tax appeal.

332. The Mayor set Monday, February 11, 1980, as the next work session of the City Commission, to begin at 7:00 p.m.

333. There were 13 persons in attendance at this meeting.

334. The meeting was adjourned, subject to the call of the Mayor, until February 18, 1980.



City Clerk

UNOFFICIAL
Reference Only

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

Regular Meeting Held February 18, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Frost, Gale, Hoag, Lorch, Worfel and Mayor Stoppels.
Absent: Com. Waters.

335. The minutes of the meeting held February 4, 1980, were approved as written.

336. A report and recommendations were received from the East Grand Rapids Arts Committee. Mr. Michael Karolle was present to discuss the recommendations.

336-A. Gale-Hoag. That a permanent East Grand Rapids Arts Commission of five members be appointed and that the Arts Commission be authorized to expend up to \$500 for the purpose of determining citizen interest for the arts by taking a local poll.

Yeas: Frost, Gale, Hoag, Lorch, Worfel, Stoppels - 6
Nays: 0

337. A draft of a proposed ordinance regulating the phosphorus content in fertilizers was discussed.

(Commissioner Waters arrived at this time.)

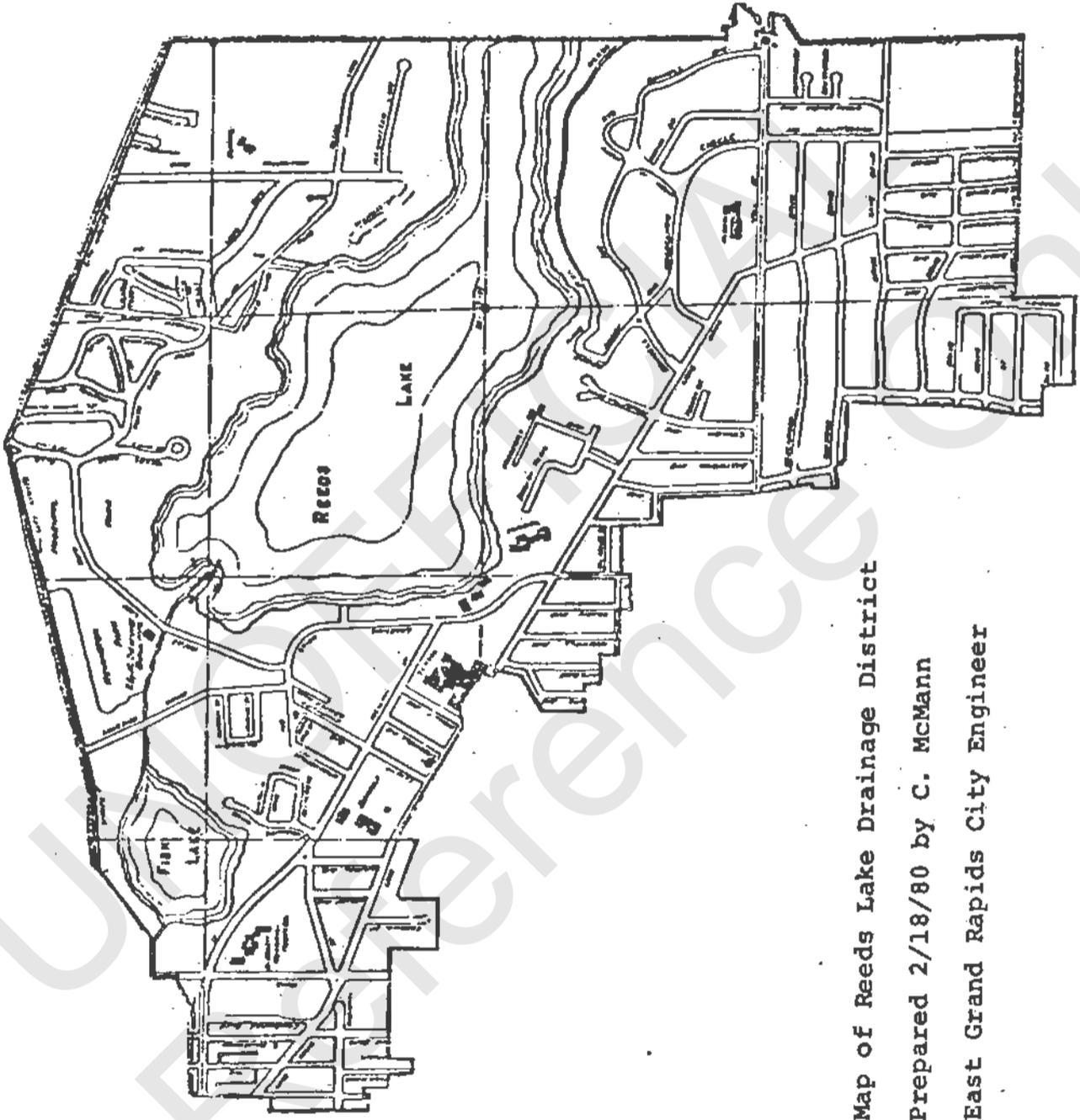
337-A. Frost-Hoag. That the following ordinance be adopted:

Section 1. That the Code of the City of East Grand Rapids be amended by adding a new chapter 96 as follows:

Chapter 96. Fertilizers

9.501. Statement of Purpose. On the basis of scientific studies made by the City, it has been determined that certain commercial fertilizers used within the Reeds Lake Drainage District enter into Reeds Lake and Fisk Lake by way of the City storm storm system and cause excessive growth of vegetation within said lakes and otherwise contaminate the waters of said lakes and that it is necessary in order to prevent future injury and damage to the waters of said lakes to regulate the use of commercial fertilizers within the said Reeds Lake Drainage District.

9.502 District Boundaries. The Reeds Lake Drainage District includes that area within the City of East Grand Rapids shown on the map prepared by the City Engineer dated February 18, 1980, as follows:



Map of Reeds Lake Drainage District

Prepared 2/18/80 by C. McMann

East Grand Rapids City Engineer

9.503. Prohibition. No commercial fertilizer containing in excess of 1% by weight of anhydric phosphoric acid shall be applied on lawns within the Reeds Lake Drainage District or otherwise be so used that the same or any part thereof may enter into the city storm sewer system serving said District.

9.504. Exception. The provisions of Section 9.503 shall not apply to any lots or parcels of real estate as to which the Michigan Department of Agriculture shall have determined, on the basis of tests and soil samples, that a large amount of anhydric phosphoric acid is required to maintain lawn in healthy condition.

9.505. Labels. The City shall supply to vendors within the City and adjoining areas, labels to be affixed to commercial fertilizers offered for sale containing the legend "This fertilizer contains less than 1% by weight of anhydric phosphoric acid and is approved for use within the Reeds Lake Drainage District, East Grand Rapids, Michigan."

Section 2. This ordinance shall be effective on February 28, 1980.

Section 3. This ordinance shall be published in full as provided in Chapter VIII Section 5 of the City Charter.

Yeas: Frost, Gale, Hoag, Waters, Lorch, Worfel, Stoppels - 7
Nays: 0

338. A letter was received from Ms. Anne Gerth Logan requesting that the City Commission permit the League of Women Voters to provide a form for the public to use for property assessment comparisons. Ms. Logan was present to discuss the proposal.

338-A. Frost-Worfel. That the League of Women Voters be permitted to make available to the general public at the front counter of City Hall a form concerning property assessment comparisons.

Yeas: Frost, Gale, Hoag, Waters, Lorch, Worfel, Stoppels - 7
Nays: 0

339. A copy of the City Manager's response to Mrs. Myrna Herz, Corresponding Secretary for the Breton Downs PTA, regarding the possibility of an ice rink at Breton Downs School was received and filed.

340. A letter was received from Ms. Janet Gilmore concerning the condition of the fill area south of Cascade Road and west of the East Beltline and abandoned cars at the corner of Cascade and Kingswood. The City Manager reported that efforts would be made in the spring to improve the appearance of the fill area, and that the abandoned cars had been removed.

341. There was discussion of proposed Animal Control Ordinance revisions. Commissioner Worfel distributed proposed ordinance amendments and a recommended policy statement. Further discussion of the proposed Animal Control Ordinance revisions was referred to the February 25, 1980, Committee-of-the-Whole meeting.

342. The proposed supplemental agreement with the School District of the City of East Grand Rapids concerning the Manhattan School property was considered. Commissioner Waters stated that he had been unable to contact school officials regarding the proposed agreement. Discussion of the proposed supplemental agreement was postponed for two weeks.

342-A. Worfel-Frost. That the Commission consider a proposed resolution regarding land use planning at the Manhattan School site.

Yeas: Frost, Hoag, Gale, Worfel - 4
Nays: Waters, Lorch, Stoppels - 3

The motion failed to receive the necessary 2/3 majority for discussion of the proposed resolution at this time.

Commissioner Worfel requested that discussion of the proposed resolution regarding land use planning at Manhattan School be placed on the agenda for the March 3, 1980, Commission meeting.

343. Waters-Gale. That the following two resolutions be adopted:

RESOLVED, that this Commission desires to consider the proposed improvement consisting of a maintenance surface of a prime and double asphalt sealcoat including necessary gravel, shaping, grading, rolling, and compaction on

PIONEER CLUB ROAD AND REEDS LAKE BLVD. CUTOFF
from a point on Pioneer Club Road 433 feet West of Manhattan Road,
thence Westerly extending through Reeds Lake Blvd. cutoff to Reeds
Lake Blvd.

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

and,

RESOLVED, that the statement of preliminary proceedings with respect to this proposed improvement having been filed with the City Clerk, a public hearing be held before the City Commission at the City Hall on Monday, March 3, 1980, at 7:30 p.m., relative to necessity of the proposed improvement consisting of a maintenance surface of a prime and double asphalt sealcoat including necessary gravel, shaping, grading, rolling, and compaction on

PIONEER CLUB ROAD AND REEDS LAKE BLVD. CUTOFF from a
point on Pioneer Club Road 433 feet West of Manhattan Road, thence
Westerly extending through Reeds Lake Blvd. cutoff to Reeds Lake Blvd.

and that the clerk cause notice of this hearing to be published and mailed as required by ordinance section 1.303(b) at least 10 days prior to the date of such hearing.

Yeas: Frost, Gale, Hoag, Waters, Lorch, Worfel, Stoppels - 7

Nays: 0

344. An inventory of vacant property in the City of East Grand Rapids was received for information. The Manager explained that the listing was divided into two categories: (1) public vacant properties; and, (2) private properties owned by persons not living adjacent to the vacant parcel. A third category, vacant properties owned by persons living adjacent to the vacant lot, was not included.

345. Two invoices were received from Varnum, Riddering, Wierengo and Christenson for prosecutions on which the City Attorney's Office had a conflict of interest.

345-A. Gale-Lorch. That payment of the invoices from Varnum, Riddering, Wierengo and Christenson be approved in the amount of \$543.00.

Yeas: Frost, Gale, Hoag, Waters, Lorch, Worfel, Stoppels - 7

Nays: 0

346. The minutes of the Planning Commission meeting held February 6, 1980, were received and filed.

347. A written summary of the Committee-of-the-Whole meeting held February 11, 1980, was received and filed.

348. The monthly report for January from the East Grand Rapids Library was received for information.

349. The financial and progress report for the second quarter of fiscal year 1979/80 for the Grand Rapids Area Chamber of Commerce was received for information.

350. A letter was received from State Representative Paul B. Henry regarding a public hearing to be held on prison over-crowding and community corrections systems on Wednesday, March 5, 1980, at 7:00 p.m., in the Grand Rapids City Commission Chambers.

351. The monthly financial report for January was received for information.

352. A report on the expenditures of the contingency fund for the current fiscal year was received for information.

353. The City Manager reported that the City had completed the purchase of the Gordon property on Wealthy Street for \$8,000.

354. Hoag-Frost. That expense vouchers in the amount of \$899,113.51, and payroll vouchers in the amount of \$33,858.08, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Frost, Gale, Hoag, Waters, Lorch, Worfel, Stoppels - 7
Nays: 0

355. The Mayor set Monday, February 25, 1980, as the next work session of the City Commission, to begin at 7:00 p.m.

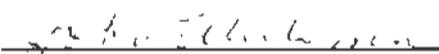
356. Frost-Worfel. That this Commission go into closed session to discuss a personnel matter.

Yeas: Frost, Gale, Hoag, Waters, Lorch, Worfel, Stoppels - 7
Nays: 0

Following the closed session, the Mayor called the meeting to order.

357. There were 8 residents in attendance at this meeting.

358. The meeting was adjourned, subject to the call of the Mayor, until March 3, 1980.



City Clerk

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

Regular Meeting Held March 3, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Frost, Waters, Hoag, Lorch, Gale, Worfel and Mayor Stoppels.

Absent: None.

359. The minutes of the meeting held February 18, 1980, were approved as written.

360. Pursuant to public notice, a hearing was then held upon the necessity to install a maintenance coating on Pioneer Club Road from 433 feet west of Manhattan Road to Reeds Lake Blvd. A letter from Mr. Otto Wierenga, requesting that no curbs or sidewalks be included in this project, was received. There were several residents present of whom the following persons stated that they favored installation of a surface: Stanley Hudson, Lenore Kolenda, Mrs. Helen Pastoor, Pam Nicholson, Dan Lemke, Lee Kunst, Robert Black, and Philip Hoskins. Persons objecting to any type of improvement were: Clarence Lee and Anita Gilleo.

360-A.
BY COMMISSIONERS WORFEL-GALE:

RESOLVED, that the improvement consisting of a maintenance surface of a prime and double asphalt sealcoat including necessary gravel, shaping, grading, rolling and compaction on

PIONEER CLUB ROAD AND REEDS LAKE BLVD, CUTOFF from a point on Pioneer Club Road 433 feet West of Manhattan Road, thence Westerly extending through Reeds Lake Blvd. cutoff to Reeds Lake Blvd.

is a necessary public improvement and that the cost and expense of such improvement shall be paid by special assessment levied upon the lands and premises, except public highways and alleys, benefitting from said improvement, according to front footage.

BE IT FURTHER RESOLVED, that the plans and specifications for said improvement as prepared by the City Engineer are approved, that the estimated cost thereof is \$10,678.00, that \$3,058.44 of said cost shall be paid by the City-at-large and \$7,619.56 by special assessment payable in 10 annual installments with interest at the rate of 7% per annum on installments not paid within 30 days of confirmation of the assessment roll.

BE IT FURTHER RESOLVED, that the special assessment district upon which special assessments shall be levied is established as consisting of:

Lot 7 Griffiths Lake Park
Part Lot 9 Griffiths Lake Park
Lots 1 thru 17 Hahn & DeVries Subdivision
Lots 1, 2, 3, 6, 7 and 8 London's Lake Addition
Lots 1 thru 15 McLee's Subdivision
Lots 1 thru 17 Hill Wa Son Subdivision
Part of Northwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ Section 34 T. 7 N. R. 11W.
Part Lot 1 etc. Manhattan Subdivision

41-14-34-201-003	41-14-34-204-014	41-14-34-206-001
41-14-34-203-001	41-14-34-204-015	41-14-34-206-002
41-14-34-203-002	41-14-34-204-016	41-14-34-206-005
41-14-34-203-010	41-14-34-204-017	41-14-34-206-006
41-14-34-203-011	41-14-34-204-018	41-14-34-206-007
41-14-34-203-012	41-14-34-204-023	41-14-34-206-008
41-14-34-204-004	41-14-34-204-024	41-14-34-206-009
41-14-34-204-013	41-14-34-205-002	41-14-34-206-010

and that this Commission deems and declares that all real estate within said district is benefitted by said improvement.

RESOLVED, that the City Manager prepare or cause to be prepared a special assessment roll in accordance with the determinations of this Commission.

BE IT FURTHER RESOLVED, that as this improvement is a maintenance surface only, such assessment will not exempt the affected property from further assessment for maintenance or permanent improvement if the same becomes necessary, and that the City Attorney be directed to prepare an appropriate affidavit for recording.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

361. A proposed supplemental agreement to the Manhattan School Agreement was received for information.

362. A proposed resolution to employ a land developer to supplement the review by the committee appointed by the Planning Commission to study uses of the Manhattan School site, was received from Commissioners Worfel and Waters. Commissioner Worfel stated that no action needed to be taken at this time.

363. A statement of policy regarding the Animal Control Ordinance enforcement procedures and proposed amendments to the Animal Control Ordinance were submitted by Commissioner Worfel.

363-A. Worfel-Gale. That the City Attorney draft an ordinance amendment which would include Article VII - Vicious Animals, and Section 9.41-6 Schedule of Violations to be considered at the next City Commission meeting.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

363-B. Worfel-Waters. That this Commission adopt the statement of policy submitted by Commissioner Worfel regarding the Animal Control enforcement procedures and that copies of the statement be sent to the Director of the Kent County Animal Control Department and to the Animal Control Officer assigned to East Grand Rapids, and that the Clerk file this statement of policy in the policy book.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

364. The City Manager reported on bids which were received for mechanical work on the air conditioning and heating system in the City Hall and Library lower levels. The breakdown of the low bid submitted by Buob Plumbing is as follows:

Library lower level	\$ 1,019.00
City Hall lower level	25,748.00
Conference Room B	2,938.00
Remodeling of control systems	1,205.00

364-A. Worfel-Gale. That this Commission accept the low bid of Buob Plumbing for the mechanical work to be done on the lower level of City Hall and the East Grand Rapids Library for the total cost of \$30,910.00.

364-B. Waters-Frost. That the above motion be tabled.

A roll call vote was taken:

Yeas: Frost, Waters, Hoag, Lorch - 4

Nays: Gale, Worfel, Stoppels - 3

The motion carried.

365. The City Manager submitted an invoice in the amount of \$4,685.47, from Progressive Engineering, for work in preparing specifications and the receipt of bids for the mechanical work on the air conditioning system.

365-A. Worfel-Hoag. That the invoice from Progressive Engineering in the amount of \$4,685.47 be approved for payment.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

366. A memorandum from the City Engineer regarding hydrant, valve, and watermain replacements and new installations, and a request for authorization to advertise for bids was received.

366-A. Lorch-Worfel. That the City Engineer be authorized to advertise for bids for hydrant, valve, and watermain replacements and new installations.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

367. A memorandum from the City Manager requesting authorization to purchase a used packer truck from A. M. Klinger, of Rockford, Michigan, in the amount of \$2,650.00, was received.

367-A. Waters-Hoag. That authorization is hereby granted to purchase the used packer body from A. M. Klinger, of Rockford, Michigan, in the amount of \$2,650.00; also that this Commission deems that the purchase of this used packer truck is not competitive in nature and no advantage to the City would result from requiring competitive bidding.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

368. The City Manager submitted a memorandum regarding the acquisition of vacant lots located at 1771 and 1772 Asbury Road SE, by the City of East Grand Rapids.

368-A. Mayor Stoppels - Worfel. That the following resolution be adopted.

WHEREAS, Act 223, P. A. 1909, as last amended by Act 196, P. A. 1970 provides for the conveyance of State-owned tax-reverted lands to municipal units for public purposes, and

WHEREAS, such lands are under the jurisdiction of the State of Michigan, Department of Natural Resources and are available for acquisition under the provisions of the above mentioned act being

Permanent Parcel #41-18-04-432-014
 Part of Lots 359 and 360 com 1.93 ft. N 4D
 33M 40S E along W line of sd lot 359 from
 SW cor of sd lot 359 th N 52D 08M 35S E
 167.19 ft th Nly 35.60 ft on a 50 ft rad
 curve to rt / long chord bears N 25D
 27M 55S W 34.85 ft / to N line of lot 360
 th N 84D 19M 15S W along N line of sd lot
 360 to NW cor of sd lot 360 th S 4D 33M
 40S W along W lines of sd lots 145.02 ft to
 beg
 Paris Park No. 1

and

Permanent Parcel #41-18-04-433-014
 Part of Lots 369 & 370 com 4.79 ft N 86D
 38M along S line of sd lot 370 from SE cor
 of sd lot 370 th N 42D 26M 25S W 159.69 ft th
 NEly 34.32 ft on a 50 ft rad curve to rt / long
 chord bears N 34D 20M 40S E 33.65 ft / to N
 line of sd lot 369 th S 87D 18M 50S E 97.23 ft
 along N line of sd lot 369 to NE cor of lot 369
 th S 1D 26M 45S W along E lines of sd lots
 141.40 ft to SE cor of sd lot 370 th N 86D 38M
 W 4.79 ft to beg
 Paris Park No. 1

and

WHEREAS, the East Grand Rapids City Commission desires to acquire said lands for park purposes,

NOW, THEREFORE, BE IT RESOLVED, that the East Grand Rapids City Commission is authorized to make application to the State of Michigan, Department of Natural Resources, Lands Division, for conveyance of said land to the East Grand Rapids City Commission for a nominal fee of \$1.00, plus the State's maintenance costs, if any, and

FURTHER, BE IT RESOLVED, that the East Grand Rapids City Commission shall set up necessary procedures and controls to provide for the proper distribution of funds arising from the subsequent sale of the acquired property in conformity with the above mentioned acts.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
 Nays: 0

369. A motion from the Parks & Recreation Commission requesting permission from the City Commission to submit a preapplication for a Federal Land and Water Grant for the water tower site was received.

369-A. Worfel-Frost. That this request be referred to the Planning Commission for their study and recommendation as to the best use of this land for the benefit of the residents of this community.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
 Nays: 0

370. The City Clerk-Controller submitted a proposed resolution relative to employee retirement.

370-A. Lorch-Worfel. That the following resolution be adopted:

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 a participating municipality to waive the reduction in retirement allowance for members who retire prior to age 60.

THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids does hereby elect to waive the application of the reduction in retirement allowance, as provided in Sec. 47(f), for members who retire after having attained age 55 with 25 or more years of credited service for C-1 members only.

BE IT FURTHER RESOLVED, that the City Clerk shall file a certified copy of this Resolution with the Michigan Municipal Employees' Retirement Board within 10 days after its adoption; and the effective date of coverage shall be July 1, 1979.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

371. A letter was received from the Advisory Center for Teens requesting financial aid from the City of East Grand Rapids for the fiscal year beginning July 1, 1980, to June 30, 1981, in the amount of \$1,148.00.

371-A. Gale-Worfel. That the following resolution of intent be adopted:

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

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

WHEREAS, the Advisory Center for Teens requires financial support from the City of East Grand Rapids for the fiscal year July 1, 1980 - June 30, 1981, based on the Association of Grand Rapids Area Governments (AGRAG) formula for a total of \$29,183.00, amounting to \$1,148.00,

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of East Grand Rapids will provide the Advisory Center for Teens its share of the necessary financial support during the 1980-1981 fiscal year for the purpose of providing professional counseling and assistance for adolescent/young adults regardless of the problem.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

372. A summary relative to the Home Rule Act, the City Charter and the City Ordinance Code, which was prepared by the City Attorney, was received.

373. A report from the Administrative Aide regarding the Housing Rehabilitation Program was received.

373-A. Hoag-Frost. That the following recommendations as presented by the Housing Rehabilitation Committee be approved:

1. Low to moderate income homeowners should be encouraged to apply for home improvement loans from the State of Michigan. Applications are accepted locally through Old Kent Bank and Union Bank.
2. The loan repayment revolving fund should be used for loans to eligible residents in need of home repair assistance who are unable to secure loans from other sources.
3. The loan repayment revolving fund should be open to all eligible residents of the City and not restricted to target areas. This is permitted under federal regulations.
4. Eligibility for loans should be determined by a sliding income scale based on family size. This scale should be adjusted periodically for inflation. A copy of the proposed income guidelines is included on the following page.
5. The removal or trimming of trees on the property which are likely to damage buildings or utility services and the repair or replacement of severely broken or unsafe shifted public walks and dwelling access walks and steps should be considered as eligible costs for a housing rehabilitation loan.
6. After an inspection by the City Building Inspector, three bids from licensed contractors should be obtained, preferably by the homeowner, before the loan application is submitted to the Rehabilitation Review Committee for approval. Efforts should be made to locate reliable contractors with good work records to bid on housing rehabilitation projects.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

374. The City Clerk-Controller submitted a report of the Board of Canvassers Statement of Votes Cast at the Non-Partisan Primary Municipal Election held in the City of East Grand Rapids on Monday, February 18, 1980. This report was received and filed.

375. The minutes of the Traffic Commission meeting held February 12, 1980, were received and filed.

376. The Fire Department report for the month of February, 1980, was received and filed.

377. A schedule of programs which are proposed to be held by the Recreation Department at the Manhattan building from March 14 until June 6, was received for information.

378. A letter from the Project Officer of the Environmental Protection Agency informing the Commission that the EPA grant for the Reeds Lake Restoration Project expired on February 29, 1980, was received. The City Manager reported that he had talked with Mr. Massie of the Department of Natural Resources, and felt that by contacting our Congressman and Senator we might be able to find out what has happened relative to this grant.

378-A. Hoag-Waters. That the City Manager be directed to send a letter to Senator Reigle and Congressman Sawyer requesting assistance.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

379. A letter addressed to the City Manager from Commissioner Waters, regarding the D & S Construction Company, along with the City Manager's reply to this letter, was received for information.

380. A copy of the letter to the Cadence, written by Stephen C. Oldstrom, in regard to an article published February 27, 1980, entitled "East Grand Rapids Violating Charter?" was received and filed.

381. Frost-Waters. That expense vouchers in the amount of \$1,157,348.09, and payroll vouchers in the amount of \$41,081.31, 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: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

382. Commissioner Frost requested that a discussion be held regarding the City's employment of D & S Construction Company at the next City Commission work session.

383. Mayor Stoppels set March 10, 1980, as the next City Commission work session.

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

385. The meeting was adjourned, subject to the call of the Mayor, until March 17, 1980.

City Clerk

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

Regular Meeting Held March 17, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Frost, Waters, Hoag, Lorch, Gale, Worfel and Mayor Stoppels.

Absent: None.

386. The minutes of the meeting held March 3, 1980, were approved as written.

387. Mr. Jan Krygowski and Mr. Edward Perez, from Jan Krygowski Associates, presented their preliminary report regarding parking needs within the East Grand Rapids central district.

387-A. Gale-Lorch. That this Commission review the final report of Jan Krygowski Associates at the work session which will be held at 7:00 p.m., on March 24, 1980, and that the Consultant be requested to be in attendance at this meeting.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

388. The City Manager reported on bids which were received on March 12, 1980, for various street improvements, hydrant and valve replacements, and watermain installation. There were 17 bids submitted which the Engineering Department is reviewing. The staff is evaluating the availability of funds to complete these projects. A recommendation from staff will be submitted at the next regularly scheduled City Commission meeting.

389. A letter was received from Mr. Clarence V. Lee, Jr., 2931 Pioneer Club Road SE, expressing his opposition to any plan to improve Pioneer Club Road. Also, a petition was received from residents on the unpaved section of Pioneer Club Road between Reeds Lake Blvd. and Manhattan Road, requesting that a cul-de-sac be placed at Reeds Lake Blvd., Pioneer Club Road and Reeds Lake Blvd. cutoff, or at Pioneer Club Road and Reeds Lake Blvd. cutoff west of 2860 Pioneer Club Road.

389-A. Worfel-Frost. That the request from the residents on Pioneer Club Road to cul-de-sac this street be referred to the Traffic Commission for its review and recommendation.

Yeas: Frost, Waters, Hoag, Lorch, Worfel, Stoppels - 6

Nays: Gale - 1

390. A proposed resolution setting a hearing on the assessment roll of Norfolk Road was received.

390-A.

BY COMMISSIONERS GALE-LORCH:

RESOLVED, that the special assessment roll for the improvements consisting of constructing a 12" storm drain including manholes, catch basins, catch basin leads, sand backfill, and restoration on

NORFOLK ROAD from the existing 12" storm drain 68 feet West of the East line of Lot 86 to the East line of Lot 60 Albert Realtors Hampshire Replat (Norfolk Road from Covington Road to Andover Lane extended South)

is directed to be filed in the office of the City Clerk for public examination and that the City Commission meet at the City Hall on Monday, April 7, 1980, at 7:30 p.m. for the purpose of reviewing such roll at which time and place all persons interested or who are liable to be assessed for such improvement may appear and be heard in regard to such improvement and assessment roll; and

BE IT FURTHER RESOLVED, that the City Clerk is instructed to give notice of such hearing in the manner provided by ordinance section 1.307(a) at least 10 days prior to the date of said hearing.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

391. A proposed resolution setting a hearing on the assessment roll of Pioneer Club Road from Reeds Lake Blvd. cutoff was received.

391-A.
BY COMMISSIONERS GALE-LORCH:

RESOLVED, that the special assessment roll for the improvements consisting of a maintenance surface of a prime and double asphalt sealcoat including necessary gravel, shaping, grading, rolling, and compaction on

PIONEER CLUB ROAD AND REEDS LAKE BLVD. CUTOFF from a point on Pioneer Club Road 433 feet West of Manhattan Road, thence Westerly extending through Reeds Lake Blvd. cutoff to Reeds Lake Blvd.

is directed to be filed in the office of the City Clerk for public examination and that the City Commission meet at the City Hall on Monday, April 7, 1980, at 7:30 p.m. for the purpose of reviewing such roll at which time and place all persons interested or who are liable to be assessed for such improvement may appear and be heard in regard to such improvement and assessment roll; and

BE IT FURTHER RESOLVED, that the City Clerk is instructed to give notice of such hearing in the manner provided by ordinance section 1.307(a) at least 10 days prior to the date of said hearing.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

392. The City Manager reported on bids which were received for mechanical work below the City Hall and Library in the Municipal Complex. The low bidder was Buob Plumbing in the total amount of \$30,910.00.

392-A. Worfel-Gale. That the low bid of Buob Plumbing in the amount of \$30,910.00 for the mechanical work below the City Hall and Library be accepted and a contract awarded.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

393. A proposed ordinance to amend Section 9.41-1, 9.41-2 and 9.42-6 of Chapter 89 - Animals of Title IX Police Regulations of the Code of the City of East Grand Rapids was received.

393-A. Worfel-Hoag. That the following ordinance be introduced for consideration at a later meeting.

AN ORDINANCE TO AMEND SECTIONS 9.41-1, 9.41-2
AND 9.42-6 of CHAPTER 89 - ANIMALS OF TITLE IX
POLICE REGULATIONS OF THE CODE OF THE CITY OF
EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Sections 9.41-1, 9.41-2 and 9.42-6 of Chapter 89 of Title IX of the Code of the City of East Grand Rapids are amended to read as follows:

"9.41-1. A vicious animal shall at all times when not securely confined be securely muzzled and led by a leash. Any animal shall be deemed vicious which has attacked or bitten a person or domestic animal without molestation, or, which by its actions, gives indications that it is likely to attack or bite any person or domestic animal without molestation.

"9.41-2. Prosecutions. On sworn complaint that a violation of Section 9.41-1 has occurred the City may secure a summons against the owner of said animal commanding him to appear and show cause why said animal should not be ordered to be confined or destroyed. Upon such hearing, if the District Court shall determine that said animal is vicious, the Court may order said animal confined to the premises of the owner or may order the Director of Animal Control to cause said animal to be destroyed or may enter such other order relative to the care of such animal as the Court shall determine to be appropriate.

* * * *

"9.42-6. Schedule of violations. The following violations may be settled at the Violations Bureau when so provided in this chapter by imposition and payment of fines as herein set forth.

	<u>Fine</u>
Violation of animal control ordinance, first offense	\$ 15.00
Violation of animal control ordinance, second offense within 24 months	20.00
Violation of animal control ordinance, third offense within 24 months	30.00
Violation of animal control ordinance, fourth offense within 24 months	60.00
Violation of animal control ordinance, fifth offense within 24 months	100.00

"An animal owner who does not elect to pay these fines at the Violations Bureau may elect to have his or her case tried before the District Court, and in such case, these fines are not binding upon the District Court."

Section 2. This ordinance shall be effective on _____, 1980.

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

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

394. A memorandum from the Recreation Department regarding the request of the High School PTSA use of Manhattan Gym was received. The City Manager reported that the High School PTSA has withdrawn their request.

395. A letter to the City Manager from the Recreation Director regarding the request from the Circle Theater to utilize the Manhattan building for its annual theater tryouts on specified scheduled dates was received.

395-A. Waters-Worfel. That the Circle Theater be permitted to utilize the Manhattan School on the dates specified.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

396. A letter from Mr. Joseph G. Zainea, City Manager of Grand Rapids, regarding appointments made to the Kent CAP Governing Board, for a one-year term commencing February 27, 1980, was received for information.

397. A memorandum from the Department of Army regarding permit requirements for placement of dredged or fill material in wetlands adjacent to Reeds Lake near Grand Rapids was received for information.

398. The City Manager reported that work has commenced on the sanitary sewer evaluation survey in the southeast portion of the community.

399. The Building Inspector's report for the month of February was received for information.

400. The Police report for the month of February was received for information.

401. A letter from Carl Levin, U.S. Senator, inviting all interested persons to a town meeting which will be held March 22, 1980, from 4:00 to 5:30 p.m., at the West Side Complex, was received for information.

402. The Mayor thanked the Commissioners for their time spent serving on the Board of Review.

403. The City Manager reported that he had received a report from the Fire Chief relative to bids which were solicited for the sale of the 1949 American LaFrance pumper. Two bids were received: one from Venerable Fire Company Museum, Slinger, Wisconsin, in the amount of \$3,000.00; and one from Ron Knierin, Freeland, Michigan, in the amount of \$2,820.00. It was recommended that this equipment be sold to the high bidder.

403-A. Worfel-Gale. That the high bid of Venerable Fire Company Museum, in the amount of \$3,000.00 be accepted.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

404. Frost-Waters. That expense vouchers in the amount of \$81,312.05, and payroll vouchers in the amount of \$36,136.32, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

405. Commissioner Waters inquired about a water break in a home on San Lucia Drive. He said he understood that it took 12 hours before a response was made to this report. The City Manager reported that he would investigate this matter and report to Commissioner Waters.

406. The Administrative Aide reported that the Planning Commission Study Committee for Manhattan School will hold a meeting at Manhattan School. It was requested that the Police Department have a key for the Manhattan building.

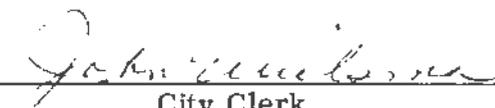
407. Worfel-Lorch. That this Commission go into executive session to discuss a personnel matter.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

408. The Mayor reconvened the City Commission.

409. There were 58 persons in attendance at this meeting.

410. The meeting was adjourned, subject to the call of the Mayor, until April 7, 1980.



City Clerk

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

Regular Meeting Held April 7, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Frost, Waters, Hoag, Lorch, Gale and Mayor Stoppels.

Absent: Com. Worfel.

411. The minutes of the meeting held March 17, 1980, were approved as written.

412. Pursuant to public notice, a hearing was held on the assessment roll for construction of the storm drain in Norfolk Road. Mrs. A. Robert VanTuinen objected to the improvement because she could not see a need for it. Mr. Paul Koehl was in favor of the improvement.

412-A. Gale-Lorch. That the following resolution be approved:

RESOLVED, that a public hearing having been duly held on the special assessment roll for the improvement consisting of constructing a 12" storm drain including manholes, catch basins, catch basin leads, sand backfill, and restoration on

NORFOLK ROAD from the existing 12" storm drain 68 feet West of the East line of Lot 86 to the East line of Lot 60 Albert Realtors Hampshire Replat (Norfolk Road from Covington Road to Andover Lane extended South)

and all persons having been given the opportunity to be heard with regard thereto and this City Commission having considered all written or oral objections thereto, and it appearing that said special assessment roll does not require any changes or corrections, this City Commission does confirm such special assessment roll and does order that the Clerk endorse the date of confirmation upon such special assessment roll and transmit the same to the Treasurer for collection.

Yeas: Waters, Hoag, Lorch, Gale, Stoppels - 5

Nays: Frost - 1

413. Pursuant to public notice, a hearing was held on the assessment roll for improvement of Pioneer Club Road. The following persons were present to discuss this improvement with the Commission: Mrs. Lenore Kolenda, Mrs. Richard M. VanGelderens, Mr. Clarence Lee, Mr. Donald Dimke, Mr. Thomas Nicholson, Mr. & Mrs. Stanley Hudson, Mr. Lee Kundtz, Mrs. Ruth Freshour, Mr. Anthony Preston, and Mr. Robert Black.

413-A. Lorch. That this matter be tabled until a report is received from the Traffic Commission relative to the feasibility of a cul-de-sac on Pioneer Club Road.

This motion failed for lack of support.

413-B. Gale-Frost. That the following resolution be adopted:

RESOLVED, that a public hearing having been duly held on the special assessment roll for the improvement consisting of a maintenance surface of a prime and double asphalt sealcoat including necessary gravel, shaping, grading, rolling, and compaction on

PIONEER CLUB ROAD AND REEDS LAKE BLVD. CUTOFF from a point on Pioneer Club Road 433 feet West of Manhattan Road, thence Westerly extending through Reeds Lake Blvd. Cutoff to Reeds Lake Blvd.

and all persons having been given the opportunity to be heard with regard thereto and this City Commission having considered all written or oral objections thereto, and it appearing that said special assessment roll does not require any changes or corrections, this City Commission does confirm such special assessment roll and does order that the Clerk endorse the date of confirmation upon such special assessment roll and transmit the same to the Treasurer for collection.

A roll call vote was taken:

Yeas: Frost, Waters, Hoag, Lorch, Gale, Stoppels - 6
Nays: 0

The motion carried.

414. Pursuant to public notice, a hearing was then held upon the zoning variance request of Gaslight Village Inn to operate a portion of their business on a public sidewalk on the Wealthy Street side of the building. A letter from the City Attorney pointing out the necessity for a variance and a petition from customers of Gaslight Village Inn requesting the Commission to approve this request, was received for information. Mr. J. Bryan LeGwin, owner of Gaslight Village Inn, was present to discuss his request with the City Commission.

414-A. Waters-Gale. That this Commission, acting as the Board of Zoning Appeals, grant the variance request of Gaslight Village Inn. Further, that a license be issued to Gaslight Village Inn to permit the use of the city sidewalk for placement of six (6) tables and twelve (12) chairs on the sidewalk on the south side of Wealthy Street between the hours of 11:00 a.m. and 3:00 p.m., in such position as not to impede pedestrian traffic, and that said license is revokable at any time by the City.

A roll call vote was taken:

Yeas: Frost, Waters, Hoag, Lorch, Gale - 5
Nays: Stoppels - 1

The motion carried.

415. Pursuant to public notice, a hearing was then held on the zoning variance request of Mr. Stephen J. Fase, to divide a lot at 1535 Breton Road to permit building a house on a 66-foot parcel rather than a 72-foot parcel, as required by the Zoning Ordinance. Mr. Fase was present to discuss his request with the Commission. Mrs. Mary Beth Baker, Mr. Robert Coble, and Mr. & Mrs. Charnley were present to oppose this request.

415-A. Waters. That this request be referred to the Planning Commission.

This motion died for lack of support.

415-B. Gale-Hoag. That this Commission, acting as the Board of Zoning Appeals, deny the zoning variance request of Mr. Fase.

A roll call vote was taken:

Yeas: Waters, Hoag, Lorch, Gale, Stoppels - 5
Nays: 0
Commissioner Frost abstained.

The motion carried.

415-C. Mayor Stoppels-Lorch. That the potential use of this property be referred to the Planning Commission for study.

Yeas: Waters, Hoag, Lorch, Gale, Stoppels - 5
Nays: 0
Commissioner Frost abstained.

Mayor Stoppels asked Commissioner Gale, President of the Commission, to chair the meeting for the next agenda item.

416. An application for the renewal of a marina license at 518 Lakeside Drive SE, was received from Mr. & Mrs. Jack Runnels. Mr. & Mrs. Runnels were present to discuss their request with the Commission.

416-A. Waters-Hoag. That the City Clerk be authorized to issue a license to Mr. & Mrs. Runnels to operate a marina for not to exceed 24 sailboats, and that the City Manager be asked to report on the feasibility of increasing the maximum from 24 to 36 sailboats, per the request of the Runnels.

Yeas: Frost, Waters, Hoag, Lorch, Gale - 5
Nays: 0
Mayor Stoppels abstained.

Mayor Stoppels then returned to the Chairman's position.

417. A draft of the final report from Mr. Jan Krygowski, regarding the Central Business District, was received for information, and the Mayor set April 14th, at 7:00 p.m., as a work session of the City Commission, at which time this report will be reviewed.

418. A letter from Mr. Paul M. Van't Hof, 2305 Brighton Drive SE, objecting to the registration policies of the East Grand Rapids Recreation Department, as it relates to aerobic dance classes, was received. A memorandum from the City Manager in response to Mr. Van't Hof's letter was received for information. This matter was referred to the Parks and Recreation Commission, directing a thorough investigation and early reply.

419. An ordinance to amend the Animal Control Ordinance was reviewed.

419-A. Hoag-Frost. That the following ordinance be adopted to become effective April 17, 1980:

AN ORDINANCE TO AMEND SECTIONS 9.41-1,
9.41-2 AND 9.42-6 OF CHAPTER 89 - ANIMALS
OF TITLE IX - POLICE REGULATIONS OF THE
CODE OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Sections 9.41-1, 9.41-2 and 9.42-6 of Chapter 89 of Title IX of the Code of the City of East Grand Rapids are amended to read as follows:

"9.41-1. A vicious animal shall at all times when not securely confined be securely muzzled and led by a leash. Any animal shall be deemed vicious which has attacked or bitten a person or domestic animal without molestation, or which by its actions, gives indications that it is likely to attack or bite any person or domestic animal without molestation.

"9.41-2. Prosecutions. On sworn complaint that a violation of Section 9.41-1 has occurred the City may secure a summons against the owner of said animal commanding him to appear and

show cause why said animal should not be ordered to be confined or destroyed. Upon such hearing, if the District Court shall determine that said animal is vicious, the Court may order said animal confined to the premises of the owner or may order the Director of Animal Control to cause said animal to be destroyed or may enter such other order relative to the care of such animal as the Court shall determine to be appropriate.

* * *

"9.42-6. Schedule of violations. The following violations may be settled at the Violations Bureau when so provided in this chapter by imposition and payment of fines as herein set forth:

	<u>Fine</u>
Violation of animal control ordinance, first offense	\$ 15.00
Violation of animal control ordinance, second offense within 24 months	20.00
Violation of animal control ordinance, third offense within 24 months	30.00
Violation of animal control ordinance, fourth offense within 24 months	60.00
Violation of animal control ordinance, fifth offense within 24 months	100.00

"An animal owner who does not elect to pay these fines at the Violations Bureau may elect to have his or her case tried before the District Court, and in such case, these fines are not binding upon the District Court."

Section 2. This ordinance shall be effective on April 17, 1980.

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

Yeas: Frost, Waters, Hoag, Lorch, Gale, Stoppels - 6
Nays: 0

420. A letter from Wood, Grover & Associates, Inc., was received along with a compilation of data and computation files which was requested by the Environmental Protection Agency. Also enclosed with the letter was an invoice in the amount of \$6,199.22, incurred for file preparation.

420-A. Hoag-Waters. That the invoice from Wood, Grover & Associates, Inc. in the amount of \$6,199.22, be approved for payment.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Stoppels - 6
Nays: 0

421. A letter from the Environmental Protection Agency regarding the final report on the Reeds Lake Restoration Project was received for information. The City Manager reported on the change of status of our previously assigned EPA Project Officer.

422. The City Manager submitted a letter from Environmental Research Group, Inc., regarding the completion of Reeds Lake and Fisk Lake water quality restoration study, with a cost estimate of their services to assist the City in this program.

422-A. Hoag-Waters. That the City enter into a contract with the Environmental Research Group, Inc., not to exceed \$10,300.00 for the four (4) specified work items, and that the Mayor and Clerk be authorized to sign said contract.

Yeas: Waters, Hoag, Lorch, Gale, Stoppels - 5
Nays: Frost - 1

423. Mr. Geoffrey Hughes read a letter which he prepared regarding his involvement in lake restoration studies. The Mayor requested him to submit a copy of this letter to the Commission for its review.

424. The City Manager reported on a meeting he had had with the Superintendent of Business Affairs for the East Grand Rapids Schools and the City Controller regarding the School's request that 50% of the school tax be collected in the summer and 50% in the winter. Dr. Jean McGrew, Superintendent of the East Grand Rapids Schools, and Judy Frey, President of the School Board, were present to discuss this request with the Commission. Mr. Oldstrom was present to obtain information regarding this request. Mr. Seibold commented on school financing efforts. It was requested that staff prepare a condensed report to be reviewed by the City Commission.

425. A memorandum from Mr. William Bacon, Administrative Aide, regarding the workers' compensation policy was received. This matter was referred to the next City Commission meeting to allow the Commissioners more time for study.

426. A report from the City Attorney regarding the acquisition of property at Plymouth and Wealthy, was received.

426-A. Lorch-Hoag. That the City purchase the 1976 taxes on permanent parcel #41-14-28-254-023 in the amount of \$467.87, and that this amount be transferred from the Contingency Fund.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Stoppels - 6
Nays: 0

427. The City Manager submitted a report on bids which were received for the 1980 water and street construction program, the total amount being \$324,497.00, and recommended that the contracts be awarded to the following contractors who were the low bidders:

Hank Wynsma Excavating -

Maintenance gravel on Durant and Lansing from Lakeside to end of street (local street)	\$ 3,641.00
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Maintenance gravel on Hodenpyl from Rexford to Reeds Lake Blvd. (local street)	7,280.75
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Northern Construction Company -

Storm drain on Norfolk Road from Covington Road to Andover Lane (local street)	9,614.50
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Hydrant and valve installations throughout city	46,215.00
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Jack DeVries Excavating -

Watermain reconstruction on Darby from Bonnell to Reeds Lake Blvd.	32,494.20
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Smith Bros. Contracting, Inc. -

Sealcoat on Reeds Lake Blvd. from Manhattan to the east city limits (major street)	\$ 9,262.50
Sealcoat on Pioneer Club Road and Reeds Lake Blvd. cutoff from Manhattan to Reeds Lake Blvd. (local street)	10,457.50

Katerberg Trenching, Inc. -

Resurfacing of Eastgate from the west city limits to Laurel, and Laurel from Eastgate to the end of the street (local street)	14,032.05
Resurfacing and curb reconstruction on Rosewood from Robinson to Wealthy (local street)	54,359.90

Michigan Colprovia Co. -

Resurfacing of Keneberry from El Dorado to Kenesaw, and Kenesaw from El Dorado to Hall (local street)	22,319.40
Resurfacing and curb reconstruction on Wealthy Street from Lovett to Lakeside (major street)	89,244.51

Etna Supply Company -

Fittings	6,065.27
Hydrants and valves	14,772.81
6' water pipe	4,737.60

427-A. Waters-Gale. That the bids, as received, be accepted and that the contracts be awarded as recommended.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Stoppels - 6
Nays: 0

428. Reports for the month of March from the Fire Department, Police Department, Library and Building Inspector were received for information.

429. The Mayor reported that the Kent County Department of Public Works is having its annual roadside cleanup on April 26, 1980, at which time local units of government who participate in this program can use the County landfill site without charge to dispose of material collected.

429-A. Frost-Hoag. That this Commission is in accord with the Kent County Department of Public Works in its effort to clean up the roadsides in Kent County and encourages units of government to participate in the April 26th cleanup day.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Stoppels - 6
Nays: 0

430. The City Manager reported that he has a copy of the project justification report on the feasibility of the South Beltline Corridor Study which is available to any Commissioners interested in reviewing this report.

431. The City Manager requested that those Commissioners interested in attending the Michigan Municipal League 1980 Region V meeting to be held at the Candlestone Inn in Belding, on Thursday, April 24, 1980, should contact the City Clerk prior to April 18th, so that reservations can be made.

432. Hoag-Waters. That expense vouchers in the amount of \$766,008.64, and payroll vouchers in the amount of \$66,543.27, 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: Frost, Waters, Hoag, Lorch, Gale, Stoppels - 6
Nays: 0

433. There were 49 persons in attendance at this meeting.

434. The meeting was adjourned, subject to the call of the Mayor, until April 21, 1980.

City Clerk

UNOFFICIAL
Reference Only

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

Regular Meeting Held April 21, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Frost, Waters, Hoag, Lorch, Gale, Worfel and Mayor Stoppels.

Absent: None.

435. The minutes of the meeting held April 7, 1980, were approved as written.

436. Mayor Stoppels presented Ronald Jackson with a service award watch in recognition of his 25 years of employment with the City of East Grand Rapids.

437. Pursuant to public notice, a hearing was then held upon the request of Roger M. Jacobs, 2340 Argentina Drive SE, for a zoning variance to permit the enclosure of an existing deck with roof and screen to a point $2\frac{1}{2}$ feet from the easterly property line. Mr. Jacobs was present to discuss his request with the City Commission. There were no objections raised.

437-A. Gale-Worfel. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. Jacobs.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

438. The proposed Central Business District Plan was discussed.

438-A. Waters-Gale. That this Commission approve the parking aspects of the Central Business District Plan and that the City Attorney be directed to draw up a proposed ordinance which would incorporate the changes in the boundaries of the commercial and residential zones recommended by the City Planner, and that a public hearing be held on May 12, 1980, on the proposed ordinance change.

A roll call vote was taken:

Yeas: Frost, Waters, Hoag, Gale, Worfel - 5

Nays: Lorch, Stoppels - 2

The motion carried.

438-B. The Administrative Aide is to notify the Planning Commission of the hearing.

439. A report was received from the City Manager relative to the request of Jack R. and Suzanne G. Runnels to expand their marina from 24 boats to 36 boats.

439-A. Lorch-Waters. That this Commission authorize the issuance of a license for a marina for up to 36 boats.

Yeas: Waters, Hoag, Lorch, Gale - 4

Nays: Frost - 1

Commissioner Worfel and Mayor Stoppels abstained.

440. A request from the School Board to split their 1980 school tax levy so that 50% levied in July along with the City tax, and 50% in December along with the County and Intermediate tax was discussed.

440-A. Mayor Stoppels-Gale. That the proposal of the East Grand Rapids Schools to collect one-half of the school tax levy in the summer along with the City taxes beginning July 1, 1980, be approved.

A roll call vote was taken:

Yeas: Frost, Waters, Lorch, Gale, Stoppels - 5

Nays: Hoag, Worfel - 2

The motion carried.

441. Information regarding the City's workers' comp premium, along with a letter from our current insurance agent, was received. After much discussion, it was the consensus of the Commission that staff include specifications for the workers' comp coverage along with the other liability coverages in said specifications in soliciting bids for insurance coverage.

442. The City Manager submitted a chronological summary of events regarding the Reeds Lake Project which began April of 1976. This was received for information.

443. The East Grand Rapids Arts Committee submitted a list of names for the City Commission to consider for appointment to the Arts Commission.

443-A. Worfel-Hoag. That the following persons be appointed to the Arts Commission for a one-year term from May 1, 1980 to July 1, 1981: Mike Karolle, Paula Larson, Marilyn Hagerup, June Stoppels and Mike Vavrek, and that Commissioner Lorch be appointed as the City Commission member.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

444. An invoice was received from the City Attorney for legal services in regard to the Blodgett Memorial Medical Center tax appeal.

444-A. Gale-Lorch. That this Commission authorize payment of this invoice in the amount of \$1,139.65, and that this amount be transferred from contingencies.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

445. The minutes of the Traffic Commission meeting held April 8, 1980, were received for information.

446. The minutes of the Planning Commission meeting held April 8, 1980, were received for information.

447. A letter and first draft of a brochure regarding lakes, eutrophication and restoration were submitted by Geoff Hughes to the Commissioners for their review.

448. A monthly statistical report of circulation, inquiries and other services was received from the East Grand Rapids Library for information.

449. The Mayor reported that he had received a letter from Carl Fleetwood regarding his resigning as member of the Traffic Commission. Commissioner Waters moved that this Commission accept Carl Fleetwood's resignation and that Mr. Richard Becker be appointed to replace him on the Traffic Commission. This motion failed for lack of support.

449-A. Worfel-Gale. That this Commission accept Mr. Fleetwood's resignation and that this position remain open until July 1, 1980.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7

Nays: 0

450. The Mayor reported that he had received an invitation from the Girl Scouts Council for the Mayor and Commissioners to attend the Girl Scout Open House which will be held from 6 to 8 p.m., on April 24, 1980, at Woodcliff School.

451. The City Manager reported that a letter will be going out this week regarding a reception to honor the outgoing Commissioners and to welcome the newly elected Commissioners.

452. The City Manager reported that he has received a request and price quotations from the Fire Chief for the purchase of fire equipment which has been budgeted for the 1979/80 fiscal year, and recommended the purchase of this equipment from the low bidder, Shiawassee Fire Apparatus, in the amount of \$1,330.60.

452-A. Gale-Hoag. That the recommendation of the City Manager be concurred in and that a purchase order be issued to Shiawassee Fire Apparatus in the amount of \$1,330.60 for the fire equipment requested.

Yeas: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

453. Commissioner Worfel requested that the sub-committee of the Planning Commission regarding the study of the Manhattan School property submit its report to the City Commission when it is available, for their review.

454. The Parks and Recreation Commission submitted a recommendation establishing a policy for resident and non-resident participation in the Recreation Department programs. This item was referred to the next regular City Commission meeting for discussion.

455. Commissioner Hoag reported that the West Michigan Regional Planning Commission will be holding a development finance seminar on May 6, 1980, at the Harley Hotel, at which joint government-private financing will be discussed. She recommended that East Grand Rapids be represented there.

456. Commissioner Frost inquired about the enforcement of the ordinance relative to leaf and brush collections. It was the consensus of the Commission that the ordinance be enforced by giving persons in violation of the regulations a warning the first time, and that a summons be issued on the second violation.

457. Commissioner Frost reported that he will be resigning from the Grand Rapids Area Transit Authority as of April 30th, and recommended that the Commission appoint an elected official to represent East Grand Rapids on this Authority. This matter was referred to the May 5 agenda of the City Commission.

458. Frost-Gale. That expense vouchers in the amount of \$469,696.49, and payroll vouchers in the amount of \$33,067.79, 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: Frost, Waters, Hoag, Lorch, Gale, Worfel, Stoppels - 7
Nays: 0

459. There were 37 persons in attendance at this meeting.

460. The meeting was adjourned, subject to the call of the Mayor, until May 5, 1980.

City Clerk

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

Regular Meeting Held May 5, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Frost, Waters, Hoag, Lorch, Gale, Worfel and Mayor Stoppels.
Absent: None.

461. The minutes of the meeting held April 21, 1980, were approved as written.

462. The City Clerk swore Lois H. Moseley into office as Second Ward Commissioner, and Paul A. Seibold into office as Third Ward Commissioner.

463. The Mayor presented civic service award plaques to Commissioners Frost and Gale, and thanked them for the contributions they have made to the City as City Commissioners.

464. The Mayor presented Deputy Fire Chief Roger Kroes with a service award watch in recognition of his 25 years of employment with the City of East Grand Rapids.

465. The Parks & Recreation Commission submitted a recommendation regarding resident and non-resident participation in the Recreation Department programs.

465-A. Lorch-Worfel. That the recommended policy relative to resident and non-resident participation in Recreation Department programs be accepted as submitted by the Parks & Recreation Commission with the exception of Section 4, which is to read as follows:

Resident Softball Teams

- A. Resident teams from the East Grand Rapids School District will be placed ahead of any non-resident team on our team waiting list commencing with the 1981 softball season. Teams from previous seasons that don't return will be replaced first of all by a resident team from East Grand Rapids School District.
- B. Resident teams from East Grand Rapids School District must have a minimum of 50% residents of the School District on a team roster.

Yeas: Moseley, Waters, Lorch, Seibold, Worfel, Stoppels - 6

Nays: Hoag - 1

466. The appointment of a replacement for Commissioner Frost as the East Grand Rapids representative on the Grand Rapids Area Transit Authority was discussed.

466-A. Waters-Lorch. That Commissioner Moseley be appointed to replace Commissioner Frost as East Grand Rapids representative on the Grand Rapids Area Transit Authority.

Yeas: Moseley, Waters, Hoag, Lorch, Seibold, Worfel, Stoppels - 7

Nays: 0

467. Reports for the month of April from the Police Department, Fire Department, and City Assessor-Building Inspector were received for information.

468. The City Manager submitted a memorandum regarding the May 12, 1980, zoning hearing. The City Attorney advised the Commissioners that they have three alternatives to consider:

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

Special Meeting Held May 12, 1980

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

Present: Coms. Moseley, Waters, Hoag, Lorch and Mayor Stoppels.

Absent: Coms. Seibold and Worfel.

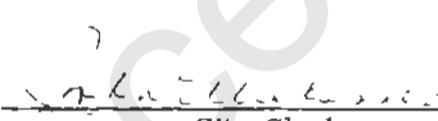
472. Pursuant to published notice, a public hearing was held by the City Commission and Planning Commission to consider amending the East Grand Rapids Zoning Ordinance to eliminate the provisions permitting parking in Residential Zones for the use of abutting property in the Commercial Zone, to eliminate the provision establishing Transition Zoning in Residential Districts abutting the Commercial Zone, and to extend the boundaries of the Commercial Zone.

Mr. Jan Krygowski, Planning Consultant, discussed his report and recommendations. The following individuals expressed their opinions: Jordan Sheperd, Margit Sarne, Chris VanAllsburg, Ernest Boorsma, Evelyn Oosterhouse, and Kathryn Day-Murray.

After discussion, the hearing was closed. The Planning Commission is to make its report to the City Commission by the May 19, 1980, regular City Commission meeting.

473. There were 35 persons in attendance at this meeting.

474. The meeting was adjourned, subject to the call of the Mayor, until May 19 1980.



City Clerk

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

Regular Meeting Held May 19, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Moseley, Waters, Hoag, Lorch and Mayor Stoppels.

Absent: Coms. Seibold and Worfel.

475. The minutes of the meetings held May 5 and May 12, 1980, were approved as written.

476. Pursuant to public notice, a hearing was then held upon the zoning variance request of Eric R. Doerfer, 2236 Estelle Drive SE, to permit construction of a garage, the overhang of which would approach the lot line. Mr. Doerfer was present to discuss his request with the Commissioners. There were no objections raised.

476-A. Waters-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the zoning variance requested by Mr. Doerfer.

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

Nays: 0

477. A letter was received from Mrs. Siegel Judd requesting that a traffic light be installed at the intersection of Lake Drive and San Jose. Mr. & Mrs. Kimball and Mr. & Mrs. Meade were present to also request that a traffic light be installed at this intersection.

477-A. Waters-Lorch. That this matter be referred to the Traffic Commission and that a traffic count be taken at this intersection as soon as possible.

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

Nays: 0

478. The minutes of the Planning Commission meeting held May 13, 1980, were received.

478-A. Hoag-Waters. That the following ordinance amendments be introduced for consideration at a later meeting:

AN ORDINANCE TO AMEND SECTION 5.59
OF CHAPTER 39 OF TITLE V OF THE CODE
OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.59 of Chapter 39 of Title V of the Code of the City of East Grand Rapids is amended to read as follows:

5.59. Parking Areas in Residence Zones. The following requirements shall apply to all parking areas located within Residential Zones including parking areas lawfully used in connection with the use of abutting property in the Commercial Zone on _____, 1980, but excepting areas used in connection with one and two family dwellings therein:

- (1) All parking areas shall be surfaced and drained as provided under section 5.58, "Parking Areas in Commercial Zones."

- (2) Such parking area shall conform to the front yard requirements of the residential zone in which it is located; provided that where an existing setback line has been established by existing residential buildings occupying fifty (50) per cent or more of the frontage within the same block, such established setback shall apply. Such parking areas shall have a minimum side yard green belt of ten (10) feet on any side which is adjacent to residentially zones property. All required front and side yards shall be planted and landscaped and properly maintained so as to screen the adjoining properties. Such parking areas shall be enclosed by a fence or wall between five (5) and six (6) feet in height sufficient to screen the parking lot from adjoining residential areas.
- (3) All such parking areas shall be at least fifty (50) feet in width.
- (4) Such parking areas shall be used solely for the parking of passenger automobiles and other vehicles of less than seven thousand (7,000) pounds gross vehicle weight, and no commercial repair work or services (or storage) of any kind shall be conducted on such parking lot. No sign, other than entrance, exit and condition of use signs, shall be maintained; all signs shall conform with the provisions of Chapter 80 (Signs) of the City Code.
- (5) Each entrance to and exit from such parking lot which adjoins a Commercial Zone shall be from the official major street wherever practical and shall be at least twenty (20) feet from any adjacent property in any A Residence District and five (5) feet from any adjacent property in a B Zone District. The location and design of entrances, exits, surfacing, landscaping, marking and lighting shall be subject to the approval of the Building Inspector to insure adequate relation to traffic safety and protection of the adjacent residential area.
- (6) Such parking lots shall be developed only on the basis of a use permit granted by the Board of Zoning Appeals. Such permit may be issued after the above requirements have been met and may be suspended or revoked by the Board any time that the aforementioned provisions are not met.

Section 2. This ordinance shall be effective on _____, 1980.

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

AN ORDINANCE TO REPEAL SECTION 5.85
OF CHAPTER 39 OF TITLE V OF THE CODE
OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.85 Transition Zoning and Section 5.86 Parking of Chapter 39 of Title V - Zoning and Planning of the Code of the City of East Grand Rapids are hereby repealed.

Section 2. This ordinance shall be effective on _____, 1980.

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

AN ORDINANCE TO AMEND SECTION 5.190
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.190 Zoning Map of Chapter 39 - Zoning of Title V of the Code of the City of East Grand Rapids is amended to extend the Southerly boundary of the C-1 Commercial District Zone south to include within the C-1 Commercial District Zone all of the following described premises:

Commencing at the Southeast corner of the intersection of Wealthy Street and Lovett Avenue in the City of East Grand Rapids; thence Southerly along the East line of Lovett Street to the South line of the North 36 feet of Lot 6 of W. H. Gilbert's Subdivision; thence Easterly along the South line of the North 36 feet of said Lot 6 to the Easterly line of said Lot 6; thence Southerly to the Southerly line of Lot 12 of Paul's Subdivision; thence Easterly along the South line of said Lot 12 to the West line of Croswell Avenue; thence Northberly along the West line of Croswell Avenue to the Southwest corner of the intersection of Wealthy Street and Croswell Avenue; thence Westerly along the South line of Wealthy Street to the place of beginning; also

Commencing at the Southeast corner of the intersection of Croswell Avenue and Wealthy Street in the City of East Grand Rapids; thence Southerly along the East line of Croswell Avenue to the South line of Lot 20 of Paul's Subdivision; thence Easterly along the South line of said Lot 20 to the Southeast corner thereof; thence South along the East line of said Lot 20 to the Southwesterly corner of Lot 3 of P. H. Brown's Subdivision; thence Easterly along the South line of said Lot 3 to the West line of Bagley Avenue; thence North along the West line of Bagley Avenue to the South line of Wealthy Street; thence Westerly along the South line of Wealthy Street to the place of beginning.

Including areas previously included within the C-1 Commercial District Zone and areas previously included within the B-1 Apartment District Zone.

Section 2. This ordinance shall be effective on _____, 1980.

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

Yeas: Moseley, Waters, Hoag, Lorch - 4
Nays: Stoppels - 1

479. Mr. Phil Cull, of J. Poppa's, and Mr. Brian LeGwin, of Gaslight Inn, requested that traffic on Bagley be made 2-way during the reconstruction of Wealthy Street to help relieve the traffic on Wealthy and to allow employees and customers to obtain easier access to the businesses on the south side of Wealthy Street between Croswell and Bagley, and those businesses on Bagley.

479-A. Lorch-Waters. That Bagley be made a 2-way street until the completion of construction of Wealthy Street and that parking be eliminated on Bagley during this period.

Yeas: Moseley, Waters, Hoag, Lorch, Stoppels - 5
Nays: 0

480. A letter from Mr. Daniel D. TenCate, 1534 Groton Rd. SE, complaining about the procedure for settling fines issued for failure to bundle brush and containerize debris. This letter was received for information.

481. A report from the Planning Commission relative to the utilization of the water tower site development was received for information and referred to the next regular City Commission meeting.

482. The City Attorney submitted a proposed revision of Chapter 90 - Miscellaneous Offenses - of the Ordinance Code.

482-A. Waters-Mayor Stoppels. That the following ordinance be introduced for consideration at a later meeting:

AN ORDINANCE TO AMEND THE CODE OF THE
CITY OF EAST GRAND RAPIDS BY REPEALING
PRESENT CHAPTER 90 - MISCELLANEOUS OFFENSES
OF SAID CODE AND ADOPTING NEW SECTIONS 9.51
THROUGH 9.55 OF CHAPTER 90 - MISCELLANEOUS
OFFENSES - OF TITLE IX - POLICE REGULATIONS -
OF SAID CODE.

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 90 of Title IX of the Code of the City of East Grand Rapids, being Sections 9.61 through 9.63 thereof, as heretofore adopted, including all amendments thereto, is repealed as of the effective date of this ordinance.

Section 2. The Code of the City of East Grand Rapids is amended by adding a new Chapter 90 of Title IX of said Code, as follows:

CHAPTER 90 MISCELLANEOUS OFFENSES

9.51. Definitions. The term "public place" as used in this Chapter shall mean any street, alley, park, any building owned or occupied by the City or by the School District, any place of business or assembly open to or frequented by the public and any other place which is open to the public view or to which the public has access.

9.52. Acts Prohibited. No person shall:

- (1) Commit an assault or battery on any person;
- (2) Willfully accost, molest, or otherwise annoy, either by word of mouth, sign or motion, any person in any public place;
- (3) Create or engage in any disturbance, fight or quarrel in a public place;
- (4) Engage in any indecent, immoral, or obscene conduct in any public place;
- (5) Utter vile, or profane, or obscene language in any public place;
- (6) Make any indecent exposure of his or her person;
- (7) Engage in peeping in the windows of any inhabited place;
- (8) Disturb the peace by loud or boisterous conduct;
- (9) Disturb without lawful authority any lawful assembly or meeting of persons;

- (10) Jostle or roughly crowd persons in any street, alley, park, or public building or other public place;
- (11) Incite, cause, or attempt to incite or cause a riot;
- (12) Engage in or participate in a riot;
- (13) Trespass upon the premises of another, or wrongfully remain upon the premises of another person to the annoyance or disturbance of the lawful owner or occupants;
- (14) Prowl about the private premises of any other person, or any alley abutting the same, in the nighttime, without the permission of the occupant of such premises;
- (15) Take or remove any property not his own from any person or from public property or from the property of others;
- (16) Engage in fortune telling or pretend to tell fortunes for hire, gain or reward;
- (17) Obtain or attempt to obtain money or property by fraud, trick or under false pretenses;
- (18) Print, engrave, sell, offer for sale, give away, exhibit or publish or have in his possession for any such purpose any obscene, lewd, lascivious or indecent book, pamphlet, paper, picture, cast statuary, image or representation or other article of an indecent or immoral nature, or any book, paper, print, circular or writing made up principally of stories of obscene, lewd, lascivious or indecent deeds or crime, or exhibit any such article to any other person;
- (19) Collect or stand in crowds, or arrange, encourage or abet the collection of persons in crowds in any public place, or willfully make any use of any public place for other than its intended or customary use in such manner as to prevent the use thereof by or obstruct the passage thereon or therethrough of other persons making usual and customary use of such public place;
- (20) Loiter in any public building or remain in any building or on premises of another person after having been requested to leave by a person in charge thereof or by owner or occupant thereof or his representative;
- (21) Engage in any act of prostitution;
- (22) Engage in illegal gambling, the illegal sale of intoxicating liquor, or any other illegal business or occupation;
- (23) Attend, frequent, operate or be an occupant or inmate of a place where prostitution, illegal gambling, illegal sale of intoxicating liquor or other illegal business or occupation is permitted or conducted;
- (24) Solicit or accost any person for the purpose of inducing the commission of any illegal act;
- (25) Knowingly transport any person to a place where prostitution or illegal gambling or other illegal activity is practiced, encouraged, or allowed for the purpose of enabling such person to engage in any illegal act;

- (26) Willfully throw or propel any missile, snowball or other object from any moving automobile;
- (27) Wrongfully throw or propel any missile, snowball or other object towards any person or automobile;
- (28) Shoot, fire, or discharge any air rifle, air pistol or bow and arrow or other weapon or instrument which might cause damage to persons or property, in any public place, or to shoot, discharge or fire the same on private property in such manner as to endanger or be likely to endanger any persons or property;
- (29) Discharge, shoot or fire any firearm, rocket or explosive substance in the city, except when lawfully acting in the defense of persons or property or the enforcement of law or at a duly established range, the operation of which has been approved by the Commission;
- (30) Fire, discharge, display or possess any fireworks, except of the type and under the conditions permitted by Chapter 39 of the Penal Code of the State of Michigan;
- (31) Willfully destroy, damage, or in any manner deface any public property or the property of any other person;
- (32) Destroy, damage or in any manner deface any drinking fountain located in any public place, or throw or deposit any substance therein, or in any manner pollute the water therein;
- (33) Affix by paste, glue, tape or other means, any sticker, item or device to any vehicle owned by any other person, without permission. This section shall not apply to law enforcement officers acting in performance of their duties;
- (34) Spit on any sidewalk or on the floor or seat of any public conveyance or any floor, wall, seat or equipment of any public place;
- (35) Urinate, defecate or perform any other act which creates a hazardous, unsanitary or otherwise objectionable condition in any public place or on the property of any other person. This section shall not apply to proper usage of toilet facilities;
- (36) Endanger the safety of another person or of property or act in a manner that causes a public disturbance by being intoxicated or under the influence of any narcotic drug in any place or on the private property of another person;
- (37) Intentionally smell or inhale the fumes of any substance releasing toxic vapors for the purpose of causing a condition of euphoria, excitement, exhilaration, stupefaction or dulled senses, or aid, abet or induce another person to do so; or to possess, buy or use any such substance for the purpose of violating or aiding or abetting another to violate this section;
- (38) If under 21 years of age, knowingly possess, transport, or have under his control in any motor vehicle any alcoholic liquor unless employed by a licensee as defined in Act No. 227, Public Acts of 1952, as amended, and unless processing, transporting, or having such alcoholic liquor under his control in a motor vehicle, during regular working hours and in the course of his employment;

- (39) Knowingly give, sell or furnish any alcoholic liquor to any person under the age of 21 years;
- (40) Knowingly allow the consumption of alcoholic liquor on his premises by a person who is under 21 years of age. A person who fails to make diligent inquiries as to whether another person is under 21 years of age shall be presumed to have knowledge.
- (41) Permit or suffer any place occupied or controlled by him to be used or occupied for illegal gambling;
- (42) Permit or suffer any place occupied or controlled by him to be used or occupied by persons engaging in any act of prostitution or other illegal sexual acts;
- (43) Permit or suffer any place occupied or controlled by him to be used in such manner that the public peace is disturbed by loud or boisterous noise or disorderly conduct;
- (44) Obstruct, resist, hinder or oppose any police or other law enforcement officer in the discharge of his duties as such;
- (45) Willfully fail to obey the command of any law enforcement officer to stop or halt, provided that such officer identifies himself or herself as a law enforcement officer and provides or offers to provide identification as such, and provided that such law enforcement officer is attempting to apprehend such person for a violation of this Code or any City, State or Federal law;
- (46) When operating a motor vehicle which has been stopped in response to a police officer's signal, to leave or attempt to leave the scene unless and until he has identified himself to the police officer;
- (47) Knowingly furnish to any police or other law enforcement officer or other official or employee of the City, acting in the discharge of his duties as such, a false name, address, age or date of birth in connection with the investigation of the commission of a violation of this Code or of any City, State or Federal law;
- (48) Knowingly make or furnish to any police officer or other law enforcement officer or other official or employee of the City when said officer, official or employee is acting in his official capacity, a false or fictitious report of the purported commission of any violation of this Code or any violation of any City, State or Federal law;
- (49) Willfully conceal knowledge of the actual commission of a violation of this Code of any City, State or Federal law from a Court or from a law enforcement officer investigating such violation. This subsection shall not be interpreted to conflict with the right of any person not to be a witness against himself;
- (50) Impersonate, attempt to impersonate, falsely pretend to be, or hold himself out as a police or other law enforcement officer, or other officer or employee of the City, without due authority;
- (51) Escape or attempt to escape while lawfully in the custody of any police or other law enforcement officer.

9.53. Penalties for Violation. Any person found guilty under the provisions of section 9.52 shall be punishable as set forth in section 1.13 of this Code.

9.54. Purchase, Consumption or Possession of Alcoholic Liquor. No person under 21 years of age shall purchase alcoholic liquor in a licensed premises, or possess alcoholic liquor except as provided for in section 9.52(38) of this Code. A person who violates this section shall have committed a civil infraction and shall be subject to the following penalties:

- (a) For the first violation a fine of not more than \$25.
- (b) For a second violation a fine of not more than \$50, or a participation in substance abuse prevention services as defined in Section 6107 of Act 368 of the Public Acts of 1978, being section 333.6107 of the Michigan Compiled Laws, and designated by the administrator of substance abuse services, or both.
- (c) For a third or subsequent violation a fine of not more than \$100, or participation in substance abuse prevention services as defined in section 6107 of Act No. 368 of the Public Acts of 1978, being section 333.6107 of the Michigan Compiled Laws, and designated by the administrator of substance abuse services.

9.55 Use of Marihuana.

- (1) Definition of Marihuana. "Marihuana" means all parts of the plant *Cannabis sativa L.*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination.
- (2) Definition, "Practitioner" shall include:
 - (a) A physician, dentist, veterinarian or pharmacist as defined in subdivisions (o), (p), (q), and (w) of section 1 of Act No. 151 of the Public Acts of 1962, as amended, being section 338.1101 of the Compiled Laws of 1948, of the State of Michigan, or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.
 - (b) A pharmacy, hospital or other institution or place of professional practice licensed, registered, or otherwise permitted to distribute, prescribe, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this State.
- (3) Prohibited Use. It is unlawful for a person to use the substance known as Marihuana unless the substance was obtained by means of and used pursuant to a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the laws of this State.
- (4) Penalty for Violation. Any person found guilty under the provisions of subsection (3) of this section shall be punishable as set forth in section 1.13 of this Code, or may be placed on probation under the provisions of section 7411 of Act 368 of 1978, being MCL section 333.7411.

Section 3. This ordinance shall be published in full as provided by Section 5 of Chapter VIII of the City Charter.

Section 4. This ordinance shall be effective on _____, 1980.

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

Nays: 0

483. The City Treasurer submitted a list of delinquent water bills and special assessments and requested that the City Commission authorize the reassessment of these delinquent bills on the 1980 City Tax Roll.

483-A. Moseley-Waters. That the following delinquent water and special assessment bills be reassessed on the 1980 City Tax Roll:

<u>SPECIAL ASSESSMENT</u>	<u>AM'T OF INSTALL</u>	<u>INTEREST</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
1970 Special Assessment - 10 Install	<u>83.37</u>	<u>10.00</u>	<u>9.34</u>	<u>102.71</u>
	<u>83.37</u>	<u>10.00</u>	<u>9.34</u>	<u>102.71</u>
1971 Special Assessment - 9 Install	<u>91.54</u>	<u>16.47</u>	<u>10.80</u>	<u>118.81</u>
	<u>91.54</u>	<u>16.47</u>	<u>10.80</u>	<u>118.81</u>
TOTAL 1970 SPEC. ASSESS.	83.37	10.00	9.34	102.71
TOTAL 1971 SPEC. ASSESS.	91.54	16.47	10.80	118.81
	=====	=====	=====	=====
TOTAL	174.91	26.47	20.14	221.52

DELINQUENT WATER FOR LEDGER A

<u>PARCEL NUMBER</u>	<u>ADDRESS</u>	<u>BILL AM'T</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
41-14-28-353-021	263 Briarwood	63.79	6.38	70.17
41-14-33-103-036	519 Briarwood	134.68	13.47	148.15
41-14-33-105-004	426 Cambridge	372.44	37.24	409.68
41-14-33-252-019	663 Croswell	67.10	6.71	73.81
41-14-33-106-013	561 Gladstone	156.97	15.70	172.67
41-14-33-151-006	627 Gladstone	205.00	20.50	225.50
41-14-33-302-001	802 Gladstone	100.93	10.09	111.02
41-14-34-301-019	2513 Lake Drive	51.60	5.16	56.76
41-14-34-378-029	2660 Lake Drive	333.70	33.37	367.07
41-14-33-129-009	610 Lovett	131.08	13.11	144.19
41-14-33-429-032	964 Maxwell	89.00	8.90	97.90
41-14-33-479-010	1125 Orchard	78.60	7.86	86.46
41-14-33-176-010	720 Plymouth	117.23	11.72	128.95
41-14-33-176-011	730 Plymouth	244.81	24.48	269.29
41-14-33-154-014	700 Rosewood	148.00	14.80	162.80
41-14-33-452-001	1010 San Juan	197.82	19.78	217.60
41-14-33-403-003	2126 San Lu Rae	151.35	15.14	166.49
41-14-33-154-002	1646 Sherman	113.06	11.31	124.37
41-14-33-203-027	2053 Wealthy	260.28	26.03	286.31
41-14-33-253-003	2168 Wealthy	95.29	9.53	104.82
41-14-33-102-017	429 Rosewood	<u>79.75</u>	<u>7.98</u>	<u>87.73</u>
	Total	3,192.48	319.26	3,511.74

DELINQUENT WATER FOR LEDGER B

<u>PARCEL NUMBER</u>	<u>ADDRESS</u>	<u>BILL AM'T</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
41-14-34-402-004	2905 Bonnell	202.99	20.30	223.29
41-14-33-430-015	937 Breton	100.20	10.02	110.22
41-14-34-353-010	1120 Breton	186.33	18.63	204.96
41-18-04-434-020	1761 Breton	110.75	11.08	121.83
41-18-03-306-018	1725 Conlon	132.42	13.24	145.66
41-18-03-328-053	1754 Conlon	156.57	15.66	172.23
41-14-34-356-031	1109 Eastwood	124.23	12.42	136.65
41-18-03-154-018	1535 Lake Grove	136.19	13.62	149.81
41-14-27-377-013	141 Rexford	115.85	11.59	127.44
41-18-03-258-014	1545 Ridgewood	115.30	11.53	126.83
41-18-03-258-004	1526 Sherwood	185.35	18.54	203.89
41-18-03-226-008	1318 Woodcliff	38.54	3.85	42.39
41-18-03-255-010	1427 Woodcliff	171.13	17.11	188.24
41-14-34-476-012	3061 Woodcliff	129.18	12.92	142.10
41-18-03-226-018	1301 Woodshire	41.50	4.15	45.65
	Total	1,946.53	194.66	2,141.19

DELINQUENT WATER FOR LEDGER C

41-18-04-204-010	2145 Anderson	159.34	15.93	175.27
41-18-04-277-018	2223 Audobon	56.00	5.60	61.60
41-18-04-431-002	2340 Brighton	77.50	7.75	85.25
41-18-04-277-009	2242 Estelle	61.63	6.16	67.79
41-18-03-128-007	2622 Oakwood	130.06	13.01	143.07
41-18-03-206-012	3010 Oakwood	132.57	13.26	145.83
41-18-03-152-014	2429 Richards	97.20	9.72	106.92
41-18-03-178-020	2611 Richards	117.95	11.80	129.75
41-18-03-328-027	1746 Vesta Lane	122.41	12.24	134.65
41-18-04-430-003	1700 Whitfield	95.80	9.58	105.38
41-18-04-433-017	1771 Whitfield	235.76	23.58	259.34
41-18-04-228-025	2335 Wilshire	279.87	27.99	307.86
41-18-03-302-001	2522 Boston	68.20	6.82	75.02
	Total	1,634.29	163.44	1,797.73
TOTAL LEDGER A		3,192.48	319.26	3,511.74
TOTAL LEDGER B		1,946.53	194.66	2,141.19
TOTAL LEDGER C		<u>1,634.29</u>	<u>163.44</u>	<u>1,797.73</u>
GRAND TOTAL		6,773.30	677.36	7,450.66

Yeas: Moseley, Waters, Hoag, Lorch, Stoppels - 5
Nays: 0

484. The City Manager reported on bids which were received for the Silver Creek Storm Drain in the Hall Street District.

484-A. Waters-Lorch. That the following resolution be adopted:

WHEREAS, at the joint request of the City of Grand Rapids and the City of East Grand Rapids, the Kent County Drain Commissioner received bids on Thursday, April 17, 1980, for the following project:

SILVER CREEK DRAIN - HALL STREET DISTRICT

Construction of Storm Sewer in PLYMOUTH AVENUE -
from Hall Street to 250 ft. North, HALL STREET -
from Plymouth Avenue to 490 ft. East and
PUBLIC EASEMENT S.E. - from Hall Street to
Hutchinson Avenue, and

WHEREAS, BOND CONSTRUCTION COMPANY OF GRAND RAPIDS, INC.
submitted a low bid of \$222,947.75, Engineer's Estimate is \$298,272.50, and

WHEREAS, the total project cost for construction, materials, engineering,
inspection and contingencies is \$270,319.00 of which \$120,737.00 is Grand Rapids'
share and \$149,582.00 is East Grand Rapids' share,

NOW THEREFORE, BE IT RESOLVED that the City of East Grand Rapids
concurs in the award of the contract to BOND CONSTRUCTION COMPANY OF
GRAND RAPIDS, INC. by the Kent County Drain Commissioner.

BE IT FURTHER RESOLVED that expenditures be authorized not to exceed
\$149,582.00 for the East Grand Rapids' share of the project to cover all the
necessary costs including construction, materials, engineering, inspection and
contingencies, all of which cost is to be borne by the City-at-Large.

Yeas: Moseley, Waters, Hoag, Lorch, Stoppels - 5
Nays: 0

485. A letter was received from the West Michigan Emergency Medical Services
Field Coordinator, Mr. John L. Schaut, regarding a reciprocal aid agreement relative to
the delivery of pre-hospital emergency care within the Kent County Emergency Medical
Services System.

485-A. Lorch-Hoag. That the Kent County Emergency Medical Services System
Reciprocal Aid Agreement be approved.

Yeas: Moseley, Waters, Hoag, Lorch, Stoppels - 5
Nays: 0

486. The City Manager reported that he had received a bid from Cadence for the
preparation of the 1980 Budget Report in the amount of \$750.00, and recommended the
Commission approve this bid and that a contract be awarded.

486-A. Waters-Hoag. That the bid of Cadence be accepted and that a contract be
awarded in the amount of \$750.00.

Yeas: Moseley, Waters, Hoag, Lorch, Stoppels - 5
Nays: 0

487. The City Manager reported that a proposal is being negotiated with the School
Board for a new agreement on the Manhattan School property and that this item will be
placed on the agenda for June 2, 1980.

488. A report was received from the Planning Commission regarding the vacant
property at 1535 Breton Road SE, which report included the conclusion that the existing
site at 1535 Breton Road SE, is equally accessible from Breton Road as many adjacent
existing driveways. This report was received for information.

489. Two letters from the Kent County Community Mental Health Board were re-
ceived regarding state licensed residential facilities.

490. A notice was received from the Department of Health, Education & Welfare
regarding a Social Security district meeting which will be held June 26, 1980, at Fountain
Street Church.

491. A letter regarding the 1980 International Conference on Lake Protection and Restoration, which will be held in Portland, Maine, on September 8 through 12, was received for information.

492. The Mayor requested that the City Commission consider adopting a policy regarding distribution of service award plaques.

492-A. Waters-Moseley. That the policy of presenting service award plaques to persons retiring from citizen committees be continued and that a presentation be made to such persons eligible for these awards at the first meeting in September.

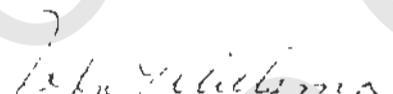
Yeas: Moseley, Waters, Hoag, Lorch, Stoppels - 5
Nays: 0

493. Hoag-Waters. That expense vouchers in the amount of \$119,328.76, and payroll vouchers in the amount of \$33,024.09, 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: Moseley, Waters, Hoag, Lorch, Stoppels - 5
Nays: 0

495. There were 18 persons in attendance at this meeting.

496. The meeting was adjourned, subject to the call of the Mayor, until June 2, 1980.



City Clerk

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

Regular Meeting Held June 2, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Waters, Worfel and Mayor Stoppels.
Absent: None.

497. The minutes of the meeting held May 19, 1980, were approved as written.

498. Mayor Stoppels presented Delmer Grooters with a service award watch in recognition of his 25 years of employment with the City of East Grand Rapids.

499. Pursuant to public notice, a hearing was then held upon the request of Kenneth J. and Flora R. Horjus, 960 Rosewood SE, for a zoning variance to permit construction of an addition to their home to within 14.5 feet from the rear lot line. Mr. Horjus was present to discuss this request with the City Commission. There were no objections.

499-A. Lorch-Waters. That this Commission, acting as the Board of Zoning Appeals, grant the variance as requested.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

500. Pursuant to public notice, a hearing was then held upon the request of Thomas C. and Irene K. Robberson, 1453 Breton Road SE, for a zoning variance to permit construction of a detached garage at the rear lot line. Mr. Robberson was present to discuss this request with the Commission. A letter was received from Mr. Robert E. Brady stating that he had no objections to this request. There were no objections.

500-A. Moseley-Lorch. That this Commission, acting as the Board of Zoning Appeals, grant the variance as requested.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Stoppels - 6
Nays: 0
Commissioner Worfel abstained.

501. Three zoning ordinance amendments relating to the Central Business District were discussed, being:

- 1) To retain the existing requirements for parking areas in Residence Zones, but eliminating the locational limitation of the first 150 feet.
- 2) Repealing the transitional zone section.
- 3) Changing the limits of the commercial zone as recommended by the City Planner.

A letter from Kathryn Day-Murray, 658 Lovett SE, who was interested in having her property zoned commercial with the adjacent commercial property, was received for information.

501-A. Waters-Moseley. That the following ordinance amendments be adopted:

AN ORDINANCE TO AMEND SECTION 5.59
OF CHAPTER 39 OF TITLE V OF THE CODE
OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.59 of Chapter 39 of Title V of the Code of the City of East Grand Rapids is amended to read as follows:

5.59 Parking Areas in Residence Zones. The following requirements shall apply to all parking areas located within Residential Zones including parking areas lawfully used in connection with the use of abutting property in the Commercial Zone on June 17, 1980, but excepting areas used in connection with one and two family dwellings therein:

- (1) All parking areas shall be surfaced and drained as provided under section 5.58, "Parking Areas in Commercial Zones."
- (2) Such parking area shall conform to the front yard requirements of the residential zone in which it is located; provided that where an existing setback line has been established by existing residential buildings occupying fifty (50) per cent or more of the frontage within the same block, such established setback shall apply. Such parking areas shall have a minimum side yard green belt of ten (10) feet on any side which is adjacent to residentially zoned property. All required front and side yards shall be planted and landscaped and properly maintained so as to screen the adjoining properties. Such parking areas shall be enclosed by a fence or wall between five (5) and six (6) feet in height sufficient to screen the parking lot from adjoining residential areas.
- (3) All such parking areas shall be at least fifty (50) feet in width.
- (4) Such parking areas shall be used solely for the parking of passenger automobiles and other vehicles of less than seven thousand (7,000) pounds gross vehicle weight, and no commercial repair work or services (or storage) of any kind shall be conducted on such parking lot. No sign, other than entrance, exit and condition of use signs, shall be maintained; all signs shall conform with the provisions of Chapter 80 (Signs) of the City Code.
- (5) Each entrance to and exit from such parking lot which adjoins a Commercial Zone shall be from the official major street wherever practical and shall be at least twenty (20) feet from any adjacent property in any A Residence District and five (5) feet from any adjacent property in a B Zone District. The location and design of entrances, exits, surfacing, landscaping, marking and lighting shall be subject to the approval of the Building Inspector to insure adequate relation to traffic safety and protection of the adjacent residential area.
- (6) Such parking lots shall be developed only on the basis of a use permit granted by the Board of Zoning Appeals. Such permit may be issued after the above requirements have been met and may be suspended or revoked by the Board any time that the aforementioned provisions are not met.

Section 2. This ordinance shall be effective on June 17, 1980.

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

AN ORDINANCE TO REPEAL SECTION 5.85
OF CHAPTER 39 OF TITLE V OF THE CODE
OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.85 Transition Zoning and Section 5.86 Parking of Chapter 39 of Title V - Zoning and Planning of the Code of the City of East Grand Rapids are hereby repealed.

Section 2. This ordinance shall be effective on June 17, 1980.

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

AN ORDINANCE TO AMEND SECTION 5.190 OF
THE CODE OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 5.190 Zoning Map of Chapter 39 - Zoning of Title V of the Code of the City of East Grand Rapids is amended to extend the Southerly boundary of the C-1 Commercial District Zone south to include within the C-1 Commercial District Zone all of the following described premises:

Commencing at the Southeast corner of the intersection of Wealthy Street and Lovett Avenue in the City of East Grand Rapids; thence Southerly along the East line of Lovett Street to the South line of the North 36 feet of Lot 6 of W. H. Gilbert's Subdivision; thence Easterly along the South line of the North 36 feet of said Lot 6 to the Easterly line of said Lot 6; thence Southerly to the Southerly line of Lot 12 of Paul's Subdivision; thence Easterly along the South line of said Lot 12 to the West line of Croswell Avenue; thence Northerly along the West line of Croswell Avenue to the Southwest corner of the intersection of Wealthy Street and Croswell Avenue; thence Westerly along the South line of Wealthy Street to the place of beginning; also

Commencing at the Southeast corner of the intersection of Croswell Avenue and Wealthy Street in the City of East Grand Rapids; thence Southerly along the East line of Croswell Avenue to the South line of Lot 20 of Paul's Subdivision; thence Easterly along the South line of said Lot 20 to the Southeast corner thereof; thence South along the East line of said Lot 20 to the Southwesterly corner of Lot 3 of P. H. Brown's Subdivision; thence Easterly along the South line of said Lot 3 to the West line of Bagley Avenue; thence North along the West line of Bagley Avenue to the South line of Wealthy Street; thence Westerly along the South line of Wealthy Street to the place of beginning.

Including areas previously included within the C-1 Commercial District Zone and areas previously included within the B-1 Apartment District Zone.

Section 2. This ordinance shall be effective on June 17, 1980.

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

A roll call vote was taken:

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

Nays: Seibold, Stoppels - 2

The motion carried.

502. The Mayor read a letter from the East Grand Rapids Businessmen's Association requesting that the City Commission adopt a resolution relative to creation of a parking lot on Lots 12 and 13 of Paul's Subdivision.

502-A. Lorch-Waters. That this Commission consider this request at this time.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7

Nays: 0

502-B.

BY COMMISSIONERS LORCH-WATERS:

RESOLVED, that this Commission desires to consider the proposed improvement consisting of a parking area including acquisition of the necessary site, razing existing structures on the site, grading, paving, providing drainage, landscaping, lighting, lining and signing on

LOTS 12 and 13 OF PAUL'S SUB-DIVISION
(41-14-33-252-019 & 41-14-33-252-018)

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

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7

Nays: 0

503. Commissioner Waters distributed copies of an Easement and Use Agreement between the City of East Grand Rapids and the School District of the City of East Grand Rapids, which was then discussed by the City Commission.

503-A. Waters-Lorch. That this Commission approves the Easement and Use Agreement between the City of East Grand Rapids and the School District of the City of East Grand Rapids, as presented, and that the Mayor and Clerk be authorized to sign said agreement.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7

Nays: 0

504. A Report on the Rationale for the Water Tower Site Development and a resolution from the Planning Commission relating to this matter were discussed. It was decided that the staff be requested to obtain information from the Parks and Recreation Commission, including diagrams and costs as they relate to the development of this property, and that this matter be considered by this Commission at a work session.

505. The proposed revision of Chapter 90 - Miscellaneous Offenses - of the City Code which was introduced at the regular City Commission meeting held May 19, 1980, was discussed.

505-A. Mayor Stoppels - Worfel. That the following ordinance be adopted:

AN ORDINANCE TO AMEND THE CODE OF THE
CITY OF EAST GRAND RAPIDS BY REPEALING
PRESENT CHAPTER 90 - MISCELLANEOUS OFFENSES
OF SAID CODE AND ADOPTING NEW SECTIONS 9.51
THROUGH 9.55 OF CHAPTER 90 - MISCELLANEOUS
OFFENSES - OF TITLE IX - POLICE REGULATIONS -
OF SAID CODE.

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 90 of Title IX of the Code of the City of East Grand Rapids, being Sections 9.61 through 9.63 thereof, as heretofore adopted, including all amendments thereto, is repealed as of the effective date of this ordinance.

Section 2. The Code of the City of East Grand Rapids is amended by adding a new Chapter 90 of Title IX of said Code, as follows:

CHAPTER 90 MISCELLANEOUS OFFENSES

9.51. Definitions. The term "public place" as used in this Chapter shall mean any street, alley, park, any building owned or occupied by the City or by the School District, any place of business or assembly open to or frequented by the public and any other place which is open to the public view or to which the public has access.

9.52. Acts Prohibited. No person shall:

- (1) Commit an assault or battery on any person;
- (2) Willfully accost, molest, or otherwise annoy, either by word of mouth, sign or motion, any person in any public place;
- (3) Create or engage in any disturbance, fight or quarrel in a public place;
- (4) Engage in any indecent, immoral, or obscene conduct in any public place;
- (5) Utter vile, profane, or obscene language in any public place;
- (6) Make any indecent exposure of his or her person;
- (7) Engage in peeping in the windows of any inhabited place;
- (8) Disturb the peace by loud or boisterous conduct;
- (9) Disturb without lawful authority any lawful assembly or meeting of persons;
- (10) Jostle or roughly crowd persons in any street, alley, park, or public building or other public place;
- (11) Incite, cause, or attempt to incite or cause a riot;
- (12) Engage in or participate in a riot;
- (13) Trespass upon the premises of another, or wrongfully remain upon the premises of another person to the annoyance or disturbance of the lawful owner or occupants;

- (14) Prowl about the private premises of any other person, or any alley abutting the same, in the nighttime, without the permission of the occupant of such premises;
- (15) Take or remove any property not his own from any person or from public property or from the property of others;
- (16) Engage in fortune telling or pretend to tell fortunes for hire, gain or reward;
- (17) Obtain or attempt to obtain money or property by fraud, trick or under false pretenses;
- (18) Print, engrave, sell, offer for sale, give away, exhibit or publish or have in his possession for any such purpose any obscene, lewd, lascivious or indecent book, pamphlet, paper, picture, cast statuary, image or representation or other article of an indecent or immoral nature, or any book, paper, print, circular or writing made up principally of stories of obscene, lewd, lascivious or indecent deeds or crime, or exhibit any such article to any other person;
- (19) Collect or stand in crowds, or arrange, encourage or abet the collection of persons in crowds in any public place, or willfully make any use of any public place for other than its intended or customary use in such manner as to prevent the use thereof by or obstruct the passage thereon or therethrough of other persons making usual and customary use of such public place;
- (20) Loiter in any public building or remain in any building or on premises of another person after having been requested to leave by a person in charge thereof or by owner or occupant thereof or his representative;
- (21) Engage in any act of prostitution;
- (22) Engage in illegal gambling, the illegal sale of intoxicating liquor, or any other illegal business or occupation;
- (23) Attend, frequent, operate or be an occupant or inmate of a place where prostitution, illegal gambling, illegal sale of intoxicating liquor or other illegal business or occupation is permitted or conducted;
- (24) Solicit or accost any person for the purpose of inducing the commission of any illegal act;
- (25) Knowingly transport any person to a place where prostitution or illegal gambling or other illegal activity is practiced, encouraged, or allowed for the purpose of enabling such person to engage in any illegal act;
- (26) Willfully throw or propel any missile, snowball or other object from any moving automobile;
- (27) Wrongfully throw or propel any missile, snowball or other object towards any person or automobile;

- (28) Shoot, fire, or discharge any air rifle, air pistol or bow and arrow or other weapon or instrument which might cause damage to persons or property, in any public place, or to shoot, discharge or fire the same on private property in such manner as to endanger or be likely to endanger any persons or property;
- (29) Discharge, shoot or fire any firearm, rocket or explosive substance in the city, except when lawfully acting in the defense of persons or property or the enforcement of law or at a duly established range, the operation of which has been approved by the Commission;
- (30) Fire, discharge, display or possess any fireworks, except of the type and under the conditions permitted by Chapter 39 of the Penal Code of the State of Michigan;
- (31) Willfully destroy, damage, or in any manner deface any public property or the property of any other person;
- (32) Destroy, damage or in any manner deface any drinking fountain located in any public place, or throw or deposit any substance therein, or in any manner pollute the water therein;
- (33) Affix by paste, glue, tape or other means, any sticker, item or device to any vehicle owned by any other person, without permission. This section shall not apply to law enforcement officers acting in performance of their duties;
- (34) Spit on any sidewalk or on the floor or seat of any public conveyance or any floor, wall, seat or equipment of any public place;
- (35) Urinate, defecate or perform any other act which creates a hazardous, unsanitary or otherwise objectionable condition in any public place or on the property of any other person. This section shall not apply to proper usage of toilet facilities;
- (36) Endanger the safety of another person or of property or act in a manner that causes a public disturbance by being intoxicated or under the influence of any narcotic drug in any place or on the private property of another person;
- (37) Intentionally smell or inhale the fumes of any substance releasing toxic vapors for the purpose of causing a condition of euphoria, excitement, exhilaration, stupefaction or dulled senses, or aid, abet or induce another person to do so; or to possess, buy or use any such substance for the purpose of violating or aiding or abetting another to violate this section;
- (38) If under 21 years of age, knowingly possess, transport, or have under his control in any motor vehicle any alcoholic liquor unless employed by a licensee as defined in Act No. 227, Public Acts of 1952, as amended, and unless processing, transporting, or having such alcoholic liquor under his control in a motor vehicle, during regular working hours and in the course of his employment;
- (39) Knowingly give, sell or furnish any alcoholic liquor to any person under the age of 21 years;
- (40) Knowingly allow the consumption of alcoholic liquor on his premises by a person who is under 21 years of age. A person who fails to make diligent inquiries as to whether another person is under 21 years of age shall be presumed to have knowledge.

- (41) Permit or suffer any place occupied or controlled by him to be used or occupied for illegal gambling;
- (42) Permit or suffer any place occupied or controlled by him to be used or occupied by persons engaging in any act of prostitution or other illegal sexual acts;
- (43) Permit or suffer any place occupied or controlled by him to be used in such manner that the public peace is disturbed by loud or boisterous noise or disorderly conduct;
- (44) Obstruct, resist, hinder or oppose any police or other law enforcement officer in the discharge of his duties as such;
- (45) Willfully fail to obey the command of any law enforcement officer to stop or halt, provided that such officer identifies himself or herself as a law enforcement officer and provides or offers to provide identification as such, and provided that such law enforcement officer is attempting to apprehend such person for a violation of this Code or any City, State or Federal law;
- (46) When operating a motor vehicle which has been stopped in response to a police officer's signal, to leave or attempt to leave the scene unless and until he has identified himself to the police officer;
- (47) Knowingly furnish to any police or other law enforcement officer or other official or employee of the City, acting in the discharge of his duties as such, a false name, address, age or date of birth in connection with the investigation of the commission of a violation of this Code or of any City, State or Federal law;
- (48) Knowingly make or furnish to any police officer or other law enforcement officer or other official or employee of the City when said officer, official or employee is acting in his official capacity, a false or fictitious report of the purported commission of any violation of this Code or any violation of any City, State or Federal law;
- (49) Willfully conceal knowledge of the actual commission of a violation of this Code of any City, State or Federal law from a Court or from a law enforcement officer investigating such violation. This subsection shall not be interpreted to conflict with the right of any person not to be a witness against himself;
- (50) Impersonate, attempt to impersonate, falsely pretend to be, or hold himself out as a police or other law enforcement officer, or other officer or employee of the City, without due authority;
- (51) Escape or attempt to escape while lawfully in the custody of any police or other law enforcement officer.

9.53. Penalties for Violation. Any person found guilty under the provisions of section 9.52 shall be punishable as set forth in section 1.13 of this Code.

9.54. Purchase, Consumption or Possession of Alcoholic Liquor. No person under 21 years of age shall purchase alcoholic liquor in a licensed premises, or possess alcoholic liquor except as provided for in section 9.52(38) of this Code. A person who violates this section shall have committed a civil infraction and shall be subject to the following penalties:

- (a) For the first violation a fine of not more than \$25.
- (b) For a second violation a fine of not more than \$50, or a participation in substance abuse prevention services as defined in Section 6107 of Act 368 of the Public Acts of 1978, being section 333.6107 of the Michigan Compiled Laws, and designated by the administrator of substance abuse services, or both.
- (c) For a third or subsequent violation a fine of not more than \$100, or participation in substance abuse prevention services as defined in section 6107 of Act No. 368 of the Public Acts of 1978, being section 333.6107 of the Michigan Compiled Laws, and designated by the administrator of substance abuse services.

9.55 Use of Marihuana.

- (1) Definition of Marihuana. "Marihuana" means all parts of the plant *Cannabis sativa L.*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination.
- (2) Definition, "Practitioner" shall include:
 - (a) A physician, dentist, veterinarian or pharmacist as defined in subdivisions (o), (p), (q), and (w) of section 1 of Act No. 151 of the Public Acts of 1962, as amended, being section 338.1101 of the Compiled Laws of 1948, of the State of Michigan, or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.
 - (b) A pharmacy, hospital or other institution or place of professional practice licensed, registered, or otherwise permitted to distribute, prescribe, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this State.
- (3) Prohibited Use. It is unlawful for a person to use the substance known as Marihuana unless the substance was obtained by means of and used pursuant to a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the laws of this State.
- (4) Penalty For Violation. Any person found guilty under the provisions of subsection (3) of this section shall be punishable as set forth in section 1.13 of this Code, or may be placed on probation under the provisions of section 7411 of Act 368 of 1978, being MCL section 333.7411.

Section 3. This ordinance shall be published in full as provided by Section 5 of Chapter VIII of the City Charter.

Section 4. This ordinance shall be effective on June 17, 1980.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

506. The City Manager submitted a memorandum regarding the Plymouth Blvd. landscaping recommending that the Commission accept the low bid of Katerberg-VerHage, Inc., in the amount of \$1,552.00 for the Plymouth reconstruction project, and the low bid of Hydro-Mulch, Inc., for shrubbery, in the amount of \$990.00 be accepted.

506-A. Worfel-Waters. That the bids of Katerberg-VerHage, Inc., and Hydro-Mulch, Inc., be accepted, contracts awarded, and that the property owners be required to furnish the difference (\$300) between the cost of shrubbery and the cost of trees previously authorized.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

507. The City Manager submitted a memorandum regarding bids received for the reconstruction of Lakeside Drive from Robinson Road to Greenwood. It was recommended that the City Commission reject all bids and authorize the Manager to re-advertise for bids.

507-A. Waters-Lorch. That the City Commission reject all bids received for this project and that the City Manager be authorized to re-advertise for bids for the reason that it is now considered to be necessary to change specifications for the project.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

508. The City Manager reported on the tree inventory performed by the Grand Rapids Tree Company and requested that the invoice in the amount of \$4,004.00 from Grand Rapids Tree Company be approved for payment.

508-A. Worfel-Waters. That the City pay the invoice from Grand Rapids Tree Company in the amount of \$4,004.00.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

509. The City Manager reported on a request for a license for an adult care facility to be located at 405 Plymouth Road SE. Staff was instructed to check to make sure that there were no other adult care facilities within 500 feet of this property.

510. The City Manager reported on a proposed change in the standard street lighting contract to permit the inclusion of six lights on Plymouth Blvd. between Franklin and Lake Drive, and one at the south end of Cambridge.

510-A.
BY COMMISSIONERS WORFEL-WATERS:

RESOLVED, that it is hereby deemed advisable to authorize Consumers Power Company to make changes in the street lighting service as provided in the Standard Street Lighting Contract between the Company and the City of East Grand Rapids dated April 20, 1977, in accordance with the authorization to change the Standard Street Lighting Contract dated as of June 2, 1980, heretofore submitted to, and considered by, the Commission, and

RESOLVED, FURTHER, That the Mayor and City Clerk be and are authorized to execute such authorization for the change on behalf of the City.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

511. Commissioner Worfel inquired about the status of the Manhattan Site Committee report. Mr. Bacon, Administrative Aide, reported that it is anticipated that the Committee will submit its report to the Planning Commission at its meeting of June 10th, at which time a report will also be submitted to the City Commission for their review.

512. Hoag-Lorch. That expense vouchers in the amount of \$146,498.86, and payroll vouchers in the amount of \$34,150.83, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for their respective amounts.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

513. Commissioner Moseley informed the Commission that by June 16th, the Grand Rapids Transit Authority will have made provisions for persons in wheelchairs to ride the Transit System buses.

514. The City Manager advised that he has submitted copies of the proposed 1980-1981 budget to the City Commission. The Mayor set June 9th, at 7:00 p.m., as a work session to discuss the proposed budget.

515. There were 21 persons in attendance at this meeting.

516. The meeting was adjourned, subject to the call of the Mayor, until June 16, 1980.



City Clerk

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

Regular Meeting Held June 16, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Waters, Worfel and Mayor Stoppels.
Absent: None.

517. The minutes of the meeting held June 2, 1980, were approved as written.

518. Pursuant to public notice, a hearing was then held upon the zoning variance request of Arthur VanEnk, to construct a home at 428 Edgemere Drive SE, within 10 feet of the side lot line rather than the required 14 feet. Mr. & Mrs. VanEnk were present and introduced their architect, Mr. Fritz, who displayed a drawing identifying the variance request. There were no objections.

518-A. Hoag-Lorch. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. & Mrs. VanEnk.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

519. Pursuant to public notice, a hearing was then held upon the zoning variance request of Enid G. Packard, to permit use of the first floor of the residence at 610 Lovett SE, as a dentist's office. Mr. & Mrs. Packard were present to discuss this request with the Commission.

519-A. Worfel-Hoag. That this Commission, acting as the Board of Zoning Appeals, deny the variance requested by the Packard's.

A roll call vote was taken:

Yeas: Hoag, Moseley, Worfel - 3
Nays: Lorch, Seibold, Stoppels - 3
Commissioner Waters abstained.

519-B. Waters-Lorch. That this hearing be adjourned to allow the Commission to obtain additional information to July 7, 1980.

Yeas: Hoag, Lorch, Seibold, Waters, Worfel, Stoppels - 6
Nays: Moseley - 1

520. A letter was received from Old Kent Bank & Trust Company requesting that they be named principal depository for City funds for the fiscal year beginning July 1, 1980, to June 30, 1981.

520-A. Lorch-Moseley. That Old Kent Bank & Trust Company be named as principal depository for the fiscal year 1980/81.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

521. Letters from the City Attorney regarding yard rubbish ordinance violations and a proposed amendment to Section 2.12 of Chapter XVI of Title II of the Code of the City of East Grand Rapids, was received. The Attorney recommended that pictures be taken of apparent violations via a Polaroid type camera to use as basis for issuance of complaints and as evidence at the time the cases are heard. Staff was directed to work out the problem of securing satisfactory evidence of the violations.

521-A. Waters-Worfel. That the following ordinance be approved:

AN ORDINANCE TO AMEND SECTION 2.12
OF CHAPTER 16 OF TITLE II OF THE CODE
OF THE CITY OF EAST GRAND RAPIDS AND TO
ADD SECTIONS 2.13-1 TO 2.13-6 INCLUSIVE
TO CHAPTER 16 OF TITLE II OF SAID CODE.

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 2.12 of Chapter 16 of Title II of the Code of the City of East Grand Rapids is amended to read as follows:

"2.12. Failure to comply with the aforesaid regulations shall constitute a misdemeanor punishable by a fine not more than One Hundred Dollars (\$100.00) and costs of prosecution or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense. Any person charged with such violation may voluntarily appear and respond to such charge before the Violations Bureau pursuant to the provisions of Section 2.13-1 to 2.13-6 of this Ordinance."

Section 2. Chapter 16 of Title II of the Code of the City of East Grand Rapids is amended by adding new Sections as follows:

"2.13-1 Bureau established. A Violations Bureau for the purpose of handling alleged yard rubbish violations within the city, is hereby established.

2.13-2 Location. The Violations Bureau established by this chapter shall be operated in conjunction with the Parking Violations Bureau established by Chapter 107 of the East Grand Rapids City Code and the Animal Control Violations Bureau established by Chapter 89 of the East Grand Rapids City Code.

2.13-3 Offenses, disposition of. No violation not scheduled in Section 2.13-6 of this chapter shall be disposed of by the Violations Bureau. The fact that a particular violation is scheduled shall not entitle the alleged violator to disposition of the violation at the bureau and in any case the person in charge of such bureau may refuse to dispose of such violation, in which case any person having knowledge of the facts may make a sworn complaint before any court having jurisdiction of the offense as provided by law.

2.13-4 Procedure. No violation may be settled at the Violations Bureau except at the specific request of the alleged violator. No penalty for any violation shall be accepted from any person who denies having committed the offense and in no case shall the person who is in charge of the bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to such alleged violation. No person shall be required to dispose of a yard rubbish violation at the Violations Bureau and all persons shall be entitled to have any such violation processed before a court having jurisdiction thereof if they so desire. The unwillingness of any person to dispose of any violation at the Violations Bureau should not prejudice him or in any way diminish the rights, privileges and protection accorded to him by law.

2.13-5 Notice of Violation. The issuance of a ticket or notice of violation by a police officer or Public Service Superintendent of the City shall be deemed an allegation or a violation of this ordinance.

2.13-6 Schedule of violations. The following violations may be settled at the Violations Bureau when so provided in this chapter by imposition and payment of fines as herein set forth:

	<u>Fine</u>
Violation of this ordinance, first offense after warning	\$ 10.00
Violation of this ordinance, second offense within 12 months	20.00
Violation of this ordinance, third offense within 12 months	30.00

Section 3. This amendatory ordinance shall be effective on June 16, 1980.

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, Lorch, Moseley, Seibold, Waters, Worfel - 6
Nays: Stoppels - 1

522. A letter from Commissioner Worfel regarding the Library Commission budget for 1980/81 was received for information.

522-A. Worfel-Waters. That the librarian be authorized to employ a designer to determine whether or not they can arrange materials and work space to secure space for computer terminals and additional materials to be housed in the East Grand Rapids library; also that financing for four additional page hours per week be provided by the City.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

523. A letter was received from Semyon P. Lenberg inquiring about the City-owned property adjacent to Lot 360 Paris Park #1. He stated that he would like to make an offer on this property, should the City choose to sell it.

523-A. Waters-Worfel. That the deed from the State of Michigan for this property be referred to the City Attorney for review and recording if approved.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

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

524-A. Worfel-Waters. That the City Manager be issued a fireworks permit.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

525. The City Manager submitted a memorandum regarding the request for a license for a foster care facility at 405 Plymouth, and reported that there were no other state licensed premises within 1500 feet of the proposed license. Mr. Scott Walker, Public Relations Director of the Kent County Community Mental Health Center, distributed material regarding foster care facilities and answered questions asked by the City Commissioners. Mr. George Rennix, who owns a home adjacent to the proposed foster care home, expressed concern about its location near the intersection of Wealthy and Plymouth, and stated that the State Legislature is considering a bill which would place a six-month moratorium on the establishment of any additional homes. It was suggested that the City Commission should be involved in making sure that the home is operating well.

526. The City Manager submitted a memorandum regarding the Lake Restoration Conference in Portland, Maine, and recommended that a group of three or four attend this conference from the City. It was recommended that the City Manager, Mike Karolle, and Commissioner Hoag be authorized to attend this conference.

527. The City Manager requested authorization to issue purchase orders for the acquisition of a new snowplow and requested that the following low bids be accepted:

Cab and Chassis - Duthler Ford Truck	\$ 28,375.00
Truck Body - Hoekstra Truck	2,535.00
Inland road scraper and underbody scraper Hoekstra Truck Company	3,450.00
Hydraulic System - Schultz Equipment	3,114.55
A hitch - Gregward Equipment	1,350.00
Snow Plow - Gregward Equipment	<u>2,703.00</u>
 Total Bids	 \$ 41,527.55

527-A. Worfel-Hoag. That authorization be given to purchase the equipment requested at a cost of \$41,527.55.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

528. Reports from the Police Department, Fire Department and circulation report from the Library for the month of May, were received for information.

529. The minutes of the Planning Commission meeting held June 10, 1980, were received for information.

530. Mr. & Mrs. David LaClaire were present to inform the Commission that their lease with Jacobson's would be up within a year and one-half and that they are forced to find another location. They requested that the Commission provide the City of Grand Rapids with a waiver which would allow the LaClaire's to seek favorable financing in Grand Rapids.

530-A. Waters-Hoag. That this Commission grant the request for a waiver to Mr. & Mrs. LaClaire in the form used by the City of Grand Rapids.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

531. A memorandum from the City Assessor describing her 1980/81 budget request for a mini-reappraisal was received for information.

532. The City Attorney reported that the Supreme Court has denied the Blodgett Memorial Medical Center application for leave to appeal the property tax case.

533. Copies of the Manhattan School report were mailed to the Commissioners, and the Chairman of the Special Committee would like comments from the City Commissioners regarding this report.

534. The City Manager reported that he had received a copy of the Easement and Use Agreement between the City and the School which had been signed by both the representatives of the City and of the School.

535. The City Manager reported that bids were received for the insurance coverage for the City and that only one bid was received from Crosby & Henry, and one bid for Workers' Comp was received from Yeager & Associates. It was directed that a special meeting will be called, to be held after the regular budget meeting on June 30, 1980, for the purpose of considering the award of insurance.

536. The City Manager reported that he had received an amendment to the Site Acquisition and Service Contract between Kent County and the City of East Grand Rapids. He also stated that there is no change in the rate, but that the agreement incorporates the methodology of determining rates.

536-A. Worfel-Mayor Stoppels. That the Mayor and Clerk be authorized to sign the amendment to the Site Acquisition Service Contract between Kent County and the City of East Grand Rapids.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

537. A copy of a study regarding Planned Unit Development Ordinance pamphlet was distributed to the Commissioners.

538. Commissioner Seibold submitted petitions which were signed by persons requesting that the City Commission declare the residence at 964 Maxwell to be a public nuisance as defined in the City Ordinance. The City Attorney stated that action is being taken on this matter. These petitions were received and filed.

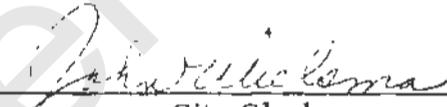
539. Hoag-Lorch. That expense vouchers in the amount of \$142,311.77, and payroll vouchers in the amount of \$38,732.63, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

540. The Mayor requested the Commissioners to submit names of persons who would be willing to serve on the various committees and commissions of the City Commission.

541. There were 10 residents in attendance at this meeting.

542. The meeting was adjourned, subject to the call of the Mayor, until June 30, 1980.



City Clerk

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

Special Meeting Held June 30, 1980

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

Present: Coms. Lorch, Moseley, Seibold, Worfel and Mayor Stoppels.

Absent: Coms. Hoag and Waters.

543. Pursuant to published notice, a public hearing was held by the City Commission for the purpose of considering the proposed budget for the fiscal year 1980/81. There were three residents in attendance at this meeting.

543-A. Worfel-Lorch. RESOLVED, 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, 1980 to June 30, 1981:

ANTICIPATED REVENUES:

City Taxes	\$ 1,865,000
Licenses & Permits	4,200
Fines & Fees	22,000
Distribution from Other Agencies	569,000
Use of Money & Property	100,000
Charges for Current Services	<u>513,800</u>
Total Anticipated Revenues	3,074,000

EXPENSE APPROPRIATIONS:

General Government	\$ 307,500
Public Safety	848,300
Public Service	779,350
Contributions & Aid	321,800
Other Operating Expenses	<u>599,150</u>
Total Operating Approp.	\$ 2,856,100
Capital Expenditure Approp.	<u>217,900</u>
Total Expense Approp.	\$ 3,074,000

And 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 amounts estimated to be necessary for such purposes is hereby declared to be the sum of \$3,074,000, and that the tax rate per \$1,000 valuation is hereby determined to be 16.5 mills.

A roll call vote was taken:

Yeas: Lorch, Moseley, Seibold, Worfel, Stoppels - 5

Nays: 0

The motion carried.

544. A proposed budget for the Water Fund for the years 1979, 1980 and 1980/81 was reviewed.

544-A. Worfel-Moseley. 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, 1979 to June 30, 1980, and July 1, 1980 to June 30, 1981:

ANTICIPATED REVENUES:

1979/80	\$ 474,660
1980/81	\$ 486,600

EXPENSE APPROPRIATION:

1979/80	\$ 464,115
1980/81	\$ 476,510

Yeas: Lorch, Moseley, Seibold, Worfel, Stoppels - 5
Nays: 0

545. A proposed budget for the Motor Equipment Revolving Fund for the fiscal years 1979/80 and 1980/81 was reviewed.

545-A. Worfel-Lorch. RESOLVED, that the following budget be adopted as the annual Motor Equipment Revolving Fund budget for the City of East Grand Rapids for the fiscal years July 1, 1979 to June 30, 1980, and July 1, 1980 to June 30, 1981:

ANTICIPATED REVENUES:

1979/80	\$ 234,290
1980/81	\$ 264,285

EXPENSE APPROPRIATIONS:

1979/80	\$ 174,235
1980/81	\$ 198,800

Yeas: Lorch, Moseley, Seibold, Worfel, Stoppels - 5
Nays: 0

546. The budget for the Major Street Funds for the fiscal years 1979/80 and 1980/81 were reviewed.

546-A. Worfel-Lorch. RESOLVED, that the following budget be adopted as the annual Major Street Fund Budget for the City of East Grand Rapids for the fiscal year July 1, 1979 to June 30, 1980, and July 1, 1980 to June 30, 1981:

ANTICIPATED REVENUES:

1979/80	\$ 211,945
1980/81	\$ 212,965

EXPENSE APPROPRIATIONS:

Street Construction		
1989/80	\$	292,092
1980/81	\$	137,510
 Routine Maintenance		
1979/80	\$	15,450
1980/81	\$	16,840
 Traffic Services		
1979/80	\$	10,015
1980/81	\$	11,450
 Winter Maintenance		
1979/80	\$	34,940
1980/81	\$	50,500
 Administration		
1979/80	\$	17,450
1980/81	\$	19,050
 Transfer to Local Street Fund		
1979/80	\$	8,312
1980/81		-0-

 Total Expense Approp.		
1979/80	\$	378,259
1980/81	\$	235,350

Yeas: Lorch, Moseley, Seibold, Worfel, Stoppels - 5
Nays: 0

547. The budget for the Local Street Fund for 1979/80 and 1980/81 was reviewed.

547-A. Worfel-Lorch. RESOLVED, that the following budget be adopted as the annual Local Street Fund Budget for the City of East Grand Rapids for the fiscal years July 1, 1979 to June 30, 1980, and July 1, 1980 to June 30, 1981:

ANTICIPATED REVENUES:

1979/80	\$	243,918
1980/81	\$	193,030

EXPENSE APPROPRIATIONS:

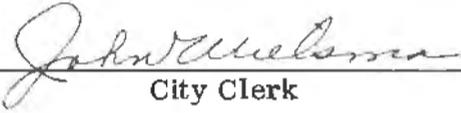
Street Construction		
1979/80	\$	165,368
1980/81	\$	106,500
 Routine Maintenance		
1979/80	\$	35,150
1980/81	\$	35,200
 Winter Maintenance		
1979/80	\$	18,900
1980/81	\$	26,000
 Administration		
1979/80	\$	24,500
1980/81	\$	26,600

TOTAL EXPENSE APPROP.

1979/80	\$ 243,918
1980/81	\$ 194,300

Yeas: Lorch, Moseley, Seibold, Worfel, Stoppels - 5
Nays: 0

548. There being no further business to be brought before this Commission, the meeting was adjourned at 8:10 p.m.



City Clerk

UNOFFICIAL
Reference Only

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

Special Meeting Held June 30, 1980

The meeting was called to order by Mayor Stoppels at 8:10 p.m.

Present: Coms. Lorch, Moseley, Seibold, Worfel and Mayor Stoppels.

Absent: Coms. Hoag and Waters.

549. The City Manager reported on bids received for the risk management package. He stated that a bid was received from Crosby & Henry for Parts I and II of the City insurance package, and a bid from Yeager & Company, Inc., for Part II only of the insurance package.

549-A. Worfel-Seibold. That Crosby & Henry be awarded the insurance contract for a 3-year term for Part I, with an annual premium of \$32,327.00, and that it also be awarded the Part II portion (Workers' Compensation) in a premium amount of \$53,886.00 for a one-year coverage.

Yeas: Lorch, Moseley, Seibold, Worfel, Stoppels - 5

Nays: 0

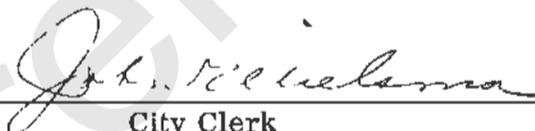
550. The City Manager reported that the municipal attorneys in the community are reviewing the question of the potential liabilities for which elected officials may need insurance protection, and that a report will be forthcoming.

551. Lorch-Moseley. That this Commission go into executive session to discuss labor relation matters.

Yeas: Lorch, Moseley, Seibold, Worfel, Stoppels - 5

Nays: 0

552. The Mayor reconvened the City Commission meeting at 9:30 p.m., and there being no further business to be brought before this Commission, the meeting was adjourned, subject to the call of the Mayor, until July 7, 1980.



City Clerk

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

Regular Meeting Held July 7, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Waters, Worfel and Mayor Stoppels.
Absent: None.

1. The minutes of the regular meeting held June 16, 1980, were approved as written.
2. The minutes of the special meeting held June 30, 1980, regarding the 1980/81 budgets were approved as written.

3. The minutes of the special meeting held June 30, 1980, at 8:10 p.m., regarding the City's risk-management package were approved as written.

4. The zoning variance hearing regarding the request of Enid G. Packard to permit the use of the first floor of the building at 610 Lovett SE, as a dentist's office, was continued. Mr. & Mrs. Packard were present to discuss their request. Mr. John Logie, legal counsel for the Packard's, discussed the request with the Commission. Mr. Packard submitted schematic drawings of 610 Lovett SE, showing the office layout and the location of parking of 5 cars on his premises. Dr. Rupprecht, the prospective tenant, was also present.

- 4-A. Waters-Lorch. That this Commission, acting as the Board of Zoning Appeals, grant the request of Enid G. Packard to permit use of the first floor of the 610 Lovett SE residence for a dentist's office, subject to the approval of an overall parking plan, and that plans for the building improvement and parking plan be completed by the fall of 1980, and that the landscaping plans be completed by July 8, 1981.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Seibold, Water, Stoppels - 6

Nays: Worfel - 1

The motion carried.

5. Pursuant to public notice, a hearing was then held upon the zoning variance request of Alex and Lena Howitt to permit construction of an addition to their home at 1109 Kenesaw Drive SE, to within 5 feet of the south lot line. Mrs. Howitt was present to discuss her plans with the Commission. Mr. George D'Archangel, resident to the south of her property, expressed concern of privacy, should the Commission permit this request.

- 5-A. Worfel-Hoag. That this Commission, acting as the Board of Zoning Appeals, grant the request of Mrs. Howitt with the requirement that there not be any windows on the south side of the addition.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Waters, Worfel, Stoppels - 6

Nays: Seibold - 1

The motion carried.

6. Pursuant to public notice, a hearing was then held upon the zoning variance request of Rex D. and Sharon Conely, 1727 Asbury Road SE, to permit construction of a storage addition to the existing garage to within one foot of the west property line. Mr. & Mrs. Conely were present to discuss their request with the Commission. There were no objections.

6-A. Moseley-Waters. That this Commission, acting as the Board of Zoning Appeals, grant the request of Mr. & Mrs. Conely.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

The motion carried.

7. Pursuant to the request of the East Grand Rapids Businessmen's Association, a discussion was held relative to the pedestrian crosswalk construction on Wealthy Street. Mrs. Chris VanAllsburg, Mr. Allaben, Mr. Jordan Sheperd, Mr. John Baxter, Mr. Jack Collins requested that the pedestrian crosswalk construction be removed. Several other persons spoke in objection to the placement of the crosswalks. Commissioner Moseley and Commissioner Waters reported that the Traffic Commission had unanimously approved the placement of the pedestrian crosswalks and that the City Commission had approved the minutes and recommendation of the Traffic Commission. Letters from Jordan Sheperd, Roland Allaben, Raymond Darrell, Bob VanCoeving, Joan McCallum, Mrs. Arthur C. Beaumont, Evelyn Osterhouse, Barbara G. Smith, Richard Lierle, Jerry Norman, Judy Cull, Jane Kropenicki, and representatives of the Businessmen's Association, Chris VanAllsburg and Norton Remes, Gretchen Chamberlin and Marguerite Jones were received and filed.

7-A. Worfel-Waters. That the pedestrian crosswalks not be removed at this time and that this matter be reviewed the first meeting in April, 1981, to determine the effects the crosswalks have on the community.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

The motion carried.

8. Mr. Jordan Sheperd read a letter which he has prepared objecting to the City Commission's decision of June 6th, to remove the transitional zoning in the commercial area. This material was received for information.

9. The agenda item regarding Mr. Peter Sears to discuss improvements at Barnard Street launching site was referred to a future meeting.

10. A letter from Mary Ann Cheney, President of Breton PTA, requesting an ice rink to be located at Breton School was received and referred to the Parks & Recreation Commission for report and recommendation.

11. A letter requesting the City's financial support of the Retired Senior Volunteer Program, in the amount of \$1,075 for their fiscal year 1981, was received.

11-A. Waters-Hoag. That this Commission approve the support in the amount of \$1,075 for the Retired Senior Volunteer Program, and that the contract between the City and this organization be updated.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

12. A proposed Animal Control Service Agreement between the County of Kent and the City of East Grand Rapids was reviewed.

12-A. Worfel-Hoag. That the Mayor and Clerk be authorized to sign the Animal Control Service Agreement as presented.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

13. The City Manager reported on bids which were received for the reconstruction of Lakeside Drive from Robinson Road to Greenwood Avenue, at the low point north of Durant Street, and recommended that the contract be awarded to Smith Brothers Contracting, Inc., the low bidder, in the amount of \$77,084.79.

13-A. Lorch-Waters. That the contract for the reconstruction of Lakeside Drive from Robinson Road to Greenwood Avenue at the low point north of Durant Street be awarded to Smith Brothers Contracting, Inc., in the amount of \$77,084.79, and that this amount be advanced from the General Fund as a loan to the Major Street Fund to cover this cost.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

14. The City Engineer requested authorization to issue a purchase order for 200 feet of water pipe at a cost of \$1,826.00 which is to be used for the watermain in the Lakeside Drive improvement.

14-A. Hoag-Moseley. That this Commission waive the requirement for competitive bids due to the fact that the type of pipe required is a single supplier item, and authorize the issuance of a purchase order to Clow Corporation in the amount of \$1,826.00 as requested.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

15. The City Manager reported on the Grand Rapids Metro Area Traffic Signal Control System contract.

15-A. Worfel-Waters. That the Mayor and Clerk be authorized to sign the Grand Rapids Metro Area Traffic Signal Control System contract.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

16. The City Manager reported on bids which were received for the purchase of a gasoline pump to replace a worn out pump at the Public Service Department and recommended that the low bid of Visser Sales & Service be accepted in the amount of \$2,687.64.

16-A. Waters-Lorch. That the request of the City Manager be concurred in.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

17. The minutes of the Traffic Commission meeting held June 17, 1980, were received and filed.

18. Mayor Stoppels requested that the Commissioners submit to him the names of persons who would be interested in filling the vacancies on the various commissions and committees of the City Commission.

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

20. The City Manager reported on proposals which he is soliciting for an energy audit and reported that the mini-audit would need to be completed by August 1st to qualify for Federal funding. It was the consensus of the Commission that the City Manager proceed with the mini-audit and, upon receipt of bids, the Manager is to obtain informal approval from a majority of the Commission, to be confirmed at a regular meeting so that work may proceed to meet deadlines.

21. The City Manager reported that he had received a notice regarding the request of Richard Lierle, 2905 Bonnell Avenue SE, to construct a bulkhead and backfill on his property on Reeds Lake.

22. The City Manager reported on a marina operation license application to D.N.R. from John D. Rose, requesting permission to operate an existing marina facility.

23. Inasmuch as this is the last meeting that the Administrative Aide, William Bacon, will be attending, the Commissioners thanked him for the work he has done for the City during the past two and one-half years, and wished him success in his new venture at the County.

24. Moseley-Worfel. That expense vouchers in the amount of \$212,082.22, and payroll vouchers in the amount of \$34,260.77, 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, Worfel, Stoppels - 7
Nays: 0

25. Commissioner Waters requested that a discussion of the beach on Reeds Lake be placed on the next agenda.

26. Commissioner Moseley reported that Breton Village had cut the grass on their East Grand Rapids property and that a lot of litter is creating an eye-sore for the neighborhood.

27. Commissioner Moseley reported that maple trees located in the parkways require watering to assist the feeder roots and to help the trees survive.

28. Commissioner Moseley reported that the Grand Rapids Transit Authority Board will be holding a public hearing regarding the raising of bus fare. She stated that she would inform the Commissioners when the date, time and place of this hearing has been established.

29. There were 37 persons in attendance at this meeting.

30. The meeting was adjourned, subject to the call of the Mayor, until July 21, 1980.



City Clerk

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

Regular Meeting Held July 21, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Worfel and Mayor Stoppels.

Absent: Com. Waters.

31. The minutes of the regular meeting held July 7, 1980, were approved as written.

32. Pursuant to public notice, a hearing was then held upon the zoning variance request of Joseph F. Kearney, 1124 Lakeside Drive SE, to permit construction of an addition to this residence which would be located 3 feet 8 inches from the northerly lot line. Mr. Kearney was present to discuss his request with the Commission. A letter from Mr. & Mrs. Tim Schievink, stating that they had no objections to this request, was received for information. There were no objections.

32-A. Worfel-Lorch. That this Commission, acting as the Board of Zoning Appeals, grant the variance request of Mr. & Mrs. Joseph Kearney.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6

Nays: 0

33. Pursuant to public notice, a hearing was then held upon the zoning variance request of Mrs. Harriet Bennett Bender, 2525 Albert Drive SE, to construct a home on a vacant lot at the corner of Lake Grove and Albert Drive, which is less than 7,200 square feet as required by the Zoning Ordinance. A group of residents were present to state their opposition to this zoning variance request. A petition from residents living on Albert Drive, Boston Street, Lake Grove, and Richards Drive, containing 46 signatures opposing this zoning variance request, was received for information. A letter from Mr. & Mrs. Anthony Travis, opposing this request, was also received.

33-A. Worfel-Hoag. That this Commission, acting as the Board of Zoning Appeals, adjourn this hearing until August 4th, to allow the petitioner to submit plans for the proposed building.

Yeas: Hoag, Lorch, Moseley, Worfel, Stoppels - 5

Nays: Seibold - 1

34. Pursuant to public notice, a hearing was then held upon the zoning variance request of Donald D. and Karen M. Meyers, 3122 Cascade Road SE, to construct a home with two side yards of 7 feet each rather than 10 feet and 14 feet as required by the Zoning Ordinance. Mr. & Mrs. Meyers were present to discuss their request with the Commission. There were no objections relative to this request.

34-A. Worfel-Hoag. That this Commission, acting as the Board of Zoning Appeals, grant the request of Mr. & Mrs. Meyers.

Yeas: Hoag, Lorch, Moseley, Worfel, Stoppels - 5

Nays: 0

Commissioner Seibold abstained.

35. Mr. Peter Sears submitted a drawing relating to the boat launching area on Barnard Street, and recommended that repairs be made to improve this launching site. Staff was directed to investigate the possibilities of repairing and improving the boat launching site.

36. The City Manager submitted a memorandum regarding bids which were received for the energy audit and recommended that a contract be awarded to Fairbrother & Gunther, subject to further review by the Commission prior to the performance of the complete audit after grant eligibility has been determined.

36-A. Moseley-Hoag. That a contract be awarded to Fairbrother & Gunther in the amount of \$1,900.00, and that this amount be transferred from the Contingency Fund.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

37. The City Manager reported on two vacant lots on Asbury Road which have been recently acquired from the State by the City, and that an inquiry regarding purchase of one of the lots has been received.

37-A. Mayor Stoppels-Worfel. That staff advertise for bids for the sale of the lots on Asbury Road, with a minimum being \$8,000.00, and that the City reserve the right to accept or reject any or all bids.

Yeas: Seibold, Worfel, Stoppels - 3
Nays: Hoag, Lorch, Moseley - 3

The motion failed.

37-B. Lorch-Worfel. That discussion of the sale of the lots on Asbury Road be placed on the next agenda of the City Commission.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

38. The City Manager reported that a flood control ordinance should be adopted by the City Commission, and that several residents have indicated an interest in such an ordinance.

38-A. Hoag-Lorch. That the City Attorney be requested to prepare a draft of a flood control ordinance and that a hearing be held on August 18, or August 25, for this purpose.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

39. A letter from Robert Stockman, Executive Director of the West Michigan Regional Planning Commission, regarding the Manhattan School site was received for information.

39-A. Worfel-Hoag. That consideration of the Manhattan School site be referred to the second meeting in September, which will be September 22, 1980.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

40. A memorandum from Commissioner Worfel regarding a request from the Head Librarian to reallocate assignments between the children's librarian and the reference librarian, resulting in a net increase of 15 hours per week of librarian one staff. The annual cost to the City of East Grand Rapids would be \$3,894.00, or a cost for the 1980/81 fiscal year of \$1,947.00.

40-A. Lorch-Hoag. That this Commission approve the request of the Library Commission and that the amount of \$1,947.00 be transferred from contingencies to the Library Contractual Services Account to cover the cost of the realignment of librarian hours.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

7/21/80

41. A letter was received from the Arts Council of Greater Grand Rapids requesting funding for the 1980/81 year, in the amount of \$1,500.00.

41-A. Worfel-Lorch. That this Commission appropriate \$1,500.00 for the support of the Arts Council for its fiscal year from July 1, 1980 to June 30, 1981.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

42. The statistical report of the Kent County Library System for the month of June was received for information.

43. The City Manager reported on bids which were received for the purchase of a pickup to replace the vehicle currently used in the Fire Department, and stated that the low bid was from Berger Chevrolet in the amount of \$6,110.29.

43-A. Worfel-Mayor Stoppels. That the City Manager be authorized to issue a purchase order in the amount of \$6,110.29 to Berger Chevrolet for the purchase of a pickup truck for use by the Fire Department.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

44. The City Manager introduced Jeff Bremer, who has been recently hired as Administrative Aide.

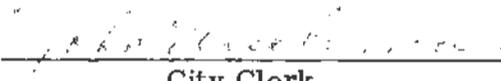
45. Moseley-Worfel. That expense vouchers in the amount of \$155,560.60, and payroll vouchers in the amount of \$42,590.76, as approved by the Ways & Means Committee, be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

46. The City Attorney reported that the City of East Grand Rapids has been named as defendant in a pending lawsuit regarding the County landfill contract and that the County Attorney will assume responsibility for representing all defendants.

47. There were 24 residents in attendance at this meeting.

48. The meeting was adjourned, subject to the call of the Mayor, until August 4, 1980.



City Clerk

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

Regular Meeting Held August 4, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Waters, Worfel and Mayor Stoppels.
Absent: None.

49. The minutes of the meeting held July 21, 1980, were approved as written.

50. The adjourned zoning variance hearing held over from July 21, 1980, on the request of Mrs. Harriet Bennett Bender, to permit construction of a residence on the lot at the northwest corner of Albert and Lake Grove, was continued. A letter from Jeffrey H. Beusse, representing a group of approximately 40 citizens who reside in the vicinity of this intersection, was received for information and Mr. Beusse was present to discuss this matter with the City Commission. He submitted nine photographs of neighborhood homes which he stated show that a home built on the lot in question would not be in keeping with the neighborhood. He stated that the Commission cannot grant the variance as requested unless they make findings, and that the burden of proof of hardship is on the petitioner and not on the neighbors. The following residents expressed their opposition to the zoning variance request: Donald Drummond, James Collins, Paul Williamson, Marilyn Bauer, Jackie Johnson and Sue Hoane. Mr. Thomas Newhof, representing the petitioner, requested that this hearing be postponed to allow the petitioner to have her attorney review this matter and report back to the Board of Zoning Appeals.

50-A. Waters-Lorch. That this Commission, acting as the Board of Zoning Appeals, adjourn this hearing for two weeks, until August 25, 1980.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: Hoag - 1

51. Commissioner Waters discussed the status of certain lots around Reeds Lake and the possibility of establishing a public beach facility for East Grand Rapids residents. The Junior High School site and the property to be deeded to the City by Mr. Gilmore, were the two locations suggested for establishing a community beach. He stated that the City Attorney's Office was looking into the deed restrictions and other possible legal ramifications. Mr. John King, former resident of Lake Saint Clair Shores, reported on problems that the neighbors there had with a community beach similar to that proposed on Reeds Lake. Commissioner Waters reported that his experience at the North Shore Chicago beach was a pleasant one and the cost to the community was minimal. He said that a snowfence was erected to serve the area and that a retired person was hired to check beach tokens of persons wishing to utilize the beach. After discussion, the City Attorney was requested to continue his legal analysis and the staff was requested to evaluate the bottom characteristics of the lake at the Junior High School and the Gilmore property.

52. The City Manager again reported on the two vacant lots on Asbury Road which have been recently acquired from the State by the City.

52-A. Worfel-Mayor Stoppels. That the City Manager be authorized to advertise for bids for the sale of these two lots on Asbury, with a minimum price per lot of \$8,000.00, and that the City reserve the right to accept or reject any or all bids.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

53. The Mayor submitted the list of appointments for the fiscal year July 1, 1980, to June 30, 1981. After some modifications, it was moved by Commissioner Lorch and supported by Commissioner Seibold that the following list of appointments be approved:

PRESIDENT OF COMMISSION &
 VICE-CHAIRMAN BOARD OF APPEALS
 CITY MANAGER
 CITY CLERK, CONTROLLER, TREASURER,
 ASS'T MANAGER
 CITY ATTORNEY
 ASSESSOR-BUILDING INSPECTOR
 ASSISTANT ASSESSORS

CHIEF OF POLICE
 FIRE CHIEF
 HEALTH OFFICER
 HARBOR MASTER
 ELECTRICAL INSPECTOR
 FORRESTER

WAYS & MEANS COMMITTEE
 C. Christopher Worfel, Chp.
 Lois Moseley
 Paul Seibold

FIRE & POLICE
 C. Christopher Worfel
 John Waters
 Barbara Hoag

STREETS, SIDEWALKS, TREES
 Glenn Lorch
 John Waters
 Barbara Hoag

RECREATION & PARKS
 Barbara Hoag, Chp.
 Glenn Lorch
 John Waters

UTILITIES COMMITTEE
 Lois Moseley, Chp.
 John Waters
 C. Christopher Worfel

ORDINANCE COMMITTEE
 Barbara Hoag
 Lois Moseley
 Glenn Lorch

LIBRARY COMMISSION
 Mary Dutcher (Mrs. David)
 Lois Moseley
 Nancy Buskirk (Mrs. Thomas) Chp.
 Jeff Beusse
 Mary Wilson
 Mary Ann Manion
 Arnold Jacobson
 Mary Rea (Mrs. T.W., Jr.)
 Friends of the Library
 Myrtle Starr, County Library Liaison

C. Christopher Worfel
 Frederic H. Tholen, Jr.

John Wielsma
 Robert W. Richardson
 Shirley Norman
 Bruce Kellogg
 Paul Haviland
 Farrell Babcock
 John F. Terpstra
 County Health Officer
 Charles Harrett
 John DeBoer
 William Rice

BOARD OF REVIEW
 Shirley Norman, Chp.
 Bruce Kellogg
 Paul Haviland
 Lois Moseley
 Paul Seibold

<u>PLANNING COMMISSION</u>	<u>Term Expires</u>
William Henry	7/1/81
Nyal Deems	7/1/83
Patricia Edison	7/1/83
John Waters	7/1/83
Thomas Heiden	7/1/81
Robert Olson	7/1/82
William Boorstein	7/1/82
Tom Gleason	7/1/82
Glenn Lorch	7/1/81
Board of Education	
The Mayor	ex-officio
The Manager	"

TRAFFIC COMMISSION
 Kenneth Wiedaw, III
 Betsy Borre
 Mark Levandoski
 Irene Robberson
 Barbara Hoag
 Police Chief
 City Manager

<u>EAST BELTLINE BD. OF DIRECTORS</u>	<u>Term Expires</u>
Ingvar W. Samuelson (Business)	1/1/81
Jack Steketee (Citizen)	1/1/83
F. H. Tholen (Gov't)	1/1/82

ELECTION COMMISSION
 John Wielsma
 Shirley Norman
 R. W. Richardson

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

<u>BOARD OF CANVASSERS</u>	<u>Term Expires</u>	<u>AGRAG REPRESENTATIVES</u>	
David M. Amberg	12/31/83	Mayor Stoppels	
Sally G. Boshoven (Mrs. Herbert)	12/31/81	C. Christopher Worfel	
Linda S. Chervenka	12/31/82		
Merle Johnson	12/31/83	<u>GRETS POLICY COMMITTEE</u>	
		C. Christopher Worfel	
<u>RECREATION COMMISSION</u>		<u>GRETS TECHNICAL COMMITTEE</u>	
Chip Behler	7/1/83	F. H. Tholen	
Nancy Harper (Mrs. James H.)	7/1/81		
(V-Chm.)	7/1/82	<u>GRETS CITIZENS ADVISORY</u>	
Paul Seibold	7/1/82	Barbara Van't Hoff	
3 Board of Education Appointees			
Marilyn Lundquist	7/1/82		
Jerry Sieracki, Sec'y.	7/1/83	<u>CHAMBER OF COMMERCE BUSINESS</u>	
Rudyard Abbott	7/1/81	<u>DEVELOPMENT COMMITTEE</u>	
At-Large		Glenn Lorch	
<u>HOUSING BOARD OF APPEALS</u>		<u>KENT COUNTY COUNCIL ON THE AGING</u>	
Barbara Eggerding (Mrs. J. L.)		Rev. F. VanderStoep	
R. A. Reid			
Health Officer		<u>GRAND RAPIDS TRANSIT AUTHORITY</u>	
Building Inspector		Lois Moseley	
<u>JOINT CITY-SCHOOL RECREATIONAL</u>		<u>REGION VIII</u>	<u>Term Expires</u>
<u>FACILITIES COMMITTEE</u>		Barbara Van't Hoff	7/1/81
City Appointees		Barbara Hoag	7/1/81
C. Christopher Worfel		Lois Moseley	7/1/81
John Waters			
Mayor Stoppels		<u>REHABILITATION REVIEW COMMITTEE</u>	
School Board Appointees		Peter Sears	7/1/81
Wallson G. Knack		Shirley Norman	7/1/82
Rudyard C. Abbott		Lois Dyksterhouse	7/1/82
		Paul Haviland	7/1/82
		Philip Jacobus	7/1/81
<u>BUILDING AUTHORITY</u>			
F. H. Tholen)		<u>LOCAL OFFICERS COMPENSATION COMMISSION</u>	
John Wielsma)		Merle Johnson	1983
Robert Richardson)		J. Robert Green	1984
		Harold Roy	1985
<u>CITIZENS ADVISORY COMMITTEE ON LAKE</u>		Katherine McIlhargey	1981
<u>RESTORATION</u>	<u>Term Expires</u>	Bruce Kellogg	1982
Mike Karolle			

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6

Nays: Hoag - 1

54. The Commission then considered the letters of Mr. Mark Miller, Director of the Kent County Animal Shelter, to the City Attorney regarding quarantine restrictions and to Mayor Stoppels regarding dogs in parks, recommending that the City Commission consider changes in the Animal Control Ordinance to cover these problems. A letter from the City Attorney regarding the letters from Mr. Miller was also received. The Commission directed the City Attorney to draft an amendment to the Animal Control Ordinance to be considered by this Commission at its August 18, 1980 meeting.

55. The City Controller commented on a letter received from Ernst & Whinney recommending revisions in the form of the annual report to comply with the recently issued National Council of Governmental Accounting Statement I. The cost of having Ernst & Whinney provide additional services for the preparation of the financial statements in the revised format was estimated at \$1,500. The Controller recommended that the financial statements be revised this year.

55-A. Hoag-Moseley. That Ernst & Whinney be requested to provide the services required for the preparation of the financial statements in the revised form and that \$1,500 be transferred from Contingencies to the Professional Fees Account to cover this cost.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

56. A letter was received from Judy Tremore, Managing Editor of Cadence, suggesting that the Cadence will offer a monthly column to be alternated between the City and the School, and to be written each time by a different member of the City Commission/School Board. After some discussion, the Commissioners indicated approval of the suggestion.

57. The City Manager reported on bids which were received for the purchase of one mobile radio for the Police Department and requested that a purchase order be authorized in the amount of \$1,574.00 to the low bidder, General Electric Company.

57-A. Worfel-Waters. That the City Manager be authorized to issue a purchase order to General Electric Company in the amount of \$1,574.00 for the purchase of a mobile radio.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

58. The City Manager reported on bids which were received for the replacement of two salt spreaders and recommended that a purchase order be issued to the low bidder, Schultz Equipment, in the amount of \$3,074.00 per unit.

58-A. Worfel-Waters. That the bid of Schultz Equipment be accepted and that a purchase order be issued in the amount of \$3,074.00 per unit for the purchase of two salt spreaders.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

59. The City Manager reported on bids which were received for the purchase of a backhoe-loader tractor and Robert Smith, Public Service Superintendent, discussed the reason for his recommendation to accept the third lowest bid which is for a heavy duty piece of equipment. He stated that the low bidders were not recommended because of safety factors.

59-A. Waters-Seibold. That this Commission accept the bid of Wolverine Tractor in the amount of \$26,612.37 as recommended by the Public Service Superintendent, and that a purchase order be issued to it for the purchase of a backhoe-loader tractor.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

60. The request for rental of the Manhattan School by the Kent County Osteopathic Association was withdrawn upon the request of the petitioner.

61. The minutes of the Traffic Commission meeting held July 15, 1980, were received for information.

62. The City Manager reported that a license application to have an adult foster care family home at 543 Greenwood SE, was received from the State. A letter from Beth Wagner, owner of 543 Greenwood, was received for information. The City Manager reported that there were no other foster care facilities located within 1,500 feet of this property. The notice of application from the State will be returned with this information.

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

64. The City Engineer discussed a proposed ordinance to amend the East Grand Rapids City Code by adding a new Chapter 41 of Title V regarding flood damage prevention.

64-A. Hoag-Moseley. That the following ordinance be introduced for consideration at a later meeting:

AN ORDINANCE TO AMEND THE EAST GRAND
RAPIDS CITY CODE BY ADDING A NEW CHAPTER
41 OF TITLE V WHICH NEW CHAPTER SHALL BE
DESIGNATED AS SECTIONS 5.301 TO 5.305 OF
CHAPTER 41 OF TITLE V OF SAID CODE AND WHICH
NEW CHAPTER SHALL BE ENTITLED "FLOOD DAMAGE
PREVENTION ORDINANCE"

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 41 of Title V to read as follows:

CHAPTER 41. FLOOD DAMAGE PREVENTION ORDINANCE

(The text of the proposed ordinance is on file with the City
Clerk and copies may be obtained at this office.)

Section 2. This ordinance shall become effective on _____, 1980.

Section 3. This ordinance being more than 500 words in length, a digest, summary or statement of the purposes hereof shall be published pursuant to Chapter VIII, Section 5(2) of the Charter of the City of East Grand Rapids.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

65. The City Manager reported that he had received a copy of a letter written to Mr. Logie, dated July 28th, stating that the State has approved the program for the improvement and development of Wealthy Street.

66. The City Manager reported that three City employees, Mr. Robert Smith, Mr. Bert Frens, and Mr. Ray Rothenthaler will be receiving the Edward Dunbar Rich Award for 1980, which award is given to persons who have served in the field of water supply for 25 years or more.

67. The City Manager reported that a letter was received from Col-Ter, Inc., owners of J-Poppa's Pizzeria, requesting that Bagley be continued as a two-way street. This letter was referred to the Traffic Commission.

68. Moseley-Worfel. That expense vouchers in the amount of \$485,291.16, and payroll vouchers in the amount of \$38,932.25, 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, Worfel, Stoppels - 7
Nays: 0

69. Waters-Worfel. That this Commission go into closed session for the purpose of considering negotiation of a collective bargaining agreement.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

70. Following the closed session, the Mayor reconvened the City Commission meeting.

71. There were 29 persons in attendance at this meeting.

72. The meeting was adjourned, subject to the call of the Mayor, until August 18, 1980.

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

Regular Meeting Held August 18, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Seibold, Waters, Worfel and Mayor Stoppels.
Absent: Com. Moseley.

73. The minutes of the meeting held August 4, 1980, were approved as written.

74. The zoning variance hearing adjourned from August 4, 1980, on the request of Mrs. Harriet Bennett Bender to permit construction of a residence on the lot at the northwest corner of Albert and Lake Grove was continued. The City Attorney reviewed the status of the current and prior zoning ordinances. He also stated that the state statute was amended effective March 18, 1980, to require only a simple majority for granting a zoning variance. Mr. Dan Molhoek, representing Mrs. Bender, requested that the Board of Zoning Appeals approve the request of Mrs. Bender. He submitted a plot plan, a letter dated August 15, 1980, and a survey of lots and houses surrounding the lot in question. Mr. Jeffrey H. Beusse, representing a group of approximately 40 citizens who reside in the vicinity of the lot in question, was present and also submitted a letter.

74-A. Waters-Worfel. That the City Attorney prepare findings of fact for consideration by this Board in accordance with the Zoning Ordinance, and that the following conditions be considered:

1. That design of the home be in general conformance with the plans shown to this Commission.
2. The house size be increased as substantially as possible.
3. Consideration be given to location of the garage on the east part of the lot.

This data is to be available to the Commissioners at the City Commission meeting on September 8, 1980.

A roll call vote was taken:

Yeas: Lorch, Seibold, Waters, Worfel, Stoppels - 5
Nays: Hoag - 1

The motion carried.

75. The proposed ordinance regarding flood damage prevention which was introduced at the last City Commission meeting held August 4, 1980, was reviewed and a public hearing held.

75-A. Lorch-Seibold. That the following ordinance be adopted:

AN ORDINANCE TO AMEND THE EAST GRAND RAPIDS
CITY CODE BY ADDING A NEW CHAPTER 41 OF TITLE V
WHICH NEW CHAPTER SHALL BE DESIGNATED AS SECTIONS
5.301 TO 5.305 OF CHAPTER 41 OF TITLE V OF SAID CODE
AND WHICH NEW CHAPTER SHALL BE ENTITLED "FLOOD
DAMAGE PREVENTION ORDINANCE"

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 41 of Title V to read as follows:

CHAPTER 41. FLOOD DAMAGE PREVENTION ORDINANCE

5.301 Statement of Purpose. It is the purpose of this ordinance to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas.

5.302 Definitions. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Appeal" means a request for a review of the local administrator's interpretation of any provision of this ordinance or a request for a variance.

"Area of special flood hazard" means the land in the flood plain within the community subject to a one percent or greater chance of flooding in any given year.

"Base flood" means the flood having a one percent chance of being equalled or exceeded in any given year.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland waters and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Insurance Rate Map" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report provided in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Boundary-Floodway Map and the water surface elevation of the base flood.

"Habitable floor" means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

"Local Administrator" means the East Grand Rapids City Engineer.

"New Construction" means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

"Start of construction" means the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation.

"Structure" means a walled and roofed building, or a gas or liquid storage tank, that is principally above ground.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) before the improvement or repair is started, or
- (2) if the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- (1) any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
- (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

5.303. General Provisions.

5.303.1 Lands to Which This Ordinance Applies. This ordinance shall apply to all areas of special flood hazards within the jurisdiction of East Grand Rapids.

5.303.2. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for East Grand Rapids", dated March, 1980, with accompanying Flood Insurance Rate Map is hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at the office of the East Grand Rapids City Engineer.

5.303.3. Floodway Protection Standards. New construction, substantial improvements and all other development, including fill, shall be prohibited within zone number A1 on the FIRM, except where it is demonstrated to the zoning administrator that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not harmfully increase the water surface elevation of a base flood. In determining whether a harmful increase will occur, compliance with Public Act 245 of 1929, as amended by Public Act 167 of 1968, shall be required, provided that the allowable increase shall not exceed one foot. Zone A1 on the FIRM shall be considered to be the floodway.

5.303.4. Penalties for Noncompliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of East Grand Rapids from taking such other lawful action as is necessary to prevent or remedy any violation.

5.303.5. Abrogation and Greater Restrictions. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

5.304. Administration.

5.304.1. Permit Required. Development, including the erection of structures, within a flood hazard area shall not occur except upon issuance of a zoning compliance permit in accord with the requirements of the East Grand Rapids zoning ordinance and the following standards:

(1) The requirements of the underlying zoning district and applicable provisions of this ordinance must be met.

(2) All necessary development permits shall have been issued by appropriate local, state and federal authorities including a floodplain permit, approval, or letter of no authority from the Michigan Department of Natural Resources under authority of Act 245, Public Act of 1929, as amended by Act 167, Public Acts of 1968. Where a development permit cannot be issued prior to the issuance of a zoning compliance permit, a letter from the issuing agency indicating intent to issue contingent only upon proof of zoning compliance shall be acceptable.

5.304.2. Establishment of Development Permit. A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in 5.303.2. Application for a Development Permit shall be made on forms furnished by the local administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing.

Specifically, the following information is required:

(1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;

(2) Elevation in relation to mean sea level to which any structure has been floodproofed;

(3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in 5.305.2-2; and

(4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

5.304.3. Designation of the Local Administrator. The local administrator is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

5.304.4. Duties and Responsibilities of the Local Administrator. Duties of the local administrator shall include, but not be limited to:

5.304.4-1 Permit Review.

(1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.

(2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.

5.304.4-2 Information to Be Obtained and Maintained.

(1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

(2) For all new substantially improved flood proofed structures:

- (i) verify and record the actual elevation (in relation to mean sea level); and
- (ii) maintain the floodproofing certifications required in 5.304.2(3).

(3) Maintain for public inspection all records pertaining to the provisions of this ordinance.

5.304.4-3 Interpretation of FIRM Boundaries. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in 5.304.5.

5.304.5 Variance Procedure.

5.304.5-1 Appeal Board.

(1) The Zoning Board of Appeal as established by East Grand Rapids shall constitute the appeal board under this ordinance and hear and decide appeals and requests for variances from the requirements of this ordinance.

(2) The appeal board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the local administrator in the enforcement or administration of this ordinance.

(3) Those aggrieved by the decision of the appeal board, or any taxpayer, may appeal such decision to the appropriate court.

(4) In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance; and:

- (i) the danger that materials may be swept onto other lands to the injury of others;
- (ii) the danger to life and property due to flooding or erosion damage;
- (iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (iv) the importance of the services provided by the proposed facility to the community;
- (v) the necessity to the facility of a water-front location, where applicable;
- (vi) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(viii) the relationship of the proposed use to the comprehensive plan and flood plain management program of that area;

(ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;

(x) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,

(xi) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(5) Upon consideration of the factors of 5.304.5-1(4) and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

(6) The local administrator shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

5.304.5-2 Conditions for Variances.

(1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) in 5.304.5-1(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(2) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

(3) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) Variances shall only be issued upon:

(i) a showing of good and sufficient cause;

(ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public as identified in 5.304.5-1(4), or conflict with existing local laws or ordinances.

(6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

5.305. Provisions for Flood Hazard Reduction.

5.305.1 General Standards. In all areas of special flood hazards, the following standards are required:

5.305.1-1 Anchoring. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

5.305.1-2 Construction Material and Methods.

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

5.305.1-3 Utilities.

(1) All new and replacement water supply system shall be designed to minimize or eliminate infiltration of flood waters into the system.

(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and

(3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5.305.1-4 Subdivision Proposals.

(1) All subdivision proposals shall be consistent with the need to minimize flood damage;

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

5.305.2 Specific Standards. In all areas of special flood hazards where base flood elevation data have been provided as set forth in 5.303.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the following standards are required:

5.305.2-1 Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.

5.305.2-2 Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

(1) be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

(2) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

(3) be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in 5.304.4-2(2).

Section 2. This ordinance shall become effective on August 28, 1980.

Section 3. This ordinance being more than 500 words in length, a digest, summary or statement of the purposes hereof shall be published pursuant to Chapter VIII, Section 5(2) of the Charter of the City of East Grand Rapids.

Yeas: Hoag, Lorch, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

75-B. Lorch-Seibold. That the following summary of the ordinance be published on August 27, 1980, as provided in Chapter VIII of the City Code.

The City of East Grand Rapids, on August 18, 1980, adopted an ordinance entitled "Flood Damage Prevention Ordinance" for the purpose of minimizing public and private losses due to flood conditions in specific areas as delineated on the Flood Insurance Rate map promulgated by the Federal Insurance Administration.

The ordinance requires issuance of a permit by the City before construction or other development may occur in the flood hazard area. Permits are issued by the City Engineer upon application made in conformance with the ordinance requirements. Appeals may be taken from the decision of the City Engineer to the Appeal Board established by the ordinance.

The ordinance is Chapter 41 of Title V of the Code of the City of East Grand Rapids and becomes effective on August 28, 1980. Copies may be obtained from the City Clerk.

Yeas: Hoag, Lorch, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

76. The City Attorney submitted a proposed amendment to the East Grand Rapids Animal Control Ordinance.

76-A. Hoag-Worfel. That the following ordinance be adopted:

AN ORDINANCE TO ADD SECTIONS 9.41-5 to 9.41-6
INCLUSIVE TO CHAPTER 89 OF TITLE IX OF THE
CODE OF THE CITY OF EAST GRAND RAPIDS.

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 89 of Title IX of the Code of the City of East Grand Rapids is amended by adding new sections as follows:

"9.41-5. Dog Bites. Any person owning or having charge, care, custody, or control of any dog shall not permit or allow, by failure to exercise due control, the dog to bite a person or animal except in the defense of the owner during the commission of a crime by another.

9.41-6. Quarantine. Every dog or cat which has bitten a person shall be quarantined for a period of 10 days for the purpose of determining whether said animal is diseased. Such quarantine may be at the animal shelter, a veterinary office, or at a place designated by the director. Quarantine shall mean isolating the animal from people and from other animals. The owner of such animal shall surrender such animal to an animal control officer upon request.

Section 2. This ordinance shall be effective on September 3, 1980.

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

A roll call vote was taken:

Yeas: Hoag, Lorch, Worfel, Stoppels - 4

Nays: Seibold, Waters - 2

The motion carried.

77. The City Manager requested authorization to issue a purchase order for the purchase of 186 street name signs and recommended that a purchase order be issued to Paul A. Callender & Sons in the amount of \$2,037.11.

77-A. Waters-Lorch. That the City Manager be authorized to issue a purchase order to Paul A. Callender & Sons in the amount of \$2,037.11.

Yeas: Hoag, Lorch, Seibold, Waters, Worfel, Stoppels - 6

Nays: 0

78. The City Manager requested authorization to issue a purchase order to Souk Valley Equipment Company in the amount of \$2,699.00 for the purchase of a liquid storing and dispensing device.

78-A. Mayor Stoppels-Lorch. That the City Manager be authorized to issue a purchase order to Souk Valley Equipment Company in the amount of \$2,699.00.

Yeas: Lorch, Seibold, Waters, Worfel, Stoppels - 5

Nays: Hoag - 1

79. The City Manager submitted a report regarding the suitability of the Junior High School and Gilmore sites for public swimming purposes. He reported that it would not be possible to accurately determine bottom topography and silt conditions until ice forms on the lake and grid measurements can be precisely made. He also submitted a Gilmore site map and a report from the City Attorney for the Commission's information. The City Manager was directed to place this matter on the September 8th agenda.

80. The City Manager reported that the annual meeting of the Michigan Municipal League will be held in Kalamazoo on October 8-10, and requested that Commissioners interested in attending this meeting contact the City Clerk or himself by September 17th.

81. The City Engineer reported that a request has been made by Mrs. James F. McLaughlin that ramps be constructed at the three drives at Junior High at a cost of \$2,494.70.

81-A. Hoag-Mayor Stoppels. That this Commission authorizes the construction pedestrian ramps at the Junior High and a cost of \$2,494.70.

Yeas: Hoag, Lorch, Seibold, Waters, Worfel, Stoppels - 6

Nays: 0

82. The City Engineer reported that he had received a request from a resident on Darby Avenue to replace the chain link fence, which has deteriorated, with rails at a cost of \$2,445.00. Staff was requested to look up the material relative to the consideration of vacation of a portion of this street, which was discussed several years ago.

Commissioner Waters was excused at this time.

83. Worfel-Hoag. That expense vouchers in the amount of \$2,366,204.03, and payroll vouchers in the amount of \$41,056.35, 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, Seibold, Worfel, Stoppels - 5

Nays: 0

84. The Mayor reported that with the cooperation of Grace Episcopal Church, the City was able to save a considerable sum of money in the Silver Creek storm repair project. A resolution of appreciation for Grace Episcopal Church's action will be presented at the next City Commission meeting.

85. Hoag-Lorch. That this Commission go into closed session for the purposes of considering negotiations of a collective bargaining agreement.

Yeas: Hoag, Lorch, Seibold, Worfel, Stoppels- 5
Nays: 0

86. Following the closed session, the Mayor reconvened the City Commission meeting.

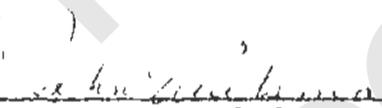
87. Mr. Jack Clary, Attorney for the City regarding employee negotiations, reported that the Police Department has ratified the contract between the City of East Grand Rapids and the Police uniformed employees.

87-A. Worfel-Hoag. That the Police contract be approved as ratified by the Police uniformed employees and that the Mayor and Clerk be authorized to sign this contract.

Yeas: Hoag, Lorch, Seibold, Worfel, Stoppels - 5
Nays: 0

88. There were 22 persons in attendance at this meeting.

89. The meeting was adjourned, subject to the call of the Mayor, until September 8, 1980.



City Clerk

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

Regular Meeting Held September 8, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Lorch, Moseley, Seibold, Waters and Mayor Stoppels.

Absent: Coms. Hoag and Worfel.

90. The minutes of the meeting held August 18, 1980 were approved as written.

91. Pursuant to public notice, a hearing was then held upon the zoning variance request of John and Penelope Pestle, 1961 Argentina Drive SE, to permit construction of a new 2-stall garage within 4 feet of the side lot line. Mr. & Mrs. Pestle were present to discuss their request with the City Commission. There were no objections.

91-A. Lorch-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. & Mrs. Pestle to construct a garage within 4 feet of the side lot line, providing that a fire wall be constructed as required by the building code.

Yeas: Lorch, Moseley, Seibold, Waters, Stoppels - 5

Nays: 0

92. Pursuant to public notice, a hearing was then held upon the zoning variance request of John Gunn, 627 Gladstone SE, to permit the construction of a detached garage 6 feet from the house and 2 feet from the side lot line. Mrs. Gunn was present to discuss this request with the Commission. A letter from Thomas Voss, 619 Gladstone SE, approving of this request, was received. Mr. Earl Rollins was present to support this request.

92-A. Lorch-Moseley. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by the Gunn's.

Yeas: Lorch, Moseley, Seibold, Waters, Stoppels - 5

Nays: 0

93. The zoning variance hearing adjourned from August 18, 1980, on the request of Mrs. Harriet Bennett Bender to permit construction of a residence on the lot at the northwest corner of Albert and Lake Grove was continued. The City Attorney submitted a draft of an opinion regarding the Bender variance, which contained proposed findings of fact regarding this variance request. A letter from Jeffrey H. Beusse, representing several residents in this neighborhood, questioning the opinion that only a majority rather than a 2/3 vote is required to pass a zoning variance was received. Mr. Beusse was also present and spoke at this meeting. Daniel Molhoek, representing Mrs. Bender, submitted revised construction plans.

93-A. Waters-Lorch. That this hearing be adjourned until the next City Commission meeting to allow those Commissioners who are absent from this meeting to vote on this matter.

Yeas: Waters, Lorch - 2

Nays: Moseley, Seibold, Stoppels - 3

93-B. Seibold-Mayor Stoppels. That this Commission, acting as the Board of Zoning Appeals, adopt the finding and conclusions as drafted and considered by this Board and grant the variance subject to the following conditions:

1. That the residence to be constructed on said premises shall be generally as set forth in the construction plans submitted on September 8, 1980.

- 2. That the living area of the residence to be constructed shall be not less than 1,400 square feet, excluding garage area.

A roll call vote was taken:

Yeas: Lorch, Seibold, Stoppels - 3

Nays: Moseley, Waters - 2

The City Attorney advised that under the provisions of the City Zoning Ordinance this matter is carried over to the next regular City Commission meeting when additional members of the Board of Appeals are present to vote on this matter.

94. A request from John Papp, 2815 Lake Drive SE, to permit extending an existing 8-foot masonry wall between his property and the adjacent Woodcliff School was discussed. The City Attorney submitted a proposed ordinance amendment to the Code of the City of East Grand Rapids, adding a new subsection 8.71(5) to Chapter 82- Fences - of Title VIII Building Regulations. Mr. Papp was present to discuss this request with the City Commission.

94-A. Mayor Stoppels-Lorch. That the following ordinance be introduced at this time for consideration at the next regular City Commission meeting:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF
EAST GRAND RAPIDS BY ADDING A NEW SUBSECTION
8.81(5) TO CHAPTER 82 FENCES OF TITLE VIII
BUILDING REGULATIONS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 82 Fences of the Code of the City of East Grand Rapids is amended by adding a new subsection (5) to Section 8.81, as follows:

"8.81(5) The City Commission may, for good cause, authorize exceptions from the strict requirements of this Chapter upon written application and following a public hearing. The procedure for such application and hearing shall be as set forth in Section 5.171 to 5.173 inclusive of this Code with respect to variances from the City Zoning Ordinance."

Section 2. This ordinance shall be effective on _____, 1980.

Section 3. This ordinance shall be published in full as provided in Chapter VII, Section 5, of the City Charter.

A roll call vote was taken:

Yeas: Lorch, Moseley, Seibold, Waters, Stoppels - 5

Nays: 0

95. The discussion of potential swimming beach sites was continued. Commissioner Waters expressed interest in the possibility of utilizing Outlot C, which is located in Grand Rapids Township, for a public beach. A report from the City Manager indicating that Junior High and Gilmore properties have some potential for use as a beach, was discussed. Mr. Chalmers, Principal of Junior High School, was present to discuss his concern relative to any use of a beach on the Junior High property which would interfere with the school functions. He suggested that this matter be referred to the Joint City-School Facilities Committee.

95-A. Waters-Moseley. That staff contact the Grand Rapids Township Association to discuss the concept of East Grand Rapids using this property as a public beach; that staff prepare a report of costs for operation of a beach; and that this matter be referred to the Joint City-School Facilities Committee for study and report.

Yeas: Moseley, Seibold, Waters, Stoppels - 4
Nays: Lorch - 1

96. The Director of Parks & Recreation submitted a memorandum regarding action taken by the Parks & Recreation Commission on the request from the Breton PTA to have an ice-skating rink at Breton School. The Parks & Recreation Commission recommended that one large ice-skating rink be maintained at the East Grand Rapids Middle School ballfield during the winter months rather than ice rinks at elementary school sites. This matter was referred to the Joint City-School Facilities Committee.

97. A resolution from the City of Grandville regarding the State's policy in the licensing of adult foster care facilities was received for information.

98. A memorandum from the City Manager requesting that the City Commission consider contracting for the painting of the centerline markings on 7.22 miles of street with Clark Highway Services, Inc., of Lake City, Michigan, low bidder, in the amount of \$1,496.38.

98-A. Waters-Lorch. That this Commission approve the contract with Clark Highway Services, Inc., in the amount of \$1,496.38 for centerline markings of 7.22 miles of street.

Yeas: Lorch, Seibold, Waters, Stoppels - 4
Nays: Moseley - 1

99. The Commission discussed how to proceed with reviewing materials on revision of the City Ordinance Code. The Mayor directed that a work session be held September 15, 1980, at 7:00 p.m., for this purpose.

100. The Mayor read a resolution thanking Grace Episcopal Church for its cooperation in granting an easement to permit construction of the Silver Creek storm sewer across the church property.

100-A. Waters-Moseley. That the following resolution be adopted:

WHEREAS, the City of East Grand Rapids and the City of Grand Rapids have jointly contracted to improve the Silver Creek Storm Drain at Hall Street and Plymouth Avenue; and

WHEREAS, the original plan was to have all construction under City roadways; and

WHEREAS, the Vestry and Members of Grace Episcopal Church approved granting an easement to the City of East Grand Rapids to permit construction of the storm sewer across the church property, resulting in considerable savings to the East Grand Rapids taxpayers, and eliminating the need to close Plymouth Avenue for construction, and allowing Hall Street to remain open during most of the construction period;

NOW, THEREFORE, BE IT RESOLVED that the Commission of the City of East Grand Rapids does hereby convey its appreciation and gratitude to the Vestry and Members of Grace Episcopal Church for their assistance in reducing the cost of the project and in making a cumbersome situation more tolerable for persons utilizing the Hall Street and Plymouth Avenue roadways.

Yeas: Lorch, Moseley, Seibold, Waters, Stoppels - 5
Nays: 0

101. Notification from the Department of Natural Resources of an application for a permit to build a bulkhead and dredge on Fisk Lake at 1935 Wealthy Street was received for information. Staff was directed to send a copy of this notice to Mr. Robert Kimball, Chairman of the Fisk Lake Association.

102. The City Manager reminded the Commissioners to inform the City Clerk or himself relative to their interest in attending the Michigan Municipal League Conference in Kalamazoo, October 8-10. The City Clerk stated that he would obtain an agenda for this meeting and see that the Commissioners receive copies.

103. The City Manager requested that the Commission consider designating an official representative and an alternate to represent the City of East Grand Rapids at the business meeting of the Michigan Municipal League. This was deferred to the next meeting.

104. The minutes of the Planning Commission meeting held August 20, 1980, were received for information.

105. A resolution regarding the Manhattan School property which was submitted along with the Planning Commission minutes will be reviewed by the Commissioners and considered at a future City Commission meeting.

106. Fire Chief Terpstra requested that he be given authorization to issue a purchase order to Nickel Equipment Company, the low bidder, for the purchase of a 5,000 watt emergency generator to be used on the ladder truck, the total cost being \$1,449.

106-A. Waters-Moseley. That authorization be given to issue a purchase order to Nickel Equipment Company in the amount of \$1,449 for said equipment.

Yeas: Lorch, Moseley, Seibold, Waters, Stoppels - 5
Nays: 0

107. Reports from the Fire Department, Police Department, Building Inspector and Kent County Library statistical report for the month of August were received for information.

108. Moseley-Waters. That expense vouchers in the amount of \$1,313,692.65, and payroll vouchers in the amount of \$33,830.05, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Lorch, Moseley, Seibold, Waters, Stoppels - 5
Nays: 0

109. Commissioner Moseley expressed concern about the Kent County Personnel Committee's exercise of Rule 9 which directly affects the level of service provided at the East Grand Rapids library by not promptly filling vacancies.

109-A. Moseley-Waters. That the following resolution be adopted:

WHEREAS, the Kent County Personnel Committee has recently required that all staff vacancies be replaced under the procedures referred to as "Rule 9"; and

WHEREAS, the application of "Rule 9" will produce serious adverse effects on the level of service provided to the citizens of this County utilizing the Kent County Library Branch located in East Grand Rapids by delaying the filling of vacancies that occur; and

WHEREAS, the City of East Grand Rapids Branch of the Kent County Library System has, or will have, the following vacancies:

1. September 2 1 page (20 hours per week)
2. September 14 1 page (10 hours per week)
3. September 22 1 clerical position (17 hours per week)

Total - 2 pages and 1 clerical position (47 hours per week); and

WHEREAS, East Grand Rapids has contracted for services from the County of Kent for library staffing and has already paid for this service;

NOW, THEREFORE, BE IT RESOLVED that the City of East Grand Rapids urges that the Kent County Personnel Committee waive Rule 9 as it pertains to contracted services with the City of East Grand Rapids, and that any loss of person hours which occur be reimbursed to the City of East Grand Rapids, and that the Kent County Personnel Committee immediately fill vacancies that occur from persons leaving the employment of the County Library System as it relates to the East Grand Rapids Branch, so that no interruption in services occur.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Kent County Personnel Committee, Attention of Clarence W. Fuller, Jr., Chairman; the Kent County Library System Board, Attention of Susan M. Slot, Chairperson; Mr. Peter S. Niemi, Library Director; East Grand Rapids Library Commission, Attention of Nancy Buskirk, Chairperson, and Kent County Board of Commissioners, Attention of Vernon Ehlers.

Yeas: Lorch, Moseley, Seibold, Waters, Stoppels - 5
Nays: 0

110. Commissioner Moseley inquired about the procedure which is used to determine which trees are diseased and who sends notices. She stated that she was informed that the Public Service Director sends notices of diseased trees to the propertyowners. It was recommended that this matter be possibly referred to the Forrester for his study and report.

111. There were 40 persons in attendance at this meeting.

112. The meeting was adjourned, subject to the call of the Mayor, until September 22, 1980.



City Clerk

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

Regular Meeting Held September 22, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Worfel and Mayor Stoppels.
Absent: Com. Waters.

113. The minutes of the meeting held September 8, 1980, were corrected by deleting the last sentence in Item 96 and inserting "this matter was referred to the Joint City/School Facilities Committee". The minutes were then approved as amended.

114. Mr. Burr Smith, representing the American Automobile Association, presented a Pedestrian Safety Citation Award and congratulated the Commission and Police Department for the City's achievement in having no pedestrian deaths for the past six years.

115. The proposed ordinance to amend Title VIII of Chapter 82 - Fences - which was introduced at the last meeting was considered.

115-A. Worfel-Lorch. That the following ordinance be adopted:

AN ORDINANCE TO AMEND THE CODE OF THE
CITY OF EAST GRAND RAPIDS BY ADDING A NEW
SUBSECTION 8.71(5) TO CHAPTER 82 FENCES OF
TITLE VIII BUILDING REGULATIONS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 82 Fences of the Code of the City of East Grand Rapids is amended by adding a new subsection (5) to Section 8.81, as follows:

"8.81(5) The City Commission may, for good cause, authorize exceptions from the strict requirements of this Chapter upon written application and following a public hearing. The procedure for such application and hearing shall be as set forth in Section 5.171 to 5.173 inclusive of this Code with respect to variances from the City Zoning Ordinance."

Section 2. This ordinance shall be effective on September 22, 1980.

Section 3. This ordinance shall be published in full as provided in Chapter VII, Section 5, of the City Charter.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

116. The Assessor and Administrative Aide requested that the General Building Regulations Ordinance be amended to incorporate the latest edition of BOCA Building Code. A draft of this ordinance was distributed to the Commissioners.

116-A. Worfel-Hoag. That this matter be referred to the City Attorney for review.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

Commissioner Waters arrived at this time.

117. The Commission, acting as the Board of Zoning Appeals, then considered the matter of zoning variance for the Bender property carried over from the September 8, 1980 meeting. Commissioner Waters stated that he understood that negotiations are in process relative to this property between the owner and neighbors.

117-A. Lorch-Worfel. That this matter be tabled.

A roll call vote was taken:

Yeas: Hoag, Lorch, Waters, Worfel - 4

Nays: Moseley, Seibold, Stoppels - 3

The motion carried.

118. Disposition of the Manhattan School property was discussed. Several questions were raised relative to the amount of parking area needed to service the recreation facility; whether the property should be maintained as single-family residential use or multi-family residential use; whether the Manhattan School building should be renovated or removed. After discussion, staff was requested to seek advice from land developers who might be interested in developing this property with or without the school building, and that consideration be given to the potential residential use of this property. Staff is to report back to the Commission within 30 days.

119. A request was received from Mr. DeVries relative to consent by the City to the move by Service Master, Inc. from East Grand Rapids to Grand Rapids.

119-A.

BY COMMISSIONERS WORFEL-WATERS:

WHEREAS, DeVries Development has requested that the City Commission of the City of East Grand Rapids (the "City") pursuant to Section 8(3) of Act 338, P. A. 1974, as amended (the "Act"), consent by resolution to the transfer of employment by Service Master, Inc. from the City to the City of Grand Rapids, which transfer will be effected by the DeVries Development Project (the "Project") located on 29th Street in the City of Grand Rapids.

BE IT RESOLVED that the City of East Grand Rapids does hereby consent, pursuant to the Act, to the transfer of employment by Service Master, Inc. and by said Project and further that any contrary resolution or parts thereof are hereby rescinded.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7

Nays: 0

120. The City Manager reported on a conference held in Portland, Maine, which he and other East Grand Rapids representatives attended along with DNR and EPA representatives. He requested authorization to file an application for continuance of the lake restoration program under Section 314 of the Clean Water Act, and further recommended that a contract be entered into with Environmental Research Group, Inc. for the preparation of this application, the cost of which would be approximately \$3,000.

Yeas: Hoag, Lorch, Seibold, Waters, Worfel, Stoppels - 6

Nays: Moseley - 1

121. The City Manager reported on a communication he had received from Jack Clary, Labor Negotiator for the City, regarding his review of recommended pay rates for the non-bargaining employees. The Commission requested that this matter be carried over until later in the meeting so that the Commissioners would have an opportunity to review the rates as proposed.

122. The City Manager reported on a request from Mr. Merle Johnson to permit the sale of Christmas trees from the parking lot south of the Public Safety Building.

122-A. Seibold-Mayor Stoppels. That this Commission grant permission to Mr. Johnson to sell Christmas trees on that portion of the parking lot located south of the Public Safety Building providing that a rental fee of \$200 be paid to the City to be donated to a Christmas charity fund; that liability insurance be furnished in the amounts of \$100,000/\$300,000 and \$10,000; and that a transient merchant's license be obtained at a cost of \$25.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

123. The City Manager reported on bids which were received for radio equipment and recommended the low bid of RCA be accepted in the amount of \$3,225.

123-A. Waters-Moseley. That this Commission concur in the City Manager's recommendation, and that a purchase order be issued to RCA in the amount of \$3,225 for the purchase of radio equipment.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

124. The designation of a delegate and alternate to the Michigan Municipal League Business Meeting was discussed.

124-A. Mayor Stoppels-Waters. That Commissioner Moseley be designated as delegate and Commissioner Worfel as alternate to represent the City of East Grand Rapids at the Michigan Municipal League Business Meeting.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

125. The designation of a delegate and alternate to the Municipal Retirement System Annual Meeting was discussed.

125-A. Mayor Stoppels-Moseley. That John Wleisma be designated as the officer delegate and Jeffrey Bremer as officer alternate to represent the City of East Grand Rapids at the Municipal Retirement System Annual Meeting.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

126. The City Manager reported that no bids had been received on the Asbury property.

127. The City Manager requested that a contract be awarded to Progressive Engineering for maintenance work as listed on proposal on the mechanical system in the Municipal Complex at a cost of \$3,590.

127-A. Worfel-Waters. That a purchase order be issued to Progressive Engineering in the amount of \$3,590 for the maintenance as listed on proposal of the mechanical system in the Municipal Complex.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

128. The Mayor reported that a notice has been received from the Kent County Library System relative to an increase in their service contract cost to us.

129. The City Manager reported that a variance request at 1535 Breton Road SE, will be resubmitted on October 6, 1980.

130. The Mayor read a letter from Pat Edison, member of the Planning Commission, expressing her desire to resign from the Planning Commission because of other commitments. Her resignation was reluctantly accepted. The Mayor submitted the names of William Hendrick and Carl Green to fill this vacancy.

130-A. Seibold-Waters. That Mr. William Hendrick be appointed to the Planning Commission to replace Pat Edison.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

131. Worfel-Waters. That expense vouchers in the amount of \$605,542.50, and payroll vouchers in the amount of \$32,649.67, 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, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

132. At this time, the matter of pay rates for non-bargaining employees was reviewed.

132-A. Worfel-Waters. That the pay rates of the non-bargaining employees, as proposed, be adopted with the exception that a further review of the City Manager and Recreation Director salaries be made and that a report on comparables be submitted before further consideration of these items.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

133. The City Attorney reported that he had made a preliminary review of the ordinance document at 116 and 166-A and recommended that it be introduced for action at a later meeting.

133-A. Hoag-Moseley. That the following ordinance be introduced for consideration by this Commission at a later meeting:

AN ORDINANCE TO AMEND CHAPTER 79
GENERAL BUILDING REGULATIONS OF TITLE
VIII OF THE CODE OF THE CITY OF EAST
GRAND RAPIDS

(The full text can be obtained at the office of the City Clerk.)

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

134. There were 19 persons in attendance at this meeting.

135. The meeting was adjourned, subject to the call of the Mayor, until October 6, 1980.

City Clerk

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

Regular Meeting Held October 6, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Moseley, Seibold, Waters, Worfel and Mayor Stoppels.

Absent: Coms. Hoag and Lorch.

136. The minutes of the meeting held September 22, 1980, were approved as written.

137. Pursuant to public notice, a hearing was then held on the zoning variance request of Michael J. Blum, 2433 Santa Monica Dr. SE, to permit construction of a porch which would extend 5 ft. in front of their home and run the length of the home. Mr. & Mrs. Blum were present to discuss their request with the Commission. There were no objections.

137-A. Waters-Worfel. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Mr. Blum.

Yeas: Moseley, Seibold, Waters, Worfel, Stoppels - 5

Nays: 0

138. Pursuant to public notice, a hearing was then held upon the fence variance request of Dr. John P. Papp, 2815 Lake Drive SE, to permit construction of an 8-foot wall which would extend along the southeasterly lot line, and to permit construction of a section which would extend from the garage along the westerly lot line. Dr. Papp was present to discuss his request with the Commission. There were no objections to this request.

138-A. Waters-Worfel. That this Commission, acting as the Board of Zoning Appeals, grant the variance requested by Dr. Papp.

Yeas: Moseley, Seibold, Waters, Worfel, Stoppels - 5

Nays: 0

Commissioner Lorch arrived at this time.

139. Pursuant to public notice, a hearing was then held upon the zoning variance request of George Maloof, representing Robert and Montaha Rizk, 1604 Wealthy Street SE, to permit construction of an extension to their existing garage which would be located 1½ ft. from the sidewalk and to construct an 18-inch high abutment on the south wall of the proposed addition, which would extend to the sidewalk. Mr. George Maloof was present to discuss this request with the Commission. Mr. & Mrs. Thomas Condon, Mrs. Ralph Allured and Mr. & Mrs. Wickard were present to express their approval of this request. Calls were received from Stella Goebel and Ivan Woltersdorff, expressing their approval of this request, with Mr. Woltersdorff adding that he would have no objection to the request providing that the final improvement includes covering the uneven concrete with aluminum siding to match the rest of the house. There were no objections.

139-A. Worfel-Waters. That this Commission, acting as the Board of Zoning Appeals, grant the request of the petitioner on the condition that this extension to the garage be no closer than 16 inches from the sidewalk, that this addition be finished to match the remainder of the house, and that the Engineer and Building Inspector work with the propertyowner as to the location of an abutment to prevent water from coming into their drive.

Yeas: Lorch, Seibold, Waters, Worfel, Stoppels - 5

Nays: Moseley - 1

140. The City Manager reported on a request to authorize a purchase order to Communications, Inc., in the amount of \$1,354.00 for telephone revisions in the Recreation Department.

140-A. Worfel-Seibold. That the request of the City Manager be concurred in.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

141. A discussion was held regarding the proposed resolution setting a hearing on the necessity of the improvement consisting of a parking area, including acquisition of the necessary site, razing existing structures on the site, grading, paving, etc., on property located on Crowell. Jack Baxter, Norton Remes, and Chris VanAllsburg were present to discuss this matter with the Commission. Mr. Baxter expressed concern about razing the storage structure rather than permitting him to have it moved to another location.

141-A.

BY COMMISSIONERS LORCH-WORFEL:

RESOLVED, that the statement of preliminary proceedings with respect to this proposed improvement having been filed with the City Clerk, a public hearing be held before the City Commission at the City Hall on Monday, October 20, 1980, at 7:30 p.m., relative to necessity of the proposed improvement consisting of a parking area including acquisition of the necessary site, razing existing structures on the site, grading, paving, providing drainage, landscaping, lighting, lining and signing on Lots 12, 13, and Sly 15' of Lots 15 and 16 of Paul's Sub-division (41-14-33-252-019 and 41-14-33-252-018); and

THAT the Clerk cause notice of this hearing to be published and mailed as required by ordinance Section 1.303(b) at least 10 days prior to the date of such hearing.

FURTHER RESOLVED that staff advertise for bids for the construction of the Crowell parking lot with an alternate bid for the elimination of the demolition of the storage structure.

A roll call vote was taken:

Yeas: Lorch, Moseley, Waters, Worfel, Stoppels - 5
Nays: Seibold - 1

The motion carried.

142. Waters-Worfel. That staff be instructed to check into the availability of the lot at 650 Lovett Street SE.

A roll call vote was taken:

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

The motion carried.

143. Discussion of the Arts Commission recommendations, which were submitted at a previous meeting, was held. Mr. Michael Karolle, Chairman of the East Grand Rapids Arts Commission, was present to discuss the recommendations with the Commission. It was the consensus of the Commission that Mr. Karolle be permitted to pursue his investigation of obtaining a grant for setting up a community program and the possibility of obtaining a grant for having an artist in residence to visit our community.

144. A survey of City Manager and Recreation Director salaries from municipalities throughout Michigan had been received by the Commissioners.

144-A. Worfel-Waters. That the salary adjustment recommended for the City Manager and Recreation Director be approved.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

145. Reports from the Fire Department, Police Department, Building Inspector and Library for the month of September, were received for information.

146. The Mayor reported that the Bender variance will be placed on the agenda for the next City Commission meeting.

147. The City Manager reported that the Department of Natural Resources will process the lake restoration grant application in January, for submission in March of 1981.

148. The City Manager reported that Christ Church has reinstated their offer to purchase Manhattan School. It was the consensus of the Commissioners that they are not prepared to change their earlier decision as to the disposition of the Manhattan School property.

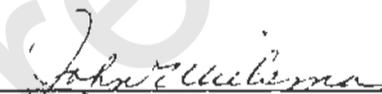
149. Commissioner Worfel inquired about the status of the Gilmore project. The City Manager was directed to look into this matter.

150. Worfel-Moseley. That expense vouchers in the amount of \$129,711.89, and payroll vouchers in the amount of \$41,705.66, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

151. There were 21 residents in attendance at this meeting.

152. The meeting was adjourned, subject to the call of the Mayor, until October 20, 1980.



City Clerk

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

Regular Meeting Held October 20, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Worfel and Mayor Stoppels.

Absent: Com. Waters.

153. The minutes of the meeting held October 6, 1980, were approved as written.

154. The City Attorney submitted a revision to the proposed amendment to the Building Code which was introduced on September 22, 1980, and recommended that staff be asked to review this revision.

154-A. Worfel-Hoag. That the proposed revision of the amendment to Title VIII - Building Regulations, Chapter 80 - General Building Regulations, as submitted by the City Attorney be referred to the staff for review.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6

Nays: 0

155. The City Attorney submitted a proposed ordinance to amend Section 8.172 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids relative to general maintenance of buildings and premises.

155-A. Worfel-Seibold. That the following ordinance be introduced at this time for consideration at the next regular meeting:

AN ORDINANCE TO AMEND SECTION 8.172
OF CHAPTER 83 OF TITLE VIII OF THE CODE
OF THE CITY OF EAST GRAND RAPIDS.

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 8.172 of Chapter 83, Title VIII, of the Code of the City of East Grand Rapids is amended to read as follows:

"8.172 General Maintenance.

a. Building Maintenance. The exterior surfaces of all buildings, including foundations, walls, roofs, doors and windows shall be so maintained that the building shall be weathertight, watertight and rodent-proof and shall be kept in good repair. Exterior attachments including, but not limited to, gutters, downspouts, screening, storm windows, vents, antennae, awnings, and utility connections shall be maintained in good repair. All exterior wood surfaces shall be protected from the elements and against deterioration by paint or other protective coatings. All exterior painted surfaces shall be maintained in good condition without exposure of the underlying surface or previous finishes. Exterior surfaces not protected by paint or other protective coatings shall not be permitted to deteriorate and shall be maintained in a sound and sightly condition.

b. Premises Maintenance. Vacant premises and exterior areas abutting residential or commercial buildings shall be maintained in safe, sanitary and sightly condition."

Section 2. This ordinance shall be effective on _____, 1980.

Section 3. This ordinance shall be published in full as provided in Chapter VII, Section 5, of the City Charter.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

156. The Mayor called attention to the fact that there were two Commissioners absent from the City Commission meeting held September 8, 1980, when the Bender variance request to permit construction of a residence on the lot at the northwest corner of Albert and Lake Grove was voted on and that under the procedure established by the Zoning Ordinance, a new vote should be taken.

156-A. Seibold-Mayor Stoppels. That this Commission, acting as the Board of Zoning Appeals, adopt the findings and conclusions as considered by this Board of September 8, 1980, and grant the variance request of Mrs. Harriet Bender, subject to the following conditions:

1. That the residence to be constructed on said premises shall be generally as set forth in the construction plans submitted on September 8, 1980.
2. That the living area of the residence to be constructed shall be not less than 1,400 square feet, excluding garage area.

A roll call vote was taken:

Yeas: Lorch, Seibold, Worfel, Stoppels - 4
Nays: Hoag, Moseley - 1

The motion carried.

157. Pursuant to public notice, a hearing was then held on the request of Edwin and Ruth Comstock for a zoning variance to permit construction of a residence on an undersize lot at 1535 Breton Road SE. Mr. and Mrs. Comstock were present to discuss their request with the Commission. Mr. Charnley was present to express his objection to this request, and his concern that construction of a driveway to this lot would change the grade level of the sidewalk and damage a tree located on his property. Mr. Rudyard Abbott also spoke in opposition to this request.

157-A. Moseley-Hoag. That this Commission, acting as the Board of Zoning Appeals, deny the request of the Comstock's.

A roll call vote was taken:

Yeas: Hoag, Moseley - 2
Nays: Lorch, Seibold, Worfel, Stoppels - 4

157-B. Lorch-Worfel. That this Commission, acting as the Board of Zoning Appeals, grant the request of Mr. & Mrs. Comstock, subject to the condition that the actual site plan, building plan, and egress plan be submitted to the Commission for approval prior to issuance of a building permit; that a hearing be scheduled at the time such plans are submitted to this Commission; and that the City Attorney be requested to prepare formal findings of fact pursuant to the discussion at this hearing at the November 3rd meeting.

A roll call vote was taken:

Yeas: Lorch, Seibold, Worfel, Stoppels - 4
Nays: Hoag, Moseley - 2

The motion carried.

158. Pursuant to published notice, a hearing was then held on the necessity for improvement consisting of a parking lot construction on Croswell Street on Lots 12, 13, and southerly 15 feet of Lots 15 and 16 of Pauls Subdivision being parcel numbers 41-14-33-252-019 and 41-14-33-252-018. Mr. Jordan Sheperd and Mrs. Chris VanAllsburg were present to discuss this matter with the Commission. There was a debate relative to the disposition of Mr. Baxter's warehouse. Mr. Dan Parker, a resident on Croswell, expressed concerns about the landscaping as proposed, and stated that he was not in favor of the City financing any portion of this project.

158-A. Worfel-Hoag. That the City Engineer be directed to obtain an alternate landscaping plan from Smith & Associates.

Yeas: Hoag, Lorch, Worfel, Stoppels - 4
Nays: Moseley, Seibold - 2

158-B. Worfel. That this parking lot be declared a necessity, with the warehouse remaining, as proposed by the Krygowski plan.

This motion failed for lack of support.

Mr. Mitch Moleski, Vice-President of Remes Drug Store, stated that Mr. Remes was not in favor of keeping the warehouse in its present location.

158-C. Mayor Stoppels. That this Commission declares this project a necessity with the warehouse being removed as set forth in the sale option.

This motion failed for lack of support.

158-D. Worfel-Lorch. That the City Engineer prepare an alternate parking plan that conforms with the Krygowski plan and that consideration be given to the relationship of this lot with contiguous property to the north.

A roll call vote was taken:

Yeas: Hoag, Lorch, Worfel - 3
Nays: Moseley, Seibold, Stoppels - 3

The motion failed.

158-E. Mayor Stoppels-Worfel. That the City Engineer be directed to prepare an alternate parking plan pursuant to the Krygowski plan, and that no consideration be given to the interrelationship of this project with adjacent property to the north.

A roll call vote was taken:

Yeas: Worfel, Stoppels - 2
Nays: Hoag, Lorch, Moseley, Seibold - 4

158-F. Worfel-Hoag. That this Commission determine that this improvement consisting of a parking lot is a necessary public improvement and that legal description of the improvement be amended, to delete the warehouse building, to read as follows:

Lot 12, Lot 13 except the Westerly 34 feet of the Northerly 45 feet, and the Southerly 15 feet of Lots 15 and 16 of Paul's Subdivision being Parcel Number 41-14-33-252-019 and part of Parcel Number 41-14-33-252-018.

A roll call vote was taken:

Yeas: Hoag, Lorch, Seibold, Worfel, Stoppels - 5
Nays: Moseley - 1

158-G. Mayor Stoppels-Worfel. That the City Engineer be directed to prepare supplemental plans for parking so as to provide maximum parking on the site.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

The motion carried.

159. The City Manager reported on bids for the removal of stumps throughout the City and stated that two bids were received; one from East Paris Tree Company in the amount of \$2,994.00, and one from Brouwer Tree Company in the amount of \$3,248.00. He recommended that the contract be awarded to the low bidder.

159-A. That the low bid be accepted and that the contract be awarded to East Paris Tree Company in the amount of \$2,994.00.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

160. The City Manager reported on bids which were received for the purchase of an exhaust fan for the paint room of the Service Department. The low bidder was Painter's Supply in the amount of \$3,313.50.

160-A. Worfel-Lorch. That the low bid be accepted and that the City Manager be authorized to issue a purchase order to Painter's Supply.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

161. Mayor Stoppels-Worfel. That the staff obtain bids for the completion of the paint booth in the Public Service Department.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

162. The City Manager reported on bids for the purchase of two replacement pickup trucks and utility bodies and recommended that the utility bodies be purchased from the low bidder, Allied Truck Company, in the amount of \$3,778.00, and that the two pickup trucks be purchased from the low bidder, Fuller Serra Chevrolet Company, in the net amount of \$11,740.08.

162-A. Worfel-Moseley. That the low bids be accepted and purchase orders be issued to Allied Truck Company in the amount of \$3,778.00 for two utility bodies, and to Fuller Serra Chevrolet in the amount of \$11,740.08 for two pickup trucks.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

163. The audit report for the 1979/80 fiscal year was received for information. Commissioner Worfel reported that the Ways & Means Committee met with the auditors to review the report and that if the Commissioners have any questions, they can contact the Controller or the audit firm, Ernst & Whinney. The Mayor directed that the audit report be placed on the agenda for the November 17, 1980 meeting.

164. The City Manager reported that he is informed that financing for the construction of Reeds Lake Place, known as the Gilmore project, is expected to be approved in the near future.

165. A report from the City Manager on renewal rates for the hospitalization insurance program of the City was discussed.

165-A. Mayor Stoppels-Hoag. That this Commission approve the continuance of the hospitalization insurance program with the current carrier and that a review be held April 1, 1981.

Yeas: Hoag, Lorch, Moseley, Seibold, Worfel, Stoppels - 6
Nays: 0

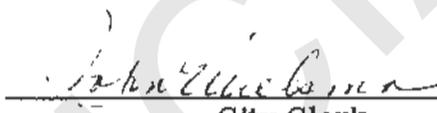
166. The Library statistical report for the month of September was received for information.

167. Moseley-Lorch. That expense vouchers in the amount of \$142,219.39, and payroll vouchers in the amount of \$38,243.01, 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, Worfel, Stoppels - 6
Nays: 0

168. There were 41 residents in attendance at this meeting.

169. The meeting was adjourned, subject to the call of the Mayor, until November 3, 1980.



City Clerk

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

Regular Meeting Held November 3, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Waters, Worfel and Mayor Stoppels.
Absent: None.

170. The minutes of the meeting held October 20, 1980, were approved as written.

171. Pursuant to public notice, a hearing was held upon the request of Mr. & Mrs. Joseph Finelli, 2052 Englewood Drive SE, for a zoning variance to allow them to construct a garage one foot from the property line. Mr. & Mrs. Finelli discussed their request. Mr. David Reynier expressed his approval of the request.

171-A. Waters-Lorch. That this Commission, acting as the Board of Zoning Appeals, grant a variance to Mr. & Mrs. Finelli to permit construction of a garage one foot from the property line.

Yeas: Hoag, Lorch, Moseley, Waters, Worfel, Stoppels - 6

Nays: Seibold - 1

172. Pursuant to public notice, a hearing was then held upon the request of Mr. Marinus Ringlever, 829 Orchard Street SE, for a zoning variance to allow the construction of a one-story addition to a point one foot five inches from the westerly lot line. Mr. Ringlever discussed his request. According to Mr. Ringlever, his neighbor, Mr. Carpenter, has given verbal consent to the construction of this addition at this location.

172-A. Lorch-Waters. That this Commission, acting as the Board of Zoning Appeals, grant the request of Mr. Ringlever on condition that he file with the City a written consent from his neighbor, Mr. Carpenter.

Yeas: Hoag, Lorch, Moseley, Waters, Worfel, Stoppels - 6

Nays: Seibold - 1

173. The City Engineer displayed a revised plan of the proposed Croswell parking lot which contained 32 parking spaces, and Smith & Associates submitted a landscaping plan which was reviewed by the Commission. Several business persons were present to discuss this proposed parking lot with the Commission.

173-A.

BY COMMISSIONERS WATERS-WORFEL:

RESOLVED, that the special assessment roll for the improvement consisting of a parking area including acquisition of the necessary site, razing existing structures on the site, grading, paving, providing drainage, landscaping, lighting, lining and signing on

Lot 12, Lot 13 except the Westerly 34 feet of the Northerly 45 feet, and the Southerly 15 feet of Lots 15 and 16 of Paul's Sub-division being Parcel Number 41-14-33-252-019 and part of Parcel Number 41-14-33-252-018

is directed to be filed in the office of the City Clerk for public examination and that the City Commission meet at the City Hall on Monday, November 17, 1980, at 7:30 p.m. for the purpose of reviewing such roll at which time and place all persons interested or who are liable to be assessed for such

improvement may appear and be heard in regard to such improvement and assessment roll; and

BE IT FURTHER RESOLVED, that the City Clerk is instructed to give notice of such hearing in the manner provided by ordinance Section 1.307(a) at least 10 days prior to the date of said hearing.

A roll call vote was taken:

Yeas: Hoag, Lorch, Waters, Worfel, Stoppels - 5

Nays: Moseley, Seibold - 2

The motion carried.

174. A report of bids received for the 1980 Tree Planting Program was reviewed and the City Manager recommended that the low bid received from Thornapple River Nursery in the amount of \$4,316.95 be approved.

174-A. Waters-Hoag. That the 1980 Tree Planting contract be awarded to Thornapple River Nursery in the amount of \$4,316.95, and that those persons wishing to obtain trees for the right-of-way abutting their property be charged \$17.25 per tree.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7

Nays: 0

175. The proposed ordinance to amend Chapter 79 - General Building Regulations of the City Code was referred to the next regular City Commission meeting to be held November 17th, for the purpose of providing time for the staff to review this ordinance and submit a recommendation regarding fees to be charged for permits.

176. The proposed ordinance to amend Section 8.172 of Chapter 83 of Title VIII of the City Code was reviewed.

176-A. Worfel-Lorch. That the following ordinance be approved:

AN ORDINANCE TO AMEND SECTION 8.172
OF CHAPTER 83 OF TITLE VIII OF THE CODE
OF THE CITY OF EAST GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 8.172 of Chapter 83, Title VIII, of the Code of the City of East Grand Rapids is amended to read as follows:

"8.172 General Maintenance.

a. Building Maintenance. The exterior surfaces of all buildings including foundations, walls, roofs, doors and windows shall be so maintained that the building shall be weathertight, watertight and rodent-proof and shall be kept in good repair. Exterior attachments including, but not limited to, gutters, downspouts, screening, storm windows, vents, antennae, awnings, and utility connections shall be maintained in good repair. All exterior wood surfaces shall be protected from the elements and against deterioration by paint or other protective coatings. All exterior painted surfaces shall be maintained in good condition without exposure of the underlying surface or previous finishes. Exterior surfaces not protected by paint or other protective coatings shall not be permitted to deteriorate and shall be maintained in a sound and sightly condition.

b. Premises Maintenance. Vacant premises and exterior areas abutting residential or commercial buildings shall be maintained in safe, sanitary and sightly condition."

Section 2. This ordinance shall be effective on November 13, 1980.

Section 3. This ordinance shall be published in full as provided in Chapter VII, Section 5, of the City Charter.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

177. The formal findings of fact and discussion relative to the Comstock zoning variance which was granted in Item 157-B of the minutes of October 20, 1980, was filed with the Clerk as signed by the members present and voting.

178. The Mayor was excused at this time and Commission President Worfel assumed the chairmanship of the meeting.

179. The City Manager reported on the receipt of a technical assistance grant for Phase II of the energy audit, the total approved budget being \$5,924.00, of which \$2,962.00 is the City's share. He further reported that a quotation was received from Fairbrother & Gunther, Inc., in the amount of \$5,925.00 for conducting the energy audit.

179-A. Moseley-Hoag. That the contract be awarded to Fairbrother & Gunther, Inc., in the amount of \$5,925.00 and that \$2,962.00 be transferred from contingencies to cover the City's share of this cost.

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

180. The City Manager reported on correspondence he had received from the Michigan Department of Natural Resources relative to the yard debris landfill at Cascade Road and the East Beltline. He also read a letter received from the City Attorney. Commissioner Hoag stated that she was interested in seeking alternative sites within the community for the deposit of the yard debris which would be economical to the citizens. She stated that Seattle, Washington, is using a community compost system for which she will be receiving cost data. She also suggested that the City investigate the possibility of using material collected as a supplemental energy source similar to the system utilized by Steelcase. Commissioner Worfel volunteered to contact Steelcase on this matter. The City Manager was directed to check into the cost of obtaining a septic snoopers to determine the effect that the landfill area has on Reeds Lake. Commissioner Hoag stated that she will be gathering additional information relative to alternative sites and uses for yard debris.

181. The Traffic Commission minutes of their meeting held October 14, 1980, were received for information.

182. The minutes of the Planning Commission meeting held October 7, 1980, were received for information.

183. The financial report from the Metro Area Economic Council was received for information.

184. The Wealthy playground cost report was received for information.

185. The City Manager reported on letter received from Mr. Packard regarding the progress he is making with his converted property at 610 Lovett SE.

186. Commissioner Waters requested that a meeting be scheduled of the Joint Facilities Committee.

187. Moseley-Lorch. That expense vouchers in the amount of \$1,135,877.09, and payroll vouchers in the amount of \$38,993.30, 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, Worfel - 6
Nays: 0

188. Commissioner Worfel inquired about the progress of the Manhattan School site plans. The City Manager stated that he is aware of two parties who are in process of preparing proposals as to potential residential use of this property.

189. A discussion of the sale of the Asbury property was held.

189-A. Waters-Worfel. That Albert Realtors, Inc., be selected to list the Asbury lots providing they are a member of the Multiple Listing Service and providing that the commission does not exceed 10% of the sale price, and that this property be listed at \$8,000 each.

Yeas: Waters, Worfel - 2
Nays: Seibold, Hoag, Moseley - 3
Commissioner Lorch abstained.

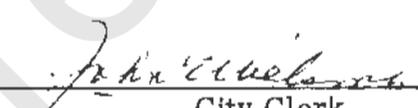
The motion failed.

It was the direction of the Chair that the Manager check with the East Grand Rapids based real estate brokers for the purpose of determining their interest in listing and selling the Asbury lots.

190. Mr. Bob Olson inquired about the condition of the home located at the north-east corner of Maxwell and Argentina. The City Manager stated that a report is forthcoming from the Health Department and that the City Attorney's Office is involved in this matter. The City Manager was directed to furnish copies of the report to Commissioners and to Mr. Olson.

191. There were 41 persons in attendance at this meeting.

192. The meeting was adjourned, subject to the call of the Mayor, until November 17, 1980.



City Clerk

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

Regular Meeting Held November 17, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Hoag, Lorch, Moseley, Seibold, Waters, Worfel and Mayor Stoppels.
Absent: None.

193. The minutes of the meeting held November 3, 1980, were approved as written.

194. Pursuant to public notice, a hearing was held on the request of Richard P. and Mary A. Streng, 1658 Robinson Road SE, for a zoning variance to permit converting the single-family residence at that address into a two-family residence. Mr. Streng was present to discuss his request. Letters were received from Mr. & Mrs. Joseph Zelaski, John G. Lundeen, M.D., and Doris M. Hruby, approving Mr. Streng's request. A letter was received from John T. Lee opposing this request. Mr. Stephen J. Hurley was present and expressed his objection.

194-A. Lorch. That this Commission, acting as the Board of Zoning Appeals, grant the request of Mr. Streng.

This motion failed for lack of support.

194-B. Waters-Seibold. That this Commission, acting as the Board of Zoning Appeals, deny the request of Mr. Streng to convert his single-family residence into a two-family residence.

A roll call vote was taken:

Yeas: Moseley, Seibold, Waters, Worfel, Stoppels - 5
Nays: Hoag, Lorch - 2

The motion carried.

195. Pursuant to published notice, a hearing was then held upon the assessment roll to finance the Croswell parking lot. Mr. Jordan Sheperd stated that he spoke for 73% of those persons being assessed in the district and that if the Baxter warehouse is to remain, the City should share in the cost of this project to the extent of \$50,750.00, which is the approximate cost of 10 parking spaces, and also that the Lovett Street lot should be developed within a 12-month period. He further requested that the City provide annual maintenance of the lot. There were several other Gaslight Village merchants and area residents present at this meeting.

195-A. Mayor Stoppels-Hoag. That the proposed parking plan and assessment roll be rejected, that the City Engineer notify the bidders that this Commission rejects all bids, and that staff obtain a firm purchase price on the 654 Lovett property so that a plan can be developed to include both the Croswell parking area and the Lovett parking area as a combined project, with the Baxter warehouse remaining in its present location.

A roll call vote was taken:

Yeas: Hoag, Lorch, Seibold, Waters, Worfel, Stoppels - 6
Nays: Moseley - 1

The motion carried.

196. The agenda item relative to 654 Lovett Street was deferred to the next regular City Commission meeting.

197. The agenda item relative to recommendation of fees to be included in the revised building code was deferred until the next regular City Commission meeting.

198. The City Manager reported with respect to listing for sale the two City-owned lots. He stated that two realtors quoted a 10% commission, one realtor a 7% commission, and a fourth realtor a commission of 11.375% with a two-month protection clause.

198-A. Waters-Lorch. That for six months the two Asbury lots be listed with Village Belles at a price of \$8,000 each, and a commission of 7%.

A roll call vote was taken:

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

The motion carried.

199. An invoice from GRETS regarding City membership fee for fiscal year 1980/81 in the amount of \$559.00 was received.

199-A. Lorch-Hoag. That this Commission maintain its membership in GRETS and that payment of \$559.00 as membership fee be approved.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

200. An invoice from ACT in the amount of \$1,148.00 relating to the City's participation for 1980/81 in this project was received.

200-A. Waters-Hoag. That this Commission continue its support of ACT to the extent of \$1,148.00 for the 1980/81 fiscal year, subject to execution of the standard form of agreement.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

201. The Police report for the month of October, 1980, was received for information.

202. The financial report for a 4-month period ended October 31, 1980, was received for information.

203. The City Manager reported that the following East Grand Rapids School Board members were appointed to the Joint City/School Facilities Committee: Judy Frey, Kathleen Muir and Robert Campbell, and inquired as to a convenient time and date for this committee to meet. It was suggested that this committee meet on Monday, November 24th, at 4:00 p.m., with the location to be announced.

204. The City Manager reported that the sanitary sewer system evaluation report has been received from Moore & Bruggink and that copies of this report are available in the City Hall for the Commissioners to review. This report was prepared in accordance with the Federal Clean Water Act Grant Program and Moore & Bruggink are currently awaiting receipt of a letter from the Michigan Department of Natural Resources approving the report. Following the receipt of this approval, East Grand Rapids will be in a position to submit an application for Federal/State grant funding to partially cover the cost of rehabilitation/repair work as outlined in this report. The City Manager reported that this grant would be for 80% of the project cost, with the City picking up 20% of the cost. The cost of the project is estimated at \$962,342.00.

205. The City Manager reported receipt of a resolution from the Planning Commission recommending the approval of the request of Mr. John Rose to construct living quarters on his property located at 544 Lakeside Drive SE. He advised that the City Attorney has ruled that this would require a zoning variance.

206. Moseley-Hoag. That expense vouchers in the amount of \$69,628.87, and payroll vouchers in the amount of \$57,062.47, 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, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

207. Commissioner Moseley requested that the City staff obtain quotations for future tree removal programs.

208. Commissioner Seibold reported that the neighbors of 964 Maxwell are following closely the Health Department condemnation with respect to this property and requested that the City Attorney look into this situation in an attempt to accelerate cleanup.

209. Commissioner Worfel requested that the City staff look into the Gilmore property situation as to the status of the proposed project.

210. Worfel-Waters. That this Commission go into executive session for the purpose of discussing property acquisition.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7
Nays: 0

211. The Mayor adjourned the meeting at this time. After the executive session the Mayor reconvened the meeting.

212. There were 30 persons in attendance at this meeting.

213. The meeting was adjourned, subject to the call of the Mayor, until December 1, 1980.



City Clerk

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

Regular Meeting Held December 1, 1980

The meeting was called to order by Mayor Stoppels.

Present: Coms. Lorch, Moseley, Seibold, Waters, Worfel, and Mayor Stoppels.

Absent: Com. Hoag.

214. The minutes of the meeting held November 17, 1980, were approved as written.

215. Pursuant to public notice, a hearing was held on the request of Paul Deur for a zoning variance to permit him to construct a parking lot at 2142 Barnard Street SE. Mr. James Remington, representing Designs Plus, reviewed a proposed landscape plan and parking layout for 10 parking spaces. Mr. VanderMeulen, adjacent property owner, expressed his interest in having something done with the lot because it has been an eyesore and expressed his concern that with a parking lot in this area the other adjacent buildings may eventually become commercial, thus interrupting the residential character of the neighborhood.

215-A. Worfel-Waters. That this hearing be adjourned to December 15, 1980, to provide the Planning Commission time to study and submit their recommendations.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6

Nays: 0

216. Pursuant to public notice, a hearing was then held upon the request of John D. Rose for a zoning variance to permit him to construct a one-story addition at the northeast corner of his building located at 550 Lakeside Drive SE. Mr. Rose was present to discuss his request with the City Commission. The City Manager reported that he had received a report from the Fire Chief stating that he had no objections to this request, and from the Health Department which approved the request with the following conditions:

1. That the variance be limited to the present owner.
2. That solid doors with closures be installed between the living quarters and the restaurant.
3. That no more than two adults reside in the building at 550 Lakeside Drive at any one time as required by the Health Department.

The City Manager also reported that the Planning Commission had recommended approval of this request.

216-A. Waters-Lorch. That this Commission, acting as the Board of Zoning Appeals, grant the request of Mr. Rose with the following conditions:

1. That this variance be limited to the present owner.
2. That solid doors with closures be installed between the living quarters and the restaurant.
3. That no more than two adults reside in the building at 550 Lakeside Drive at any one time as required by the Health Department.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6

Nays: 0

217. The City Manager reported on a claim in the amount of \$3,600 for a sewer lateral repair. He stated that there had been a watermain break in this vicinity of 1728 Breton Road SE, which caused dirt to infiltrate the sewer system, resulting in blockage of the sewer at 1728 Breton Road SE. At the time of the excavation to repair the watermain, it was discovered that the sewer had two holes in it, one at the connection and one in the stub which appeared to have been in existence for some time. Mr. & Mrs. William Weir of 1728 Breton Road SE, were present to discuss this matter with the Commission.

8.2. Code on File. Complete copies of the Basic Building Code 1978, and Accumulative Supplement 1980, herein adopted, are available for public use and inspection at the office of the City Clerk.

8.3. Reference in Code. References in the Basic Building Code to "state" shall mean the State of Michigan; references to "municipality" or "jurisdiction" shall mean the City of East Grand Rapids; references to "municipal charter" shall mean the Charter of the City of East Grand Rapids; and references to "ordinances" shall mean the East Grand Rapids City Code.

8.4. Changes in Code. The following sections and subsections of the Basic Building Code are hereby amended, added, or deleted as indicated below. Subsequent section numbers used in the Chapter shall refer to the like numbered sections of the Basic Building Code as amended:

102.1. (Amended) Ordinary Repairs, General. Ordinary repairs to buildings costing less than one hundred dollars (\$100.00) may be made without application or notice to the Building Official, but such repairs shall not include the butting away of any wall, partition, or portion thereof, the removal or cutting of any structural beam or support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit requirements; nor shall ordinary repairs include additions to or alterations of any room or space; nor shall it include additions to, alterations of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical equipment or other work affecting public health or general safety.

102.2. (Added) Condemnation. No permit shall be issued for any building or other structure upon any land which has been condemned for any public improvement, or on any land ordered condemned by the City Commission for any public improvement until a notice of such proposed condemnation has been fixed to the plans, application and permit. Nor shall a permit be issued for any building or structure upon which a notice of violation of any pertinent laws or ordinances has been issued, unless there shall be included in the application proposed work to correct the violation at the same time.

104.3. (Added). Exterior Surfaces. All structures, including foundations, walls, roofs, doors and windows shall be so maintained that the building shall be weathertight, watertight, and rodent-proof and shall be kept in good repair and structurally sound by the owner. Exterior attachments including, but not limited to, gutters, downspouts, screening, windows, storm windows, vents, antennae, awnings and utility connections shall be maintained in good repair. All exterior wood surfaces shall be protected from the elements and against deterioration by paint or other protective coatings. All exterior painted surfaces shall be maintained in good condition without exposure of the underlying surface or previous finishes. Exterior surfaces not protected by paint or other protective coatings shall not be permitted to deteriorate and shall be maintained in a sound and slightly condition.

104.4. (Added). Structures, Maintenance of Exterior Openings. Every window, exterior door and basement hatchway shall be kept weathertight, watertight and rodent-proof; and shall be kept in sound working condition and in good repair.

107.1. (Amended). Building Official. References in this Chapter to department of building inspection or to the building official shall mean the Building Inspector of the City or his duly authorized representative.

107.5. is deleted.

107.6. is deleted.

110.3. is deleted

112.1. (Amended) When Permit is Required. No building or structure or part thereof shall hereafter be erected, converted, repaired, altered or enlarged, moved or demolished except as permitted by Section 102.1 hereof until a building permit has been obtained by the owner or his agent. The application for a permit shall be made in writing on approved forms; and shall be accompanied by the site plan required by Section 112.6 and two (2) complete sets of dimensional plans showing all habitable floors, basement, cellar, foundations and sections, and by specifications describing the kind, size, quality and grade of all construction materials and service equipment. The Building Official may waive the requirement for filing plans when the work involved is of a minor nature and the building operation is adequately described in the application. All plans submitted for filing shall be prepared and signed as required by the statutes governing building construction. Where compliance with state statutes governing building construction is required, the application shall be accompanied by a set of the plans approved by the designated authority. Applications for a building permit to move any building shall show the width and cubical content of the building to be moved, its location and address and the location and address to which it is being moved and the route to be traversed in the course of such movement, in addition to the information required by this section for building permits for other types of operations. No permit to move or demolish a building shall be granted except upon compliance with Section 4.26 of Chapter 33 of the East Grand Rapids City Code and Section 115 of this Code.

113.9. is deleted.

117.3. (Amended). Fee Computation. The fee for the building permit shall be based on the cost of the building as estimated by the Building Official, who shall determine such costs on the basis of current standard prices.

117.3.1. (Amended) Fee Schedule. A fee for each plan examination and building permit shall be paid in accordance with the following schedule:

<u>Cost of Work</u>	<u>Fee</u>
Up to \$1,000.00	\$10.00
\$1101.00 and over	\$10.00 plus \$2.00 for each additional \$1,000.00 of valuation or part thereof

117.4. (Amended) Moving and Demolition Permits. With respect to a building which is under ten (10) feet wide and does not contain over 2500 cubic feet, the fee for a moving permit shall be twenty-five dollars (\$25.00); with respect to a building which is over ten (10) feet wide or contains more than 2500 cubic feet, the fee shall be one hundred dollars (\$100.00). The fee for a demolition permit shall be twenty dollars (\$20.00) for a building having a value in excess of one thousand dollars (\$1000.00).

117.5. is deleted.

117.6. (Amended). Other Fees. For fee schedules for plumbing installations, see Chapter 85 of the Code of the City of East Grand Rapids; for electrical installation and heating installations see Section 1500.6 as added in this Chapter.

117.7. (Amended) Deposits. Before receiving a building permit the owner or his agent shall deposit with the City, an amount determined by the Building Official to be adequate to protect the City against the cost of any expenses which the City may incur as the result of the work covered by the permit, including (but not by way of limitation) the cost of further permits, removal of debris, restoration of grounds levels, use of unmetered water, repair or damaged sidewalks and other property and charges in connection with establishing and discontinuing water connections.

118. is deleted.

119. is deleted.

120. is deleted.

121.1. (Amended) Unlawful Acts. Any person erecting, repairing, using, moving, demolishing, occupying or maintaining any building or structure in violation of this Building Code or causing, permitting or suffering any such violation to be committed, shall be punished as provided in Section 1.13 of the East Grand Rapids City Code. Any building or structure erected, repaired, used, moved, demolished, occupied or maintained in violation of this Chapter is hereby declared to be a nuisance per se. Upon application to any court of competent jurisdiction, the court may order the nuisance abated and/or the violation, or threatened violation, restrained and enjoined.

121.4 is deleted.

125 and all subsections thereunder are deleted.

126.1 (Amended) Appeals. Appeals from the decisions of administrative officials under the provisions of this Code shall be heard and determined by the City Commission which shall act as the Board of Appeals under this Code and shall have the power to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Chapter. Appeals from the decisions of administrative officials charged with the enforcement of the provisions of this Chapter shall be taken to said Board under the provisions of such rules and regulations as it may prescribe. The Board shall render all decisions by majority vote of its members elect. All decisions shall be made in writing to the Building Official charged with the enforcement of this Chapter and shall provide the appellant with a duplicate copy of such decision. The Board shall have such other powers and duties as may be stipulated in this Chapter and elsewhere in this Code.

126.2 and all subsections thereunder are deleted.

126.5 and all subsections thereunder are deleted.

127 and all subsections thereunder are deleted.

301.2 (Amended) Fire Limits. The following area shall be designated as "within the fire limits", to-wit:

The B-1 and the C-1 Districts as shown on the Zoning Map made a part of Chapter 39 of the East Grand Rapids City Code.

1008.2 (Added) Incinerator, Gas Log, Space Heater, and Free Standing Fireplace. No incinerator, gas log, space heater, or free standing fireplace shall be installed upon any premises without a permit from the East Grand Rapids Fire Chief; said permit shall show the location, make and capacity of such equipment and be issued in compliance with the provisions of this Chapter upon payment of a permit fee of Ten Dollars (\$10.00), for the first unit and \$6.00 for each additional unit.

1008.3. (Added) Type and Size of Incinerators. No portable incinerators shall be permitted in any district of the City zoned as business or industrial or in any property occupied for business or industrial purposes.

1008.4. (Added) Approval of Installation. No incineration equipment so installed shall be used until the same has been inspected and found in compliance with this Chapter by the Fire Chief, and in the case of stationary incinerators installed in any business or industrial district or in any property used for business or industrial purposes, such equipment shall, before being used, be approved by the Fire Chief as to construction, installation, size, capacity, location and smoke control features.

SECTION 1011.0 HEATING EQUIPMENT

1011.1 (Added) Heating Equipment, Mounting and Installation. The provisions of this section shall apply to heating appliances fired with solid, liquid or gas fuels in which the products of combustion will result in sustained flue gas temperatures of not more than one thousand (1,000) degrees F. under normal operating conditions; to a steam boiler operated at fifty (50) pounds per square inch or less gage pressure; to a steam boiler of not over ten (10) boiler horse power regardless of operation pressure, and to any equipment otherwise classified as a medium heat appliance but not larger than one hundred (100) cubic feet in size. No permit shall be required for the installation of gas ranges, space heaters, or similar domestic gas appliances. The installation permit required by Section 1011.2 of this Chapter, for heating equipment, shall be in lieu of any installation permit otherwise required.

1011.2 (Added) Installation Permit (including Space Heaters and Free Standing Fireplaces). No person shall install or alter any heating equipment without first securing a permit for such installation or alteration from the Fire Chief. The permit fee shall be \$15.00 for the first 100,000 BTU's and \$15.00 for each additional 100,000 BTU's or part thereof. Upon the installation of such heating equipment, the person installing the same shall notify the Fire Chief to inspect the installation as soon as possible. No person having control or management of any building or structure shall use, or permit to be used therein, any heating equipment which has not been inspected and approved by the Fire Chief, nor shall any person, except authorized personnel of the Gas Company, turn on the gas for use in any gas-fired heating equipment which has not been inspected and approved by the Fire Chief.

1011.3 (Added) Inspection of Existing Equipment. The Fire Chief may also inspect any heating equipment, heretofore installed, to determine whether such equipment, if not installed in conformity with this Chapter, is dangerous to life or property because of its construction or installation.

1011.4 (Added) Condemnation. The Fire Chief may also inspect any heating equipment, regardless of when installed or whether previously inspected and approved, to determine whether such equipment is dangerous to life or property because of its deterioration and present condition. Whenever any heating equipment or part thereof, or any accessory thereto, is found to be unsafe or in a condition so as to be dangerous to life or property, the Fire Chief is hereby empowered to condemn the unit or part thereof, and no such unit or part thereof shall thereafter be used until put in a safe condition, inspected and approved by the Fire Chief.

1011.5 (Added) Condemnation Procedure. Whenever any heating equipment or part thereof has been condemned, the Fire Chief shall place thereon a warning tag listing the causes for the condemnation. It shall be unlawful for any person, having control of or management of the building or structure in which any such heating equipment or part thereof is located, to use or permit to be used, such heating equipment or part thereof, until the causes for the condemnation shall have been remedied and the heating equipment or part thereof has been put in safe condition, inspected and approved by the Fire Chief. Contractors will be permitted to place such equipment in operation in accordance with the following procedure:

- (1) Correct the causes of condemnation.
- (2) Notify the Fire Chief by telephone or in writing that the hazardous condition has been corrected.
- (3) Upon receiving the permission of the Fire Chief, place the heating equipment in operation.

1011.6. (Added) Wiring Requirements. The electric wiring installed in connection with any oil-fired or gas-fired space heating equipment shall be installed in accordance with the provisions of Sections 1500 to 1506 of this Code. Each oil or gas-fired installation shall be provided with a remote control switch capable of disconnecting the electrical supply from the fuel burning equipment located in a place easily accessible, in case of fire, near the equipment. This switch shall be permanently and clearly labeled "Burner Shut Off Switch".

1400.2. (Amended) Other Sign Ordinances Have Precedence. Where more restrictive in respect to location, use, size or height of signs, the limitations of the City Zoning Ordinance and other ordinances regulating signs shall be enforced when in conflict with or in addition to provisions of this Code.

1500.4. (Amended) Electric Equipment Standards. It shall be unlawful to install or use any electrical device, apparatus, or equipment designed for attachment to, or installation on any electrical circuit or system for heat, light or power that is not of good design and construction and safe and adequate for its intended use. The Building Official shall have power to disapprove the use or installation of devices not fulfilling these requirements. Devices, apparatus and equipment approved by such generally recognized authorities as United States Bureau of Standards, Electrical Testing Laboratories of New York, or Underwriters Laboratories shall be held to have the approval of the Building Official unless explicitly disapproved by said Building Official for reasons of faulty design and poor construction involving danger to persons and/or property. It shall be the duty of the Building Official from time to time to inspect devices, apparatus and equipment offered to the public for use in installation to see that such items conform to the above requirements. The person designated as City Electrical Inspector shall be a Deputy Building Official.

1500.5. (Added) Exceptions. Nothing contained in this Code shall be deemed to prohibit any person from installing, altering, or repairing electrical wiring and apparatus in a residence owned and occupied by him, in conformity with the requirements of this Code, but all such work shall be subject to the permit requirements and inspection requirements of this Code.

1500.6. (Added) Fees for Inspection. When an application is made for a permit to equip any building with electric fixtures or wiring or heating or air conditioning or plumbing installations or other fixtures enumerated in this section, a fee shall be paid in an amount as prescribed in the following schedule, but in no event shall the total fee paid be less than \$12.00.

SCHEDULE OF FEES

Permanent Services

100 Ampere 120, 240, and 480 volts	\$ 8.00
200 Ampere 120, 240 and 480 volts	10.00
400 Ampere 120, 240 and 480 volts	12.00
Over 400 Amperes	30.00
Temporary service, each location	10.00

The first service installed shall be at the above rate, all others at the same address and voltage shall be 1/2 the above rate.

Wiring

Installing or altering wiring for lights, switches and/or receptacles:

1 or 2 outlets	\$ 2.00
3 or 4 outlets	4.00
5 or 5 outlets	5.00
7 to 12 outlets	6.00

The above fees are based on wiring which does not equal one circuit. When wiring does not require the installation of new circuits, all outlets over 12 will be \$2.00 for each additional 12 or major part thereof.

1 circuit	\$ 6.00
For each additional circuit	2.00

Fixtures

Schedule same as wiring

Where one contractor installs or alters both wiring and fixtures at the same time, and it does not equal one circuit, no charge will be made for the following fixtures, drop cords, light receptacles and/or weather proof sockets.

Residential Installations

Range	\$ 6.00
Water Heater	6.00
Dryer	6.00
Dishwasher	3.00
Disposal or Garbage Grinder	3.00
Gas Furnace	6.00
Oil Furnace	9.00
Trailer Service (One meter and one circuit)	\$ 8.00

Motor Schedule

Fractional hp	\$ 2.00
1 to 3 hp incl.	4.00
3½ to 5 hp incl.	6.00
5½ to 10 hp incl.	8.00
10½ to 20 hp incl.	10.00
20½ to 30 hp incl.	12.00
30½ to 40 hp incl.	14.00
40½ to 50 hp incl.	16.00
50½ to 75 hp incl.	18.00
Over 75 hp	20.00

Where motors are moved more than two feet a permit shall be required.

Heating Devices

Up to 1.0 KW, incl.	\$ 2.00
1.1 to 5 KW, incl.	4.00
5.1 to 10 KW, incl.	6.00
10.1 KW and over	8.00

Transformers

Up to ½ K.V.A., incl.	\$ 2.00
.6 to 1 K.V.A., incl.	4.00
1.1 to 5 K,V,A., incl.	6.00
5.1 to 10 K.V.A., incl.	8.00
10.1 K.V.A., and over	10.00

Outside Antennas or Towers

(pre-wired or manufactured units may be installed by contractor) \$ 10.00

Illuminated Signs

Single face signs	25 cents per sq. ft.	\$2.00 minimum
Double face signs	35 cents per sq. ft.	2.00 minimum

Air Conditioners

1 HP or Less	\$ 10.00
Over 1.1 HP through 5 HP	25.00
Over 5.1 HP through 50 HP	25.00 plus \$6.00 per HP over 5
Over 50 HP	300.00 plus \$2.00 per HP over 50
Window Units up to 24,000 BTU/NR	7.00
New Installation of an Air Conditioning Cooling Tower	8.00 per unit

If any job or work covered by this Chapter is commenced before a permit is obtained from the Building Inspector, an amount equivalent to 200% of the appropriate fee set forth herein shall be paid to the City Treasurer before a permit is issued.

1500.7. (Added) Access to Building. The Building Official shall have the right during reasonable hours to enter any building in the discharge of his official duties or for the purpose of making any inspection or test of the installation of electric wiring, electric devices and/or electric material contained therein, and shall have the authority to cause the turning off of all electric supply and cut or disconnect, in cases of emergency, any wire where such electrical currents are dangerous to life or property or may interfere with the work of the Fire Department.

1500.8. (Added) Permits. No alterations or additions shall be made in the existing wiring of any buildings, nor shall any building be wired for the placing of any electric lights, motors, heating devices, or any apparatus requiring the use of electrical current at a potential over thirty (30) volts, nor shall any alterations be made in the wiring in any building after inspection, without first notifying the Building Official and securing a permit therefor. Applications for such permit, describing such work, shall be made by the person installing same, and permit when issued, shall be to such applicant. This section shall not apply to maintenance and repairs on the premises of a person regularly employing qualified electricians for that purpose, nor to such minor repair work as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping bare joints or repairing drop cords.

1500.9. (Added) Inspection. Upon the completion of the wiring of any building, it shall be the duty of the person installing the same to notify the Building Official, who shall inspect the installations as soon as possible, and, if it is found to be fully in compliance with this Code and does not constitute a hazard to life and property, he shall issue to such person, for delivery to the owner, a certificate of inspection, authorizing connection to the electrical service and the turning on of the current. All wires which are to be hidden from view shall be inspected before concealment, and any person installing such wires shall notify the Building Official, giving him sufficient time in which to make the required inspection before such wires are concealed.

1500.10. (Added) Re-Inspection. The Building Official shall make periodically a thorough re-inspection of the installation in buildings of all electric wiring, electric devices and electric material now installed or that may hereafter be installed, within the City, and when the installation of any such wiring, devices, and/or material is found to be in a dangerous or unsafe

condition, the person, owning, using, or operating the same shall be notified and shall make the necessary repairs or changes required to place such wiring, devices and material in a safe condition, and have such work completed within fifteen (15) days, or any longer period specified by the Building Official in said action. The Building Official, is hereby empowered to disconnect or order the discontinuance of electrical service to such wiring devices and/or material so found to be defectively installed until the installation of such wiring, devices and material has been made safe as directed by him.

1500.11. (Added) Review. When the Building Official condemns all or part of any electrical installation, the owner may, within five (5) days after receiving written notice thereof, file a petition in writing for review of said action with the Board of Examiners, upon receipt of which the said Board of Examiners shall at once proceed to determine whether said electrical installation complies with this Code, and within three (3) days shall make a decision in accordance with its findings.

SECTION 1507.0 CONTRACTOR'S LICENSE

1507.1. (Added) License Required. It shall be unlawful for any person to engage as an independent contractor in the installation, alteration, maintenance or repair of electrical wiring, equipment, apparatus or fixtures for light, heat or power purposes where the electromotive force exceeds thirty (30) volts in or about buildings and/or structures located within the City, without first having procured a license in the manner prescribed in Chapters 59 and 60 of the City Code.

1507.2. (Added) Qualifications for License. Persons making application for a Contractor's License must be twenty-one (21) years of age or over, and must have a license as a Journeyman electrician, and pass a suitable examination. Persons applying for Contractor's license must have at least one (1) member of the firm with the above qualifications and experience, or have one (1) or more men employed with the above qualifications and experience, and this shall be a continuing requirement and condition to the validity of all such licenses.

1507.3. (Added) Journeyman's License. It shall be unlawful for any person to engage in the occupation or trade of journeyman electrician in the installation, alteration, maintenance or repair of electrical wiring equipment, apparatus or fixtures for light, heat, power or medical purposes where the electromotive force exceeds thirty (30) volts in or about buildings and/or structures within the City, without having first taken the examination and obtained a license as herein provided. This provision shall not apply to helpers and apprentices, provided such work as they may do is performed under the direction and supervision of a licensed journeyman electrician who shall be on premises at all times when such helpers or apprentices are performing such work on the premises.

1507.4. (Added) Qualifications. Minimum qualifications for examination for journeyman electricians shall be four (4) years of practical experience. Time spent in trade school attendance shall be credited as apprentice experience; four (4) years in technical school and one (1) year practical experience shall also qualify for examination.

1507.5. (Added) Board of Examiners. A Board of Examiners is hereby created which shall consist of the City Manager or his deputy, a representative of the company furnishing the electricity supply and a licensed electrical contractor. The members of this Board shall be appointed by the City Commission to serve during the pleasure of the City Commission and shall hold office without receipt of remuneration from the City of East Grand Rapids. The Board shall prepare the application blanks, prescribe the examination and hold meetings whenever necessary to hold examinations. Due notice shall be given applicants of the date of examinations. Applicants failing to pass will not be eligible for reexamination for a period of thirty (30) days in reciprocal municipalities. The appointment of said Board shall be deferred until such time as the City Commission determines by resolution that the appointment of such Board is appropriate to the volume of business. Pending such determination, the functions and duties of the Board of Examiners shall be carried out by an examining board of a reciprocating municipality selected by the Building Official for the purpose of administering examinations.

1507.6. (Added) Fees for Licenses. Fees for licenses shall be as prescribed in Chapter 60 of the East Grand Rapids City Code. The issuance, expiration, renewal and transfer of such licenses shall be in accordance with Chapter 59 of the East Grand Rapids City Code, except as otherwise specifically provided in this Chapter. After March 1st of any year, all licenses not renewed shall be considered cancelled and may not be renewed except upon approval by the Examining Board. No license shall be issued except upon recommendation of the Examining Board. No electrical contractor licensed under the provisions of this Chapter shall secure permits for any electrical work to be done by any person not employed by such electrical contractor.

1507.7. (Added) Reciprocal Provisions. The City shall permit electrical contractors and journeymen electricians lawfully licensed by other municipalities of the State of Michigan or by the State Electrical Administrative Board, to install, alter or repair electrical wiring, equipment, apparatus or fixtures for light, heat, power or medical purposes within the corporate limits of the City, upon registration with the City Clerk, which registration shall expire concurrently with the license presented for registration. No municipal license shall be recognized for registration unless the issuing municipality reciprocates in recognizing electrical contractors and journeymen who are duly licensed under the provisions of this Code, by granting them the same privilege and charging the same uniform license and registration fees and unless the licensing ordinance is substantially equal to the requirements of this Code. A fee of five (\$5.00) dollars shall be charged for registration of contractors and journeymen electricians licensed by other municipalities.

1507.8. (Added) Foreign Corporations - Penal Bond. Corporations applying for electrical contractor licenses, whose principal place of business is not in the State of Michigan, may obtain such license from the City upon approval by the Examining Board and the payment of the prescribed fee. Provided, that the applicant shall file a duly executed bond in the penal sum of one thousand dollars (\$1,000), running to the City, conditioned for the faithful performance and observance of the provisions of this Code, and rules and regulations made and approved as hereinafter provided, controlling the installation of electrical wiring and equipment. Such bond shall be a surety bond from a recognized and approved surety company authorized to transact business in the State of Michigan.

1507.9. (Added) License Suspension and Revocation. Any electrical contractor's or journeyman electrician's license may, after a hearing, of which hearing the licensee is given not less than five (5) days notice, which notice shall inform the licensee of the charges to be heard against him, be suspended or revoked by the Examining Board having issued such license, when it shall appear to the satisfaction of the Examining Board that such licensee falsified his application in any particular, or that such license has violated any rule or regulation relating to the installation, inspection, maintenance, alteration or repair of electrical wiring, devices, appliances or equipment, or has violated any of the provisions of this Code or any rule or regulation issued by the Board pursuant hereto. The Examining Board shall also have the power, upon cause shown, to rescind the reciprocal privileges within the City of any registered electrical contractor or journeyman electrician otherwise permitted by the terms of this Chapter to do business or perform services in the City.

SECTION 1508.0 MISCELLANEOUS

1508.1. (Added) Rules and Regulations. The Board of Examiners is hereby empowered and it shall be their duty to make such rules and regulations concerning electrical work in the City as may be required to properly provide for the situation therein. The rules and regulations so made shall be approved by the City Commission, and shall take precedence over plans, specifications and National Electrical Code Rules.

1508.2. (Added) Liability. This Code shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling or installing any electrical wiring, electric devices and/or electric material for damages to person or property caused by any defect therein nor shall the City be held as assuming any such liability by reason of the inspection authorized herein, or certificate of inspection issued as herein provided.

1706. (Added) Plumber License Required. The installation, alteration, maintenance, extension, or replacement of any plumbing, including domestic water heating equipment, as defined by the Plumbing Laws of the State of Michigan and the Plumbing Code of the City, is not permitted to be done by any heating contractor or installer, unless he is licensed as a Master Plumber under the said Plumbing Laws of the State of Michigan.

Section 2. This ordinance shall be effective on January 1, 1981.

Section 3. Pursuant to the requirements of Chapter VIII Section 5 of the East Grand Rapids City Charter a digest summary or statement of the purposes of this ordinance, approved by the City Commission, shall be published in a newspaper of general circulation in the City of East Grand Rapids within 10 days after the enactment of this ordinance.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6

Nays: 0

219. The provisions of Section 5.53 of the Zoning Ordinance regarding the commercial parking formula were discussed.

217-A. Waters-Moseley. That the City pay one-half of the sewer repair cost of \$3,600.

Yeas: Lorch, Moseley, Waters, Worfel, Stoppels - 5
Nays: Seibold - 1

218. The revision of the General Building Regulations Code was discussed.

218-A.

BY COMMISSIONERS MOSELEY-WATERS:

That the ordinance to amend Chapter 79 - Building Regulations of Title VIII of the Code of the City of East Grand Rapids as submitted to this Commission and introduced on September 22, 1980, be amended by substituting the ordinance draft as submitted by the City Attorney at the meeting held on October 20, 1980.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

218-B.

BY COMMISSIONERS MOSELEY-WATERS:

That the fees and schedules of fees as contained in the proposed ordinance to amend Chapter 79 - Building Regulations of Title VIII of the Code of the City of East Grand Rapids, as contained in the proposed ordinance as amended by 218-A, be amended in accordance with the recommendations submitted by the City Manager, reviewed with the City Commission at this time and filed with the City Clerk.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

218-C.

BY COMMISSIONERS WATERS-LORCH:

That the ordinance to amend Chapter 79 - General Building Regulations of Title VIII of the Code of the City of East Grand Rapids, including amendments set forth in 218-A and 218B above, be adopted, as follows:

" AN ORDINANCE TO AMEND CHAPTER 79 -
GENERAL BUILDING REGULATIONS OF TITLE
VIII OF THE CODE OF THE CITY OF EAST
GRAND RAPIDS

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. That Chapter 79 - General Building Regulations of Title VIII of the Code of the City of East Grand Rapids be amended to read as follows:

8.1. Adoption of Code by Reference. Pursuant to the provisions of Section 8 of the State Construction Code Act (Act 230 of 1972, Compiled Laws 1948, Sec. 125.1501 et seq.) and pursuant to Section 3(k) of Act 279 of 1909, State of Michigan as amended, the Basic Building Code, 1978 Edition, as amended by Accumulative Supplement 1980, both as promulgated and published by the Building Officials and Code Administrators International, Inc. (BOCA), is hereby adopted by reference by the City of East Grand Rapids as in this Chapter modified, for the purpose of regulating the erection, construction, enlargement, equipment, alteration, repair, moving, removal, demolition, conversion, use, heights, area and maintenance of all buildings and structures in the City of East Grand Rapids.

219-A. Mayor Stoppels-Worfel. That the Planning Commission be requested to review this section of the ordinance and report back to this Commission as to their recommendations.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

220. The possible need for revision of commercial parking screening requirements as contained in Section 5.58 of the Zoning Ordinance was discussed.

220-A. Mayor Stoppels-Worfel. That the Planning Commission be requested to review this section of the ordinance and report back to this Commission as to their recommendations.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

221. The regulations contained in Sections 3.43 to 3.46 of the City Ordinance regarding Dutch elm disease were discussed.

221-A. Worfel-Waters. That this section of the ordinance be referred to the City Forrester for his study and recommendation.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

222. The City Manager reported on the Reeds Lake Project and stated that he understands that financing for the project as it currently exists is not available and that the developers are currently doing some in-house rethinking and that he will be reporting back before Christmas.

223. The City Manager reported that the Health Department has advised him that the cleanup efforts at 964 Maxwell Street SE, have not been satisfactory and that they are still in court with their efforts to have the owner clean up the premises.

224. The Traffic Commission minutes of their meeting held November 18, 1980, were received for information.

225. The Fire Department report for the month of November was received for information.

226. The monthly report from the Assessor/Building Inspector for the month of November, 1980, was received for information.

227. Pursuant to the review by the Commission of the sanitary sewer evaluation study conducted by Moore & Bruggink and their recommendation that the City undertake a sanitary sewer rehabilitation program to eliminate sources of entry of ground water to the system at an estimated cost of \$996,158.00 of which 80%, or \$796,926.00, is eligible for federal and state participation under the Federal Grant Program through the Michigan Department of Natural Resources, the City Manager requested authority to make application for Federal and State Funds and the following resolution was adopted:

227-A. Waters-Worfel. That a grant application be made to the Michigan Department of Natural Resources for the sewer rehabilitation program and that the City Manager be designated Project Director and be authorized to execute the necessary application.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

228. A letter was received from Mike Karolle, Chairperson of the East Grand Rapids Arts Commission, regarding the resignation of Mr. Mike Vavrek from the Arts Commission and requesting that Ms. Sally LaBaugh be appointed to fill the position for the remainder of Mr. Vavrek's term.

229. Commissioner Waters reported on the recent meeting of the Joint City/School Facilities Committee and stated that the School Board has given permission for establishment of an ice rink at Breton School, and is not in favor of establishing a beach at the East Grand Rapids Middle School property.

230. Commissioner Lorch reported on the Metro Economic Development Council, of which he is a member, representing the East Grand Rapids City Commission, and stated that 300 new jobs were created in the Grand Rapids area as a result of the efforts of this Council.

231. Moseley-Seibold. That expense vouchers in the amount of \$591,900.32, and payroll vouchers in the amount of \$39,777.72, 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: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

232. Commissioner Moseley requested an update on the status of the Packard parking lot.

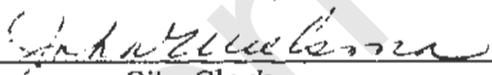
233. Worfel-Lorch. That this Commission go into executive session for the purpose of discussing property acquisition.

Yeas: Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 6
Nays: 0

234. The Mayor adjourned the meeting at this time. After the executive session, the Mayor reconvened the meeting.

235. There were 9 persons in attendance at this meeting.

236. The meeting was adjourned, subject to the call of the Mayor, until December 15, 1980.



City Clerk

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

Regular Meeting Held December 15, 1980

The meeting was called to order by Mayor Stoppels.

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

Absent: None.

237. The minutes of the meeting held December 1, 1980, were approved as written.

238. Resolutions regarding tax reform and the urging of reform for public assistance programs were received from the City of Northville, Michigan. After discussion of these resolutions by this Commission, staff was directed to invite Representative Paul Henry and Senator Robert VanderLaan to a City Commission meeting in January, to discuss tax reform.

239. Mr. Wally Knack, President of the Grand Rapids Symphony Society, was present to discuss a fund-raising plan of the Society to establish a designer showhouse to be located in the Armstrong Home at the corner of Plymouth and Franklin, for a period beginning the last week in April, and ending the second week in May. He introduced Nancy Lubbers, who further discussed this plan.

239-A. Waters-Worfel. That this Commission endorse the project of the Grand Rapids Symphony Society as presented.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7

Nays: 0

240. The City Manager reported on conversations he has had with the Environmental Research Group, Inc., Dan Burroughs from EPA, and the D.N.R. The Department of Natural Resources has required a technical review of lake restoration work that has been done to date. The consensus of the meetings with D.N.R. has resulted in the conclusion that we are not yet prepared to proceed with an application under Section 314 because sufficient documentation has not yet been developed on alternative restoration techniques to be implemented under a Phase II grant.

The D.N.R. therefore recommended that the City proceed by making a Phase I grant application (partial) under Section 314 and that the technical review, as required by D.N.R., be performed by the Environmental Research Group, Inc., which has been approved by the D.N.R.; and further recommended that the City of East Grand Rapids enter into a Service Agreement with the Environmental Research Group, Inc., to prepare the grant application under Section 314 in the amount of \$3,257.60, and to prepare a technical review for the amount of \$2,400.00. Commissioner Hoag expressed concern that prior to the City submitting an application for a partial Phase I grant, the City Manager should contact the Environmental Protection Agency in Washington, D.C., to inform them of the change in plans and determine if the new plans meet with its approval prior to the submission of the application.

240-A. Hoag-Waters. That the City Manager be authorized to sign the Service Agreement between the City of East Grand Rapids and the Environmental Research Group, Inc., subject to review by the City Attorney as to form, and that the City Manager be directed to inform the Environmental Protection Agency that it is our intent to file an application for a partial Phase I research program rather than a Phase II implementation program.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7

Nays: 0

241. The City Manager reported on an ordinance adopted by the City of Grand Rapids relative to the parking of motor vehicles on the lawns of residential areas within the City of Grand Rapids. This was received for information.

242. The City Manager reported that he had received two proposals for the development of the Manhattan site and is awaiting an additional proposal.

243. The Police report for the month of November, 1980, was received for information.

244. The minutes of the Library Commission meeting held November 19, 1980, were received for information.

245. Commissioner Waters inquired about the cost of making an ice rink at Breton School the size of two tennis courts. The City Manager advised that the cost would be approximately \$500, possibly less depending on size.

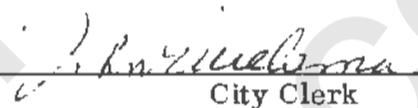
246. Moseley-Lorch. That expense vouchers in the amount of \$195,279.21, and payroll vouchers in the amount of \$35,077.73, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Hoag, Lorch, Moseley, Seibold, Waters, Worfel, Stoppels - 7

Nays: 0

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

248. The meeting was adjourned, subject to the call of the Mayor, until January 5, 1981.



City Clerk