

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

Regular Meeting Held January 7, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Remien, Clary, Stoppels, Robberson, and Mayor Baxter.  
Absent: Com. Cooper.

216. The minutes of the meeting held December 17, 1973 were approved as written.

217. A progress report relative to the vacation and improvement of Asbury and Whitfield was received.

217-A.  
BY COMMISSIONERS PIERCE-CLARY:

WHEREAS, in connection with the proposed improvement of Asbury Road and Whitfield Road in the City of East Grand Rapids, Michigan, the location of the sanitary sewer and storm drain easements in the City of Grand Rapids have been changed from that which was originally proposed, and

WHEREAS, the City of East Grand Rapids has obtained a new "Easement Agreement" for one portion and an "Amendment to Easement Agreement" from another portion, and

WHEREAS, copies of the "Easement Agreement" and "Amendment to Easement Agreement" have been submitted to the City Engineer with recommendations that execution by the City be authorized.

THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk be authorized to execute the "Easement Agreement" and the "Amendment to Easement Agreement" in the form submitted by the City Engineer.

FURTHER RESOLVED that the hearing on the vacation of parts of Whitfield Road and Asbury Road be further adjourned to January 21, 1974.

Yeas: Pierce, Remien, Clary, Robberson, Stoppels, Baxter - 6  
Nays: 0

218. Stoppels-Robberson. That the following ordinance be adopted:

AN ORDINANCE TO AMEND SECTION 9.63 OF CHAPTER 90,  
TITLE IX OF THE CODE OF THE CITY OF EAST GRAND  
RAPIDS AND TO ADD A NEW SUBSECTION TO SECTION 9.63

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. That the Code of the City of East Grand Rapids is hereby amended by amending Chapter 90, Section 9.63, and by adding a new subsection (4) to read as follows:

9.63 (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, fiber produced from the stalks, oil or cake made from the seeds 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.

9.63. (2) Definition of Practitioner.

(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.

9.63. (3) Prohibited Use.

It is unlawful for a person to use the substance known as Marihuana unless the substance was obtained directly from, 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.

9.63. (4) Sentencing, Probation.

Any person found guilty under the provision of this ordinance shall be punishable as set forth in Section 1.13 of this Code, or may be placed on probation under the provisions of Section 47 of Act 196 of 1971, being section 335.347 of the Compiled Laws of 1948.

Section 2. This ordinance shall be published in full within ten (10) days after it is adopted.

Section 3. This ordinance is declared to be an emergency ordinance necessary for the immediate preservation of the public peace, health, and safety, and is effective this 7th day of January, 1974.

Yeas: Pierce, Remien, Clary, Robberson, Stoppels, Baxter - 6  
Nays: 0

219. Robberson-Pierce. That Douglas W. Hillman and Sallie G. Boshoven be reappointed to the East Grand Rapids Board of Canvassers.

Yeas: Pierce, Remien, Clary, Robberson, Stoppels, Baxter - 6  
Nays: 0

220. The City Manager requested authorization to issue a purchase order to Holland Township for the acquisition of a used American LaFrance pumping engine in the amount of \$1,200.00.

220-A. Stoppels-Clary. That the requested authorization be granted.

Yeas: Pierce, Remien, Clary, Robberson, Stoppels, Baxter - 6  
Nays: 0

221. The Planning Commission submitted work proposals relative to structural and environmental analysis of the city.

221-A. Clary-Robberson. That this matter be tabled to provide Commissioners time to evaluate the sample study submitted by Vilican-Leman & Associates, Inc., and to permit the staff to determine the added work load these proposals may require, what type of time table is involved, and where the City will derive funds to pay for these proposals.

Yeas: Pierce, Remien, Clary, Robberson, Stoppels, Baxter - 6  
Nays: 0

1/7/74

222. Mayor Baxter distributed a proposed advisory proposition relating to the expending of funds for the purchase or condemnation of the "Gilmore property" to be placed on the February 18, 1974 ballot.

222-A. Mayor Baxter-Stoppels. That the matter of submitting an advisory question to the electors be removed from the table.

A roll call vote was taken:

Yeas: Stoppels, Baxter - 2

Nays: Remien, Pierce, Clary, Robberson - 4

The motion failed.

223. Departmental reports from the Fire Department, Police Department, and City Assessor for the month of December, 1973 were received and filed. Minutes of the December meeting of the Planning Commission and Traffic Commission were received and filed.

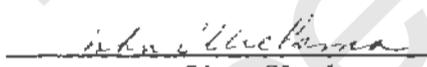
224. Pierce-Remien. That expense vouchers in the amount of \$675,013.36, and payroll vouchers in the amount of \$22,319.22, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for their respective amounts.

Yeas: Pierce, Remien, Clary, Robberson, Stoppels, Baxter - 6

Nays: 0

225. There were five residents in attendance at this meeting.

226. The meeting was adjourned at 8:35 p.m., subject to the call of the Mayor, until January 21, 1974.

  
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City Clerk

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

Regular Meeting Held January 21, 1974

The meeting was called to order by Commission President Stoppels.

Present: Coms. Pierce, Cooper, Remien, Stoppels, and Robberson.  
Absent: Com. Clary and Mayor Baxter.

227. The minutes of the meeting held January 7, 1974 were corrected by including in item 222 the following wording of the ballot question proposed by Mayor Baxter:

"Would you approve of the City expending funds to be raised by an additional tax in an amount which, while still unknown, may come to \$250,000 or more to acquire by purchase or condemnation of the land known as the "Gilmore property" located between Reeds Lake and Lakeside Drive south of the channel between Reeds Lake and Fisk Lake?"

The minutes were then approved as corrected.

228. Pursuant to public notice, a hearing was held upon the request of Dr. and Mrs. Fred Gray, 1148 Orchard Ave., to permit construction of an open carport which would extend to their lot line. Mrs. Gray was present to explain the necessity of this project. There were no objections presented.

228-A. Cooper-Pierce. That this Commission, acting as the Board of Zoning Appeals, grant a variance to Dr. and Mrs. Fred Gray to permit construction of the proposed carport.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson - 5  
Nays: 0

229. Pursuant to public notice, a hearing was held upon the request of Mr. Donald Eberhard and Mrs. Joan E. Brown, 1119 Orchard Ave., to permit construction of an addition to the rear of their home which would extend to a point 6.5' from the garage. Mrs. Brown was present to support their request. There were no objections presented.

229-A. Cooper-Pierce. That this Commission, acting as the Board of Zoning Appeals, grant a variance to Mr. Donald Eberhard and Mrs. Joan E. Brown to permit the construction of the proposed addition.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson - 5  
Nays: 0

230. The City Manager submitted a progress report and recommendations on the improvement of Asbury and Whitfield Roads prepared by the City Engineer.

230-A. Robberson-Cooper. That the following resolution be adopted:

RESOLVED, by this Commission pursuant to a public hearing held thereon, that it deems it advisable to vacate, abolish and discontinue all that part of ASBURY ROAD in the City of East Grand Rapids, Kent County, Michigan, lying south of a line between a point on the west line of ASBURY ROAD 29 feet north of the southeast corner of Lot 360 Paris Park No. 1 Section 4, T.6N., R.11 W. and a point on the east line of ASBURY ROAD 30 feet north of the southwest corner of Lot 369 Paris Park No. 1, Sec. 4, T.6 N., R.11 W, and all that part of WHITFIELD ROAD in the City of East Grand Rapids, Kent County, Michigan, lying south of a line between a point on the west line of WHITFIELD ROAD 28 feet north of the southeast corner of Lot 372 Paris Park No. 1, Section 4, T.6 N., R.11 W, and a point on the east line of WHITFIELD ROAD 27 feet north of the southwest corner of Lot 378 Paris Park No. 1, Sec. 4, T.6 N., R.11 W, reserving a 20 foot easements for public utilities within both vacated parcels, the centerline of which easements are specifically described as follows:

Commencing at a point on the South line of said Paris Park No. 1 154.33 feet North 86°38' West from the Southeast corner of Lot 377, thence North 7°33'45" West 100.00 feet to the point of ending and

Commencing at a point on the South line of said Paris Park No. 1 153.06 feet North 86°38' West from the Southeast corner of Lot 370, thence North 4°33'55" East 100.00 feet to the point of ending.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson - 5  
Nays: 0

230-B. Robberson-Pierce. That the following resolution be adopted:

WHEREAS, in connection with the proposed improvement of Asbury Road and Whitfield Road in the City of East Grand Rapids, Michigan, the location of the roadway and of certain utility easements has been changed from that which was originally proposed and

WHEREAS, the City has obtained new easements and should re-lease part or all of easements heretofore granted to the City.

THEREFORE, be it resolved that the City shall discharge and release those certain easements heretofore granted to it recorded in Liber 2036, page 256, in Liber 2059, page 138, in Liber 2036, page 257, in Liber 2061, page 1327, and in Liber 1344, page 339.

BE IT FURTHER RESOLVED that the City discharge and release that portion of the easement recorded in Liber 1362, page 509, lying east of the west line of Lots 359 and 360 of the plat of Paris Park No. 1.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk be authorized to execute the necessary formal documents to accomplish the foregoing.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson - 5  
Nays: 0

230-C. Pierce-Robberson. Be It Resolved that a hearing be held February 4, 1974, 7:30 p.m. in the East Grand Rapids Commission Room on the assessment rolls for the following improvements:

- Sanitary sewers in Asbury and Whitfield Roads from Englewood Drive to the South City Limits,
- Watermain in Asbury and Whitfield Roads from Englewood Drive to the South City Limits,
- Asbury street improvement from Englewood Drive to the South City Limits,
- Whitfield street improvement from Englewood Drive to the South City Limits.

Be It Further Resolved that the Clerk be directed to cause said notices to be published in the Grand Rapids Press and by giving notice by means of first class mail to each owner of property to be assessed.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson - 5  
Nays: 0

230-D. Pierce-Robberson. That the contract for the following improvements be awarded to the low bidder, Dykema Excavators, Inc. contingent upon confirmation by the Commission of special assessment rolls for such improvements:

Sanitary sewers in Asbury and Whitfield Roads from Englewood Drive to the South City Limits -----	\$14,310.00
Watermain in Asbury and Whitfield Roads from Englewood Drive to the South City Limits -----	9,709.55
Asbury street improvement from Englewood Drive to the South City Limits -----	13,251.65
Whitfield street improvement from Englewood Drive to the South City Limits -----	14,724.30

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson - 5  
Nays: 0

231. The City Manager reported on bids which were received by the City of Grand Rapids for the construction of a sanitary sewer in a public easement in the City of Grand Rapids from Oxford, Asbury, and Whitfield Roads extended. East Grand Rapids' cost for this project is \$22,966.00. This project would receive the sanitary flows from the above mentioned streets thus eliminating the Oxford sewer lift station when the final segment within East Grand Rapids in Oxford is completed in conjunction with the Oxford-Tenway improvements scheduled for 1974.

231-A. Robberson-Pierce. That the City of East Grand Rapids authorize the City of Grand Rapids to proceed with their contract to construct this sanitary sewer at a cost to the City of East Grand Rapids of \$22,966.00 as per agreement dated January 4, 1974 and amendment to agreement dated January 11, 1974.

Yeas: Pierce, Cooper, Remien, Robberson, Stoppels - 5  
Nays: 0

232. Remien-Pierce. That the proposals of Vilican-Leman & Associates, Inc. for work to assist the Planning Commission be removed from the table.

Yeas: Pierce, Cooper, Remien, Robberson, Stoppels - 5  
Nays: 0

Commissioner Clary arrived at this time.

232-A. Several Planning Commission members were present to support the work proposals and to encourage the Commissioners to accept them so that work could soon begin. They pointed out that there are three specific areas to study: Structural and Economic Analysis, Recreational land use study, and Central Business District study; and urged the Commission to act favorably on all three categories so that they can be studied concurrently. There were several citizens who spoke on this subject including several commissioners. Mr. Peter Wege submitted a letter to the Commission regarding long-range planning.

232-B. Stoppels-Remien. That the City Manager and Planning Commission Chairman be authorized to enter into a contract with Vilican-Leman & Associates, Inc. for the implementation of Phase I (Structural and Economic Analysis), the cost of which will be between \$8,000 and \$11,000 and that these expenses be charged to the contingency fund.

A roll call vote was taken:

Yeas: Pierce, Clary, Cooper, Remien, Stoppels - 5  
Nays: Robberson - 1

The motion carried.

233. The City Manager requested authorization to purchase an engine repair kit for the purpose of re-powering one of our fire trucks. Inasmuch as this expenditure was not budgeted for the current year, he recommended that the amount of \$5,740 be allocated from the contingency fund.

233-A. Cooper-Remien. That the City Manager be authorized to purchase this engine repair kit and that the amount of \$5,740 be transferred from the contingency fund to the Fire Capital account.

Yeas: Pierce, Clary, Cooper, Remien, Robberson, Stoppels - 6  
Nays: 0

234. Minutes of the January 15th Recreation Commission meeting were received and filed.

235. There were several residents present who expressed concern about the fill being placed in the Gilmore property south of the channel between Reeds Lake Blvd. and Lakeside Drive. Mr. Dick Murphy requested that the City Manager contact Mr. Frank Bouma, Kent County Drain Commissioner, to determine if he had authority to prevent additional fill to be placed on this property. The City Commission directed the City Manager to do so.

235-A. Cooper-Clary. That the following resolution be adopted:

WHEREAS, Reeds Lake Boulevard and Lakeside Drive in the City of East Grand Rapids, Michigan, run through and along the westerly edge respectively of the property described in this Resolution, which property is presently undeveloped and abuts the shoreline of Reeds Lake and represents a great natural asset to the community at large and said highways provide the traveling public with a rare opportunity to share in and enjoy the scenic beauty of this great natural asset; and

WHEREAS, the City desires to preserve and improve the opportunity for the traveling public using Reeds Lake Boulevard and Lakeside Drive to share and enjoy the scenic beauty of this great natural asset; and

WHEREAS, the City has been unable to agree with the owners of said parcel of property for the purchase thereof;

NOW, THEREFORE, IT IS RESOLVED that the City of East Grand Rapids does hereby declare and determine that it is necessary for the landscaping of Reeds Lake Boulevard and Lakeside Drive, including the maintenance and development of scenic areas, scenic lookouts, roadside parks, and other purposes in the interest of the beneficial use of said highways by the traveling public, to acquire and secure in fee simple title, including fluid mineral and gas rights and rights of access to and over the highways, in the name of the City of East Grand Rapids, that property bounded by the Reeds - Fisk Lake Channel, Reeds Lake and Lakeside Drive, and more particularly described as:

Lots, 31, 67 and 68 and the East 6 rods of Lot 30 except Boulevard, all said Lots being of Boynton & Judd's Lake Addition to the City of East Grand Rapids, Kent County, Michigan, according to the recorded plat thereof.

Also, that part of the SE fractional one-quarter (1/4) lying southerly of Channel connecting Fisk and Reeds Lake and easterly of Lakeside Drive excepting commencing at a point on the East line of Lakeside Drive 416.9 feet North of the South line of Section 28, thence North 19°42' west 186 feet to the South bank of said Channel, thence South 76°06' East along said South bank 157.54 feet, thence South 65°16' East along said South bank 168 feet, thence South 26°24' West 97.81 feet, thence North 84° West 200 feet to the place of beginning, Section 28, Town 7 North, Range 11 West, City of East Grand Rapids, Kent County, Michigan.

AND BE IT FURTHER RESOLVED that the City of East Grand Rapids does hereby determine, based upon the present assessed valuation of said property, a recent fair market value appraisal made by an experienced independent appraiser, and the present collective knowledge of the City Commission regarding the property involved, that a fair and just cash price for the purchase of said property is Fifty-six thousand and no/100 (\$56,000.00) Dollars.

AND BE IT FURTHER RESOLVED, that the City Manager for the City of East Grand Rapids be directed and authorized to convey to the owners of the above described property, on behalf of the City of East Grand Rapids, a written offer to purchase said property for a total cash price of \$56,000.00.

AND BE IT FURTHER RESOLVED, that the attorneys for the City of East Grand Rapids be directed and authorized to institute appropriate condemnation proceedings on behalf of the City of East Grand Rapids to carry out the object of this resolution and to acquire said property for the public use and benefit hereinabove set forth.

235-B. Stoppels-Remien. That this resolution be tabled to provide the Commissioners an opportunity to meet with the Special Council to discuss the resolution.

A roll call vote was taken:

Yeas: Remien, Pierce, Stoppels - 3  
Nays: Cooper, Clary, Robberson - 3

The motion failed.

After further discussion a roll call vote was called for on the main motion:

Yeas: Cooper, Pierce, Clary, Robberson - 4  
Nays: Remien, Stoppels - 2

The motion carried.

236. Commissioner Robberson presented the Commission with a proposed escrow agreement reading as follows:

EGR SAVE THE LAND  
ESCROW AGREEMENT

This Agreement made this 21st day of January, 1974 by and between the City of East Grand Rapids (hereinafter called "City") and Old Kent Bank and Trust Company, a Michigan Corporation, (hereinafter called "Escrow Agent").

WHEREAS the City is desirous of acquiring unimproved real estate lying South of the channel connecting Fisk and Reeds Lake between Reeds Lake on the East and Lakeside Drive on the West described as follows:

The East Six (6) rods of Lot 30, Lots 31, 67 and 68 of Boynton & Judd's Lake Addition to the City of East Grand Rapids except the 66 ft. right-of-way known as Reeds Lake Boulevard. (Permanent parcel numbers 14-33-226-001, 14-33-227-001 and 14-33-227-002).

Also that part of the Southeast quarter of Section 28, Town 7 North, Range 11 West lying Southerly of the channel connecting Fisk and Reeds Lake and easterly of Lakeside Drive except that parcel described as commencing at a point on the East line of Lakeside Drive 416.9 feet north of the South line of Section 28; thence North  $19^{\circ}42'$  West 186 feet to the South bank of the said channel; thence South  $76^{\circ}06'$  East along said South bank 157.54 feet; thence  $65^{\circ}16'$  East along said South bank 168 feet; thence South  $26^{\circ}24'$  West 97.81 feet; thence North  $84^{\circ}00'$  West 200 feet to the place of beginning. (Permanent parcel number 14-28-477-002).

WHEREAS private citizens have solicited contributions of money and/or property from individuals, corporations and foundations to be applied toward the acquisition cost of the said real estate in order that the property may be preserved and used by and for the public.

WHEREAS such individuals, corporations and foundations have been and will be asked to make contributions for acquisition of the said real estate and assured that contributions made for that purpose will be returned in the event that the City fails to acquire ownership thereof; and

WHEREAS the City desires that monies be deposited to be available for payment in support of offers to purchase and for payments upon successful conclusion of acquisition efforts;

NOW, THEREFORE, it is agreed that Escrow Agent will accept such contributions as deposits to the fund herein created under the following terms and conditions:

1/21/74

Monies deposited hereto shall be invested in interest bearing bank deposits, short term United States Treasury obligations, commercial paper or short term money market instruments as in the sole judgment of the Escrow Agent shall be in the best interest of the interested parties.

It is anticipated that individuals, corporations and foundations may desire to make contributions in the form of stocks or other securities. Escrow Agent is specifically authorized to retain such stocks or other securities in bearer form or registered in nominee form until such time as it receives written notice from the City that negotiations and/or litigations necessary to acquire title has been successfully concluded and Escrow Agent shall have no responsibility for changes in market value in such securities. Securities may be sold at any time upon the written approval of the specific donor and donor, subject to the approval of City and Escrow Agent, may substitute stocks or other securities so long as the securities so substituted have a market value equal to or greater than those for which substitution is requested. Interest earned on monies so deposited, less fees and expenses of Escrow Agent, shall be added to the fund principal at reasonable intervals and invested.

Escrow Agent shall maintain a record of those individuals, corporations and foundations depositing contributions hereto. Escrow Agent shall provide a statement of all receipts, disbursements and property on hand at least semi-annually.

Upon written notice from the City that negotiations and/or litigation necessary to acquire title has been successfully concluded, receipt of a certified copy of an appropriate resolution of the duly elected Commission of the City authorizing payment and acceptance of title; Escrow Agent shall deliver the purchase price or the total monies then held in the escrow fund, whichever shall be the lesser, to those persons legally entitled to payment therefore as stated in the resolution received from the City Commission. If any money remains after such disbursement, it shall be delivered to those individuals, corporations and foundations in that proportion which their respective contributions bore to the total of contributions so deposited.

Upon termination of the City's efforts to acquire ownership as evidenced by written notice from the City that it is discontinuing all efforts to acquire ownership, or upon failure of litigations directed to that end by Circuit Court Order finding for defendants in any such litigations, or on December 15, 1975, whichever shall first occur, the total monies then comprising the escrow fund shall be delivered to those individuals, corporations and foundations in that proportion which their respective contributions bore to the total of contributions so deposited.

The Escrow Agent shall be entitled to a \$100.00 minimum fee, reimbursement for expenses incurred and an additional fee for extraordinary services. Fees and expenses shall be charged first against income earned on funds invested pursuant to this Agreement.

The Escrow Agent may consult with legal counsel in the event of any dispute or question as to the construction of any of the provisions hereof or duties hereunder and it shall incur no liability and shall be fully protected according to the opinion of legal counsel.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their authorized officers on the day and year first above written.

236-A. Robberson-Pierce. That the Mayor and City Clerk be authorized to execute said agreement.

Yeas: Pierce, Clary, Cooper, Remien, Robberson, Stoppels - 6  
Nays: 0

1/21/74

237. Cooper-Pierce. That expense vouchers in the amount of \$2,100,928.63, and payroll vouchers in the amount of \$23,786.13, 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: Pierce, Clary, Cooper, Remien, Robberson, Stoppels - 6  
Nays: 0

238. A letter from Mrs. Ethel Bobroff submitting her resignation as editor of the Comment was received.

238-A. Clary-Robberson. That this Commission regretfully accepts the resignation of Mrs. Bobroff as editor of the Comment and that she be commended for the fine job she has done with past issues of the Comment.

Yeas: Pierce, Clary, Cooper, Remien, Robberson, Stoppels - 6  
Nays: 0

239. Mr. Jim Albert requested that the request submitted by letter dated January 7, 1974 for the improvement of Arundel, York, and Melrose be acted upon. The City Manager stated that he did not put this item on the agenda because there are a number of preliminary procedures involving field work and development of plans by our Engineering Department and his concern that Mr. Albert has offered to sell this property to the City and School, who have not as yet responded.

239-A. Clary-Pierce. That the request of Mr. Albert to improve Arundel, York, and Melrose be placed on the agenda for consideration at the first available meeting.

Yeas: Pierce, Clary, Cooper, Remien, Robberson, Stoppels - 6  
Nays: 0

240. President of the Commission Stoppels asked the City Attorney to investigate the Ordinance Code to determine whether motor driven vehicles such as motorcycles, snowmobiles, and automobiles can be prevented from operation on the ice of Reeds Lake and whether such prohibition might be feasible due to existing congested conditions involving fishermen and iceboats.

241. There were approximately 40 residents in attendance at this meeting.

242. The meeting was adjourned at 11:45 p.m., subject to the call of the Mayor, until February 4, 1974.

  
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City Clerk

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

Regular Meeting Held February 4, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Cooper, Remien, Clary, Stoppels, Robberson, and Mayor Baxter.  
Absent: Com. Pierce.

243. The minutes of the meeting held January 21, 1974 were approved as written.

244. The City Manager reported on the progress relative to the acquiring of new easements necessary for the location of Asbury and Whitfield sanitary sewer and the release of old easements which are no longer required.

244-A. Robberson-Cooper. That the following resolution be adopted:

WHEREAS, in connection with the proposed improvement of Asbury Road and Whitfield Road in the City of East Grand Rapids, Michigan, the location of the sanitary sewer and storm drain easements in the City of Grand Rapids have been changed from that which was originally proposed, and

WHEREAS, the City of East Grand Rapids has obtained a new "Easement Agreement" for one portion and an "Amendment to Easement Agreement" from another portion, and should release part or all easements heretofore granted to the City, and

WHEREAS, the City of East Grand Rapids authorized the Mayor and City Clerk to execute the "Easement Agreement" and the "Amendment to Easement Agreement", at the regular City Commission meeting held January 7, 1974, and

WHEREAS, the City of Grand Rapids at the City Commission meeting of January 15, 1974 authorized the Mayor to execute the "Easement Agreement" and "Amendment to Easement Agreement" and execute the "Release of Easement" and "Partial Release of Easement" for easements heretofore granted to the City.

THEREFORE, BE IT RESOLVED that the City shall release from the easement granted to them by instrument recorded in Liber 2119 page 1164 in the office of the Register of Deeds for Kent County, Michigan all rights and easements affecting real estate described therein lying westerly of a line which is 619.27 feet west of the east line of Section 4, Town 6 North, Range 11 West, measured along the south line of the north 20 rods of the south 1/2 of said section.

BE IT FURTHER RESOLVED that the City shall release and quit claim an easement for underground utilities (sanitary sewer and/or storm drain) recorded in Liber 2119, page 1157 in the Kent County Register of Deeds office.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be authorized to execute the necessary formal documents to accomplish the foregoing.

A roll call vote was taken:

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

The motion carried.

245. The following resolutions relative to vacations of portions of Asbury and Whitfield were moved by Commissioner Remien and supported by Commissioner Cooper:

RESOLVED, by this Commission that it deems it advisable to vacate, abolish and discontinue all that part of ASBURY ROAD in the City of East Grand Rapids, Kent County, Michigan,

lying South of a line that commences at the Northeast corner of Lot 361 of Paris Park #1, according to the recorded plat thereof, thence Southerly 12.23 feet on a 3474 foot Radius Curve to the Right, the Chord of which bears South 1°59'20" West 12.23 feet, thence Southerly 22.78 feet on a 35 foot Radius Curve to the Right, the Chord of which bears South 20°44'10" West 20.38 feet; thence Southerly 74.04 feet on a 50 foot Radius Curve to the Left, the Chord of which bears South 3°02'20" East 67.46 feet, to the Westerly line of Asbury Road being the place of beginning thence Easterly 72.08 feet on said 50 foot Radius Curve to the left, the Chord of which bears South 86°45'40" East 66.0 feet to the Easterly line of Asbury Road as platted, to the place of ending

and

lying North of a line that commences at a point on the west line of Asbury Road 29 feet North of the Southeast corner of Lot 360 Paris Park #1 as platted thence Easterly to a point on the Easterly line of Asbury Road 30 feet North of the Southwest corner of Lot 369 Paris Park #1, reserving a 20 foot easement for public utilities within the vacated parcel, the centerline of which easement is specifically described as follows:

Commencing at a point on the South line of said Paris Park #1 153.06 feet North 86°38' West from the Southeast corner of Lot 370, thence North 4°33'55" East over the above vacated parcel.

BE IT FURTHER RESOLVED, that this Commission meet on the 11th day of March, 1974, at 7:30 p.m. in the Commission Room in the City Hall of said City to hear and consider any and all objections and reasons why the above mentioned portion of ASBURY ROAD described as aforesaid should not be vacated, abolished, and discontinued, and it is

ORDERED that the City Clerk give written or printed notice of the time and place when and where the Commission of said City will meet to hear and consider objections to the vacating, abolishing and discontinuing of said portion of ASBURY ROAD above described by any persons interested therein and desiring to be heard by publishing the notice of such meeting with a copy of this resolution once not less than two weeks before said meeting in the Grand Rapids Press, a newspaper of general circulation in the City of East Grand Rapids.

RESOLVED, by this Commission that it deems it advisable to vacate, abolish and discontinue all that part of WHITFIELD ROAD in the City of East Grand Rapids, Kent County, Michigan,

lying South of a line that commences at the Northeast corner of Lot 373 of Paris Park #1, according to the recorded plat thereof, thence Southerly 16.29 feet on a 666 foot Radius Curve to the Left, the Chord of which bears South 6°34'40" West 16.28 feet, thence Southerly 21.22 feet on a 35 foot Radius Curve to the Right, the Chord of which bears South 23°14'35" West 20.89 feet; thence Southerly 78.10 feet on a 50 foot Radius Curve to the Left, the Chord of which bears South 4°08'25" East 70.40 feet, to the Westerly line of Whitfield Road to the place of beginning thence Easterly 72.12 feet on said 50 foot Radius Curve to the left, the Chord of which bears North 89°47'20" East 66.03 feet to the Easterly line of Whitfield Road as platted, to the place of ending

and

lying North of a line that commences at a point on the West line of Whitfield Road 28 feet North of the Southeast corner of Lot 372 Paris Park #1 as platted thence Easterly to a point on the Easterly line of Whitfield Road 27 feet North on the Southwest corner of Lot 378 Paris Park #1, reserving a 20 foot easement for public utilities within the vacated parcel, the centerline of which easement is specifically described as follows:

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Commencing at a point on the South line of Said Paris Park #1  
154.33 feet North 86°38' West from the Southeast corner of Lot  
377, thence North 7°33'45" West over above vacated parcel.

BE IT FURTHER RESOLVED, that this Commission meet on the 11th day of  
March, 1974 at 7:30 p.m. in the Commission Room in the City Hall of said  
City to hear and consider any and all objections and reasons why the above  
mentioned portion of WHITFIELD ROAD described as aforesaid should not be  
vacated, abolished and discontinued, and it is

ORDERED that the City Clerk give written or printed notice of the time  
and place when and where the Commission of said City will meet to hear and  
consider objections to the vacating, abolishing and discontinuing of said  
portion of WHITFIELD ROAD above described by any persons interested therein  
and desiring to be heard by publishing the notice of such meeting with a  
copy of this resolution once not less than two weeks before said meeting in  
the Grand Rapids Press, a newspaper of general circulation in the City of  
East Grand Rapids.

A roll call vote was taken:

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

The motion carried.

246. Pursuant to public notice, hearings were then held on the following  
assessment rolls:

Sanitary sewers in Asbury and Whitfield Roads from Englewood Drive to the  
South City Limits,

Watermains in Asbury and Whitfield Roads from Englewood Drive to the South  
City Limits,

Asbury street improvement from Englewood Drive to the South City Limits,

Whitfield street improvement from Englewood Drive to the South City Limits.

A letter was received from Dykema Excavators requesting an increase in the contract  
price in the amount of \$448.50 due to misinterpretation of specifications. The City  
Engineer recommended this be allowed as an increase in contract price.

The City Engineer recommended that the Asbury and Whitfield assessment rolls  
be amended to include \$81.00 for recording deeds, resolutions, and easements to  
develop the two cul-de-sacs.

246-A. Mayor Baxter-Cooper. That the Asbury and Whitfield street improve-  
ments assessment rolls be amended to include the additions of \$448.50 and \$81.00  
as recommended by the City Engineer, and that the contract amount be adjusted to  
include the \$448.50.

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

246-B. Mr. J. Brock Albert requested that the roll be amended to provide  
the City to pay for all of the sewer work done in the City of Grand Rapids.

246-C. Clary-Remien. That the assessment roll for the installation of  
sanitary sewers in Asbury and Whitfield as submitted by the City Engineer be  
adhered to.

A roll call vote was taken:

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

The motion carried.

246-D. Robberson-Stoppels. That the following resolution be adopted:

WHEREAS, the City Manager and the City Engineer have submitted plans and specifications and estimates of cost and recommendations relative to the improvement of Asbury Road and Whitfield Road from Englewood Drive south to the south city limits, including street improvements, sanitary sewer improvements and watermain improvements, and have obtained all easements and conveyances required for such improvement and have secured bids establishing the cost of such improvements and have prepared and submitted proposed assessments rolls covering such improvements; and

WHEREAS, this City Commission now wishes to proceed with said improvements on the basis of the recommendations submitted by the City Manager and the City Engineer, and a hearing having been held for the purpose of determining necessity;

NOW, THEREFORE IT IS RESOLVED AS FOLLOWS:

Resolution Re Sanitary Sewers

Resolved that the improvement consisting of the installation of sanitary sewers in Asbury Road and Whitfield Road from Englewood Drive south to the south city limits, including the necessary laterals and underground work, 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 abutting on said improvement, that the plans and specifications for said improvement submitted by the City Engineer are approved, that the estimated cost of said improvement is \$21,512.00, that the entire thereof be paid by special assessment upon the property especially benefitted, that such cost be assessed in ten annual installments, the first of which shall be due and payable during the period of 30 days from the date of confirmation of the special assessment roll without interest or penalty, and that interest on any installment not so paid shall be at the rate of 7% per annum; that the special assessment district for said improvements is hereby designated as consisting of the lots abutting thereon, particularly described as Lots 359 through 363 and Lots 366 through 375 and Lots 377 through 381, Paris Park #1 and that this Commission deems and declares that all real estate within said proposed district will be benefitted by said improvement; and that the assessment roll heretofore prepared by the City Manager and City Engineer for this improvement is received and shall be filed with the City Clerk for public examination and that the hearing on confirmation of the assessment roll be adjourned to and held on Monday, March 11, 1974, at 7:30 p.m. at the City Hall, and that the City Clerk give notice of such adjourned hearing to all persons entitled thereto under the provisions of ordinance section 1.307.

Resolution Re Watermain

Resolved that the improvements consisting of the installation of watermain in Asbury Road and Whitfield Road from Englewood Drive south to the south city limits, including the necessary services, hydrants, valves and other necessary appurtenances and underground work, 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 abutting on said improvement, that the plans and specifications for said improvement submitted by the City Engineer are approved, that the estimated cost of said improvement is \$18,787.80 of which \$4,506.20 shall be paid by the city-at-large and that the sum of \$14,281.60 be paid by special assessment upon the property especially benefitted, that such cost be assessed in ten annual installments, the first of which shall be due and payable during the period of 30 days from the date of confirmation of the special assessment roll without interest or penalty, and that interest on installments not so paid shall be at the rate of 7% per annum; that the special assessment district for said improvements is hereby designated as consisting of the lots abutting thereon described as Lots 359 through 363, Lots 366 through 375 and Lots 377 through 381, Paris Park #1 and that this Commission deems and

declares that all real estate within said proposed district will be benefitted by said improvement; and that the assessment roll prepared by the City Manager and City Engineer for this improvement is received and shall be filed with the City Clerk for public examination, that the hearing on confirmation of the assessment roll be adjourned to and held on Monday, March 11, 1974, at 7:30 p.m. at the City Hall, and that the City Clerk give notice of such adjourned hearing to all persons entitled thereto under the provisions of ordinance section 1.307.

Resolution Re Asbury Road Street Improvement

Resolved that the improvement consisting of proper 5 3/4" bituminous base and 1 1/4" bituminous concrete surface on Asbury Road between Englewood Drive and the south city limits, including the necessary curbs, gutters, sidewalks and underground work 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 abutting on said improvement according to front footage; that the plans and specifications for said improvement submitted by the City Engineer are approved, that the estimate costs of said improvement is \$15,552.34, that the entire thereof be paid by special assessment upon the property especially benefitted, that such cost be assessed in ten annual installments the first of which shall be due and payable during the period of 30 days from the date of confirmation of the special assessment roll without interest or penalty, that interest on any installment not so paid shall be at the rate of 7% per annum; that the special assessment district for said improvement is hereby designated as consisting of the lots abutting on either side of Asbury Road between Englewood Drive and the south city limits, particularly described as Lots 359 through 370, Paris Park #1 and that this Commission deems and declares that all real estate within said proposed district will be benefitted by said improvement; and that the assessment roll heretofore prepared by the City Manager and City Engineer for this improvement is received and shall be filed with the City Clerk for public examination, and that the hearing on confirmation of the assessment roll be adjourned to Monday, March 11, 1974, at 7:30 p.m. at the City Hall, and that the City Clerk give notice of such adjourned hearing to all persons entitled thereto under the provisions of ordinance section 1.307.

Resolution Re Whitfield Road Street Improvement

Resolved that the improvement consisting of proper 5 3/4" bituminous base and 1 1/4" bituminous concrete surface on Whitfield Road from Englewood Drive south to the south city limits, including the necessary curbs, gutters, sidewalks and underground work 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 abutting on said improvement according to front footage; that the plans and specifications for said improvement submitted by the City Engineer are approved, that the estimated cost of said improvement is \$17,356.88 that the entire thereof be paid by special assessment upon the property especially benefitted, that such cost be assessed in ten annual installments the first of which shall be due and payable during the period of 30 days from the date of confirmation of the special assessment roll without interest or penalty, and that interest on any installment not so paid shall be at the rate of 7% per annum; that the special assessment district for said improvement is hereby designated as consisting of the lots abutting on either side of Whitfield Road between Englewood Drive and the south city limits, particularly described as Lots 371 through 382, Paris Park #1 and that this Commission deems and declares that all real estate within said proposed district will be benefitted by said improvement; and that the assessment roll heretofore prepared by the City Manager and City Engineer for this improvement is received and shall be filed with the City Clerk for public examination, that the hearing on confirmation of the assessment roll be adjourned to Monday, March 11, 1974, at 7:30 p.m. at the City Hall, and that the City Clerk give notice of such adjourned hearing to all persons entitled thereto under the provisions of

ordinance section 1.307.

A roll call vote was taken:

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

The motion carried.

247. The City Manager presented a request that Oxford Road from Englewood Drive to the South City Limits, and Tenway Drive from Englewood Drive to Oxford Road, be improved.

247-A. Cooper-Robberson. That the following resolution be adopted:

RESOLVED that this Commission desires to consider the proposed improvement consisting of grading, proper base, asphalt wearing surface, combination curb and gutter, concrete drive approaches, necessary concrete sidewalks, 12" storm drain, catch basins, and other necessary appurtenances and underground work on

OXFORD ROAD from Englewood Drive to South City Limits, and  
TENWAY DRIVE from Englewood Drive to Oxford Road

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

A roll call vote was taken:

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

The motion carried.

248. A letter from Mr. Fred R. Allaben opposing City acquisition of the Gilmore property was received and filed. Letters from Louise Uhl, Art Clements, Lois DeBoer, and Fredric Renaud favoring City acquisition of said property were also received and filed.

249. A letter from Mr. Edward D. Wells suggesting that the City Commission order signs to be attached below the "City of East Grand Rapids" signs at the entrances to the City reading "Home of Vice-President of the United States Ford" or otherwise signifying the same, was received.

249-A. Mayor Baxter-Stoppels. That the City Manager be authorized to place such signs.

Yeas: Remien, Clary, Stoppels, Robberson, Baxter - 5  
Nays: Cooper - 1

It was suggested that this proposal be submitted to Vice-President Ford for his approval.

250. The City Manager reported that a petition for street improvements and sanitary sewers in Arundel Road, Melrose Drive, and York Drive, and water-mains in Arundel Road and Melrose Drive, which streets are located in Paris Road Uplands plat, has been received.

250-A.

BY COMMISSIONERS CLARY-STOPPELS:

RESOLVED that this Commission desires to consider the proposed improvement consisting of grading, proper base, asphalt wearing surface, combination curb and gutter, concrete drive approaches, concrete sidewalks, 12" storm drain, catch basins, and other necessary appurtenances and underground work on

ARUNDEL ROAD from Melrose Drive to Conlon Drive, and  
YORK DRIVE from Berwyck Road to Arundel Road, and  
MELROSE DRIVE from Berwyck Road to Norfolk Road

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

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

250-B.

BY COMMISSIONERS CLARY-STOPPELS:

RESOLVED that this Commission desires to consider the proposed improvement consisting of WATERMAIN, including the necessary services, and underground work on

ARUNDEL ROAD from York Drive to Conlon Drive, and  
MELROSE DRIVE from Arundel Road to Berwyck Road

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

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

250-C.

BY COMMISSIONERS CLARY-STOPPELS:

RESOLVED that this Commission desires to consider the proposed improvement consisting of SANITARY SEWER including the necessary laterals and underground work on

ARUNDEL ROAD from Melrose Drive to Conlon Drive, and  
YORK DRIVE from Berwyck Road to Arundel Road, and  
MELROSE DRIVE from Berwyck Road to Norfolk Road

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

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

251. The following ordinance was moved for adoption by Commissioner Stoppels, supported by Commissioner Clary:

AN ORDINANCE TO AMEND THE CODE  
OF THE CITY OF EAST GRAND RAPIDS BY ADDING A  
NEW SECTION 3.101 a TO CHAPTER 28 OF  
TITLE III OF SAID CODE

The City of East Grand Rapids ordains:

Sec. 1. That Chapter 28 of Title III of the Code of the City of East Grand Rapids be amended by adding a new section to read as follows:

"3.101 a. Snowmobiles and Automobiles Prohibited.

No person shall operate a snowmobile, automobile, motorcycle, motorbike, or other vehicle propelled by gasoline or other engine upon the ice covering the waters of any waterway, provided that this ordinance shall not apply to emergency vehicles operated by City Personnel.

Sec. 2. This ordinance is deemed to be an emergency ordinance under the provisions of Chapter VIII of the City Charter and is given immediate effect.

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

A roll call vote was taken:

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

The motion carried.

252. The Mayor appointed Commissioners Stoppels and Cooper as a special committee for the purpose of securing a successor editor of the periodic newsletter of the East Grand Rapids City Commission.

253. Reports for the month of January from the Fire Department, Police Department and Building Inspector were received and filed.

254. A letter from Mr. John F. Gilmore requesting one week to reply to the City's offer to purchase his property was received.

254-A. Clary-Remien. That the request of Mr. Gilmore be granted and that the Special Council be so informed of this action.

A roll call vote was taken:

Yeas: Remien, Clary, Stoppels, Robberson, Baxter - 5  
Nays: Cooper - 1

The motion carried.

255. Cooper-Remien. That expense vouchers in the amount of \$646,934.47, and payroll vouchers in the amount of \$22,952.54, 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: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

256. Commissioner Clary repeated his request to investigate the cost of obtaining a city flag.

257. Commissioner Stoppels requested that the cost to convert our fire alarm boxes to emergency phones be investigated and considered for 1974-75 budget appropriations.

258. Commissioner Robberson commented on the packet of information he received recently from GRETS and expressed concern about the maps not accurately showing the layout of Lakeside Drive south of Robinson Road. The Mayor stated that the GRETS Policy Committee was meeting February 6, 1974 at 1:30 p.m.

259. Cooper-Remien. That the contract for the installation of sewers, watermains and street improvements in Asbury and Whitfield be awarded to the low bidder, Dykema Excavators, in the amount of \$52,444.00.

Yeas: Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

260. Commissioner Cooper inquired about the possible use of Building Authority Bonds as a future means of financing.

The City Manager reported that the Building Authority route is now available and could be considered as an option for financing building repairs and that a report would be submitted as soon as building reconstruction costs are finally determined.

261. The meeting was adjourned at 9:35 p.m., subject to the call of the Mayor, until February 25, 1974.

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

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

Regular Meeting Held February 25, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Cooper, Remien, Clary, Stoppels, Robberson, and  
Mayor Baxter.

Absent: None.

262. The minutes of the meeting held February 4, 1974 were approved as written.

263. A report from the East Grand Rapids Board of Canvassers certifying the City Primary election which was held February 18, 1974, was received and filed.

264. The following resolution was moved by Commissioner Stoppels and supported by Commissioner Pierce:

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 11, 1974, at 7:30 p.m. relative to necessity of the proposed improvement consisting of grading, proper base, asphalt wearing surface, 12" storm drain, catch basins, and other necessary appurtenances and underground work on

OXFORD ROAD from Englewood Drive to South City Limits, and  
TENWAY DRIVE from Englewood Drive to Oxford Road

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: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

265. The following resolutions were moved by Commissioner Stoppels and supported by Commissioner Clary:

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 11, 1974, at 7:30 p.m. relative to necessity of the proposed improvement consisting of grading, proper base, asphalt wearing surface, combination curb and gutter, concrete drive approaches, concrete sidewalks, 12" storm drain, catch basins, and other necessary appurtenances and underground work on

ARUNDEL ROAD from Melrose Drive to Conlon Drive, and  
YORK DRIVE from Berwyck Road to Arundel Road, and  
MELROSE DRIVE from Berwyck Road to Norfolk Road

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.

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 11, 1974, at 7:30 p.m. relative to necessity of the proposed improvement consisting of SANITARY SEWER including the necessary laterals and underground work on

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ARUNDEL ROAD from Melrose Drive to Conlon Drive, and  
YORK DRIVE from Berwyck Road to Arundel Road, and  
MELROSE DRIVE from Berwyck Road to Norfolk Road

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.

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 11, 1974, at 7:30 p.m. relative to necessity of the proposed improvement consisting of WATERMAIN, including the necessary services, and underground work on

ARUNDEL ROAD from York Drive to Conlon Drive, and  
MELROSE DRIVE from Arundel Road to Berwyck Road

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: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

266. A letter from Mr. J. Brock Albert requesting the improvements of Kingswood was received.

266-A. Mayor Baxter-Stoppels. That the City Manager be requested to consider the inclusion of the improvements of Kingswood in the 1974-75 budget and that a specific report relative to this item be submitted to the Commission.

A roll call vote was taken:

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

The motion carried.

267. The City Manager reported on bids which were received for the purchase of a sewer cleaning machine and truck cab and chassis and recommended that the low bids be accepted as follows:

Truck cab and chassis -

International Harvester in the amount of \$8,349.00.

Sewer cleaning machine -

Flexible Division of Rockwell International in the amount of \$10,167.00.

267-A. Robberson-Pierce. That the low bids of International Harvester in the amount of \$8,349.00, and Flexible Division of Rockwell International in the amount of \$10,167.00 be accepted and the City Manager be authorized to issue purchase orders for the respective amounts.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

268. The City Manager requested authorization to issue a purchase order to Michigan Bell Telephone Company in the amount of \$1,200 for the purpose of installing a smaller switchboard unit.

268-A. Pierce-Remien. That the request of the City Manager be concurred in and that the amount of \$1,200 be allocated from the Contingency Fund for this purpose.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

269. A detailed statement from the City Attorney for work performed in addition to his contractual agreement with the City was received.

269-A. Cooper-Pierce. That the statement as submitted by the City Attorney be allowed and that the sum of \$2,260.00 be allocated from the Contingency Fund for this purpose.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

270. A letter from the Department of Natural Resources relative to the State's preemptive rights regarding the control of snowmobiles on the frozen surface of public bodies of water was received.

270-A. Stoppels-Robberson. That this letter be referred to the City Attorney for analysis.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

271. It was moved by Commissioner Stoppels and supported by Commissioner Robberson that the following resolution 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 out-patient adolescent/young adult mental health center for Kent County, is a non-profit organization incorporated 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, 1974 - June 30, 1975 based on the Association of Grand Rapids Area Governments (AGRAG) formula of 4.25% of the total of \$27,000.00 needed, amounting to \$1,147.50.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of East Grand Rapids will provide to the Advisory Center for Teens its share of the necessary financial support during the 1974 - 1975 fiscal year for the purpose of providing professional counseling and assistance for adolescents/young adults regardless of the problem.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

272. A letter from Vice-President Gerald R. Ford giving his approval for signs designating the City of East Grand Rapids as his home was received and filed.

273. A letter from Mr. Harold Dekker requesting that East Grand Rapids give their endorsement to the Kent County Council on Aging was received.

273-A. Cooper-Remien. That this Commission endorse the work program of the Kent County Council on Aging and asks that this agency be designated as the area agency for senior citizens in Region 8.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

274. An informational letter from the Kent County Mental Health Coordinating Committee was received and filed.

275. The Rotary Club of Grand Rapids-East requesting the City's participation in their scheduled Antique Fair was received. The Mayor stated that he would proclaim the week of April 7 to 13, 1974 as Antique Fair Week.

276. Letters from residents objecting to City Commission action in the condemnation of the Gilmore property were received and filed. A letter from the Miner S. & Gertrude S. Keeler Fund, Inc. pledging \$25,000 to the East Grand Rapids Save the Land Fund was received for information.

277. The minutes of the Traffic Commission meeting held February 12, 1974 were received and filed.

278. Commissioner Stoppels stated that the Historical Committee was in need of a storage area and a recording system for articles it is collecting and he requested that the City staff cooperate in supplying its needs.

279. Commissioner Robberson brought to the attention of the Commission the recent Grand River Watershed Council's newsletter and its reaction to the request of Gilmore to fill a portion of Reeds Lake.

280. Commissioner Remien stated that a letter would be submitted from the Planning Commission regarding its request to change the agreement with Vilican-Leman Planning Consultants from a monthly fee to a daily fee basis.

281. Robberson-Remien. That the following resolution be adopted:

The City Commission interprets the general presentation made to them by Mr. John F. Gilmore on February 11, 1974 as a compromise offer of settlement and alternative to the City's determination to acquire certain properties by condemnation. After due consideration, the City Commission has determined to reject the settlement offer presented by Mr. John F. Gilmore.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

282. Cooper-Pierce. That the City staff investigate the avenue of using Building Authority Bonds for the purpose of financing the costs of repairing the Municipal Complex.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

283. Cooper-Pierce. That expense vouchers in the amount of \$384,976.29, and payroll vouchers in the amount of \$23,811.45, 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: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

284. Commissioner Pierce inquired on the progress of the sewer inspections project. The City Manager replied that as soon as warmer weather arrives, the project will be resumed.

285. The City Manager reported on the cost to provide the City with a city flag carrying the City Seal would be \$252.00.

285-A. Clary-Stoppels. That the City Manager be authorized to issue a purchase order for the purpose of obtaining a city flag.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: Remien - 1

286. Mr. James Sebastian urged the Commissioners to put the question of the Gilmore property acquisition before the citizens of this community. Commissioner Robberson stated that there was not enough definitive information available at this time to bring this question to the people for them to vote on it intelligently.

287. Mr. Richard D. Murphy submitted and read a letter relating to his position as write-in candidate for Third Ward Commissioner at the City Primary election held February 18, 1974, and urged the Commission to act positively on withdrawing from the Gilmore property condemnation suit at this time until voters of East Grand Rapids have the opportunity to vote on the issue of

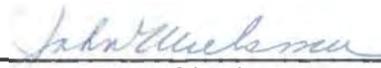
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changing the zoning for this property.

Mayor Baxter and several of the Commissioners stated that they intend to bring this issue to the vote of the people when more definitive information is available which should be within the very near future.

288. There were 13 residents in attendance at this meeting.

289. The meeting was adjourned at 9:20 p.m., subject to the call of the Mayor, until March 11, 1974.



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City Clerk

UNOFFICIAL  
Reference Only

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

Regular Meeting Held March 11, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Cooper, Remien, Clary, Stoppels, Robberson, and  
Mayor Baxter.

Absent: None.

290. The minutes of the meeting held February 25, 1974 were corrected by deleting the last paragraph in Item 287 and inserting "A discussion was held regarding the points made by Mr. Murphy and Mr. Sebastian". The minutes were then approved as corrected.

291. Pursuant to public notice, a hearing was then held on the necessity for the improvement of Oxford and Tenway. Several residents were present to discuss this improvement.

291-A.

BY COMMISSIONERS STOPPELS-ROBBERSON:

RESOLVED that the improvement consisting of grading, proper base, asphalt wearing surface, combination curb and gutter, concrete drive approaches, necessary concrete sidewalks, 12" storm drain, catch basins, and other necessary appurtenances and underground work on

OXFORD ROAD from Englewood Drive to South City Limits, and  
TENWAY DRIVE from Englewood Drive to Oxford Road

is a necessary public improvement and that the cost and expense of such improvement shall be paid by special assessment levied upon the lands and premises, except public highways and alleys, benefitting from said improvement, according to 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 \$47,558.03, that \$13,863.00 of said cost shall be paid by the City-at-large and \$33,695.03 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 326 thru 333,  
Lots 335 thru 344,  
Part of Lots 351 and 352,  
Lots 353 thru 358,  
of Paris Park #1

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

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

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

292. Pursuant to public notice, a hearing was then held on the necessity for improvements in Arundel, York and Melrose. Dr. Donald VandenBrink, representing Breton Village, requested that these improvements be denied. Several other persons expressed their feelings on this issue.

292-A. Mayor Baxter-Remien. That this Commission deny the request of the petitioners to improve Arundel, York, and Melrose.

Yeas: Pierce, Remien, Clary, Stoppels, Robberson, Baxter - 6  
Nays: Cooper - 1

293. Pursuant to public notice, a hearing was then held on the assessment roll for the street improvement of Asbury. There were no objections raised.

293-A.

BY COMMISSIONERS REMIEN-ROBBERSON:

RESOLVED that a public hearing having been duly held on the special assessment roll for the improvement consisting of grading, proper base, asphalt wearing surface, combination concrete curb and gutter, concrete drive approaches, concrete sidewalks, 12-inch storm drain, catch basins, and other necessary appurtenances and underground work on

ASBURY ROAD from Englewood Drive to the South City Limits

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 special assessment roll does not require any changes or corrections, this City Commission does confirm such special assessment roll and does order that it be transmitted to the City Treasurer for collection.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

294. Pursuant to public notice, a hearing was then held on the assessment roll for the street improvement of Whitfield Road. There were no objections raised.

294-A.

BY COMMISSIONERS REMIEN-ROBBERSON:

RESOLVED that a public hearing having been duly held on the special assessment roll for the improvement consisting of grading, proper base, asphalt wearing surface, combination concrete curb and gutter, concrete drive approaches, concrete sidewalks, 12-inch storm drain, catch basins, and other necessary appurtenances and underground work on

WHITFIELD ROAD from Englewood Drive to the South City Limits

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 special assessment roll does not require any changes or corrections, this City Commission does confirm such special assessment roll and does order that it be transmitted to the City Treasurer for collection.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

295. Pursuant to public notice, a hearing was then held on the assessment roll for the installation of watermains in Asbury and Whitfield Roads. There were no objections raised.

295-A.

BY COMMISSIONERS PIERCE-REMIEN:

RESOLVED that a public hearing having been duly held on the special assessment roll for the improvement consisting of WATERMAINS together with the necessary services, hydrants, valves and other necessary appurtenances and underground work in

ASBURY ROAD from Englewood Drive to the South City Limits, and  
WHITFIELD ROAD from Englewood Drive to the South City Limits, and  
in private property

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 special assessment roll does not require any changes or corrections, this City Commission

lying South of a line that commences at the Northeast corner of Lot 361 of Paris Park #1, according to the recorded plat thereof, thence Southerly 12.23 feet on a 3474 foot Radius Curve to the Right, the Chord of which bears South  $1^{\circ}59'20''$  West 12.23 feet, thence Southerly 22.78 feet on a 35 foot Radius Curve to the Right, the Chord of which bears South  $20^{\circ}44'10''$  West 20.38 feet; thence Southerly 74.04 feet on a 50 foot Radius Curve to the Left, the Chord of which bears South  $3^{\circ}02'20''$  East 67.46 feet, to the Westerly line of Asbury Road being the place of beginning thence Easterly 72.08 feet on said 50 foot Radius Curve to the Left, the Chord of which bears South  $86^{\circ}45'40''$  East 66.0 feet to the Easterly line of Asbury Road as platted, to the place of ending, and

lying North of a line that commences at a point on the West line of Asbury Road 29 feet North of the Southeast corner of Lot 360 Paris Park #1 as platted thence Easterly to a point on the Easterly line of Asbury Road 30 feet North of the Southwest corner of Lot 369 Paris Park #1, reserving a 20 foot easement for public utilities within the vacated parcel, the centerline of which easement is specifically described as follows:

Commencing at a point on the South line of said Paris Park #1 153.06 feet North  $86^{\circ}38'$  West from the Southeast corner of Lot 370, thence North  $4^{\circ}33'55''$  East over the above vacated parcel, and

All that part of WHITFIELD ROAD in the City of East Grand Rapids, Kent County, Michigan.

lying South of a line that commences at the Northeast corner of Lot 373 of Paris Park #1, according to the recorded plat thereof, thence Southerly 16.29 feet on a 666 foot Radius Curve to the Left, the Chord of which bears South  $6^{\circ}34'40''$  West 16.28 feet, thence Southerly 21.22 feet on a 35 foot Radius Curve to the Right, the Chord of which bears South  $23^{\circ}14'35''$  West 20.89 feet; thence Southerly 78.10 feet on a 50 foot Radius Curve to the Left, the Chord of which bears South  $4^{\circ}08'25''$  East 70.40 feet, to the Westerly line of Whitfield Road to the place of beginning thence Easterly 72.12 feet on said 50 foot Radius Curve to the Left, the Chord of which bears North  $89^{\circ}47'20''$  East 66.03 feet to the Easterly line of Whitfield Road as platted, to the place of ending, and

lying North of a line that commences at a point on the West line of Whitfield Road 28 feet North of the Southeast corner of Lot 372 Paris Park #1 as platted thence Easterly to a point on the Easterly line of Whitfield Road 27 feet North of the Southwest corner of Lot 378 Paris Park #1, reserving a 20 foot easement for public utilities within the vacated parcel, the centerline of which easement is specifically described as follows:

Commencing at a point on the South line of said Paris Park #1 154.33 feet North  $86^{\circ}38'$  West from the Southeast corner of Lot 377, thence North  $7^{\circ}33'45''$  West over above vacated parcel.

FURTHER RESOLVED that in the opinion of this Commission the vacating of said portions of said streets is a necessary public improvement and a necessary public convenience;

FURTHER RESOLVED that the Clerk of this City is hereby directed to record a certified copy of this resolution with the Kent County, Michigan, Register of Deeds and to forward a certified copy of this resolution to the State Treasurer of the State of Michigan together with his certificate giving the name or names of the plat or plats affected by this resolution.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

298. Pierce-Clary. That the following resolution be adopted:

WHEREAS, it is hereby determined that it is necessary to borrow the sum of Two Hundred Thirty-five Thousand (\$235,000.00) Dollars in anticipation of the collection of taxes for capital improvement for the next succeeding fiscal year ending June 30, 1975, which taxes are first due and payable on July 15, 1974, for the purpose of obtaining funds for capital improvements; and

WHEREAS, Act No. 202 of the Public Acts of Michigan, 1943, authorizes the borrowing of money in anticipation of the collection of the unpaid tax for such capital improvements as can be legally and properly provided for in the budget for the appropriate fiscal year, in an amount not to exceed the sum or sums provided in the resolutions to be levied for such improvement or improvements; and

WHEREAS, outstanding loans against next succeeding fiscal year's taxes for capital improvement are \$100,000.00.

NOW, THEREFORE, BE IT RESOLVED that the City of East Grand Rapids borrow for the above purpose the sum of Two Hundred Thirty-five Thousand (\$235,000.00) Dollars, or such part thereof as the Municipal Finance Commission may authorize, and issue the note of the City therefor in anticipation of the collection of the taxes for capital improvement for the next succeeding fiscal year ending June 30, 1975; and

BE IT FURTHER RESOLVED that the City Clerk be, and he is, hereby authorized to make application to the Municipal Finance Commission, for and on behalf of the City, for an order permitting the City to borrow \$235,000.00 and issue its note therefor as aforesaid; and

BE IT FURTHER RESOLVED that said note bear interest at not to exceed six per cent (6%) per annum, be dated April 1, 1974, and be due and payable April 1, 1975, without option of prior redemption; and

BE IT FURTHER RESOLVED, irrevocably, that a tax shall be levied in an amount equal to the principal of and interest on the aforesaid note in the next succeeding fiscal year for the purpose of paying capital improvement costs for which the above loan is to be made and that such loan shall be paid from the receipts of said taxes levied for capital improvements for the said next succeeding fiscal year; and

BE IT FURTHER RESOLVED that hereafter from the first collections of the taxes for the next succeeding fiscal year there shall be set aside in a special fund to be used for the payment of principal and interest on said note that per cent of such collection which the tax levied for capital outlay bears to the total levy, and until the amount so set aside shall be sufficient for such payment, collections of such taxes to be so set aside shall be used for no other purpose; and

BE IT FURTHER RESOLVED that the said note shall be payable in lawful money of the United States of America at such bank or trust company in the State of Michigan qualified to act as paying agent as shall be designated by the original purchaser, with the approval of the City Commission; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of East Grand Rapids be, and they are, hereby authorized and directed to execute said note for and on behalf of the City, and that upon the execution of said note, the same shall be delivered to the Treasurer of the City, who is authorized and directed to deliver said note to the purchaser thereof upon the receipt of the purchase price therefor; and

BE IT FURTHER RESOLVED that the said note shall be sold at public sale, that sealed proposals for the purchase of said \$235,000.00 note be received on a date and time to be hereafter determined, and that notice thereof be published in accordance with law in the Michigan Investor, Detroit, Michigan, and The Grand Rapids Press, a newspaper of general circulation in said City, which notice shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$235,000.00

CITY OF EAST GRAND RAPIDS  
COUNTY OF KENT, STATE OF MICHIGAN

## TAX ANTICIPATION NOTE

Sealed bids for the purchase of the above note will be received by the undersigned at the City Hall, 750 Lakeside Drive, SE, East Grand Rapids, Michigan 49506, until \_\_\_\_\_ o'clock \_\_\_\_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 1974, at which time and place they will be publicly opened and read.

The note will be dated April 1, 1974, will mature without option of prior redemption April 1, 1975, and will bear interest at a rate or rates not exceeding six per cent (6%) per annum. Both principal and interest will be payable at a bank or trust company located in the State of Michigan qualified to act as paying agent, to be designated by the purchaser. Said note may be delivered in such denominations as may be designated by the purchaser. Accrued interest to date of delivery of such note must be paid by the purchaser at the time of delivery.

For the purpose of awarding the note the interest cost of each bid will be computed by determining, at the rate or rates specified therein, the total dollar value of all interest on the note from \_\_\_\_\_ to its maturity, and deducting therefrom any premium. The note will be awarded to the bidder whose bid on the above computation produces the lowest interest cost to the City. No proposal for the purchase of less than the full note or at a price less than its par value will be considered.

The loan is in anticipation of the capital improvement tax due and payable July 15, 1974.

Envelopes containing the bids should be plainly marked "Proposal for Note".

A certified or cashier's check in the amount of \$4,700.00, drawn upon an incorporated bank or trust company and payable to the order of the Treasurer of the City of East Grand Rapids must accompany each bid as a guaranty of good faith on the part of the bidder. Checks of unsuccessful bidders will be promptly returned.

Bids shall be conditioned upon the unqualified opinion of Miller, Canfield, Paddock & Stone, attorneys of Detroit, Michigan, the cost of which shall be paid by the City. The City shall furnish the note ready for execution at its expense. The note will be delivered at a place agreed upon by the purchaser.

The right is reserved to reject any or all bids.

\_\_\_\_\_  
Clerk, City of East Grand Rapids

APPROVED: \_\_\_\_\_  
STATE OF MICHIGAN  
MUNICIPAL FINANCE COMMISSION

BE IT FURTHER RESOLVED that the City Clerk be, and he is, hereby authorized and directed to forward the foregoing notice of sale to the Municipal Finance Commission, Lansing, Michigan 48922, for its approval; that upon receipt of said approval he is hereby authorized to determine and fix the time of receiving bids for the purchase of said note, the date from which interest will be computed in awarding the note, to insert such time in the notice of sale, and to publish the approved form of notice of sale in accordance with the law; and

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as the same may be in conflict herewith are hereby rescinded.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

298-A. Cooper-Remien. That this resolution be amended by striking the words "without option of prior redemption" and replacing them with the words "with right of prior redemption upon 90 day written notice". This change would occur in the third paragraph of page 2.

A roll call vote was taken:

Yeas: Cooper, Pierce, Robberson - 3  
Nays: Clary, Remien, Stoppels, Baxter - 4

The motion to amend failed.

298-B. A roll call vote was then taken on adoption of the main resolution as set forth in 298 above:

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

299. A petition from residents on Croswell requesting City Commission action to get Lake Drive Baptist Church to improve the condition of their vacant lot north of the church. Several residents were present to discuss this issue with the Commission.

299-A. Remien-Stoppels. That the City staff be instructed to clean this vacant lot and make the necessary corrections in drainage with the understanding that the church will be billed for the cost of this work.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

300. A letter from Mr. J. Brock Albert suggesting that the City contract with Williams & Works for performing field surveys in Paris Road Uplands plat was received and filed.

301. The City Manager submitted a revised zoning ordinance which was recommended by the Planning Commission. The City Manager was instructed to place this item on the agenda for consideration at the next meeting.

302. The Planning Commission recommended that the contract with Vilican-Leman & Associates, Inc. be revised from a flat monthly charge of \$400 per month to \$350 per meeting attended.

302-A. Remien-Stoppels. That the Mayor and Clerk be authorized to sign the revised contract with Vilican-Leman & Associates, Inc.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

303. The City Manager requested authorization to issue a purchase order in the amount of \$2,235.00 for the repair of a sewer at 2626 Beechwood Drive.

303-A. Robberson-Pierce. That the request of the City Manager be approved.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

304. The City Manager requested authorization to issue a purchase order in the amount of \$1,673.50 for the purpose of obtaining revised copies of the East Grand Rapids Ordinance Code.

304-A. Clary-Stoppels. That the request of the City Manager be approved.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

305. The Chamber of Commerce submitted through AGRAG a request for metropolitan city participation in the Economic Development budget in the amount of \$606.13.

305-A. Mayor Baxter-Robberson. That the contribution of \$606.13 as requested by the Chamber of Commerce be approved.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

306. A notification from the Michigan Week Committee of Mayor Exchange Day pairings was received and filed. The Mayor stated that he does not plan to participate in the program because of a conflicting engagement. The City Manager was instructed to so inform the Mayor Exchange Committee.

307. Communications regarding the Gilmore property were received and filed.

308. A letter from the Grand Rapids Urban League, Inc., requesting that the City adopt an Affirmative Action Program for the hiring of minorities was received.

Mayor Baxter invited Mr. Paul Phillips to our next commission meeting to explain this program.

309. A letter from Mrs. Myrtle B. Starr, Chairman of the Historical Commission, requesting authorization to spend up to \$500 for expenses to prepare the exhibit at the Grand Rapids Museum.

309-A. Pierce-Robberson. That the Historical Commission be authorized to spend up to \$500 for this project.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

310. Reports from the Fire Department, Police Department, and Building Inspector for the month of February, 1974, were received and filed.

311. Commissioner Cooper recommended the appointment of Janet Bacon as editor of the Comment.

311-A. Cooper-Remien. That Janet Bacon be appointed editor of the Comment.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

312. Commissioner Stoppels recommended that a letter of appreciation be sent to Mrs. David Slawson who was interviewed and indicated interest in the editorship of the Comment.

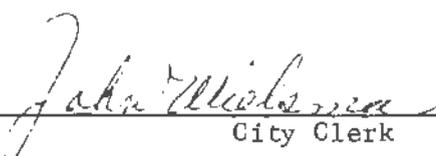
313. Cooper-Pierce. That expense vouchers in the amount of \$766,781.54, and payroll vouchers in the amount of \$23,589.70 as approved by the Ways & Means Committee be approved and the Controller be authorized to draw an order on the Treasurer for their respective amounts.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

314. Commissioner Stoppels reported on a recent meeting of the Solid Waste Disposal Advisory Committee, Department of Public Works, regarding landfill operations.

315. Mayor Baxter reported that the next meeting of AGRAG will be on March 20, 1974, at 12:00 noon at Bylsma's Pancake House.

316. The meeting was adjourned at 9:55 p.m., subject to the call of the Mayor, until March 25, 1974.

  
City Clerk

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

Regular Meeting Held March 25, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Cooper, Remien, Stoppels, Robberson, and Mayor Baxter.  
Absent: Com. Clary.

317. The minutes of the meeting held March 11, 1974 were approved as written.

318. Mr. Paul Phillips was present to explain the purposes of the Grand Rapids Urban League's Affirmative Action Program. He urged the Commissioners to adopt such a program for the City of East Grand Rapids. Mayor Baxter requested the administrative staff to obtain drafts of resolutions passed by other governmental units to be used as guides in the consideration of such a resolution for the City.

319. Mr. David F. Carpenter requested a marina license for 518 Lakeside Drive, SE, for the estate of Joseph Navin.

319-A. Stoppels-Cooper. That the estate of Joseph Navin be granted a license to operate a marina not to exceed 25 boats at 518 Lakeside Drive, SE, in accordance with the application filed with the City.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

320. The City Manager commented on a report from the Natural History Resources Development Committee which was received for information. Mrs. Barbara Hoag, a member of this committee, also commented on this report and requested direction as to how the committee should proceed. She suggested that a knowledgeable person be hired and shared between the Public Schools and City to supervise and operate a Natural History Center. It was recommended that the Committee develop plans and specifications for the use of Hodenpyl Woods as a nature study area including path layout, markers, benches, bridges, and a job description, educational requirements, time, salary, and that the committee suggest names of individuals for such position.

321. Mayor Baxter recommended that the consideration of the proposed revised zoning ordinance be deferred to another meeting to permit the commissioners more time to review it more fully.

322. A financial report for an eight month period ending February 28, 1974 was received and filed.

323. The City Manager stated that a letter was received from the Greater Grand Rapids Chamber of Commerce conveying its appreciation to the City of East Grand Rapids for the adoption of the resolution agreeing to participate financially in the Economic Development Program.

324. The City Manager reported on bids which were received for the dry cleaning needs of the Police and Fire Departments and recommended that the low bidder, Sheldon Cleaners, be awarded the contract.

324-A. Cooper-Pierce. That the recommendation of the City Manager be concurred in and the contract awarded to Sheldon Cleaners.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

325. Cooper-Pierce. That expense vouchers in the amount of \$49,412.97, and payroll vouchers in the amount of \$22,849.20, 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.

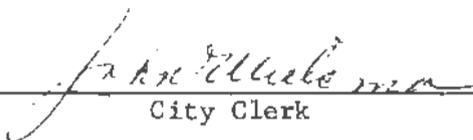
Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

3/25/74

326. The City Manager reported that the Administrative Staff is investigating the feasibility of refinancing the costs of repairing the Municipal Complex through the sale of Building Authority Bonds and that a meeting will be scheduled with Miller, Canfield, Paddock and Stone to discuss this method of financing.

327. Pierce-Robberson. That this meeting be adjourned, subject to the call of the Mayor, until April 1, 1974.

Yeas: Pierce, Cooper, Remick, Stoppels, Robberson, Baxter - 6  
Nays: 0

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

UNOFFICIAL  
Reference Only

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

Special Meeting Held April 1, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Cooper, Remien, Clary, Robberson, and Mayor Baxter.  
Absent: Com. Stoppels.

327. The following preamble and resolution were offered by Commissioner Robberson and supported by Commissioner Clary:

WHEREAS, April 1, 1974, at 7:30 o'clock p.m., Eastern Time, has been set as the date and time for opening bids for the purchase of \$235,000.00 Tax Anticipation Notes, of the City of East Grand Rapids, County of Kent, Michigan;

AND WHEREAS, said bids have been publicly opened and read;

AND WHEREAS, the following bids have been received;

<u>Bidder</u>	<u>Maturity</u>	<u>Interest Rate</u>	<u>Premium</u>
Old Kent Bank & Trust Co.	4/1/75	4.75%	None
Union Bank & Trust Co.	4/1/75	4.88%	None

AND WHEREAS, the bid of Old Kent Bank & Trust Company has been determined to produce the lowest interest cost to the City;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bid of Old Kent Bank & Trust Company, as above stated, be and the same is hereby accepted.
2. Checks of the unsuccessful bidders be returned to each bidder's representative or by registered mail.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

A roll call vote was taken:

Yeas: Pierce, Cooper, Remien, Clary, Robberson, Baxter - 6  
Nays: 0

Commissioner Stoppels arrived at this time.

328. The proposed revised Zoning and Planning Ordinance was discussed by the Commissioners. Concern was expressed over Article 15 which provides for a separate Board of Zoning Appeals.

328-A. Clary-Robberson. That the City Attorney be directed to modify Article 15 to provide that the City Commission will act as the Board of Zoning Appeals.

A roll call vote was taken:

Yeas: Clary, Cooper, Pierce, Robberson - 4  
Nays: Remien, Stoppels, Baxter - 3

The motion carried.

328-B. Article 7 entitled "Commercial District C-1" was discussed and it was requested that in Section 5.71 that "Supply Group" Item 6 presently entitled "Auto Accessories" be changed to "Sporting Goods".

4/1/74

328-C. Robberson-Clary. That Item 6 under "Supply Group" be changed from "Auto Accessories" to "Sporting Goods".

Yeas: Pierce, Cooper, Stoppels, Remien, Clary, Robberson, Baxter - 7  
Nays: 0

328-D. Section 5.29 entitled "Temporary Use of Mobile Homes" was discussed and the wording "Act of God" should be revised to read "By flood, fire, or natural catastrophe".

Section 5.12 entitled "Map" was discussed and it was the consensus of the Commission that up to date zoning maps be prepared and included in the new Zoning Ordinance, and also made available for public distribution.

Section 5.102 entitled "Permitted Uses" was discussed and it was recommended that the Planning Commission not be given the authority to make final decisions on applications for zoning variances but that they should be given the authority to review such applications and make recommendations to the City Commission, acting as the Board of Zoning Appeals.

328-E. Cooper-Clary. That the City Attorney be directed to make these necessary changes in Section 5.102.

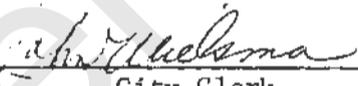
A roll call vote was taken:

Yeas: Pierce, Cooper, Stoppels, Remien, Clary, Robberson, Baxter - 7  
Nays: 0

329. Commissioner Stoppels stated that he had received a call from an irate citizen relative to the City conducting a housing inspection and suggested that publicity be given in the local newspapers relative to the Fire Department conducting such an inspection on houses in East Grand Rapids.

330. The City Manager reported that the Department of Natural Resources is planning to hold a public hearing at 7:00 p.m., on April 29th for the purpose of hearing persons in favor of or objecting to the Department issuing a permit to the Grand Rapids Yacht Club for use of Reeds Lake for sailboat races.

331. The meeting was adjourned at 9:15 p.m., subject to the call of the Mayor, until April 8, 1974.

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

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

Regular Meeting Held April 8, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Cooper, Remien, Robberson, and Mayor Baxter.

Absent: Coms. Pierce, Clary, and Stoppels.

332. The minutes of the Regular meeting held March 25, 1974, and the Special meeting held April 1, 1974 were approved as written.

333. A report of bids which were received March 26, 1974 for the improvement of Oxford and Tenway and for the sanitary sewer reconstruction in Oxford Road were distributed to the Commissioners. Action on the bids will be taken at a subsequent meeting.

334. The Clerk advised that the proposed assessment roll for the improvement of Oxford and Tenway had been prepared and is on file and he recommended that the matter be set for hearing.

334-A.

BY COMMISSIONERS COOPER-REMIEN:

RESOLVED, that the special assessment roll for the improvement consisting of grading, proper base, asphalt wearing surface, combination curb and gutter, concrete drive approaches, necessary concrete sidewalks, 12-inch storm drain, catch basins, and other necessary appurtenances and underground work on

OXFORD ROAD from Englewood Drive to South City Limits, and  
TENWAY DRIVE from Englewood Drive to Oxford Road

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 22, 1974, 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.

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 set hearing.

Yeas: Cooper, Remien, Robberson, Baxter - 4

Nays: 0

335. The proposed new zoning ordinance was discussed. The City Attorney submitted proposed changes to this ordinance.

335-A. Robberson-Cooper. That a hearing be held on the proposed new zoning ordinance on May 6, 1974 at 7:30 p.m. in the East Grand Rapids City Hall and that notice of this hearing be published in the Grand Rapids Press.

Yeas: Cooper, Remien, Robberson, Baxter - 4

Nays: 0

336. A communication was received from the Michigan Municipal League relative to a meeting of Region V which will be a workshop of particular interest to newly elected and appointed officials. This meeting will be held in the City of Grand Haven on Thursday, April 25, 1974. The City Manager requested that all Commissioners interested in attending this meeting notify him this week.

337. A statistical report from Project Rehab was received and filed.

338. A resolution from the City of Kentwood opposing the Kent County Library Support Formula for their municipality was received and filed.

339. The proposed Comment was reviewed. There were a few recommended changes.

339-A. Robberson-Cooper. That authorization be given to publish the Comment as amended.

Yeas: Cooper, Remien, Robberson, Baxter - 4  
Nays: 0

340. The City Manager reported that he had received a letter from Mr. John Gilmore requesting that a date of April 22, 1974 be set for a hearing to discuss a variance to renovate the property which he purchased at 529-531 Greenwood, SE, commonly known as the Burleson Hospital property to be used for office space.

340-A. Cooper-Remien. That this letter be referred to the City Attorney for review and report back at the next meeting.

Yeas: Cooper, Remien, Robberson, Baxter - 4  
Nays: 0

341. Minutes of the Traffic Commission meeting held March 26, 1974 were received and filed.

342. Minutes of the Parks and Recreation Commission meeting held March 19, 1974 were received and filed.

343. Departmental reports from the Police Department, Fire Department, Building Inspector, and a housing inspection report for the month of March were received and filed.

344. Cooper-Remien. That expense vouchers in the amount of \$337,790.64, and payroll vouchers in the amount of \$34,959.59, 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: Cooper, Remien, Robberson, Baxter - 4  
Nays: 0

345. A preliminary report of inspections made at homes within the Maplewood outlet district was received and filed.

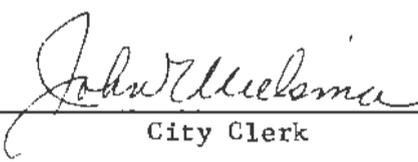
346. The Mayor reminded the Commission of the proclamation he had made designating the week of April 7-13 as Antique Fair Week and encouraged all Commissioners to visit the Antique Fair sponsored by Rotary Club of Grand Rapids East which will be held in the East Grand Rapids High School gymnasium on April 11, 12, 13.

347. The City Manager reported that he had received the resignation of Richard VanderVeen from the Planning Commission and further reported that Bruce Fairbanks has been appointed by the School Board to replace Mr. VanderVeen.

348. There was one resident in attendance at this meeting.

349. Robberson-Cooper. That this meeting be adjourned, subject to the call of the Mayor, until April 22, 1974.

Yeas: Cooper, Remien, Robberson, Baxter - 4  
Nays: 0

  
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City Clerk

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

Regular Meeting Held April 22, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Cooper, Remien, Clary, Stoppels, Robberson, and  
Mayor Baxter.

Absent: None.

349. The minutes of the regular meeting held April 8, 1974 were approved as written.

350. Pursuant to public notice, a hearing was held on the assessment roll for the improvement of Oxford and Tenway. There were no objections raised.

350-A.

BY COMMISSIONERS ROBBERSON-PIERCE:

RESOLVED that a public hearing having been duly held on the special assessment roll for the improvement consisting of grading, proper base, asphalt wearing surface, combination curb and gutter, concrete drive approaches, necessary concrete sidewalks, 12" storm drain, catch basins, and other necessary appurtenances and underground work on

OXFORD ROAD from Englewood Drive to South City Limits, and  
TENWAY DRIVE from Englewood Drive to Oxford Road

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: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

The motion carried.

351. The City Manager reported on bids which were received for the installation of sanitary sewer in Oxford Road.

351-A. Pierce-Clary. That the bid of D.W.D. Contractors, Inc. be accepted and the contract awarded to said company in the amount of \$10,180.70.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

352. The City Attorney submitted an opinion relative to the variance application for the Burlison Hospital property submitted to Mr. John F. Gilmore.

352-A. Mayor Baxter-Robberson. That a hearing be set for May 6 to review the request of Mr. Gilmore. After considerable discussion it was moved by Commissioner Pierce and supported by Commissioner Cooper that this matter be referred to the Planning Commission for their study and recommendation.

The vote on the amendment was as follows:

Yeas: Pierce, Cooper, Remien, Clary, Robberson - 5  
Nays: Stoppels, Baxter - 2

353. A letter was received from the Department of State Highways and Transportation requesting the City to renew the Memorandum of Understanding as it relates to the continuing comprehensive and cooperative transportation planning process that is being carried out under the auspices of the Grand Rapids & Environs Transportation Study.

353-A. Robberson-Stoppels. That the Mayor be authorized to execute the Memorandum of Understanding as it relates to GRETS.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

354. A discussion was held relative to the feasibility of purchasing lots 209, 210, and 1/2 of lot 211 of the Meyering Land Co. Lake Drive Estates Plat, which are located on Beechwood west of Lake Drive.

354-A. Stoppels-Remien. That the City Manager be directed to submit an offer in the amount of twice the assessed value to the seller for this property.

354-B. Robberson-Pierce. That this motion be tabled to permit the City Manager to report on various alternatives for the use of this property.

A roll call vote was taken:

Yeas: Cooper, Pierce, Remien, Robberson - 4  
Nays: Clary, Stoppels, Baxter - 3

The motion carried.

355. The City Manager reported on a resolution relative to Agreeing in Principle to the establishment of a metropolitan transit system.

355-A. Mayor Baxter-Pierce. That the City Manager be requested to contact Mr. James Gunderson, Budget Director of the City of Grand Rapids, to invite him to one of our commission meetings to explain the metropolitan transit system.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

356. A statement was received from Mika, Meyers, Beckett & Jones, the special counsel in the Gilmore property condemnation lawsuit, in the amount of \$7,487.80 for services rendered by their firm through March 25, 1974.

356-A. Cooper-Pierce. That this statement be approved for payment and that the sum of \$7,487.80 be allocated from the contingency fund for this purpose.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

357. A notification from the East Beltline Association of the expiration of the term of Mr. Peter Wege, representing the community interests of East Grand Rapids, was received.

357-A. Pierce-Remien. That Mr. Peter Wege be reappointed as member on the East Beltline Board of Directors.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

358. A communication from the Almanac relative to the annual budget supplement was received.

358-A. Remien-Pierce. That the administrative staff be authorized to publish the budget supplement in the Almanac at a base price of \$1,285 plus \$3 per photo used.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

359. The City Manager reported on progress of the "911" emergency telephone service.

359-A. Mayor Baxter-Clary. That the City Manager be directed to indicate to the City of Grand Rapids the intention of East Grand Rapids to participate in this service.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

360. The City Manager requested authorization to issue a purchase order in the amount of \$1,543.00 for the purpose of purchasing dictating equipment.

360-A. Pierce-Robberson. That the request of the City Manager be granted.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

361. Cooper-Stoppels. That the following proclamation be made:

Dates of the 21st annual Michigan Week will be May 18-25, Mayor John S. Baxter announced today, as he issued a proclamation inviting people to the area to join in the traditional observance.

His proclamation reads as follows:

"That unique celebration known as Michigan Week will soon be here. Michigan Week gives us an opportunity to rally round once again, to demonstrate our pride in our state and in this particular portion of Michigan, our own community.

"Michigan Week includes eight days extending from Saturday through Saturday, and opening with Community Pride Day, May 18. Spiritual Foundations Day is Sunday, May 19; Government Day, Monday, May 20; Heritage Day, Tuesday, May 21; Livelihood Day, Wednesday, May 22; Education Day, Thursday, May 23; Hospitality Day, Friday, May 24; and Youth Day, Saturday, May 25.

"The Michigan Week theme this year is "Michigan - a State for All Seasons", accenting Michigan as a state rich in natural resources for all seasons of the year and for all seasons of life. It spotlights the versatility of Michigan, whose unique setting on two peninsulas offers natives and tourists of every age a wide range of four-season attractions.

"Michigan Week was born in 1953 to help lift our state out of its economic doldrums. Twenty-one years later, as we face a new set of 20th-century problems, let us use Michigan Week 1974 to raise our collective spirits and encourage us to work confidently toward the future. We will strive to make this Michigan Week most effective in our part of Michigan.

"Therefore, I John C. Baxter, Mayor of City of East Grand Rapids, do hereby proclaim May 18 through May 25, 1974, as Michigan Week, and call on our citizens to take honest pride in Michigan's achievements, assets and advantages."

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

362. A financial report for a 9-month period ended March 31, 1974 was received for information.

363. The City Manager reported on a special committee being set up through AGRAG for the purpose of studying the Solid Waste Disposal Plan for the members of AGRAG. He further stated that this committee should advise that an engineering feasibility study be done, the cost of which would be \$500 to the City of East Grand Rapids.

363-A. Pierce-Clary. That the City of East Grand Rapids indicate its willingness to participate in this engineering feasibility study and that \$500 be allocated from the contingency fund for this purpose.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

364. Cooper-Pierce. That expense vouchers in the amount of \$940,907.13, and payroll vouchers in the amount of \$22,705.61, 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: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

365. Commissioner Clary stated that he had received some complaints relative to the condition of Manhattan Road and requested that the staff examine the situation and make the necessary repairs.

366. Commissioner Clary moved and Commissioner Cooper supported that whereas this is National Secretary Week;

BE IT RESOLVED that this Commission extend to the members of the secretarial staff its thanks and appreciation for the service they have rendered during the past year.

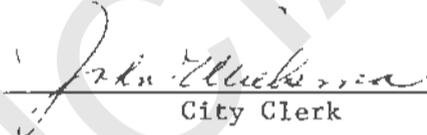
Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

367. Commissioner Stoppels requested that a work session be established for the commissioners at which time he could discuss with them the situation that exists with East Grand Rapids Library relative to those persons who are utilizing our library who are not contributing toward its support.

368. There were 26 residents in attendance at this meeting.

369. Clary-Robberson. That the meeting be adjourned at 9:13 p.m., subject to the call of the Mayor, until May 6, 1974.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

  
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City Clerk

UNOFFICIAL Reference Only

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

Regular Meeting Held May 6, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Cooper, Clary, Stoppels, Robberson, and Mayor Baxter.  
Absent: Com. Remien.

370. The minutes of the regular meeting held April 22, 1974 were approved as written.

371. Pursuant to public notice, a hearing was then held upon the request of Mr. and Mrs. Bruce Bieneman, 2814 Woodcliff Circle, SE, to permit the construction of a garage 15 ft. from their rear lot line. There were no objections raised.

371-A. Clary-Robberson. That this Commission, acting as the Board of Zoning Appeals, approve the request of Mr. and Mrs. Bieneman.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

372. Mr. Larry J. Mulligan of 3027 Lake Drive, SE, requested permission to install a 12 ft. high fence around a platform tennis court on his property.

372-A. Cooper-Clary. That this matter be tabled for two weeks and that the City Clerk be directed to notify the immediate neighbors of this request.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

373. Pursuant to published notice in the Grand Rapids Press, a hearing was then held on the proposed new zoning ordinance. The City Attorney submitted a memorandum containing his recommendations as to the necessity for including a definition of "family" in the proposed new zoning ordinance. No citizens were present to submit objections or comments.

373-A. Clary-Stoppels. That this proposed new zoning ordinance be introduced and placed on first reading for consideration by the Commission at a future meeting.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

374. Petitions for the improvement of Cambridge Blvd. were received from residents living between Franklin Street and Lake Drive. There were four residents present who favored this improvement.

374-A. Pierce-Clary. That the City Manager be directed to include this item in the 1974-75 budget considerations with an analysis of the cost differential as it relates to the proposed widening of the boulevard by one foot as compared to leaving this street the width it presently is.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

375. The City Manager discussed the proposed Agreement with the East Grand Rapids Police Officers' Association for the fiscal year beginning July 1, 1974.

375-A. Clary-Stoppels. That this Commission ratify the collective bargaining contract between the City and the Police Officers' Association.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

376. The City Manager requested authorization to issue a purchase order for a dump body at a cost of \$1,488.00.

376-A. Stoppels-Clary. That the request of the City Manager be granted.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

377. The City Manager discussed the contents of House Bill 5967 and Senate Bill 1306 relative to State Revenue Sharing Enrichment and suggested that the Commission indicate to their legislators their support of these bills.

377-A. Cooper-Stoppels.

WHEREAS, East Grand Rapids has experienced the devastating effects of rapidly increasing costs of personal services as well as materials and supplies; and

WHEREAS, we find that statutes of the State of Michigan impose severe constraints upon the ability of the local legislative body to provide revenues necessary to carry on essential municipal services; and

WHEREAS, the legislature of the State of Michigan apparently has under consideration two proposals (H.B. 5967 and S.B. 1306) which propose to increase by \$27,000,000 capital state tax revenues earmarked for municipalities;

NOW, THEREFORE, BE IT RESOLVED that the East Grand Rapids City Commission in session assembled this 6th day of May, 1974, does most heartily endorse favorable consideration of these bills; and

BE IT FURTHER RESOLVED that the City Clerk be directed to send copies of this resolution to Representative Bobby Crim, Senator Milton Zaagman, Senator Robert VanderLaan, Representative Peter Kok, Governor Milliken, Representative George Montgomery, and Senator Harry DeMaso.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

378. The City Manager reported on bids which were received for the fencing of the Remington ball field area.

378-A. Cooper-Pierce. That the outfield fence be eliminated from the specifications and that the City Manager be authorized to proceed with obtaining revised quotations from the bidders.

A roll call vote was taken:

Yeas: Cooper, Pierce - 2  
Nays: Clary, Robberson, Stoppels, Baxter - 4

The motion failed.

378-B. Clary-Robberson. That the City Manager be directed to check with the bidders and obtain revised quotations on the bids as specified and that he be given the authority to act upon the low bid.

A roll call vote was taken:

Yeas: Clary, Cooper, Pierce, Robberson, Baxter - 5  
Nays: 0  
Commissioner Stoppels abstained.

The motion carried.

379. The City Manager discussed a proposed signal maintenance agreement with the City of Grand Rapids. This matter was referred to the City Attorney for study and recommendation.

380. A letter was received from VandenBosch, McVoy, Peterson & Ruoff, Inc. expressing their interest in being given the opportunity to provide a quotation to the City on its upcoming proposed insurance package.

5/6/74

381. The Mayor discussed the financial disclosure law which is in committee in the legislature which is proposed to call for the disclosure of holdings on the part of any candidate for the elected office of any municipality.

382. Reports for the month of April from the Fire Department, Police Department, Building Inspector, and minutes of the Planning Commission, and Parks and Recreation Commission were received and filed.

383. A letter from the National Safety Council notifying the City that it had won first place in the 1973 National Fleet Safety Contest as far as our police fleet is concerned. An award plaque will be presented on Wednesday, October 2, 1974.

384. Commissioner Stoppels suggested that the Traffic Commission consider the feasibility of painting parking areas on Wealthy in front of Remes and Flowers by Maureen for the purpose of designating spaces for parallel parking.

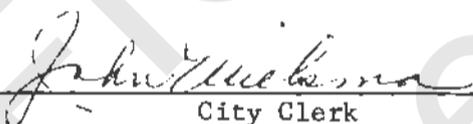
385. Clary-Pierce. That expense vouchers in the amount of \$149,785.62, and payroll vouchers in the amount of \$42,715.86, as approved by the Ways & Means Committee be allowed and the Controller be authorized to draw an order on the Treasurer for their respective amounts.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

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

387. Clary-Stoppels. That this meeting be adjourned, subject to the call of the Mayor, until May 20, 1974.

Yeas: Pierce, Cooper, Clary, Stoppels, Robberson, Baxter - 6  
Nays: 0

  
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City Clerk

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

Regular Meeting Held May 20, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Cooper, Remien, Clary, Stoppels, Robberson, and  
Mayor Baxter.

Absent: None.

388. The minutes of the regular meeting held May 5, 1974 were approved as written.

389. The request of Mr. Larry G. Mulligan, 3027 Lake Drive, for permission to erect a 12 ft. fence around a platform tennis court as per a plan submitted to the Commission was discussed. A letter was received from Jr. Joe Heerspink objecting to the construction of this platform tennis court. Mr. Ward Heine of 3009 Lake Drive, SE, was present and objected to the location of this platform tennis court. After further discussion Mr. Mulligan and Mr. Heine were asked to meet to discuss a possible compromise.

389-A. Clary-Robberson. That this request be tabled until later in the meeting.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

390. A letter from the Planning Commission regarding the request of Mr. John Gilmore for a zoning variance for 529-531 Greenwood was received.

390-A. Robberson-Stoppels. That a public hearing be scheduled for June 3, 1974 for the purpose of considering Mr. Gilmore's request.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

391. Mr. Edmundson of the Grand Rapids Transit Authority staff was present to discuss proposals for the metropolitan transit system.

391-A. Cooper-Stoppels. That the following Agreement In Principle be adopted:

WHEREAS the citizens of the Grand Rapids metropolitan area need and deserve a reasonable level of public transit service, and

WHEREAS certain segments of the metropolitan population depend wholly on public transit for basic transportation needs, and

WHEREAS the current energy crisis will require improved public transportation service to meet the basic transportation needs of the general public, and

WHEREAS the Grand Rapids Transit Authority is currently preparing a plan and program for metropolitan transit service,

NOW, THEREFORE, BE IT RESOLVED that the City of East Grand Rapids, as part of the metropolitan transit service area, supports the concept of a metropolitan transit system; and

BE IT FURTHER RESOLVED that the City of East Grand Rapids agrees in principle to financially support capital costs, net operating deficits and capital replacement costs of an agreed-upon transit system based on vehicle miles of service within the City of East Grand Rapids.

Yeas: Pierce, Cooper, Remien, Stoppels, Baxter - 5  
Nays: Clary, Robberson - 2

392. The proposed zoning ordinance which was introduced on May 6, 1974, (Item 373-A) and on which a public hearing has been held was considered. The City Attorney suggested certain revisions in the proposed ordinance and these were discussed.

392-A.

BY COMMISSIONERS REMIEN-PIERCE:

WHEREBY this City Commission has considered a proposed amended zoning ordinance and has caused a notice of public hearing thereon to be published and has held a public hearing on said proposed ordinance on May 6, 1974; and

WHEREBY this Commission as a result of said consideration and hearing has determined that certain changes and corrections should be made therein;

RESOLVED that the following changes and corrections be made in the proposed new zoning ordinance as considered by this Commission at the meeting held on May 6, 1974, viz:

Section 5.4 (8) Delete "of ceiling" from the third line thereof.

Section 5.4 Insert following subsection (14) the following definition of family:

"(14a) Family. For all purposes under this ordinance a family shall be considered to include (1) a group of persons related by blood, marriage or legal adoption living together as a single housekeeping unit in a dwelling unit, and (2) an individual living alone or not more than two adult unrelated persons of the same sex occupying a dwelling unit. Additional persons may be housed with a family in a dwelling unit only in compliance with all provisions of Chapter 83 - Housing Regulations of the Code of the City of East Grand Rapids."

Section 5.47 Add subsection (7) as follows:

"(7) Any provisions of this ordinance notwithstanding occupancy of dwelling units by persons not included within the definition of "family" under Section 5.4 (14a) hereof, shall be permitted only if such occupancy is in compliance with the applicable provisions of Chapter 83 - Housing Regulations of the Code of the City of East Grand Rapids.

Section 5.71 Under Supply Group delete "(6) Auto Accessories" and insert "(6) Sporting Goods Store".

Section 5.163 following Section 5.162 add Section 5.163 reading as follows:

"5.163. Rules of Procedure. The Board shall adopt rules of procedure. These rules shall be available for public inspection at the office of the Board. The following are required:

(1) Meetings shall be held at the Municipal Offices and shall be open to the public.

(2) The presence of six (6) members shall constitute a quorum, and it shall take a concurring vote of five (5) members to reverse an order or decision of the Building Inspector, Planning Commission, or any other official to whom authority is granted by this Ordinance to decide on any matter upon which it is required to pass by this Ordinance or to grant a variance from the provisions hereof.

(3) A record of the proceedings of each meeting shall be kept by the Board, relating evidence presented by the applicant and the resolution by the Board, the vote of each member on each question, or, if absent or failing to vote, indicating such fact. These shall be a public record and immediately filed in the office of the Board.

(4) The Board shall receive reasonable assistance from other departments in carrying out the functions of the Board.

A roll call vote was taken:

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

The motion carried.

392-B. Clary-Remien. That the following ordinance be adopted:

AN ORDINANCE TO AMEND CHAPTER 39 - ZONING  
OF TITLE V OF THE CODE OF THE  
CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains:

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

TITLE V - ZONING AND PLANNING

Chapter 39 - Zoning

ARTICLE I - TITLE AND PURPOSE

5.1. Short Title. This Ordinance shall be known as the "Zoning Ordinance of the City of East Grand Rapids."

5.2. Purpose. In interpretation and application, the provisions of this Chapter shall be held to be minimum requirements adopted for the promotion of the public health, safety, and for the encouragement of the orderly growth of the East Grand Rapids Community as well as the general welfare. Such provisions are intended to provide for adequate light, air and convenience of access, to secure safety from fire and other dangers and to avoid undue concentration of population by regulating and limiting the height and bulk of buildings wherever erected; by limiting and determining the size of yards, courts and other open spaces, also regulating the density of population, and by regulating and restricting the location of uses and buildings, in relation to traffic and parking needs.

5.3. Scope. It is not intended to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or provisions of the East Grand Rapids code, except those specifically repealed by this Ordinance, or of any private restrictions placed upon property by covenant, deed, or other private agreement. Where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or lot coverage, or requires greater lot areas, or larger yards, courts, or other open spaces than are imposed or required by such existing provisions of the law, provisions of East Grand Rapids code or by such rules, regulations, or permits by such private restrictions, the provisions of this Ordinance shall control.

ARTICLE 2 - DEFINITIONS

5.4. Definitions. For the purpose of this Chapter certain terms are defined as follows:

- (1) ACCESSORY BUILDING: A detached subordinate building, the use of which is appropriate, subordinate, and customarily incidental to that of the main building or premises.
- (2) ACCESSORY USE: A use on the same lot with, and of a nature customarily incidental and subordinate to, the principal use.
- (3) ALLEY: A strip of land over which there is a right-of-way, public or private, on which generally no dwelling or other land uses front, serving as a rear entrance to one or more properties.
- (4) AUTOMOBILE SERVICE STATION OR FILLING STATION: A place where gasoline, kerosene, or any other fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, including sale of accessories, greasing, oiling and light motor and general repair service on the premises.
- (5) BOARD: The Board of Zoning Appeals for the City of East Grand Rapids, Michigan.

(6) **BOARDING OR LODGING HOUSE OR ROOMING HOUSE:** A dwelling having one or more kitchens and primarily used for the purpose of providing meals or lodging or both meals and lodging to persons not members of a natural family for compensation of any kind.

(7) **BUILDING:** Any enclosed structure having a roof supported by columns, walls, or other support used for the purpose of housing or storing of persons, animals or chattels or carrying on business activities or other similar uses.

(8) **BUILDING - HEIGHT OF:** The vertical dimension measured from the average elevation of the finished lot grade at the front of the building, to the highest point of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the average height between the plate and ridge of a gable, shed, warped, hip or gambrel roof. When the lot is so developed as to permit a walkout level at the rear of the structure, the height shall be measured from the average elevation of the finished lot grade at the rear of the building.

(9) **CARPORT:** Any roofed structure or shelter or portion of a building (open on two or more sides) which may or may not be attached to a dwelling, other than an attached or detached garage, used for the purpose of storing motor vehicles.

(10) **COMMERCIAL VEHICLE:** Any motor vehicle, other than a motor cycle or passenger automobile, designed or used primarily for transportation of persons or property.

(11) **COURT:** An open unoccupied space, other than a yard, on the same lot with a building and bounded on two (2) or more sides by such building or buildings.

(12) **DAY NURSERY:** An agency, institution or person providing day care for a group of three (3) or more children for remuneration.

(13) **DWELLING OR APARTMENT:** A building or portion thereof, designed or used exclusively as a residence or sleeping place for one or more persons, including one-family, two-family, and multiple dwellings, apartment hotels, apartment houses, boarding and lodging houses, but not including hotels, motels, motor hotels, tourist rooms, mobile homes or trailers.

(a) **Dwelling Unit or Apartment Unit:** A room or a suite of rooms designed for occupancy by one (1) family only.

(b) **Two family or duplex:** A building containing two (2) dwelling units.

(c) **Multiple Dwelling or Apartment:** A building or portion thereof, containing three (3) or more dwelling units.

(14) **ESSENTIAL SERVICES:** Essential services shall be deemed to mean and include services provided by public utilities, municipal governments or commissions or any governmental agencies including underground or overhead gas, electrical, steam or water transmission or distribution system, collection, communication, supply or disposal system, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, electric substations, telephone exchange buildings, gas regulator stations, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of utility service by such public utilities, municipal departments, commission or any governmental agencies, or for the public health, safety or welfare.

(14a) **FAMILY:** For all purposes under this ordinance a family shall be considered to include (1) a group of persons related by blood, marriage, or legal adoption living together as a single housekeeping unit in a dwelling unit, and (2) an individual living alone or not more than two adult unrelated persons of the same sex occupying a dwelling unit. Additional persons may be housed with

a family in a dwelling unit only in compliance with all provisions of Chapter 83 - Housing Regulations of the Code of the City of East Grand Rapids.

(15) FRONTAGE: The total length along which a parcel of land fronts a street measured along the line where the property abuts the street line.

(16) GARAGE, PRIVATE: A detached accessory building or portion of a building used primarily for the parking or storage of passenger vehicles used by the occupants of the premises.

(17) GARAGE, PUBLIC: Building other than a private garage primarily used for the purpose of parking, storing, repairing, or equipping motor vehicles therein as a commercial use.

(18) GREENBELT: A greenbelt, wherever required by this Ordinance, shall be a planting strip or buffer strip, at least ten (10) feet in width, consisting of deciduous or evergreen trees or a mixture of both, spaced not more than thirty (30) feet apart and at least one (1) row of dense shrubs spaced not more than five (5) feet apart and being more than five (5) feet in height after one (1) full growing season, which shall be planted and maintained in a healthy, growing condition by the property owner.

(19) GROSS FLOOR AREA: The total floor area within the surrounding walls of a building.

(20) LOT OF RECORD: A parcel of land, the dimensions of which are shown on a document or maps on file with the county register of deeds or in use by the City or City officials, and which actually exists as so shown, or any part of such parcel held in a recorded ownership separate from that of the remainder thereof, whether platted or described by metes and bounds.

(21) LOT AREA: The total horizontal area within the lot lines of a lot.

(22) CORNER LOT: A lot situated at the intersection of two (2) or more streets having an angle of intersection of not more than one hundred thirty-five (135) degrees.

(23) LOT COVERAGE: That part or percent of the lot occupied by buildings, including accessory buildings.

(24) LOT DEPTH: The distance between the front and rear lot lines measured in the mean direction of the side lot lines.

(25) DOUBLE FRONTAGE LOT - (THROUGH LOT): Any interior lot having frontages on two more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, all sides of said lots adjacent to streets shall be considered front lot lines and front yards shall be provided as required.

(26) INTERIOR LOT: Any lot other than a corner lot.

(27) LOT LINE: The lines bounding a lot as defined herein:

(a) Front Lot Line: In the case of an interior lot, that line of the lot which abuts the street right-of-way upon which the lot fronts; in the case of a corner lot that line which abuts the street right-of-way which is designated as the front street in the plat or in the request for permits pursuant to Section 5.153 of this ordinance.

(b) Rear Lot Line: The lot line which is opposite and most distant from the front lot line or in the case of an irregular shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

(c) Side Lot Line: Any boundary line not a front lot line or a rear lot line.

(28) **LOT WIDTH:** The horizontal distance between the side lot lines, measured at the two points where the building line, or setback, intersects the side lot lines.

(29) **FLOOR AREA, USABLE (FOR THE PURPOSE OF COMPUTING PARKING):** That area used for or intended to be used for the sale of merchandise or services, for use to serve patrons, clients, or customers including area used for employee work space. Floor area which is used or intended to be used principally for the storage or processing of merchandise or for hallways, elevators, stairs, bulk heads, utilities or sanitary facilities shall be excluded from this computation of "Usable Floor Area". Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

(30) **MASTER PLAN:** The plan so designated as the Official Master Plan by the Planning Commission and duly adopted by said commission.

(31) **MOBILE HOME:** Any vehicle or structure so designed and constructed that it will permit the occupancy thereof as sleeping quarters for one or more persons, or the conduct of any business or profession, occupation or trade, or storage and which when manufactured has no foundation other than wheels, jacks, skids or skirting, and is so designed that it may be mounted on wheels and moved from place to place on streets; but not including trailer type vehicles used for temporary seasonal travel.

(32) **NON-CONFORMING STRUCTURE:** A structure lawfully existing at the time of adoption of this Zoning Ordinance or any amendments thereto that does not conform to the requirements of the zone district within which it is located.

(33) **NON-CONFORMING USE:** Any lawful use of any part or all of a building or other structure, lot or tract of land existing at the time of adoption of the Zoning Ordinance or any amendment thereto, which does not conform with the regulation of the zone district in which it is located.

(34) **PARKING AREA:** An open area, other than a public right-of-way, used for the parking of motor vehicles and accessory conveyances for a fee or as an accommodation to clients, customers, residents, or employees.

(35) **ONE-FAMILY OR SINGLE-FAMILY RESIDENCE:** A building designed for or occupied exclusively by one (1) family.

(36) **PRINCIPLE USE:** The primary and predominant use or intended use of the premises according to the zone district requirements, including permitted accessory uses.

(37) **ROOMING HOUSE:** (See section 5.4(6).

(38) **ROW DWELLINGS:** A line or row of dwelling units, attached by a common wall or connecting roofs.

(39) **STRUCTURE:** Anything constructed or erected, with a fixed location above, on, or below the ground or attachment to something having such location, including signs and billboards, light posts, utility poles and radio and television antennae.

(40) **STRUCTURE ALTERATIONS:** Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial change in the roof.

(41) **UNIFORM SETBACK:** Where fifty (50) percent or more of the frontage of existing structures between two (2) intersecting streets maintain substantially the same minimum setback.

(42) **USE:** The purpose for which either land or a building is or may be occupied or maintained.

(43) **YARD:** An open space, on a lot, unoccupied and unobstructed from the ground upwards, except roof or building overhang not exceeding one (1) foot and except as otherwise provided in this Chapter. Steps and unenclosed unroofed porches and patios may be constructed within yard areas and shall not be considered to be part of the building for the purposes of this section.

- (a) **Front:** A yard extending across the full width of a lot. The depth of the front yard is the shortest distance between the front lot line (street right-of-way) and the wall of the main building.
- (b) **Rear:** A yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the rear yard is the shortest distance between the rear lot line and the wall of the main building.
- (c) **Side:** A yard, between a main building and the side lot line, extending from the front yard to the rear yard. The width of the side yard is the shortest distance between the side lot line and the nearest part of the main building.

### ARTICLE 3 - MAPPED DISTRICTS

5.11. Zone Districts. The City of East Grand Rapids is hereby divided into five (5) classes of zone districts known as:

- (1) C-1 Commercial - Neighborhood Shopping Districts.
- (2) B-1 Residence - Medium Density Multiple Family Districts.
- (3) A-3 Residence - One-Family Districts.
- (4) A-2 Residence - One-Family Districts.
- (5) A-1 Residence - One-Family Districts.

5.12. Map. The boundaries of these districts are hereby established as shown on the maps entitled "Zoning Map of the City of East Grand Rapids, Michigan, 1974", District 1 to District 10, inclusive as set forth in Article 17 of this Chapter. Where uncertainty exists as to the boundaries of districts as shown on the official zoning maps, the following rules shall apply:

- (1) Boundaries indicated as abutting streets, highways, or alleys shall be construed to follow the center lines of such streets, highways, or alleys.
- (2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
- (3) Boundaries indicated as approximately following city limits shall be construed as following city limits;
- (4) Boundaries indicated as approximately following shorelines shall be construed as following such shoreline, and in the event of change in the shoreline shall be construed as moving with said shoreline.
- (5) In circumstances not covered by sub-sections (1) through (4) above, the Board shall interpret the boundaries in accordance with legal precedence and accepted rules of interpretation keeping mind the accomplishment of the purpose and scope of this Ordinance.

5.13. Schedule. Any schedule of height and/or areas contained on said Zoning Map in conflict with the provisions hereof are expressly superseded by the provisions of this Ordinance.

If, in accordance with the provisions of this Ordinance and the state statutes, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Commission.

5.14. Lot Divided by Zone Line. Where a district boundary line as established in this Ordinance or as shown on the Zoning Map divides a lot (in single ownership) the use authorized and the other district requirement applying to the entire said lot shall be those applicable to the least restricted portion of such lot under this Chapter provided the more restricted portion of such lot is entirely within twenty-five (25) feet of dividing district boundary line. Such use of the entire lot shall be deemed to be conforming.

5.15. Areas Not Included Within a District. In any case where property has not been specifically included within a district, the same is hereby declared to be in the "A-1" District.

#### ARTICLE 4 - GENERAL PROVISIONS

5.21. Zoning Affects Every Structure and Use and Extends Vertically. Except as hereafter specified, no building, structure or premises shall hereafter be used or occupied, and no building or part thereof or other structures shall be erected, razed, moved, placed, reconstructed, extended, enlarged, or altered, except in conformity with the provisions of this Ordinance.

5.22. Mixed Dwelling and Commercial Occupancy. Before issuing a building permit for any construction for any premises used or intended for a combination of residential and commercial occupancy, or which would result in an increased number of dwelling units within a building partly occupied by business or office usage, or which would result in an increased area devoted to business usage, with a building partly occupied as a dwelling, the Building Inspector shall refer the plans to the Planning Commission, The Fire Chief and the Health Officer and request their respective reports as to any hazards that exist or may be expected to exist and their recommendations as to desirable additional provisions or changes in any permit to be issued in the interest of safety shall be complied with before issuance of a permit; where mixed occupancy includes residential units, the side and rear yard requirements of Residential Zones shall be met.

5.23. Required Area or Space. Any lot or lots in common ownership and yards, courts, parking areas or other spaces may be divided, altered or reduced if said area or dimension as divided, altered or reduced meets the minimum requirements of this Ordinance. If already at or less than the minimum required under this Ordinance, said area or dimension shall not be further divided or reduced.

#### 5.24. Special Uses.

- (a) Certain land uses because of size, nature of operation, limited application, or relation to their natural resources, must be considered individually and not necessarily subject to the zone district provisions. The uses listed in this section may be authorized by the Board in all districts following a public hearing as hereinafter required, if it is found and determined by the Board that such use is essential or desirable and will not have an adverse effect on neighboring property.
- (b) A development plan shall be submitted with the application for such use containing among other things: land use, all buildings and structures, streets, highways, parking areas, loading zones, entrances and exits, sidewalks, utilities, drainage, and landscaping. The Board may require any additional information it deems necessary for making a decision.
- (c) The following uses may be authorized by the Board in any zone, subject to the provisions of this section: recreational facilities, hospitals, private schools, churches, public schools, public libraries, public museum and public art galleries, provided such location shall first be approved by the City Commission after referral to the City Planning Commission.

5.25. TRAFFIC VISIBILITY ACROSS CORNER LOTS. No fence, or planting over thirty (30) inches in height from top of curb at street level shall be maintained, planted or erected in any Zone District on any corner lot within twenty (20) feet of the corner property line so as to interfere with traffic visibility across the corner.

5.26. HEIGHT EXCEPTIONS. The height requirements of all zones shall be subject to the following exceptions: Parapet walls not exceeding four (4) feet in height, chimneys, television and radio antennas, cooling towers, stacks, and spires and necessary mechanical appurtenances. Additions to existing buildings, which now exceed the height limitations of the zone district are permitted up to the height of the existing buildings. New structures exceeding the height limitations for the categories listed in this section will be permitted in those instances in which the lot is large enough to encompass a circular area with the radius equal to at least the height of the addition or new structure.

5.27. ESSENTIAL SERVICES. Essential services shall be permitted in all zone districts subject to prior review of all plans therefor by the Planning Commission to determine that the yard, parking and landscaping (if any) requirements are met, and that all planned facilities are designed to be compatible with surrounding uses.

5.28. HOUSE-TRAILERS AND MOBILE HOMES. No mobile home park zone is established within this Ordinance for the reason that all of the undeveloped land within the City Limits has been studied and there is no site within the city upon which a mobile home park could properly be constructed and operated. Neither house trailers nor mobile homes are considered to be dwelling units or proper accessories to permitted uses under this Ordinance and neither shall be permitted to be occupied or used for a dwelling purpose within the City of East Grand Rapids except as provided in 5.29.

5.29. TEMPORARY USE OF MOBILE HOMES. The owner-occupant of any premises rendered uninhabitable by a tornado, windstorm, flood or similar natural catastrophe shall be permitted to locate and occupy on said premises a mobile home for dwelling purposes for himself and family only during such period as may be reasonably necessary to repair or rebuild the residence rendered uninhabitable, provided that any such occupancy shall be conditioned upon the prior approval of the City Building Inspector as to the same being furnished with satisfactory water, sewage, heating and lighting facilities.

The use of the mobile home for dwelling purposes in accordance with this section shall be subject to termination by order of the City Commission in the event that the repairing or rebuilding of the residence on the premises is not promptly commenced and diligently completed or in the event that proper health and safety standards are not conformed with or in the event that the same is not maintained in a slightly condition.

5.30. Carports. No storage of any other kind shall be permitted in a carport unless the items stored are completely enclosed in a closet or especially designed compartment. Carports shall conform to all front, side and rear yard setback requirements.

#### ARTICLE 6 - NONCONFORMING LOTS, USES OF LAND, STRUCTURES AND PREMISES

5.41. Intent. Within the districts established by this Ordinance or any subsequent amendments, there exist lots, structures, and uses of land and structures which were lawful, either as conforming or non-conforming uses, before this Ordinance was effective, but which would be prohibited, regulated, or restricted under the terms of this Ordinance or amendments thereto.

- (1) It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their continuance. It is further the intent of this Ordinance that nonconformities shall not be enlarged, expanded or extended, or be used as grounds for adding other structures or uses prohibited elsewhere in the same district, except by appeal to the Board.

- (2) Such uses are declared to be incompatible with the permitted uses in the districts involved.
- (3) A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land shall not be extended or enlarged after the passage of this Ordinance by attachment on a building, structure or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited in the district involved.
- (4) To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been continuously and diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastening in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be continuously and diligently carried on until completion of the building involved.

5.42. Extensions, Enlargement, Moving. No nonconforming use of land and/or structure shall hereafter be extended, enlarged or moved in whole or in part except by appeal to the Board.

5.43. Change of Nonconforming Use. Any nonconforming use of land and/or structure shall not be changed to any other nonconforming use, except by appeal to the Board.

5.44. Nonconforming Lots of Record. In any district in which single family dwellings are permitted, notwithstanding other limitations imposed by other provisions of this Ordinance, a single family dwelling and customary accessory building may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance, subject to the following conditions.

- (1) Lot coverage by said dwelling and accessory building shall not exceed thirty-five (35) percent.
- (2) Height of the structure shall not exceed two and one half (2-1/2) stories or twenty-five (25) feet, whichever is lesser. The height will be measured as provided in 5.4(8).
- (3) Side yards may be reduced by the same percentage that area of such lot bears to its own district requirements, provided the side yard in no instance shall be less than five (5) feet.
- (4) If two (2) or more lots or combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, such lots and parts of lots shall be used so as to meet the requirements for lot width and area, unless a variance is granted by the Board.

5.45. Nonconforming Uses of Land. Where, at the effective date of adoption or amendment of this Ordinance, lawful use of land exists that is made no longer permissible under the terms of this Ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

- (1) No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance.

- (2) No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Ordinance.
- (3) In the event such nonconforming use of land ceases for any reason for a period of twelve (12) months, any subsequent use of such land shall conform with the regulations specified by this Ordinance for the district in which such land is located.
- (4) No additional structure shall be erected for use in connection with such nonconforming use of land.

5.46. Nonconforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (1) No such structure may be enlarged or altered in a way which increases its nonconformity.
- (2) Should such structure be moved for any reason, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

5.47. Nonconforming Uses of Structures. If a lawful use of a structure, or of structure and land in combination, exist at the effective date of adoption or amendment of this Ordinance, that would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (1) No existing structure devoted to a use not permitted in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered unless it is changed to a use permitted in the district in which it is located.
- (2) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.
- (3) Any nonconforming use of a structure, or structures and land, may be changed to another nonconforming use provided that the Board shall find that the proposed use is permitted in the most restrictive zone district in which the existing or nonconforming use is first allowed unless the Board shall find on the basis of competent expert analysis that such use is less desirable because of its effect on the public health, safety or welfare. Except as otherwise provided, no other structural alterations shall be allowed. Prior to the establishment of such change in use, the structure and premises shall be made to comply with all conditions applicable to such most restrictive zone district.
- (4) Where a nonconforming use is superseded by a permitted use or more restrictive non-conforming use, the former nonconforming use may not thereafter be resumed.
- (5) When a nonconforming use of a structure, or structure and land in combination, is discontinued or abandoned for twelve (12) consecutive months, the structure, or structure and land in combination, shall not thereafter be used except in conformance with the provisions of the district in which it is located.
- (6) When a nonconforming use status applies to a structure and land in combination, removal or substantial destruction of the structure shall eliminate the nonconforming status of the land.

- (7) Any provisions of this ordinance notwithstanding occupancy of dwelling units by persons not included within the definition of "family" under Section 5.4 (14a) hereof, shall be permitted only if such occupancy is in compliance with the applicable provisions of Chapter 83 - Housing Regulations of the Code of the City of East Grand Rapids.

5.48. REPAIRS AND MAINTENANCE. On any building devoted in whole or in part to any nonconforming use, repair and maintenance work may be made provided that the cubic content of the building as it existed at the time of adoption or amendment of this Ordinance is not increased.

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

5.49. ELIMINATION OF NONCONFORMING USES. In accordance with Act 207, P.A. 1921, as amended, the city may acquire private property by purchase, condemnation, or otherwise for removal of nonconforming uses and structures, provided that the property shall not be used for public housing.

#### ARTICLE 6 - PARKING AND LOADING SPACES

5.51. "A" RESIDENCE DISTRICTS. Provision shall be made for two (2) usable off-street parking spaces per dwelling unit.

5.52. "B" RESIDENCE DISTRICTS. Provision shall be made for two (2) usable off-street parking spaces for each dwelling unit.

5.53. "C" DISTRICTS. The minimum number of off street parking spaces for the "C" District shall be determined in accordance with the following schedule:

- (a) Furniture and appliance, household equipment, repair shops, showroom of a plumber, decorator, electrician, or similar trade, shoe repair or similar uses - one (1) space for each eight hundred (800) square feet of usable floor area. (For that floor area used in processing, one (1) additional space shall be provided for each two (2) persons employed therein).
- (b) Establishments for sale and consumption on the premises of food or refreshments - one (1) space for each one hundred (100) square feet of usable floor area.
- (c) Banks - one (1) space for each hundred (100) square feet of usable floor space, including employee work space.
- (d) Business office or professional offices except as indicated in (e) below - one (1) space for each three hundred (300) square feet of usable floor space.
- (e) Professional offices of doctors, dentists or similar professions - one (1) space for each one hundred (100) square feet of usable floor space in waiting rooms, and one (1) for each examining room, dental chair, or similar use area.
- (f) Beauty parlor or barber shop - two (2) spaces for each beauty or barber shop chair.
- (g) Automobile service stations - two (2) spaces for each lubrication stall, rack or pit, and one (1) for each gasoline pump.
- (h) Retail stores except as otherwise specified herein - one (1) space for each one hundred and fifty (150) square feet of usable floor space.

5.54. MIXED USES. In the case of mixed uses, the total requirements for off-street parking areas shall be the sum of the requirements of the various uses computed separately. Collective provision for off-street parking areas for two (2) or more buildings or uses shall be permitted provided that the total of such off-street parking spaces shall not be less than the sum of the requirements for the various uses computed separately.

5.55. SIZE AND ACCESS. Wherever off-street parking is required, it shall be laid out in accordance with the following schedule:

Parking Pattern	Maneu- vering Lane Width	Parking Space Width	Parking Space Length	Total Width Of One Tier of Spaces Plus Maneu- vering Lane	Total Width of Tow Tiers of Spaces Plus Maneu- vering Lane
0° (parallel Parking)	12 ft.	8 ft.	23 ft.	20 ft.	28 ft.
30° to 53°	12 ft.	8 ft. 6 in.	20 ft.	32 ft.	52 ft.
54° to 74°	15 ft.	8 ft. 6 in.	20 ft.	36 ft. 6 in.	58 ft.
75° to 90°	20 ft.	9 ft.	20 ft.	40 ft.	60 ft.

5.56. LOCATION. Off-street parking facilities shall be located as hereafter specified.

- (a) For all residential buildings and for all non-residential building in residential zones, required parking shall be provided on the same parcel as the building.
- (b) For commercial and all non-residential uses in the C-1 zone, required parking shall be provided within three hundred (300) feet measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve along public rights-of-way.

5.57. COMMUNITY PARKING. The provisions of this Article relative to non-residential off-street parking, may be met by participation in a municipal or community parking program designed to serve the area in which the use is located. Any such community parking program shall be established by City Ordinance which Ordinance shall designate the parking area; this area to be served by the parking program and the allocation of the cost of the program. Such Ordinance shall provide for such open space to be distributed throughout the parking area as the City Commission shall deem to be necessary for the public health, safety and general welfare.

5.58. PARKING AREAS IN COMMERCIAL ZONES. Every parcel of land hereafter used as a community or private parking area in the "C-1" zone shall be developed and maintained in accordance with the following requirements:

- (a) Off-street parking areas shall be effectively screened on any side which adjoins or faces premises situated in any residence zone district or institutional premises, by a solid, uniformly painted fence or wall not less than four (4) nor more than six (6) feet in height, maintained in good condition; provided, however, that where the adjacent owners agree in writing, a screening of hedge or other natural landscaping may be substituted for the required fence or wall.
- (b) All off-street parking areas and loading areas shall be surfaced and maintained with an approved asphalt, bituminous or portland cement binder pavement, in such a manner so as to provide a durable and dustless surface and shall be graded and drained to dispose of all surface water. Lighting provided for off-street parking or loading areas shall be arranged to reflect away from the adjoining residence buildings or streets.

Surface water from any off-street parking area or loading area of one thousand (1,000) square feet or more must be disposed of through an underground drainage system. The underground system must include such catch basins, manholes, storm sewer connection and other structures as may be necessary to properly dispose of such surface water. In the event that a public storm sewer system is not available for connection, then plans for disposal of storm water shall be approved by the City Engineer.

No off-street parking area or loading area drainage system may be connected to a sanitary sewer system.

Off-street parking areas and loading areas shall be enclosed with such fences, walls or barriers as are necessary to insure that motor vehicles may not enter or exit at points other than those expressly provided for that purpose and so that motor vehicles using the parking area or loading area may not encroach on adjacent public rights-of-way or private property.

- (c) Application for the approval of such construction or paving shall be made to the Building Inspector and accompanied by a sketch or plan with specifications showing the proposed construction or paving, including materials to be used, drainage structures to be installed, proposed driveways, layout of parking spaces, and such topographical information as is necessary to insure that the property on which the construction is taking place and the neighboring properties are not adversely affected by the construction.

5.59. PARKING AREAS IN RESIDENCE ZONES. The first one hundred and fifty feet of property in a Residence Zone District adjacent to and fronting on the same street or across the street from property which is included in a Commercial Zone under the provisions of this Ordinance may be used for a parking area in connection with the use of abutting property in the Commercial Zone. Plans and specifications for such a parking area shall be submitted to the Building Inspector showing materials, location, size, shape, design, landscape, curb cuts and other features of the parking area. The following requirements shall apply to all such parking areas and also to all parking areas located within Residential Zones except in connection with one and two-family dwellings therein:

- (a) All parking areas shall be surfaced and drained as provided under Section 5.58, "Parking Areas in Commercial Zones."
- (b) 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) percent 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.
- (c) All such parking areas shall be at least fifty (50) feet in width.
- (d) Such parking areas shall be used solely for the parking of passenger automobiles and other vehicles of less than 7,000 lbs. 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 the East Grand Rapids Sign Ordinance.

- (e) 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.
- (f) 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.

5.60 REQUIRED OFF-STREET LOADING AND UNLOADING SPACE. In all districts, every building, or part thereof, hereafter erected, which is to be occupied by a retail store or block of stores of over ten thousand (10,000) square feet, hospital, laundry, dry cleaning or other uses similarly requiring the receipt or distribution in vehicles of materials or merchandise, there shall be provided and maintained on the same premises with such building, off-street loading spaces in relation to floor area as follows: Up to twenty thousand (20,000) square feet - one (1) space. Twenty thousand (20,000 - 50,000) square feet - two (2) spaces. Fifty thousand to one hundred thousand (50,000 - 100,000) square feet - three (3) spaces. One additional space for each additional one hundred thousand (100,000) square feet or part thereof, provided that:

- (1) Each loading space shall have the following dimensions:
  - (a) For conventional trucks: at least ten (10) feet in width, twenty-five (25) feet in length and fourteen (14) feet in height.
  - (b) For trailer trucks: at least ten (10) feet in width, twenty-five (25) feet in length and fourteen (14) feet in height.
- (2) Such space may occupy all or any part of any required yard or court space.
- (3) No such space shall be located closer than fifty (50) feet to any lot in any residence district unless wholly within a completely enclosed building or enclosed on all sides by a wall or uniformly painted solid board or masonry fence of a uniform appearance not less than six (6) feet in height.

5.61. Open Storage of House Trailers, Boat Trailers, Boats and Motor Vehicles. No trailer coach, travel coach, camp trailer, utility trailer, boat trailer, or boat may be kept or stored out of doors on any property in an area zoned as residential under this Chapter for a period of longer than twenty-four (24) hours except in compliance with all of the following conditions:

- (a) The trailer coach, travel coach, camp trailer, utility trailer, boat trailer, or boat is owned by the owner of the property on which the same is stored.
- (b) Storage of the same shall be in the rear yard only, as rear yard is designated by this Chapter.
- (c) The said item so kept or stored shall be in good repair and in a sightly condition.
- (d) The storage of such item shall be in such a manner as to shield it from view from streets or adjacent lots by shrubbery or fencing which shrubbery or fencing shall be such as to conform with the general appearance of the neighborhood area.

In the event that any objection to the storage of such item is made to the City Manager, City Building Inspector, or other official of the City of East Grand Rapids, the City Building Inspector shall make an investigation and determination as to whether such storage complies with the requirements of this section and shall make a ruling thereon. An appeal from the ruling of the Building Inspector may be made by any interested person to the Board of Zoning Appeals, which shall have the authority to grant variances in accordance with the requirements and procedures set forth in Sections 5.164 to 5.174, inclusive, of this Ordinance Code.

5.62. Open Storage of Inoperable, etc., Motor Vehicles. No unlicensed, inoperable, partially dismantled, wrecked, junked or discarded motor vehicle shall be parked, stored, or permitted to remain on any premises in any residential zone area of the City for a period of longer than seven (7) days. In the event of a violation of this section of the Chapter, written notice shall be given to the owner of the premises on which said item is stored and/or to the owner of the stored item to remove the item or to see that the item is removed within forty-eight (48) hours after the giving of such notice. Such notice may be given by personal service or by mailing a copy to the address of the premises where the item is so stored or kept, and, if mailed, the giving of such notice will be complete upon mailing. Failure to comply with such notice within said period of forty-eight (48) hours after such notice is personally served or seventy-two (72) hours after such notice is mailed shall constitute a violation of this Chapter.

#### ARTICLE 7 - COMMERCIAL DISTRICT (C-1)

5.71. C-1 District. The C-1 Zone District is designed primarily to provide services to the adjacent residential area and except as otherwise provided in or permitted by this Ordinance, the permitted uses in the C-1 Zone District are limited to the following:

##### Food Group:

- (1) Grocery Store
- (2) Meat Markets
- (3) Restaurants (excluding those having dancing and/or floor shows)
- (4) Bake Goods
- (5) Delicatessen
- (6) Soda Fountain and Candy Store

##### Service Group:

- (1) Barber
- (2) Beauty Parlor
- (3) Tailor
- (4) Dry Cleaner and Laundry (including both pick-up stations and self-service laundromats and dry cleaning establishments)
- (5) Shoe Repair
- (6) Paint Supply
- (7) Business or Professional Offices
- (8) Bank
- (9) Television and Radio Repair
- (10) Photographer
- (11) Upholsterer (limited to no more than two (2) persons)
- (12) Florist Shop
- (13) Dance Studio

##### Supply Group:

- (1) Drug Store
- (2) Hardware
- (3) Jeweler
- (4) Music
- (5) Automobile Service Station (Sec. 5.4(4))
- (6) Sporting Goods Store
- (7) Book Stationery or Gift Store
- (8) Clothing (new) and Dry Goods
- (9) Household Appliance Store
- (10) Furniture Store
- (11) Notion and Five-and-Ten Store
- (12) Art Gallery

Ancillary Group:

- (1) Residential uses as a secondary use in a commercial building.
- (2) Uses listed in Section 5.24. "Special Uses".

5.72. Required Conditions. The following conditions are required in the C-1 District:

- (a) All business, service or processing shall be conducted entirely within a completely enclosed building, with the exceptions of automotive service stations, off-street parking and off-street loading.
- (b) All sales of products on the premises, whether primary or incidental, shall be at retail.
- (c) Not more than two (2) persons shall be engaged in the fabrication, repair and other processing of goods, as distinguished from sales, in any establishments.
- (d) Off-street parking shall be provided in accordance with this Chapter.
- (e) Exterior signs may be constructed in accordance with Chapter 80 of this Code.

5.73. Height and Area. The following height and area regulations shall apply in the C-1 District:

- (a) Height. No building shall exceed a maximum of two (2) stories or twenty-eight (28) feet in height, whichever is the lesser.
- (b) Front Yard: There shall be a front yard of not less than fifty-eight (58) feet from the center of the street; provided that where an existing setback line of less than this required distance has been established by existing commercial buildings occupying fifty (50) percent or more of the frontage within the same block such established setback shall apply.
- (c) Side Yard: No side yard is required, except that where a side yard adjoins an "A" Residential Zone or a side street, a seven (7) foot side yard is required.

There shall be a side yard of not less than ten (10) feet on the street side of a corner lot.

- (d) Rear Yard: There shall be a rear yard of at least twenty-four (24) feet where property abuts any Residence Zone district, provided that where an alley separates the Business Zone from the Residential Zone the full alley width may be counted as part of the required yard.

In all other cases, a rear yard for commercial buildings shall not be required.

No accessory buildings shall be allowed in the required yard area of any lot in the C-1 Zone district.

5.74. All applicable requirements of the State and City Fire Codes shall be complied with in connection with construction and use within the commercial districts.

#### ARTICLE 8 - GENERAL PROVISIONS RELATING TO ALL RESIDENTIAL DISTRICTS

5.81. Permitted Uses. All Residential Zone Districts are reserved for the various housing needs of the community; all other uses are prohibited with the exception of those uses listed in Section 5.24 as "Special Uses".

5.82. Height and Area. Height and area regulations shall be as specified for each residential zone; provided, however, that the following general exceptions are made:

- (a) If twenty-five (25) percent or more of all the frontage on one side of a street between two intersecting streets has been developed with residences, the front yard so established shall prevail, but nothing in this section shall be construed to permit any new house closer than twenty (20) feet to the front street line, nor to require a front yard setback of more than thirty-five (35) feet from the front street line.
- (b) Where a corner lot in any "A" zone district adjoins in the rear a lot in any Residence Zone District, no part of the principal building including attached garages within twenty-five (25) feet of the common lot line shall be nearer the side street than the established setback on the adjoining lot; provided that such principal building may be erected to the least side yard requirement of its zone district at any point beyond the front yard required on the adjoining lot.
- (c) Nonconforming lots of record. In any district in which single-family dwellings are permitted notwithstanding other limitations, restrictions or permissive uses designated by this Chapter, a single-family dwelling and customary accessory building which is erected on any platted lot, or combination of one or more platted lots, or parts of such lots after September 1, 1962, shall meet the following requirements:
  - (1) Substandard Lots: For lots or combinations of lots located in A-1 or A-2 Zone Districts having a total area less than the area requirements in the Zone District in which such lots are located but having a total area at least equivalent to that required in the next lower Zone District, yard requirements shall be enforced in accordance with the requirements of the Zone District in which said lots are situated. For lots or combination of lots in A-1 or A-2 Zone Districts having a total area less than the area required in the next lower zone district, or for any lot in the A-3 Zone District not meeting the area requirements for said District, not more than twenty-five (25) percent of the land constituting the construction site shall be occupied by buildings, both primary and accessory, and the yard requirements of the Zone District in which the site is located shall be met.
  - (2) The height of no structure shall exceed two and one-half (2-1/2) stories or twenty-five (25) feet, whichever is lesser.

5.83. Accessory Uses. Accessory uses are permitted when located on the same lot with the principal use.

No accessory building shall be erected in any required front or side yard. Accessory buildings shall not exceed twelve (12) feet in height and shall be at least ten (10) feet from any dwelling situated on the same lot and at least six (6) feet from any other building or accessory building on the same lot.

Accessory uses in Residence Districts shall be at least sixty (60) feet from any street line unless such use is contained within or constitutes an integral part of the main building or meets the side yard requirements of its zone district and is situated at least as far back as the front yard requirements of the adjacent lot; provided that where there is a common rear lot line on two adjoining lots, a detached accessory building may be erected three (3) feet from such common line if all portions of

such building are located within the farthest quarter of the lot from the street lines and no part of such building projects beyond the side street line of the principal building.

Living quarters of persons employed on the premises, without kitchen facilities and not rented or otherwise used as a separate dwelling are specifically included as accessory uses.

5.84. Conversion of Dwellings. The conversion of any existing building into a dwelling, or the conversion of any existing dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only as specified in its zone district requirements.

5.85. Transition Zoning. The first parcel of land in single ownership in A-1, A-2, A-3 or B-1 zones but not more than one hundred and fifty (150) feet of frontage with a depth of not to exceed two hundred (200) feet, with the side yard or rear yard touching or across from the "C" zone or directly opposite the "C" zone may be approved for uses permitted and as regulated in the B-1 Zone District for new residence structures. In addition, land so located in any residence district may be approved for offices for attorneys, doctors, dentists, architects, engineers and for other similar professionals; insurance, branch bank and real estate offices. For approval of these uses, a detailed development plan and an architectural sketch of all structures to be erected shall be submitted to the City Planning Commission. The following shall be considered by the City Planning Commission in their review:

- (a) Yard area requirements of the B-1 District.
- (b) Parking areas and access drives as required in this Chapter, adequate to meet the needs of the building.
- (c) Landscaping and screening which will be sufficient to screen the building and parking areas from adjacent property, and provide a symbiotic surrounding with neighboring uses.
- (d) Architectural design as a transition from a commercial use district to a residential use district as a conversion of an existing residential structure or a new building design with the appearance of a residential building.
- (e) Sign requirements of the zone district in which it is located.

Following such review and if above standards are met, the City Planning Commission shall transmit the request together with its recommendations to the Board for approval or disapproval.

5.86. Parking. Residential property abutting a "C" zone, under this Ordinance, may be utilized for off-street parking in accordance with this Chapter.

5.87. Signs. No signs shall be permitted on any lot in any "A" or "B" Zone District except:

- (a) One temporary, unlighted, real estate sign advertising the sale or rental of the premises on which it is maintained, not exceeding a total of twelve (12) square feet.
- (b) One bulletin board for any church, school, multiple housing or other permitted public or semi-public use, not exceeding an area of twelve (12) square feet.
- (c) Temporary signs not exceeding twenty-five (25) square feet relating to construction projects. Such signs must be completely removed within thirty (30) days of the completion of the project.

5.88. Carports. A carport shall comply with all the yard area and space requirements applicable either to an attached or detached accessory building.

5.89. Fences. In all residential zones, no fence shall be erected within fifteen (15) feet of the front lot line which is higher than three (3) feet above the average sidewalk grade, measured at the center of the lot. Fences erected more than fifteen (15) feet from the front lot line shall not exceed a height of six (6) feet above the lot grade.

5.90. Mechanical Appurtenances. Mechanical appurtenances such as blowers, ventilating fans and air conditioning units must be attached to the principal building or be located in the rear yard not closer than twenty (20) feet to any adjoining property line. Such units, when attached to the building, shall be architecturally integrated or appropriately screened and the provisions of section 9.11.(6) of Chapter 88 of the City of East Grand Rapids Code shall apply.

5.91. Mechanical Work. Mechanical work on motor vehicles not owned or leased by the occupant of a dwelling for his own personal use is prohibited in residential districts.

5.92. Existing Residential Structures. Existing residential structures and additions to residential structures may not be used for commercial purposes.

5.93. Commercial Vehicles. No commercial vehicle shall be located on any property within a residential zone unless parked or stored within a completely enclosed garage or building. This shall not prevent the temporary location of any such vehicle on such property while engaged in a delivery, pick-up or service run to the property where located.

#### ARTICLE 9 - "B-1" APARTMENT DISTRICT

5.101. B-1 District. The B-1 Zone District is designed primarily for medium density garden-type apartments, row housing, and group housing, regulated so as to cover a minimum of ground area and to provide a maximum of open space. This zone also serves a useful function as a buffer along some major streets and neighborhood shopping areas.

- (a) Off-street parking shall be provided in accordance with this Chapter in the ratio of two (2) spaces for each dwelling unit, and permitted non-residential uses shall provide parking in the ratio of two (2) square feet of total parking space for each square foot of usable floor area.
- (b) Signs, lighted or unlighted, shall be permitted in this zone if not more than eight (8) square feet in size and attached flat against the building and erected in such a manner that the source of light shall not be visible from the street or from adjoining premises, and shall only identify by name the building to which it is accessory or any lawful principal use thereof; provided that where a building sets back twenty-five (25) feet or more beyond the property line, such signs are permitted any place between the building and a parallel line twenty-five (25) feet from the property line.
- (c) Lots with an average width of less than fifty (50) feet may not be utilized for more than single-family use.
- (d) One-family residences and rooming houses must meet all "A-3" District Height and Area requirements.

5.102. Permitted Uses. Permitted uses in the B-1 Zone District are limited to the following:

- (1) Any use permitted in the A-3 zones.
- (2) Not more than four (4) family units per residential building.

- (3) The number of family units per residential building may exceed four (4) but not more than twenty-four (24) if the Board of Zoning Appeals, after a public hearing has been held and findings and recommendations made by the Planning Commission as hereinafter provided, determines that the proposed use will not be injurious to the surrounding neighborhood and will not be contrary to the spirit and purpose of this Ordinance.

Procedure: The following procedure shall be required under this subsection:

- (a) Any application under this subsection shall be made in writing to the Planning Commission on forms furnished by the Planning Commission and be accompanied by a total development plan of the proposed use.
- (b) The Planning Commission shall process the application according to procedures to be followed by the Board of Appeals under this Ordinance.
- (c) The Planning Commission shall within forty-five (45) days after the final hearing thereon file a report setting forth its deliberations and stating its findings and recommendations, with the Board of Zoning Appeals. A copy of such report shall be furnished to the applicant, and observed by him, and he shall incorporate the terms and conditions of the same in the permit to the applicant whenever a permit is authorized by the Planning Commission.
- (d) The Board of Zoning Appeals may thereafter concur in the findings and recommendations of the Planning Commission and adopt an appropriate resolution effecting the recommendations of the Planning Commission. In the event that the Board of Zoning Appeals does not concur in the findings and recommendations of the Planning Commission, it shall hold a public hearing relative to the application and shall give notice of such public hearing as set forth in Section 5.172 of this Ordinance and shall also notify the Planning Commission and the applicant of such hearing. Following such hearing the Board of Zoning Appeals shall adopt an appropriate resolution granting or denying the application.
- (e) In approving any such application, the Planning Commission and/or the Board of Zoning Appeals may incorporate in such approval any conditions regarding the location, design, and character of the buildings, parking and greenbelt area within the project, and regarding landscaping and such other treatment as may be reasonably necessary to carry out the intent and spirit of this Ordinance and to protect the public interest.
- (4) Row dwellings and townhouses.
- (5) Institutional uses of an eleemosynary or philanthropic nature.
- (6) Nursery schools and day nurseries.
- (7) Accessory buildings.

5.103. Height and Area. The following height and area requirements shall apply in the B-1 District:

- (a) Height: No building shall exceed a maximum of two (2) stories or thirty-five (35) feet.
- (b) Front Yard: There shall be a front yard of not less than fifty-eight (58) feet from the center of the street.
- (c) Side Yard: There shall be two (2) side yards, each of which shall be at least twenty (20) feet in width, provided that where a side yard adjoins a side street the front yard requirements shall be met.

- (d) Rear Yard: There shall be a rear yard of at least twenty-five (25) feet.
- (e) Lot Area: All new buildings hereafter erected to house three (3) or more families shall have a lot area of at least four thousand (4000) square feet for each family unit.

5.104. Conversions. Conversions of existing buildings into an additional residential unit is not permitted on lots less than forty (40) feet wide or with an area of less than five thousand (5000) square feet regardless of the area provisions of Section 5.83.

5.105. Parking Requirements. Off-street parking shall be provided in accordance with the provisions of Article 6 of this Zoning Ordinance.

5.106. Signs. Signs, lighted or unlighted, shall be permitted in this zone if not more than eight (8) square feet in size and attached flat against the building and erected in such a manner that the source of light shall not be visible from the street or from adjoining premises, and shall only identify by name the building to which it is accessory or any lawful principal use thereof, provided, that where a building sets back twenty-five (25) feet or more beyond the property line, such signs are permitted any place between the building and a parallel line twenty-five (25) feet from the property line.

5.107. General Provisions.

- (a) Lots with an average width of less than fifty (50) feet may not be utilized for more than single family.
- (b) One-family residences and rooming houses must meet all "A-3" District height and area requirements.

ARTICLE 10 - "A-3" RESIDENCE DISTRICT

5.111. A-3 District - Permitted Uses. Except as otherwise specifically provided in this Ordinance, the A-3 Zone District is restricted to use for one-family residences.

5.112. Required Condition. The following condition is required in the A-3 District:

- (a) Parking: See Section 5.51.

5.113. Height and Area. The following Height and Area regulations shall apply in the A-3 District:

- (a) Height: No building shall exceed a maximum of two and one-half (2-1/2) stories or thirty-five (35) feet in height, whichever is the lesser.
- (b) Front Yard: There shall be a front yard of not less than fifty-eight (58) feet from the center of the street, provided that no building need set back more than thirty (30) feet from the street line.
- (c) Side Yard: For one-family residences there shall be two (2) side yards totalling at least fourteen (14) feet, and no side yard shall be less than seven (7) feet; provided that where a side yard adjoins a side street a minimum yard of twelve (12) feet is required.
- (d) Rear Yard: There shall be a rear yard of at least twenty-five (25) feet.
- (e) Lot Area: For each new single-family dwelling hereafter erected, there shall be a lot area of at least five thousand (5,000) square feet measured within one hundred (100) feet from the front street line.

ARTICLE 11 - "A-2" ONE-FAMILY RESIDENTIAL DISTRICT

5.121. A-2 District - Permitted Use. Except as otherwise specifically provided in this Ordinance, the A-2 Zone District is restricted to use for one-family residences.

5.122. Parking. Off-street parking shall be provided in accordance with the provisions of Article 6 of this Ordinance.

5.123. Height and Area. The following Height and Area regulations shall apply in the A-2 District:

- (a) Height. No building shall exceed a maximum of two and one-half (2-1/2) stories or thirty-five (35) feet in height, whichever is the lesser.
- (b) Front Yard: There shall be a front yard of not less than fifty-eight (58) feet from the center of the street, provided that no building need set back more than thirty (30) feet from the street line.
- (c) Side Yard: For one-family residences, there shall be two (2) side yards totalling at least eighteen (18) feet, and no side yard shall be less than seven (7) feet; provided that where a side yard adjoins a side street a minimum yard of twenty (20) feet is required. For all other buildings, minimum side yards of twenty (20) feet on each side are required.
- (d) Rear Yard: There shall be a rear yard of at least twenty-five (25) feet.
- (e) Lot Area: There shall be a lot area of at least seven thousand two hundred (7,200) square feet for each new single-family dwelling hereafter erected. The required lot area must be measured within one hundred (100) feet from the front street line.

ARTICLE 12 - "A-1" ONE-FAMILY RESIDENCE DISTRICT

5.131. A-1 District - Permitted Uses. Except as otherwise specifically provided in this Ordinance, the A-1 Zone District is restricted to use for one-family residences.

5.132. Parking. Off-street parking shall be provided in accordance with the provisions of Article 6 of this Ordinance.

5.133. Height and Area. The following Height and Area regulations shall apply in the A-1 District:

- (a) Height: No building shall exceed a maximum of two and one-half (2-1/2) stories or thirty-five (35) feet in height, whichever is the lesser.
- (b) Front Yard: There shall be a front yard of not less than sixty-three (63) feet from the center of the street, provided that no building need set back more than fifty-three (53) feet from the street line.
- (c) Side Yard: For single-family dwellings, there shall be two (2) side yards totalling at least twenty-four (24) feet, and no side yard shall be less than ten (10) feet; provided that where a side lot adjoins a side street a minimum yard of twenty-four (24) feet is required. For all other buildings, minimum side yards of twenty (20) feet on each side are required.
- (d) Rear Yard: There shall be a rear yard of at least twenty-five (25) feet.

- (e) **Lot Area:** There shall be a lot area of at least twelve thousand (12,000) square feet. The required lot area must be measured within one hundred twenty (120) feet from the front street line.

ARTICLE 14 - ADMINISTRATION AND ENFORCEMENT

5.151. Building Permit Required. It shall be unlawful for any person to commence excavation for or construction of any building, structure or parking area, or to make structural change in an existing building or structure, without first obtaining a building permit from the Building Inspector. No permit shall be issued for the construction, alteration or remodeling of any building or structure until an application has been submitted, in accordance with provisions of this Chapter, showing that the construction proposed is in compliance with the provisions of this Chapter and with Title VIII, Building Regulations of the City Code. No plumbing, electrical or drainage permit shall be issued until the Building Inspector has determined that the plans and designated use indicate that the structure and premises, if constructed as planned and proposed, will conform with the provisions of this Chapter.

5.152. Administrative Officials. Except as otherwise provided in this Chapter, the Building Inspector shall administer and enforce this Chapter, including the receiving of applications, the inspection of premises and the issuing of building permits. No oversight or dereliction on the part of the Building Inspector or his authorized assistants or any official or employee of the City of East Grand Rapids vested with the duty or authority to issue permits or licenses shall legalize, authorize, waive or excuse the violation of any of the provisions of this Ordinance. No permit nor any license for any use, building or purpose shall be issued by any official or employee of the City of East Grand Rapids if the same would be in conflict with the provisions of this Ordinance. Any permit or license so issued shall be null and void.

5.153. Permits. Every application for a building permit shall be made as required by the Building Code and shall designate the existing or intended use of the structure or premises or part thereof which it is proposed to alter, erect or extend, and the number of dwelling units, if any, to occupy it. The application shall be accompanied by two ink, blue-print or photostat copies of drawings, drawn to scale, showing the actual lines, angles and dimensions of the lot to be built upon or used and the exact size and location on the lot of all existing and proposed structures and uses, together with specifications. The application shall contain other information with respect to the lot and adjoining property as may be required by the Building Inspector. One copy of both plans and specifications shall be filed in and retained by the Office of the Building Inspector and the other shall be delivered to the applicant when the Building Inspector has approved the application and issued the permit. In cases of minor alterations, the Building Inspector may waive portions of the foregoing requirements obviously not necessary for determination of compliance with this Chapter.

5.154. Occupancy. It shall be unlawful to use or permit the use of any structure or premises hereafter altered, extended or erected, until the Building Inspector shall have made an inspection of the premises and shall have approved the same for occupancy.

5.155. Violations and Penalty. Any building erected, altered, or converted, or any use carried on in violation of any provision of this Chapter is hereby declared to be a nuisance per se. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this Chapter shall be punished for each offense upon conviction by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00), and costs of prosecution, or by imprisonment in the County Jail for a period not exceeding ninety (90) days, or by both fine and imprisonment, in the discretion of the Court. Each day that a violation is permitted to exist shall constitute a separate offense.

## ARTICLE 15 - BOARD OF ZONING APPEALS

5.161. Membership. The City Commission shall act as a Board of Zoning Appeals upon all questions arising under this Chapter. The Mayor shall be the chairman of the Board of Zoning Appeals, and shall appoint a Vice-Chairman and such other officers as he may deem necessary. The City Clerk shall be the Secretary of the Board of Zoning Appeals. The concurring vote of 2/3 of the members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant upon which the Board is required to pass under this Chapter or to effect any variation in this Chapter.

5.162. Jurisdiction. The Board of Zoning Appeals, in conformity with the provisions of this Chapter and of Act 207 of the Public Acts of 1921, as amended, may reverse or affirm, wholly or in part, or may modify the order, requirements, decision or determination appealed from, and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers to hear and decide all matters referred to it or upon which it is required to pass under this Chapter.

5.163. Rules of Procedure. The Board shall adopt rules of procedure. These rules shall be available for public inspection at the office of the Board. The following are required:

- (1) Meetings shall be held at the Municipal Offices and shall be open to the public.
- (2) The presence of six (6) members shall constitute a quorum, and it shall take a concurring vote of five (5) members to reverse an order or decision of the Building Inspector, Planning Commission, or any other official to whom authority is granted by this Ordinance to decide on any matter upon which it is required to pass by this Ordinance or to grant a variance from the provisions hereof.
- (3) A record of the proceedings of each meeting shall be kept by the Board, relating evidence presented by the applicant and the resolution by the Board, the vote of each member on each question, or, if absent or failing to vote, indicating such fact. These shall be a public record and immediately filed in the office of the Board.
- (4) The Board shall receive reasonable assistance from other departments in carrying out the functions of the Board.

5.164. Variances. The Board, after public hearing, shall have the power to decide applications, filed as hereafter provided, for variances:

- (a) Where it is alleged by the appellant that there is error or misinterpretation in any order, requirement, decision, grant or refusal made by the Building Inspector or other administrative officer in the carrying out or enforcement of the provisions of this Chapter.
- (b) Where by reason of the exceptional narrowness, shallowness or shape of a specific piece of property on the effective date of the June 15, 1959 Zoning Ordinance, or by reason of exceptional topographic conditions, or other extraordinary situation or condition of the land, building or structure, or of the use or development of property immediately adjoining the property in question, the literal enforcement of the requirements of this Chapter would involve practical difficulties or would cause undue hardship; provided that the Board shall not grant a variance on a lot of less area than the requirements of its zone district, even though such lot existed at the time of passage of the June 15, 1959 Zoning Ordinance if the owner or members of his immediate family own adjacent land which could without undue hardship be included as part of the lot.

- (c) Where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of this Chapter relating to the construction, structural changes in equipment, or alterations of building or structures, or the use of land, building or structures so that the spirit of this Chapter shall be observed, public safety secured, and substantial justice done.

No variance in the provisions or requirements of this Ordinance shall be authorized by the Board unless the Board makes findings, based upon competent material and substantial evidence on the whole record.

- (1) That special conditions or circumstances exist which are peculiar to the land, structure or building involved and which are not generally applicable to other lands, structures or buildings in the same district;
- (2) That the special condition or circumstances do not result from the actions of the applicant;
- (3) That the authorizing of such variance will not be of substantial detriment to the neighboring property and will not be contrary to the spirit and purpose of this Ordinance;
- (4) That with respect to use variances, the property cannot reasonably be used in a manner consistent with the existing zoning.

No nonconforming use of neighboring lands, structures or buildings shall, in itself, be considered grounds for the issuance of a variance.

5.165. Specific Exceptions. The Board of Zoning Appeals, after public hearing, shall have the power to grant the special exceptions heretofore authorized and in addition, may authorize the following:

- (a) The vertical extension of a building existing at the time of enactment of the June 15, 1959 Zoning Ordinance to such height as the original drawings of said building indicated, provided such building was actually designed and constructed to carry the additional stories necessary for said height limit.
- (b) Permit the enclosure of an existing open front porch where said enclosure is in character with the adjoining neighborhood.

5.171. Conditions of Approval.

- (a) In authorizing a variance or exception, the Board may, in addition to the specific conditions of approval called for in this Chapter, attach thereto such other conditions regarding the location, character, landscaping or treatment reasonably necessary to the furtherance of the intent and spirit of this Chapter and the protection of the public interest.
- (b) In addition, the Board may attach as a condition to the variance, a time limitation within which the construction authorized by the variance shall be commenced and/or completed or within which the use authorized by the variance shall be begun.
- (c) In the event of the breach of any condition established pursuant to (a) above or in the event of a failure of compliance with any time limitation established pursuant to (b) above, the variance shall be automatically revoked unless the person to whom the variance has been granted shall apply for and be granted a modification of conditions or an extension of time limitation. Any such modification of conditions or extension of time limitation may be granted by the Board only after a hearing has been held pursuant to the procedure set forth in Section 5.172 hereof, including the payment of the fee therefore as provided hereof in Section 5.172(c).

5.172. Procedure. The following procedure shall be required:

- (a) An appeal from any ruling of the Building Inspector or other administrative officer administering any portion of this Chapter may be taken by any person, including the City, affected or aggrieved. Notice of such appeal shall be filed with the Building Inspector and shall specify the grounds of such appeal, and it shall be filed within fifteen (15) days after the order, requirements, decision or determination appealed from is made.
- (b) An application for special exceptions authorized by this Chapter may be taken by any person affected.
- (c) The Board of Zoning Appeals shall not consider any application or appeal without the payment by the applicant or appellant to the City Treasurer of a fee in the amount of Twenty-five dollars (\$25.00). Such application or appeal shall be filed with the Building Inspector, who shall transmit the same, together with all plans, specifications and other papers pertaining to the application or appeal, to the Secretary of the Board.
- (d) When an application or appeal has been filed in proper form and with the required data, the Secretary of the Board shall immediately place the said application or appeal upon the calendar for hearing and cause notices stating the time, place and object of the hearing to be served. Such notices shall be served personally or by mail, at least seven (7) days prior to the day of such hearing, upon the applicant or the appellant, the Building Inspector and the owners of record of property within three hundred (300) feet of the premises in question, which notices, if by mail, shall be addressed to the respective property owners of record at the address given in the last assessment roll. Any party may appear at such hearings in person or by attorney.
- (e) Upon the day for hearing any application or appeal, the Board may adjourn the hearing in order to permit the obtaining of additional information, or to cause such further notice as it deems proper to be served upon such other property owners as it decides may be interested in said application or appeal. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearings unless the Board so decides.

5.173. Decisions of the Board. The Board shall decide all applications and appeals within thirty (30) days after the final hearing thereon. A copy of the Board's decision shall be transmitted to the applicant or appellant, and to the Building Inspector. Such decision shall be binding upon the Building Inspector and observed by him and he shall incorporate the terms and conditions of the same in the permit to the applicant or appellant whenever a permit is authorized by the Board. A decision of the Board shall not become final until the expiration of five (5) days from the date such decision is made unless the Board shall find the immediate effect of such a decision is necessary for the preservation of property or personal rights and shall so certify on the record.

5.174. Stay of Proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Building Inspector certifies to the Board after notice of appeal shall have been filed with him, that by reason of facts stated in this certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by restraining order which may, on due course shown, be granted by the Board or by the Circuit Court on application, after notice to the Building Inspector.

5.175. Statutory Provisions. The provisions of this Article 15 are to be construed as consistent with the provisions of the applicable provisions of the statutes of the State of Michigan found at M.S.A. 5.2935. In the event of a conflict between the provisions of this Article 15 and said statutory provisions, the statutory provisions are to prevail.

## ARTICLE 16 - CHANGES AND AMENDMENTS

5.181. Statutory Provisions. The provisions of this Article 16 are to be construed as consistent with the provisions of the applicable provisions of the statutes of the State of Michigan found at M.S.A. 5.2935. In the event of a conflict between the provisions of this Article 16 and such statutory provisions, the statutory provisions are to prevail.

5.182. Amendments. An amendment to this Ordinance may be initiated by:

- (a) The City Commission on its own motion;
- (b) The Planning Commission; or
- (c) Petition as provided in 5.186.

5.183. Reference to Planning Commission. Any amendment initiated by any of the methods enumerated above shall be referred to the Planning Commission, which shall cause a complete study of the proposed amendment to be made, shall make a tentative report, and may hold a public hearing thereon. Notice of public hearing shall be given by the Planning Commission and shall be published in the manner set forth in sub-paragraph two (2) of this section. After public hearing the Planning Commission may make its final recommendations to the City Commission.

5.184. Hearing Before City Commission. Upon receipt of the final recommendation of the Planning Commission, the City Commission shall hold a public hearing before the adoption of the proposed amendment to this Chapter. Not less than fifteen (15) days notice of a public hearing shall be given by the publishing of said notice at least once in a newspaper of general circulation in the city, stating the time and place of the hearing and substance of the proposed amendment. Fifteen (15) days notice of the time and place of said hearing shall be given by registered United States mail to each public utility and railroad company owning or operating any utility or railroad within the district or zone affected.

5.185. Protest Against Proposed Amendment. In case a protest against a proposed amendment to the Ordinance is presented in writing to the City Clerk, duly signed by the owners of twenty (20) percent or more of the frontage proposed to be altered, or by the owners of twenty (20) percent or more of the frontage immediately to the rear thereof, or by the owners of twenty (20) percent or more of the frontage directly opposite the frontage proposed to be altered, such amendment shall not be passed except by the three-fourths (3/4) vote of the City Commission.

5.186. Procedure for Amendment Petitions.

- (1) All petitions for amendments to this Ordinance shall be in writing, signed and filed in triplicate with the City Clerk.
- (2) All petitions for amendments shall consider the following:
  - (a) Name and address of the petitioner who shall have a legal or equitable interest in the land subject to the petition.
  - (b) Name, address and interest of every other person having legal or equitable interest in land subject to the petition.
  - (c) Street address and legal description of the property subject to the proposed amendment.
  - (d) The present zoning classification of the land.
  - (e) The proposed change in zoning classification of the land.
  - (f) Present and proposed use of the property.
  - (g) A scale diagram showing the property subject to the proposed amendment, all public and private rights-of-way, and lots and parcels of land within three hundred (300) feet of the property. This diagram shall be drawn to a scale of one hundred(100) feet to the inch.

- (h) On the diagram required by subparagraph (g) or on another diagram drawn at the same scale, a site plan including location, dimensions, use of existing and proposed structures, easements, water courses, fences and the curb cuts on the property proposed for rezoning.
- (3) Upon examination and approval of the application as to form, the City Clerk shall forthwith transmit the application to the Planning Commission which shall process this petition according to the provisions set out in Section 5.183.
- (4) No petition for zoning amendment shall be accepted by the City Clerk unless it is accompanied by a filing fee of twenty-five dollars (\$25.00). Upon tentative approval of the petition by the Planning Commission for public hearing pursuant to Section 5.183, an additional processing fee of twenty-five dollars (\$25.00) plus ten dollars (\$10.00) for each acre over five (5) acres in area subject to the proposed amendment shall be paid by the petitioner to the City Clerk prior to the public hearing, provided that the total amount of the filing fee and the processing fee shall not exceed one hundred and fifty and no one-hundredth dollars (\$150.00).

ARTICLE 17 - ZONING MAP.

6.190. The following maps, District 1 through District 10 inclusive, shall constitute and be entitled the "Zoning Map of the City of East Grand Rapids, Michigan, 1974" and are hereby determined to constitute and set forth the zone districts within said City of East Grand Rapids for all purposes under this Ordinance.

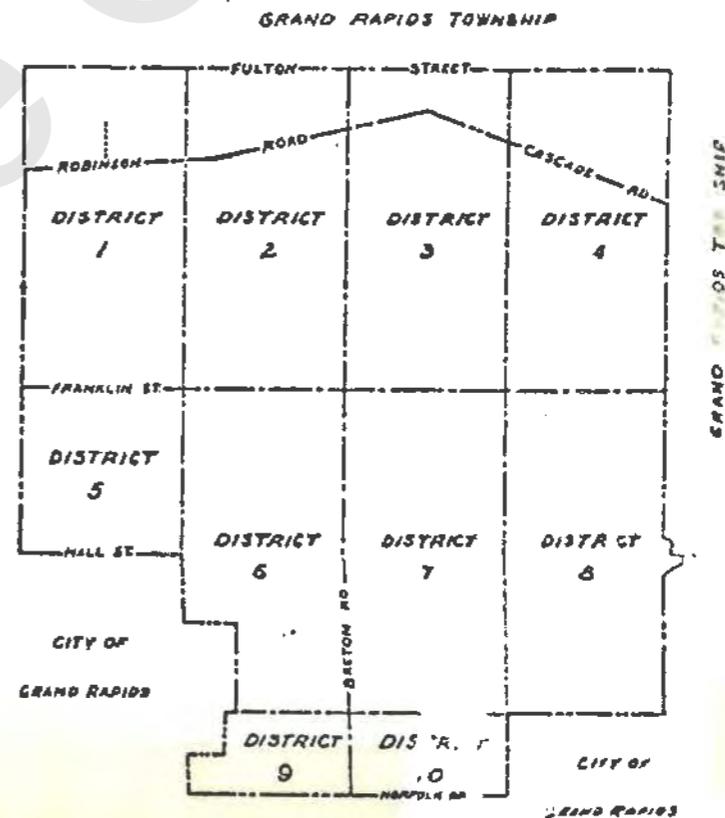
ZONING MAP OF THE CITY OF EAST GRAND RAPIDS, MICHIGAN, 1974

INDEX TO ZONING DISTRICTS  
CITY OF EAST GRAND RAPIDS

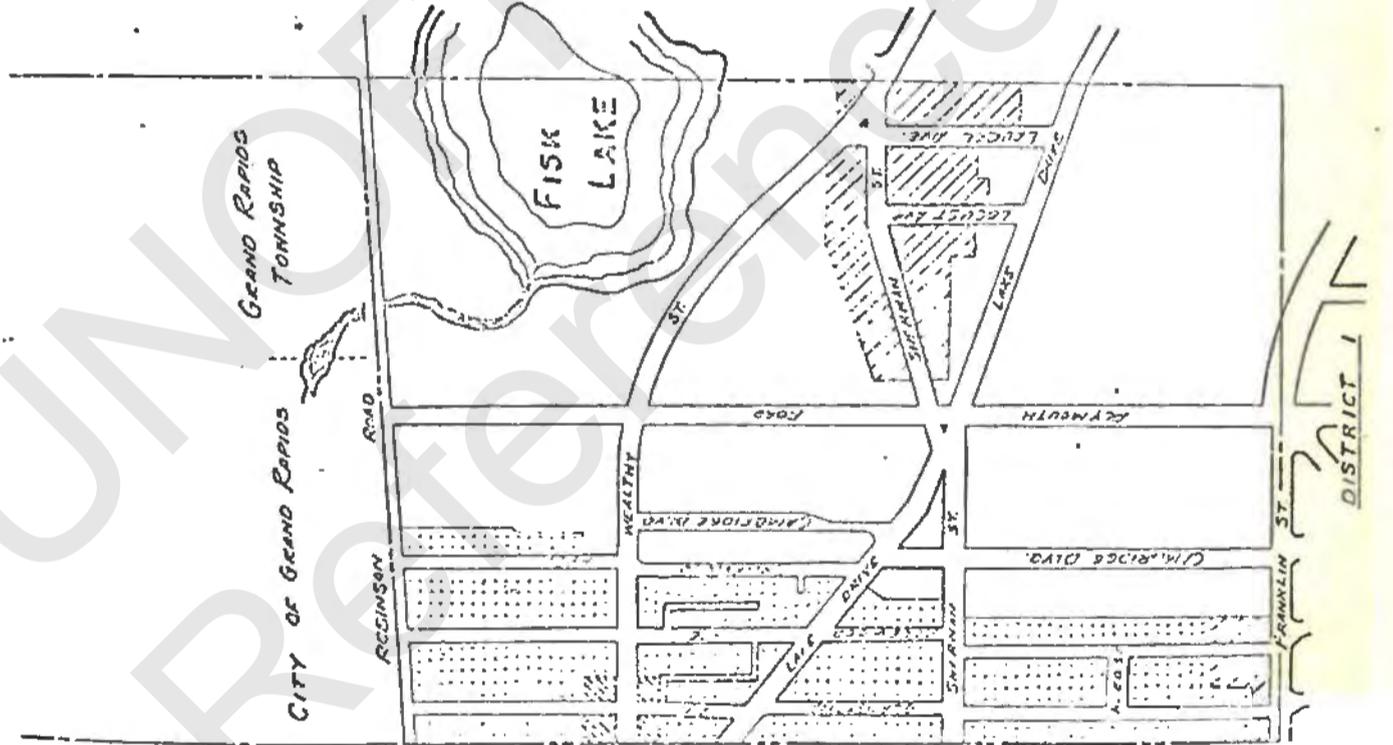
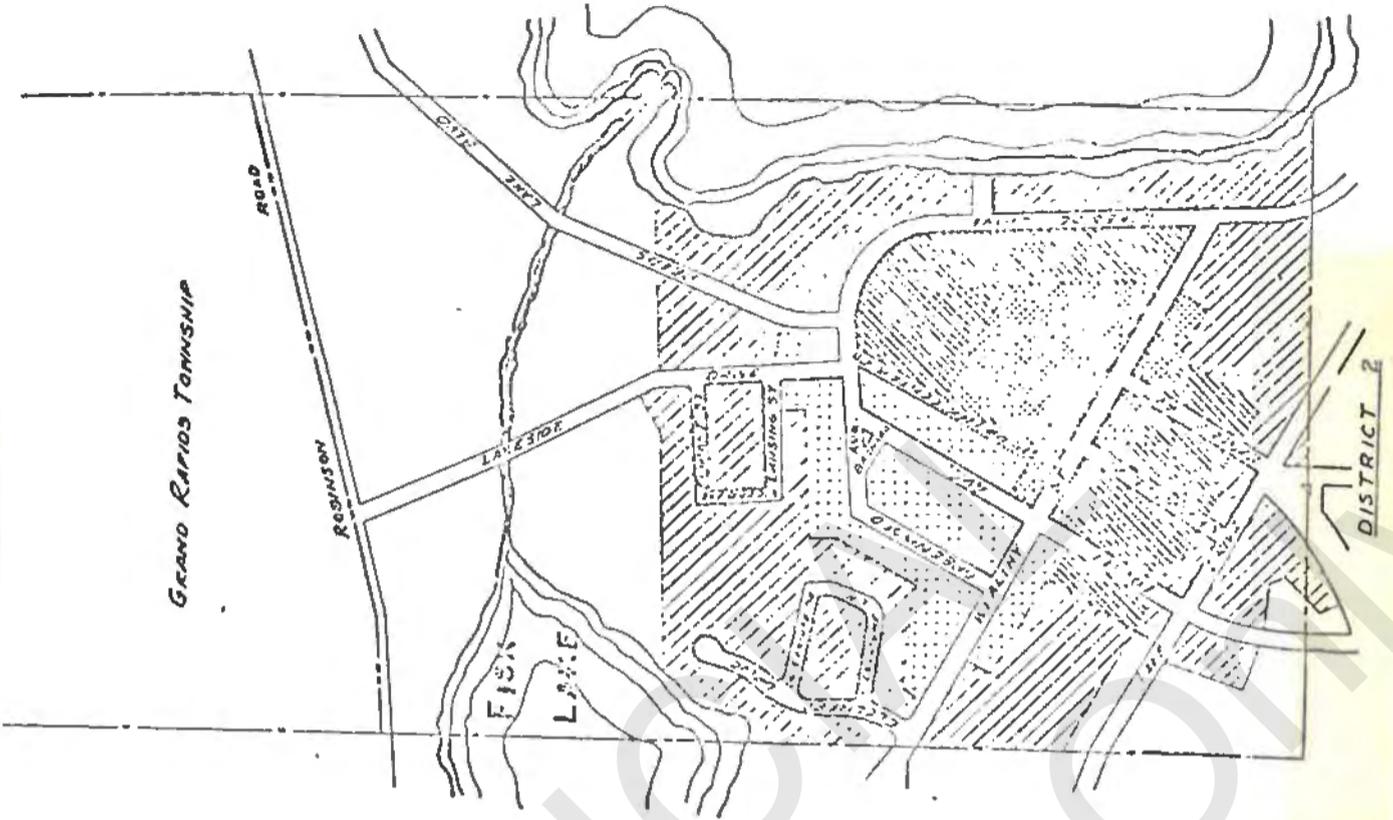


KEY

-  A-1 ONE FAMILY RESIDENCE  
12,000 SQUARE FEET
-  A-2 ONE FAMILY RESIDENCE  
7,200 SQUARE FEET
-  A-3 ONE FAMILY RESIDENCE  
5,000 SQUARE FEET
-  B-1 TERRACE APARTMENTS  
AND TWO FAMILY CONVERSIONS
-  C-1 COMMERCIAL



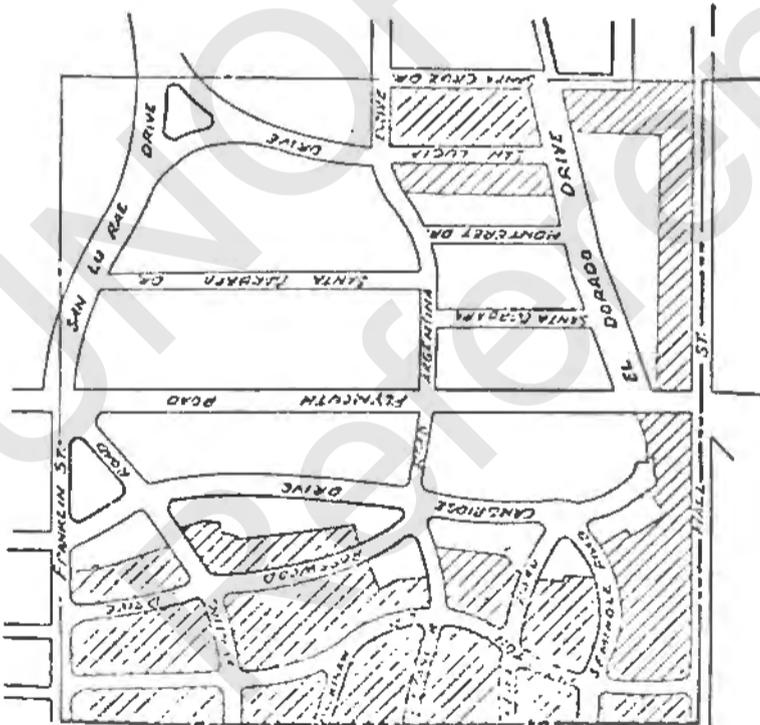
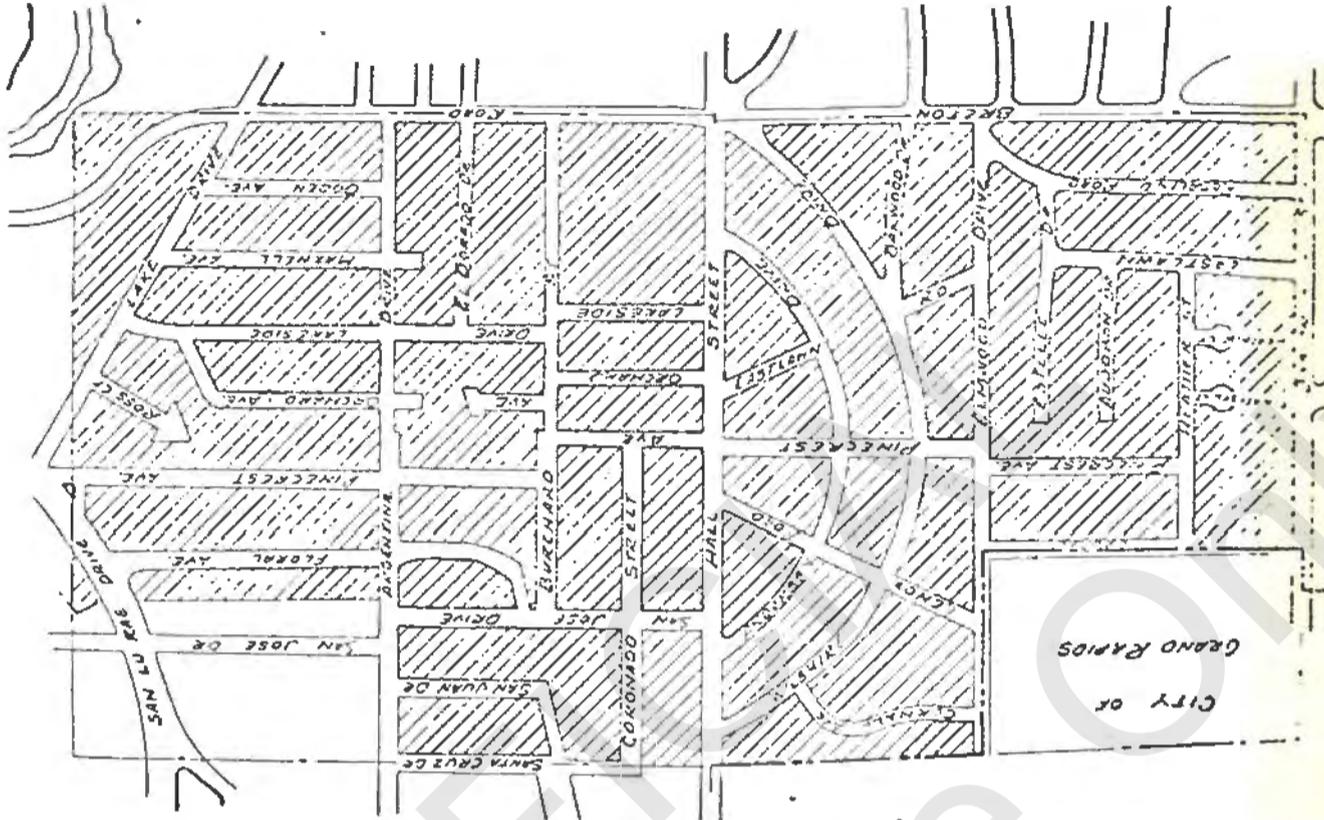
ZONING MAP OF THE CITY OF EAST GRAND RAPIDS, MICHIGAN, 1974



City of Grand Rapids



ZONING MAP OF THE CITY OF EAST GRAND RAPIDS, MICHIGAN, 1974

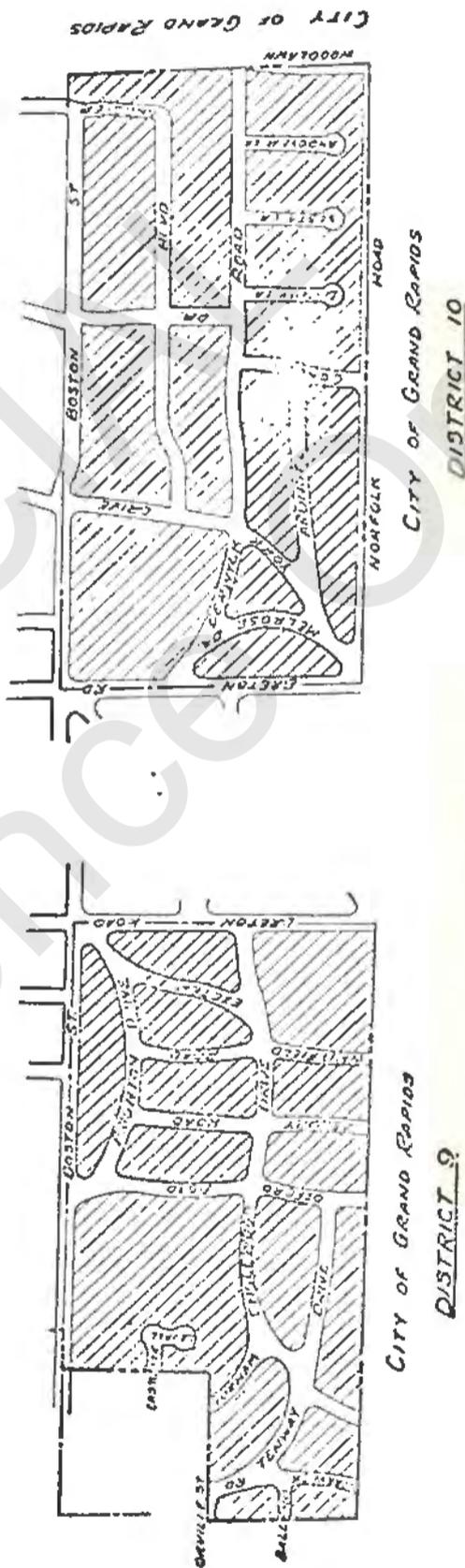


CITY OF GRAND RAPIDS

DISTRICT 5



ZONING MAP OF THE CITY OF EAST GRAND RAPIDS, MICHIGAN, 1974



## ARTICLE 18 - SEPARABILITY AND EFFECTIVE DATE

6.194. Separability. Should any section, clause or provisions of this Chapter be declared by the Court to be invalid, the same shall not affect the validity of the Chapter as a whole or any part thereof, other than the part so declared to be invalid.

6.195. Effective date. This Ordinance was duly adopted by the City Commission on May 20, 1974 and becomes effective June 1, 1974.

Section 2. That the following digest, summary or statement of the purpose of this ordinance be published in a newspaper of general circulation within the City of East Grand Rapids within 10 days after the enactment of this ordinance pursuant to the provisions of Chapter VIII, Section 5(2) of the Charter of the City of East Grand Rapids, viz:

"Notice of Enactment of Amended  
Zoning Ordinance of the City  
of East Grand Rapids, Michigan

Take notice that on May 20, 1974, the City Commission of the City of East Grand Rapids, Michigan did adopt an amended zoning ordinance for the City of East Grand Rapids which replaces in its entirety the prior zoning ordinance heretofore set forth at Sections 5.1 through 5.133 of the Code of the City of East Grand Rapids. Said amended zoning ordinance is set forth at Sections 5.1 through 6.195 of said Code, as amended, and was enacted pursuant to Michigan Public Act 207 of 1921, as amended, for the purposes set forth in said Act including the establishment of districts or zones within which regulations as to the use of land and structures, the height, the area, the size and location of buildings, light and ventilation and density are established. Said ordinance also provides for the administration thereof and amendments thereto. Copies of the full text of said ordinance are available for inspection by and distribution to the public, at the office of the City Clerk of the City of East Grand Rapids, 750 Lakeside Drive, East Grand Rapids, Michigan.

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John Wielsma  
City Clerk, City of East Grand Rapids,  
Michigan

Section 3. This ordinance shall be effective on June 1, 1974.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

393. The City Attorney suggested that an ordinance to amend subsections 5(a), 5(b), 8 and 22 of section 8.93 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids be considered.

AN ORDINANCE TO AMEND SUBSECTIONS (5) (a), (5) (b), (8) AND  
(22) OF SECTION 8.93 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. That subsections (5) (a) and (5) (b) of Section 8.93 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids be amended to read as follows:

(a) "Private or single family dwelling" shall mean dwelling occupied by one family, and so designed and arranged as to provide cooking, kitchen and sanitary accommodations for one family only.

(b) "Two family dwelling" shall mean a dwelling occupied by two families, and so designed and arranged as to provide cooking, kitchen and sanitary accommodations for each of two families only.

Section 2. That subsection (8) of Section 8.93 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids be amended to read as follows:

(8) "Family. For all purposes under this ordinance a family shall be considered to include (1) a group of persons related by blood, marriage or legal adoption living together as a single housekeeping unit in a dwelling unit, and (2) an individual living alone or not more than two adult unrelated persons of the same sex occupying a dwelling unit. Additional persons may be housed with a family in a dwelling unit only in compliance with all provisions of Chapter 83 - Housing Regulations of the Code of the City of East Grand Rapids."

Section 3. That subsection (22) of Section 8.93 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids be amended to read as follows:

(22) "Rooming, lodging or boarding home" (hereinafter referred to as rooming house) shall mean a dwelling having one kitchen and used either primarily or incidentally for the purpose of providing meals or lodging or both meals and lodging to persons other than members of the family occupying such dwelling. In the case of a family related by blood, marriage or legal adoption not to exceed two persons not so related may be provided with meals or lodging or both without compliance with the provisions of Section 8.211 through 8.221 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids except that as a result thereof the number of persons so provided with meals or lodging in such dwelling, including members of the family, shall not be caused to exceed a total of five. Except as above meals or lodging may be provided to persons other than members of the family only in compliance with the provisions of Sections 8.211 through 8.221 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids.

Section 4. This ordinance shall be published in full within 10 days after its enactment and shall be effective on \_\_\_\_\_, 1974.

393-A. Remien-Robberson. That this ordinance be introduced and placed on first reading for consideration by the Commission at a future meeting.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

394. Pierce-Cooper. That the proposed Traffic Signal Maintenance Agreement which was tabled at the previous meeting (Item 379) be removed from the table.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

394-A. The City Manager reported that he and the City Attorney had discussed the legal ramifications of the Traffic Signal Maintenance Agreement.

394-B. Pierce-Cooper. That the City Manager be authorized to execute the Traffic Signal Maintenance Agreement.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

395. The City Manager presented a Memorandum of Agreement with the Public Service Department Employees' Association and recommended its approval.

395-A. Remien-Pierce. That this Commission ratify the collective bargaining agreement between the City and the Public Service Department Employees' Association.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

396. The City Controller recommended that delinquent bills set forth on his report to the Commission be re-assessed on the 1974 City Tax Roll. In summary, delinquent special assessment bills with interest and penalty - \$3,133.35; delinquent weed cutting bills with penalty - \$20.52; delinquent water bills and penalties - \$1,964.67.

396-A. Cooper-Remien. That the following amounts be assessed on the 1974 City Tax Roll:

SPECIAL IMPROVEMENT ON 1974 TAX ROLL

	<u>AM'T OF INSTALL</u>	<u>INTEREST</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
<u>SPECIAL ASSESSMENTS</u>				
<u>1971 Woodcliff Improvement (3rd Install)</u>				
41-18-03-226-026	\$ <u>136.52</u>	\$ <u>73.72</u>	\$ <u>21.02</u>	\$ <u>231.26</u>
TOTAL 1971 Special Assessment	\$136.52	\$ 73.72	\$ 21.02	\$231.26
<u>1970 Edgewood, Ridgewood, Maplewood Impr. (4th Install)</u>				
41-18-03-258-014	\$ 83.37	\$ 40.02	\$ 12.34	\$135.73
41-18-03-259-002	<u>83.37</u>	<u>40.02</u>	<u>12.34</u>	<u>135.73</u>
TOTAL 1970 Special Assessment	\$166.74	\$ 80.04	\$ 24.68	\$271.46
<u>1969 Sherwood Improvement (5th Install)</u>				
41-18-03-253-005	\$106.55	\$ 44.75	\$ 15.13	\$166.43
41-18-03-258-004	<u>87.90</u>	<u>36.92</u>	<u>12.48</u>	<u>137.30</u>
TOTAL 1969 Special Assessment	\$194.45	\$ 81.67	\$ 27.61	\$303.73
<u>1968 Lakeside Improvement (6th Install)</u>				
41-14-33-478-005	\$ 41.73	\$ 15.02	\$ 5.68	\$ 62.43
41-14-33-480-016	<u>37.94</u>	<u>13.66</u>	<u>5.16</u>	<u>56.76</u>
	\$ 79.67	\$ 28.68	\$ 10.84	\$119.19
<u>1968 Beechwood Improvement (6th Install)</u>				
41-18-03-202-024	\$ <u>77.96</u>	\$ <u>28.07</u>	\$ <u>10.60</u>	\$ <u>116.63</u>
	\$ 77.96	\$ 28.07	\$ 10.60	\$116.63
<u>1968 Audobon Improvement (6th Install)</u>				
41-18-04-276-029	\$ 60.23	\$ 21.68	\$ 8.19	\$ 90.10
41-18-04-277-018	46.64	16.80	6.34	69.78
41-18-04-277-023	<u>46.64</u>	<u>16.80</u>	<u>6.34</u>	<u>69.78</u>
	\$153.51	\$ 55.28	\$ 20.87	\$229.66
TOTAL 1968 Special Assessment	\$311.14	\$112.03	\$ 42.31	\$465.48
<u>1967 Fisk Improvement (7th Install)</u>				
41-14-33-354-001	\$ <u>92.22</u>	\$ <u>27.67</u>	\$ <u>11.99</u>	\$ <u>131.88</u>
TOTAL 1967 Special Assessment	\$ 92.22	\$ 27.67	\$ 11.99	\$131.88
<u>1966 Anderson Improvement (8th Install)</u>				
41-18-04-202-001	\$ 54.55	\$ 13.09	\$ 6.76	\$ 74.40
41-18-04-204-008	<u>49.51</u>	<u>11.88</u>	<u>6.14</u>	<u>67.53</u>
	\$104.06	\$ 24.97	\$ 12.90	\$141.93

5/20/74

	<u>AM'T OF INSTALL</u>	<u>INTEREST</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
1966 Reeds Lake Improvement (8th Install)				
41-14-34-202-010	\$ <u>229.75</u>	\$ <u>55.15</u>	\$ <u>28.49</u>	\$ <u>313.39</u>
	\$229.75	\$ 55.15	\$ 28.49	\$313.39
1966 North Shore Trunk Storm Drain				
41-14-27-377-013	\$ 18.53	\$ 4.45	\$ 2.30	\$ 25.28
41-14-27-377-014	20.21	4.85	2.51	27.57
41-14-27-378-007	62.64	15.04	7.77	85.45
41-14-27-378-008	<u>21.55</u>	<u>5.17</u>	<u>2.67</u>	<u>29.39</u>
	\$122.93	\$ 29.51	\$ 15.25	\$167.69
TOTAL 1966 Special Assessment	\$456.74	\$109.63	\$ 56.64	\$623.01
1965 Lake Grove Improvement (9th Install)				
41-14-34-356-022	\$ <u>36.53</u>	\$ <u>6.58</u>	\$ <u>4.31</u>	\$ <u>47.42</u>
TOTAL 1965 Special Assessment	\$ 36.53	\$ 6.58	\$ 4.31	\$ 47.42
1964 Richards Improvement (10 Install)				
41-18-03-179-014	\$ <u>34.74</u>	\$ <u>4.16</u>	\$ <u>3.89</u>	\$ <u>42.79</u>
	\$ 34.74	\$ 4.16	\$ 3.89	\$ 42.79
<u>1964 Woodcliff Improvement</u>				
41-14-34-453-011	\$242.67	\$ 29.12	\$ 27.18	\$298.97
41-14-34-476-001	313.41	37.60	35.10	386.11
41-14-34-476-026	<u>152.69</u>	<u>18.32</u>	<u>17.10</u>	<u>188.11</u>
	\$708.77	\$ 85.04	\$ 79.38	\$873.19
TOTAL 1964 Special Assessment	\$743.51	\$ 89.20	\$ 83.27	\$915.98
TOTAL 1971 Special Assessment	\$136.52	\$ 73.72	\$ 21.02	\$231.26
TOTAL 1970 Special Assessment	166.74	80.04	24.68	271.46
TOTAL 1969 Special Assessment	194.45	81.67	27.61	303.73
TOTAL 1968 Special Assessment	311.14	112.03	42.31	465.48
TOTAL 1967 Special Assessment	92.22	27.67	11.99	131.88
TOTAL 1966 Special Assessment	456.74	109.63	56.64	623.01
TOTAL 1965 Special Assessment	36.53	6.58	4.31	47.42
TOTAL 1964 Special Assessment	<u>743.51</u>	<u>89.20</u>	<u>83.27</u>	<u>915.98</u>
	\$2,237.93	\$610.56	\$284.86	\$3,133.35
DELINQUENT WEED CUTTING		<u>AM'T OF INSTALL</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
41-18-03-259-006		\$ <u>18.65</u>	\$ <u>1.87</u>	\$ <u>20.52</u>
TOTAL		\$ 18.65	\$ 1.87	\$ 20.52

DELINQUENT WATER BILLS

	<u>AM'T OF BILL</u>	<u>10% PENALTY</u>	<u>TOTAL</u>
<u>LEDGER A</u>			
41-14-33-102-017	\$ 50.13	\$ 5.01	\$55.14
41-14-33-106-013	86.34	8.63	94.97
41-14-33-151-002	93.09	9.31	102.40
41-14-33-151-006	123.60	12.36	135.96
41-14-33-207-001	85.65	8.57	94.22
41-14-33-253-012	<u>31.38</u>	<u>3.14</u>	<u>34.52</u>
TOTAL Ledger-A	\$470.19	\$ 47.02	\$517.21
<u>LEDGER B</u>			
41-14-27-454-014	\$ 68.37	\$ 6.84	\$ 75.21
41-14-34-476-012	81.44	8.14	89.58
41-18-04-434-020	<u>93.00</u>	<u>9.30</u>	<u>102.30</u>
TOTAL Ledger-B	\$242.81	\$ 24.28	\$267.09
<u>LEDGER C</u>			
41-18-03-102-011	\$ 37.59	\$ 3.76	\$ 41.35
41-18-03-126-026	117.87	11.79	129.66
41-18-03-178-007	110.13	11.02	121.15
41-18-04-202-003	112.00	11.20	123.20
41-18-04-204-004	77.70	7.77	85.47
41-18-04-206-010	345.05	34.51	379.56
41-18-04-277-018	45.49	4.55	50.04
41-18-04-254-004	46.20	4.62	50.82
41-18-04-280-026	100.05	10.01	110.06
41-18-04-403-004	28.23	2.82	31.05
41-18-04-404-009	<u>52.74</u>	<u>5.27</u>	<u>58.01</u>
TOTAL Ledger-C	\$1,073.05	\$107.32	\$1,180.37
TOTAL A	\$470.19	47.02	517.21
TOTAL B	242.81	24.28	267.09
TOTAL C	<u>1,073.05</u>	<u>107.32</u>	<u>1,180.37</u>
GRAND TOTAL	\$1,786.05	\$178.62	\$1,964.67

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

397. Cooper-Stoppels. That the request of Mr. Mulligan (Under Item 389) be removed from the table.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

397-A. Mr. Mulligan submitted a revised plan for his platform tennis court which moved the court closer to Woodcliff and included erection of a 6 ft. redwood fence and planting of additional shrubbery to screen the court.

397-B. Cooper-Robberson. That the request of Mr. Mulligan be approved in accordance with the revised plan.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

398. The City Manager notified the Commission of the Michigan Municipal League Annual Meeting which will be held in Detroit on September 11-13, 1974.

399. Financial reports for the month of April and minutes of the Parks and Recreation Commission meeting held April 30 were received and filed.

400. Pierce-Robberson. That expense vouchers in the amount of \$126,909.55, and payroll vouchers in the amount of \$36,355.14, 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: Pierce, Cooper, Remien, Clary, Stoppels. Robberson, Baxter - 7  
Nays: 0

401. There were 13 residents in attendance at this meeting.

402. The meeting was adjourned at 9:00 p.m., subject to the call of the Mayor, until June 3, 1974.

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

UNOFFICIAL  
Reference Only

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

Regular Meeting Held June 3, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Cooper, Remien, Stoppels, Robberson and Mayor Baxter.  
Absent: Com. Clary.

403. The minutes of the regular meeting held May 20, 1974 were approved as written.

404. The Mayor adjourned the City Commission and convened the City Commission as the Board of Zoning Appeals.

404-A. Pursuant to public notice as required by statute, a public hearing was held on the request of Mr. John Gilmore for a zoning use variance for the property at 529-531 Greenwood. Mr. Gilmore presented his plans for remodeling this property for use as office buildings. Five residents present at the meeting spoke in favor of the use; however, some questioned the availability of parking in the area and did not want the parking of cars on the streets.

The City Attorney reported that the City Commission, before granting such a variance, must determine the existence of hardship.

Mr. John Gilmore spoke relative to the purchase price of the property. He stated that he paid \$9,500.00 for the property and also assumed some \$12,000.00 in taxes and debts of the corporation.

Mrs. Burleson discussed the cost relative to maintenance of the property and said that due to rising costs she no longer could afford to maintain the property.

404-B. Cooper-Stoppels. That the hearing on the use variance be closed and that the City Attorney be instructed to draft proposed findings of fact in this case to be considered at the next meeting.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

The Mayor declared the hearing closed and reconvened the City Commission in its capacity as such.

405. The City Manager discussed the Housing Code amendment introduced at the last meeting and reported that the purpose is to provide similar definitions to those in the new Zoning Ordinance relative to Family, Rooming, Lodging and Boarding Home, and Private and Single-Family Dwellings.

405-A. Robberson-Stoppels. That the following ordinance be adopted:

AN ORDINANCE TO AMEND SUBSECTIONS (5) (a), (5) (b), (8) AND  
(22) OF SECTION 8.93 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. That subsections (5) (a) and (5) (b) of Section 8.93 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids be amended to read as follows:

(a) "Private or single family dwelling" shall mean dwelling occupied by one family, and so designed and arranged as to provide cooking, kitchen and sanitary accommodations for one family only.

(b) "Two family dwelling" shall mean a dwelling occupied by two families, and so designed and arranged as to provide cooking, kitchen and sanitary accommodations for each of two families only.

Section 2. That subsection (8) of Section 8.93 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids be amended to read as follows:

(8) "Family. For all purposes under this ordinance a family shall be considered to include (1) a group of persons related by blood, marriage or legal adoption living together as a single housekeeping unit in a dwelling unit, and(2) an individual living alone or not more than two adult unrelated persons of the same sex occupying a dwelling unit. Additional persons may be housed with a family in a dwelling unit only in compliance with all provisions of Chapter 83 - Housing Regulations of the Code of the City of East Grand Rapids."

Section 3. That subsection (22) of Section 8.93 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids be amended to read as follows:

(22) "Rooming, lodging or boarding home" (hereinafter referred to as rooming house) shall mean a dwelling having one kitchen and used either primarily or incidentally for the purpose of providing meals or lodging or both meals and lodging to persons other than members of the family occupying such dwelling. In the case of a family related by blood, marriage or legal adoption not to exceed two persons not so related may be provided with meals or lodging or both without compliance with the provisions of Section 8.211 through 8.221 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids except that as a result thereof the number of persons so provided with meals or lodging in such dwelling, including members of the family, shall not be caused to exceed a total of five. Except as above meals or lodging may be provided to persons other than members of the family only in compliance with the provisions of Sections 8.211 through 8.221 of Chapter 83 of Title VIII of the Code of the City of East Grand Rapids.

Section 4. This ordinance shall be published in full within 10 days after its enactment and shall be effective on June 17, 1974.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

406. The invoice from the Blandford Appraisal Company in the amount of \$1,920.00 for appraisal services performed for the City was received.

406-A. Cooper-Remien. That the invoice from Blandford Appraisal Company in the amount of \$1,920.00 be paid.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

407. The City Manager recommended approval of the contract with the Michigan Consolidated Gas Company for maintenance of the gas lights in the business district. The City Manager also reported that the number of lights owned by the City is not 49 but some number less than that.

407-A. Cooper-Robberson. That execution of the contract is authorized with the proper number of gas lights to be maintained to be inserted into the contract before signing.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

408. Mrs. Barbara Hoag spoke to the City Commission relative to the report submitted to the City Commission by the Community Outdoor Education Committee recommending uses for the Manhattan School site.

408-A. Cooper-Stoppels. That the City Commission go on record in support of retaining the Manhattan School site for community use.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

409. The Traffic Commission minutes were received along with a report from the City Engineer relative to the driveway entrance to the Junior High School.

409-A. Pierce-Cooper. That the minutes of the Traffic Commission and the City Engineer's recommendations be approved.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

410. The monthly reports of the City Assessor and the Fire Department were reviewed and were received and filed.

411. The City Manager discussed a letter received from the City of Kentwood asking that the City of East Grand Rapids send a delegate to a meeting at Kentwood City Hall with the Kent County Library Commission. The City of Kentwood wishes to discuss the matter of the library support formula.

411-A. Robberson-Pierce. That the Mayor appoint a representative to attend this meeting.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

412. The Mayor reported to the Commission about a meeting being held in Grand Rapids City Hall on Tuesday, June 4, 1974, relative to the widening of the intersections at Lake Drive and Eastern and at Lake Drive and Fuller.

413. Commissioner Cooper requested a progress report on the City's draft of an Affirmative Action Program. The City Manager reported that we have received a copy of the Grand Rapids ordinance dealing with only the City's contractual obligations relative to minority employees. Neither the City of Wyoming nor the City of Grand Rapids has yet adopted an ordinance establishing an affirmative action program in their hiring policy.

414. Cooper-Robberson. That expense vouchers in the amount of \$138,432.37, and payroll vouchers in the amount of \$34,228.29, 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: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

415. Commissioner Pierce reported that he had received reports of speeding on Lake Drive and asked the City Manager if it would be possible to work the radar patrol in this area. He also requested that the City send a representative to the meeting which is being held at Grand Rapids City Hall, Room 609, on June 4, 1974, relative to the widening of the two intersections on Lake Drive.

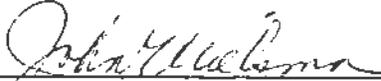
415-A. Pierce-Robberson. That a City Commission member or citizen attend this meeting.

Yeas: Pierce, Remien, Robberson, Baxter - 4  
Nays: Cooper, Stoppels - 2

416. Commissioner Robberson requested information relative to the survey of flooding within the city. The City Engineer reported that about 250 homes have been inspected and that when inspection of approximately 500 is completed he will be able to make a report and give recommendations as to solutions.

417. Commissioner Stoppels expressed the desire of the Library Commission that Mrs. Starr continue on the Library Commission for the coming year.

418. The meeting was adjourned at 10:14 p.m., subject to the call of the Mayor, until June 17, 1974.

  
City Clerk

6

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

Regular Meeting Held June 17, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Pierce, Cooper, Remien, Stoppels, Robberson, and Mayor Baxter.  
Absent: Com. Clary.

419. The minutes of the regular meeting held June 3, 1974 were approved as written.

420. Pursuant to public notice, a hearing was then held on the request of Mr. Bruce M. Bieneman, 2814 Woodcliff Circle, SE, to permit construction of an attached garage one foot from the north lot line. Mr. Bieneman requested that this variance be worded so that the location of the garage would be not less than two feet from the east lot line and not less than 15 feet from the south lot line.

420-A. Remien-Pierce. That this Commission, acting as the Board of Zoning Appeals, grant this variance to permit construction of an attached garage two feet from the east lot line and 15 feet from the south lot line.

Yeas: Pierce, Cooper, Remien, Stoppels, Robberson, Baxter - 6  
Nays: 0

Commissioner Clary arrived at this time.

421. The City Attorney submitted proposed findings of fact and decision relative to the zoning variance requested by Mr. John F. Gilmore for the property at 529-531 Greenwood, SE. Mr. Gilmore was present to discuss this request.

421-A. Robberson-Pierce. That this Commission, acting as the Board of Zoning Appeals, adopt the findings of fact as submitted by the City Attorney and authorize the use of this property for the purposes of professional offices not including medical or dental offices as set forth in the decision proposed by the Attorney, which are filed with the City Clerk.

421-B. Stoppels-Mayor Baxter. That the findings of fact be amended by deleting the last sentence in paragraph B.

A roll call vote was taken:

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Baxter - 6  
Nays: Robberson - 1

A roll call vote was then taken on the main motion:

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

422. A letter was received from Mr. Robert M. Baker, 1525 Breton Road, SE, regarding speeding on Breton Road. Commissioner Robberson stated that Mr. Baker's concerns were that the City should use more patrol to better enforce the laws as they pertain to speeding traffic and, secondly, that the traffic lights be timed more effectively to create more substantial intervals in the flow of traffic on Breton Road.

422-A. Robberson-Clary. That this matter be referred to the Traffic Commission to make an investigation of this problem and report back to the City Commission their findings and recommendations.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

423. The City Manager reported on deeds which were received from the City of Grand Rapids for the transfer of property located within the City of East Grand Rapids, namely, Lot #7 of Griffiths Lake Park and Lot #45 of Woodcliff Park.

423-A. Clary-Stoppels. That the City of East Grand Rapids accept these deeds and that they be recorded with the Kent County Register of Deeds.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

424. An application for a permit for a fireworks display on the 4th of July was received from the Grand Rapids Yacht Club and the City of East Grand Rapids.

424-A. Robberson-Pierce. That authorization be given to these units to permit the use of fireworks on the 4th of July.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

425. An invoice from Mika, Meyers, Beckett & Jones in the amount of \$3,859.90 relative to the condemnation suit and an invoice from Law, Buchen, Weathers, Richardson & Dutcher relative to the building repair in the amount of \$5,524.24 were received.

425-A. Pierce-Cooper. That the Mika, Meyers, Beckett & Jones invoice in the amount of \$3,859.90 be approved for payment, the amount of which is to be charged against contingencies; and the invoice from Law, Buchen, Weathers, Richardson & Dutcher in the amount of \$5,524.24 be approved.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

426. The City Manager suggested that the City submit an offer to Mr. Egger for Lots 209, 210 and 1/2 of 211 Lake Drive Estates in the amount of \$4,400 which would represent twice the assessed value.

426-A. Robberson-Pierce. That the offer pertain to Lot 209 only.

A roll call vote was taken:

Yeas: Cooper, Pierce, Robberson - 3  
Nays: Clary, Remien, Stoppels, Baxter - 4

The motion failed.

426-B. Clary-Stoppels. That the City submit an offer to purchase Lots 209, 210 and 1/2 of 211 of Lake Drive Estates plat for the amount of twice the assessed value (\$4,400.00).

A roll call vote was taken:

Yeas: Clary, Cooper, Remien, Stoppels, Baxter - 5  
Nays: Pierce, Robberson - 2

The motion carried.

427. The City Manager reported on a bill which was submitted by Kamminga & Roodvoets Company in the amount of \$4,005.00 for the repair of a sanitary sewer damaged by a Michigan Bell Telephone vault. He also stated that Michigan Bell has been billed for the damage.

427-A. Remien-Clary. That payment of this invoice be authorized.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

428. A letter was received from the Kent County Library system regarding statistics from the 1973 surveys and the amount of participation Grand Rapids Township has in the Kent County Library system. This matter was referred to a Committee-of-the-Whole session.

429. Mr. and Mrs. Harper Moore requested that Wealthy Street be cleaned more frequently as a result of accumulation of dirt from the Blodgett Hospital construction. They also requested that a closer relationship be established between the City and the Project Supervisor to encourage the contractor to do a better job of housekeeping.

429-A. Cooper-Remien. That the City Manager be directed to write a letter to the hospital expressing the concerns of the neighbors as it relates to traffic and cleaning of streets.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

430. The report from the East Grand Rapids Police Department for May, 1974, and the financial statement for an 11-month period ended May 31, 1974 were received and filed.

431. Cooper-Pierce. That expense vouchers in the amount of \$34,656.06, and payroll vouchers in the amount of \$35,885.56 as approved by the Ways & Means Committee be approved and the Controller be authorized to draw an order on the Treasurer for their respective amounts.

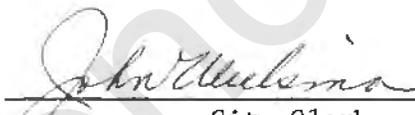
Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

432. Commissioner Clary inquired about the feasibility of adopting an ordinance requiring residents to place their grass clippings and other material at the curb only on the day immediately before pickup. This would improve appearance and eliminate some of the street flooding during heavy rains. It was suggested that this matter be treated in the next issue of Comment, including the publishing of the pickup schedule. It was also suggested that the people be encouraged to place their grass clippings in bags or containers prior to putting them out for pickup. Bags for this purpose can be purchased at the City Hall or the East Grand Rapids Fire Department at a cost of \$2.50 for 50 bags.

433. Commissioner Stoppels reported that the Lake Drive Baptist Church has negotiated a contract to level and seed the vacant lot at their church.

434. Pierce-Remien. That the meeting be adjourned, subject to the call of the Mayor, until June 24, 1974.

Yeas: Pierce, Cooper, Remien, Clary, Stoppels, Robberson, Baxter - 7  
Nays: 0

  
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City Clerk

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

Special Meeting Held June 24, 1974

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

Present: Coms. Remien, Stoppels, Robberson, and Mayor Baxter.  
Absent: Coms. Pierce, Cooper, and Glary.

435. Pursuant to published notice, a hearing was held by the City Commission relative to the proposed budget for the fiscal year 1974-75. There was one resident in attendance who discussed various items of the budget with the Mayor and Commissioners.

435-A. Stoppels-Remien. Resolved that the following budget be adopted as the annual budget for the City of East Grand Rapids for the year July 1, 1974 to June 30, 1975:

ANTICIPATED REVENUES

City Taxes	\$1,358,400
Licenses & Permits	2,400
Fines & Fees	20,000
Distributions from Other Agencies	371,600
From Use of Money & Property	30,000
Charges for Current Services	<u>89,200</u>
Total Anticipated Revenues	\$1,871,600

EXPENSE APPROPRIATIONS:

General Government	\$254,500
Public Safety	577,500
Public Service	550,200
Contributions & Aid	160,900
Other Operating Expenses	<u>200,950</u>
Sub-Total Operating	\$1,744,050
Capital Expenditures	<u>127,550</u>
Total Expense Appropriations	\$1,871,600

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 amounts and the amounts estimated to be necessary for such purposes is hereby declared to be the sum of \$1,352,400 and the tax per \$1,000 valuation is hereby determined to be \$20.40.

A roll call vote was taken as follows:

Yeas: Remien, Stoppels, Robberson, Baxter - 4  
Nays: 0

The Resolution was declared adopted.

Pursuant to posted notice, the Commission discussed the following items:

436. A letter was received from D.W.D. Contractors requesting the extension of the completion date for the Asbury-Whitfield contract to July 31, 1974.

436-A. Remien-Stoppels. That the request of D.W.D. Contractors be granted.

Yeas: Remien, Stoppels, Robberson, Baxter - 4  
Nays: 0

6/24/74

437. The City Manager reported on insurance bids which were received June 20, 1974. The City Clerk distributed a summary of the bids to the Commissioners. The lowest bid for Part I of the package was Crosby & Henry who submitted a bid in the amount of \$7,890. The carriers are the Home Indemnity Company for the entire package with the exception of Excess Coverage which was bid through Hartford Insurance Company. The lowest bid for Part II which is Workmen's Compensation was Boylen, Longman & Doolittle, Inc., who submitted a bid in the amount of \$20,988 for standard premium with a dividend program that would reduce premium to \$11,556 with losses up to 5%. Bids were submitted with an experience modification rate of 81% which has been changed and the new rate is now 71%. The premium will be adjusted on this basis. The City Manager expressed concern about the Part I bid inasmuch as it was the intention of the City to package all policies under one company in this particular section of the specifications. The low bidder for Part I did not comply with our intention.

437-A. Remien-Robberson. That Part I of the insurance package be awarded to Crosby & Henry in the amount of \$7,890 and Part II be awarded to Boylen, Longman & Doolittle, Inc. in the amount of \$20,988 for the standard premium.

A roll call vote was taken:

Yeas: Remien, Stoppels, Robberson, Baxter - 4  
Nays: 0

The motion carried.

438. Remien-Stoppels. That the meeting be adjourned, subject to the call of the Mayor, until July 8, 1974.

Yeas: Remien, Stoppels, Robberson, Baxter - 4  
Nays: 0

  
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City Clerk

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

Regular Meeting Held July 8, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Clary, Pierce, Remien, Robberson, Stoppels, and Mayor Baxter.  
Absent: Com. Cooper.

1. The minutes of the regular meeting held June 19th and the special meeting held June 26th, 1974 were approved as written.

2. Pursuant to public notice a hearing was then held upon the request of Mr. Joseph G. Zelasko, 1750 Robinson Road, SE, to permit construction of a garage within two inches of his north property line. Mr. Zelasko was present to discuss his request. There were no objections.

2-A. Clary-Stoppels. That the Commission, acting as the Board of Zoning Appeals, grant this variance to permit construction of the garage.

Yeas: Clary, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

3. A letter from Albert Builders, Inc. requesting that sanitary sewer repairs be made in Kingswood was received. Mr. J. Brock Albert was present to urge the Commission to act favorably upon his request. The City Manager reported that funds available for capital appropriation from the General Fund are severely restricted due to the necessity this year for lowering the tax rate and for continued temporary financing of the Municipal building reconstruction project. Mayor Baxter suggested that this item be placed on the agenda for the next meeting for the purpose of taking a second look at this project.

4. A letter from Michigan Grand River Watershed Council regarding the City's financial participation in the Watershed Council was received. After some discussion it was moved by Commissioner Clary and supported by Commissioner Robberson that this matter be tabled.

Yeas: Clary, Robberson, Stoppels, Baxter - 4  
Nays: Pierce, Remien - 2

5. A letter from the Grand Rapids Press regarding publication rates was received.

5-A. Pierce-Clary. That the contract for publishing the minutes and other legal notices be awarded to the Grand Rapids Press at a rate of \$4.89 per column inch.

Yeas: Clary, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

6. The City Manager distributed information relative to the proposed "911" emergency telephone number. This matter was received for information.

7. The City Manager distributed information relative to aquatic weed control and recommended that the City proceed on an experimental basis to harvest weeds in Reeds Lake by contracting with N. Maney & Son at the rate of \$35 per hour to a maximum of \$2,000 during the summer and fall of 1974.

7-A. Robberson-Clary. That the City Manager be authorized to expend up to \$2,000 at the rate of \$35 per hour for the purpose of harvesting weeds in Reeds Lake.

Yeas: Clary, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

8. The City Manager reported on bids which were received for the City's tire needs and recommended that McGraw Tire Company, who quoted a 20% discount, be awarded the contract.

8-A. Stoppels-Remien. That the tire contract be awarded to McGraw Tire Company.

Yeas: Clary, Pierce, Remien, Robberson, Stoppels, Baxter - 6

Nays: 0

9. The City Manager reported that bids were solicited for the purpose of supplying the City with gasoline for its 1974-75 fiscal year and that only one bid was received quoting a price of 57¢ per gallon. It was his recommendation that the City continue with its present supplier for this period, the rate of which is presently 27¢ per gallon. It was the consensus of the Commission that the City continue with its present supplier.

10. The City Controller recommended that the City continue designation of Old Kent Bank & Trust Company as the depository of City funds with the exception of the Special Construction Fund which should be with Union Bank.

10-A. Robberson-Stoppels. That Old Kent Bank & Trust Company be continued as the principal depository, and Union Bank & Trust Company be designated as depository for Special Construction funds.

Yeas: Clary, Pierce, Remien, Robberson, Stoppels, Baxter - 6

Nays: 0

11. The Mayor reported that he did not have an opportunity to complete the appointment list and, therefore, deferred this matter until the next meeting. He asked that the Commissioners should contact him if they have any recommendations as to the various appointments.

12. Reports from the Police Department, Fire Department, and Assessor, for the month of June and the Traffic Commission minutes for their meeting held June 18th were received and filed.

13. Pierce-Remien. That expense vouchers in the amount of \$691,825.58, and payroll vouchers in the amount of \$74,751.32, 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: Clary, Pierce, Remien, Robberson, Stoppels, Baxter - 6

Nays: 0

14. The City Manager reported on bids which were received for the inspection and pressure testing of some 5,259 feet of sewers throughout the City and recommended that the contract be awarded to National Power Rodding Corp.

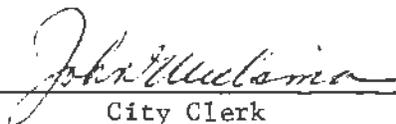
14-A. Remien-Robberson. That the contract for the sewer inspection and pressure testing be awarded to National Power Rodding Corp. pursuant to their quotation.

Yeas: Clary, Pierce, Remien, Robberson, Stoppels, Baxter - 6

Nays: 0

15. The City Manager reported that the Michigan Municipal League is holding its 76th annual convention in Detroit on September 11 - 13 and suggested that Commissioners interested in attending should contact him or Mr. Wielsma for the purpose of making reservations.

16. The meeting was adjourned, subject to the call of the Mayor, at 9:05 p.m. until July 22, 1974.

  
City Clerk

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

Regular Meeting Held July 22, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Clary, Cooper, Pierce, Remien, Robberson, Stoppels, and  
Mayor Baxter.

Absent: None.

19. The minutes of the regular meeting held July 8, 1974 were approved as written.

20. Pursuant to public notice, a hearing was then held upon the request of Mr. Leo Kazma, 1731 Vesta Lane, to permit construction of a portable utility shed one foot from their south property line. Mr. & Mrs. Kazma were present to discuss their request. There were no objections.

20-A. Cooper-Robberson. That the Commission, acting as the Board of Zoning Appeals, grant this request to permit construction of a utility shed.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

21. Remien-Pierce. That the consideration of membership in the Watershed Council be taken from the table.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

21-A. Remien-Pierce. That East Grand Rapids continue its membership in the Grand River Watershed Council.

A roll call vote was taken:

Yeas: Cooper, Pierce, Remien - 3  
Nays: Clary, Robberson, Stoppels, Baxter - 4

The motion failed.

22. Mr. J. Brock Albert requested the Commission to consider the improvement of Kingswood. This item was tabled at the July 8th Commission meeting and no motion was given to remove it from the table. No action was taken.

23. The City Manager reported that there were no bids received which met the specifications for purchase of automobiles. This matter was deferred until a later date.

24. The Mayor submitted the following list of appointments:

PRESIDENT OF COMMISSION &  
VICE-CHAIRMAN BOARD OF APPEALS  
CITY MANAGER  
CITY CLERK, CONTROLLER, TREASURER  
CITY ATTORNEY  
ASSESSOR-BUILDING INSPECTOR  
ASSISTANT ASSESSORS

CHIEF OF POLICE  
FIRE CHIEF  
HEALTH OFFICER  
HARBOR MASTER  
ELECTRICAL INSPECTOR  
FORRESTER

Robert M. Stoppels  
Frederic H. Tholen, Jr.  
John Wielsma  
Robert W. Richardson  
Donald Ford  
Sydney D. Shank  
Norman H. Reuss  
Farrell Babcock  
John F. Terpstra  
D. S. MacIntyre, M.D.  
Charles Harrett  
John DeBoer  
Henry Koopman

WAYS & MEANS COMMITTEE

W. B. Pierce, Chm.  
R. P. Cooper  
H. C. Remien

FIRE & POLICE

R. M. Stoppels, Chm.  
W. B. Pierce  
J. R. Clary

STREETS, SIDEWALKS, TREES

H. C. Remien  
R. M. Stoppels  
J. R. Clary

RECREATION & PARKS

R. P. Cooper, Chm.  
J. R. Clary  
T. C. Robberson

UTILITIES COMMITTEE

T. C. Robberson, Chm.  
R. P. Cooper, Chm.  
R. M. Stoppels

ORDINANCE COMMITTEE

J. F. Clary, Chm.  
W. B. Pierce  
H. C. Remien

LIBRARY COMMISSION

Estelle Leven (Mrs. Paul)  
Myrtle Starr (Mrs. John)  
Mrs. Frederic J. Renaud  
Robert M. Stoppels  
Mrs. Reuben Turner  
Harold Shapiro  
J. Gardner Taliaferro  
Martha Chalmers (Mrs. James)  
Deanne Carr (Mrs. Gordon)

BOARD OF REVIEW

Donald Ford, Chm.  
Sydney D. Shank  
Norman H. Reuss  
T. C. Robberson  
W. B. Pierce

PLANNING COMMISSION

	<u>Term Expires</u>
Carson O. Donley	7/1/75
William S. Bennett	7/1/77
William Thrall	7/1/77
Britton L. Gordon	7/1/77
Richard D. Murphy	7/1/75
Herbert C. Remien	7/1/75
Peter M. Sears	7/1/76
Valerie Nelson (Mrs. Willis)	7/1/76
John R. E. Ruhl	7/1/76
Board of Education	
Bruce Fairbanks	ex-officio
The Mayor	"
The Manager	"

TRAFFIC COMMISSION

J. Robert Green  
Sally Charnley (Mrs. M.M.)  
Edward D. Wells  
Harold Child  
Police Chief  
The Manager  
Watson Pierce ( in lieu of the Mayor )

EAST BELTLINE BD. OF DIRECTORS

	<u>Term Expires</u>
Ingwar W. Samuelson (Business)	7/1/75
Peter Wege (Citizen)	7/1/77
F. H. Tholen (Gov't)	7/1/76

ELECTION COMMISSION

John Wielsma  
Donald Ford  
R. W. Richardson

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

BOARD OF CANVASSERS

David M. Amberg  
Mrs. Herbert R. Boshoven  
Douglas W. Hillman  
George B. Skiff

Term ExpiresRECREATION COMMISSION

T. C. Robberson	7/1/77
Nancy Harper (Mrs. James H.)	7/1/75
James Glerum	7/1/76
3 Board of Education Appointees	
Gene Miller	7/1/76
Jane Goodspeed	7/1/77
Paul A. Seibold	7/1/75
Colin Cranham	(7/1/76 (C.A.L.)

HOUSING BOARD OF APPEALS

William F. Thrall  
Barbara Eggerding (Mrs. J.L.)  
R. A. Reid  
Health Officer  
Building Inspector

HISTORICAL COMMISSION (BI-CENTENNIAL)

Myrtle B. Starr (Mrs. John G.)

AGRAG REPRESENTATIVES

Mayor Baxter

GRETS POLIGY COMMITTEE

Mayor Baxter

GRETS TECHNICAL COMMITTEE

F. H. Tholen

COMMUNITY ACTION PROGRAMCHAMBER OF COMMERCE BUSINESS DEVELOPMENT COMMITTEE

Thomas C. Robberson

Ward 1 - Precinct 1

Emily H. Yeakey, Chm.  
1508 Rosalind Rd. SE

Sally Wolf  
621 Lakeside Dr. SE

Jean T. Ericksen  
1017 Santa Cruz Dr. SE

Ward 2 - Precinct 1

Lila Bulsok, Chm.  
2644 Richards Dr. SE

Myrtle B. Starr  
1033 Pinecrest Ave. SE

Eleanor Heibel  
1058 Eastwood Rd. SE

Ward 3 - Precinct 1

Emmy Lou Sterling, Chm.  
627 Rosewood Dr. SE

Louise K. Carr  
1624 Sherman St. SE

Constance Ellis  
2003 Coronado Dr. SE

Ward 1 - Precinct 2

Linda K. McCarthy, Chm.  
1627 Breton Rd. SE

Reva Deutsch  
1121 Keneberry Way SE

Elsa Martini  
1001 Lake Grove Ave. SE

Ward 2 - Precinct 2

Jean B. Krumm, Chm.  
2041 Tenway Dr. SE

Edith M. Spindler  
1240 Breton Rd. SE

Roberta L. Scripsema  
1742 Breton Rd. SE

Ward 3 - Precinct 2

Irene E. Allen, Chm.  
638 Gladstone Dr. SE

Evadne L. Dakin  
1552 Woodlawn Ave. SE

Margaret J. Douglas  
2300 Hall St. SE

Ward 3 - Precinct 3

Margaret H. Reusser, Chm.  
932 Lakeside Dr. SE

Julia E. Donovan  
1125 Pinecrest Ave. SE

Nancy M. Buskirk  
1121 Breton Rd. SE

NATURAL HISTORY DEVELOPMENT COMMITTEE

Mike Cary  
Barbara Hoag (Mrs. Jerry D.)  
William Rhodes  
Ellen VandeVisse  
George Woons  
Robert M. Stoppels  
Robert Benda  
Jay Moore  
Susan Ruhl (Mrs. John R.)

JOINT CITY-SCHOOL RECREATIONAL FACILITIES COMMITTEE

Thomas Robberson  
Herbert C. Remien  
Clifford McMann  
Carroll Streeter  
Paul Seibold  
George Ruwitch  
James Brouwer  
James Kerwin  
William Rhodes  
F.H. Tholen  
John Edison

KENT COMMUNITY ACTION PROGRAM

Robert P. Cooper

BUILDING AUTHORITYTerm Expires

Fred H. Tholen	1980
John Wielsma	1978
Robert Richardson	1976

24-A. Pierce-Clary. That the recommended appointments be approved as submitted.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

25. The City Manager read a letter from Mr. Thomas J. Heiden regarding the ponding of water in the Beechwood - Lake Drive area. The City Manager recommended that a hearing be scheduled for the vacation of Beechwood, that a cul-de-sac be constructed in this area, that a pedestrian crosswalk be constructed, repair of the existing 12-inch storm drain, and to provide for some controlled ponding to take care of heavy rainfalls.

25-A.

BY COMMISSIONERS ROBBERSON-COOPER:

RESOLVED, by this Commission that it deems it advisable to vacate, abolish and discontinue all that part of Beechwood Drive (66 foot width) in the City of East Grand Rapids, Kent County, Michigan,

lying west of the west line of Lake Drive  
and

lying east of a line that commences at the northwest corner of Lot 227 Meyering Land Company's Lake Drive Estates Subdivision Section 3 T. 6 N., R.11 W, thence northerly to the north line of Beechwood Drive at a point 17.0 feet west of the southeast corner of Lot 210 of said plat, reserving the full width for an easement for public utilities within the vacated parcel.

BE IT FURTHER RESOLVED, that this Commission meet on the 9th day of September, 1974, at 7:30 p.m. in the Commission Room in the City Hall of said City to hear and consider any and all objections and reasons why the above mentioned portion of Beechwood Drive described as aforesaid should not be vacated, abolished and discontinued, and it is

ORDERED that the City Clerk give written or printed notice of the time and place when and where the Commission of said City will meet to hear and consider objections to the vacating, abolishing and discontinuing of said portion of Beechwood Drive above described by any persons interested therein and desiring to be heard by publishing the notice of such meeting with a copy of this resolution once not less than two weeks before said meeting in the Grand Rapids Press, a newspaper of general circulation in the City of East Grand Rapids.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

26. The proposed Comment was discussed and ordered published with suggested changes.

27. Cooper-Pierce. That expense vouchers in the amount of \$159,858.56, and payroll vouchers in the amount of \$43,107.73, 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: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

28. Commissioner Stoppels discussed a proposed library budget for the fiscal year 1974-75.

28-A. Stoppels-Robberson. That the amount of \$600 be transferred from contingencies to the Library Fund for the purpose of providing funds for the library's 1974-75 fiscal year and that \$700 be transferred from the Contingency Fund to the City Clerk's Contractual Services for the purpose of obtaining a movie projector for the City's departmental uses including the library.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

29. Commissioner Robberson commended Mrs. Bacon for her work on the "Comment".

30. There were seven residents in attendance at this meeting.

31. The meeting was adjourned at 8:37 p.m., subject to the call of the Mayor, until August 5, 1974.

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

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

Regular Meeting Held August 5, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Clary, Cooper, Pierce, Remien, Robberson, Stoppels, and  
Mayor Baxter.

Absent: None.

32. The minutes of the regular meeting held July 22, 1974 were approved as written.

33. The City Manager reported on bids which were received for the reconstruction of Cambridge Blvd. from Lake Drive to Franklin Street, Breton Road from Hall Street to the South City Limits, Reeds Lake Blvd. from Lakeside Drive to El Centro Blvd., Englewood Drive from Asbury Road to Breton Road.

He recommended that the contract be awarded to the low bidder, Grand Rapids Asphalt Paving Company. The Mayor opened the floor to discussion. Mr. Daniel Tinkham, representing the Cambridge Blvd. Association, requested that Cambridge be kept the same width as it presently is. Mr. Wilson Deaver also requested that the same width be maintained.

33-A. Clary-Robberson. That bids on the reconstruction of Cambridge Blvd. be tabled and that the Mayor schedule a meeting between the Commission and the residents.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

The Mayor scheduled a meeting for August 19th at 6:45 p.m. to be held at 640 Cambridge Blvd. and that the residents be notified of this meeting. It was then moved by Commissioner Stoppels and supported by Commissioner Robberson, that the contract for the reconstruction of the following streets be awarded to Grand Rapids Asphalt Paving Company:

Breton Road, Hall Street to South City Limits in the amount of \$49,856.00.  
Reeds Lake Blvd., Lakeside to El Centro Blvd. in the amount of \$30,614.05.  
Englewood Drive, Asbury Road to Breton Road in the amount of \$8,613.00.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

34. The City Manager and Fire Chief recommended that the fire alarm system be removed from the residential areas of the City and that the present alarm system in the hospital, schools, swimming pools, and commercial areas, be maintained in their present condition, or possibly be improved through installation of more modern equipment.

34-A. Cooper-Remien. That this Commission concur in the City Manager's and Fire Chief's recommendation.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

35. The City Manager and Fire Chief recommended that the fee structure for electrical and heating permits be revised to conform with those of the City of Grand Rapids.

35-A. Robberson-Stoppels. That the City Attorney be instructed to create an ordinance amendment to permit the rescheduling of the fee structure for electrical and heating permits to conform with those of the City of Grand Rapids.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

8/5/74

36. The City Manager requested authorization to issue the following purchase orders:

Grandville Tractor for a tractor mower	- \$6,446.00
Gregware Equipment for a leaf loader	- 5,800.00
Miller Equipment for a spreader body	- 6,807.25
Barclay, Ayers & Bertsch for a gasoline tank	- 3,450.00
C. Bell Chevrolet - pickup truck for Fire Department	- 2,569.90

He reported that these were all budgeted items in the 1974-75 budget.

36-A. Pierce-Clary. That the City Manager be given authorization to issue the above requested purchase orders.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

37. A statement was received from John Jones, Special Counsel for the condemnation suit, in the amount of \$153.00.

37-A. Stoppels-Remien. That the Commission authorize payment of the \$153.00 from the contingencies account.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

38. The City Manager reported on the progress that the area governmental units are making in the area of solid waste disposal. Mayor Baxter stated that he was pleased by the improved cooperation between the area governmental units.

39. Reports for the month of July from the Fire Department, Police Department and Building Inspector were received and filed.

40. The increasing number of bicycle-auto accidents in our City was discussed. This matter was referred to the Traffic Commission for their consideration and recommendation.

41. Commissioner Remien requested that holes be repaired in the Remington and Hodenpyl Park bicycle trail.

42. Cooper-Pierce. That expense vouchers in the amount of \$1,280,764.85, and payroll vouchers in the amount of \$43,763.14, 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: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

43. Commissioner Pierce reminded the Commission that the Rotary Club - East has scheduled a concert in the Lakeside Park on Reeds Lake for Tuesday, August 13, at 7:30 p.m. and invited all to attend.

44. Commissioner Stoppels reported that most all of the benches in the Lakeside Park have been vandalized and would like to see them either replaced or repaired.

45. There were five residents in attendance at this meeting.

46. The meeting was adjourned at 9:15 p.m., subject to the call of the Mayor, until August 19, 1974.

  
City Clerk

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

Regular Meeting Held August 19, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Cooper, Pierce, Remien, Robberson, Stoppels, and Mayor Baxter.  
Absent: Com. Clary.

47. The minutes of the regular meeting held August 5, 1974 were approved as written.

48. Cooper-Robberson. That the matter of resurfacing Cambridge Blvd. be removed from the table.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

Prior to this meeting, the Mayor and Commissioners met with the residents on Cambridge Blvd. to discuss the widening of the street from 18 feet to 19 feet. There were three residents at the Commission meeting regarding this issue.

48-A. Cooper-Robberson. That Cambridge Blvd. be resurfaced from Lake Drive to Franklin Street; that this street<sup>not</sup> be widened; and that the contract for this improvement be awarded to Grand Rapids Asphalt Paving Company in the amount of \$54,594.40.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

49. The City Manager reported on bids which were received for the reconstruction of various sidewalk slabs throughout the City and recommended that the contract be awarded to P. Klunder in the amount of \$15,316.75.

49-A. Pierce-Remien. That the contract for sidewalk reconstruction be awarded to P. Klunder in the amount of \$15,316.75.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

50. An ordinance to establish a new schedule of fees for electrical and heating permits was deferred until the next meeting.

50-A. Remien-Stoppels. That the City Manager be so authorized.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

51. Cooper-Pierce. That expense vouchers in the amount of \$184,354.75, and payroll vouchers in the amount of \$42,791.56, 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: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

51-A. Remien-Stoppels. That the City Manager be so authorized.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

52. Cooper-Pierce. That expense vouchers in the amount of \$184,354.75, and payroll vouchers in the amount of \$42,791.56, 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: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

53. The Commission commended the City Engineer for the splendid cooperation he demonstrated in the discussions with the residents on Cambridge.

54. Commissioner Pierce requested that the resurfacing on Reeds Lake Blvd. from Manhattan Road east be placed on the list of streets to be improved. He reported that he has received complaints from residents in that area regarding the dust on this section of Reeds Lake Blvd.

55. The City Manager reported on quotations he received for the purchase of an automobile for the Clerk's office and requested authorization to issue a purchase order in the amount of \$3,558.15 to C. Bell Chevrolet for this purpose.

55-A. Robberson-Remien. That purchase of said automobile is authorized as requested by the City Manager.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

56. The City Manager requested authorization to transfer 25% of monies received from the State of Michigan during the 1974 calendar year for Major Street purposes to the Local Street Fund.

56-A. Remien-Stoppels. That this Commission authorize the transfer from Major Street Fund to the Local Street Fund an amount which equals 25% of monies received in the calendar year of 1974 from the State of Michigan for Major Street purposes.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

57. The following communications were received and filed:

Memo from City Engineer regarding Albert Drive improvement from Conlon to Andover.  
Letter from Blodgett Hospital regarding parking situation.  
Letter from Mr. & Mrs. Evenson regarding noise.  
Letter from Howard Silbar regarding recognition of President Ford.

58. Cooper-Robberson.

WHEREAS Gerald R. Ford, resident of East Grand Rapids, in the short span of eight months has risen from United States Representative, to Vice President, to President of the United States; and

WHEREAS President Ford is bringing to the White House a new measure of humanness in government;

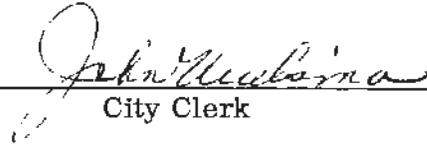
NOW THEREFORE BE IT HEREBY RESOLVED that the City Commission of East Grand Rapids, with great enthusiasm and pride, expresses its congratulations to President Ford.

BE IT FURTHER RESOLVED that the City Commission hereby extends to the President its support and prayers in his efforts to bring the peoples of the United States together, to see our country to economic stability and to work toward peace in the world.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

59. There were three residents in attendance at this meeting.

60. Pierce-Stoppels. That this Commission be adjourned, subject to the call of the Mayor, until September 9, 1974.

  
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City Clerk

UNOFFICIAL  
Reference Only

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

Regular Meeting Held September 9, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Clary, Cooper, Pierce, Robberson, Stoppels, and Mayor Baxter.  
Absent: Com. Remien.

61. The minutes of the regular meeting held August 19, 1974 were approved as written.

62. Pursuant to public notice a hearing was held on the proposed vacation of that portion of Beechwood Drive lying west of the west line of Lake Drive and lying east of a line that commences at the northwest corner of Lot 227 Meyering Land Company's Lake Drive Estates Subdivision, Section 3 Town 6 in Range 11 West, thence northerly to the north line of Beechwood Drive at a point 17 feet west of the southeast corner of Lot 210 of said plat reserving the full width of an easement for public utilities within the vacated parcel. Letters objecting to a cul-de-sac but requesting a barricade were received from Mr. & Mrs. Jack W. Kennedy and Robert P. Smith. There were several residents in attendance at this meeting who expressed their concern relative to this matter. The City Manager and City Engineer explained what the problems were in this area and the extent to which the City is planning to go to help correct some of these problems.

62-A. Mayor Baxter-Robberson. That this hearing be adjourned until a later date.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6

Nays: 0

63. The City Attorney submitted a proposed ordinance amendment revising the schedule of heating and electrical permit fees.

63-A. Cooper-Stoppels. That this ordinance amendment be referred to the Fire Chief for his study and recommendation.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6

Nays: 0

64. A letter was received from Mrs. David M. Amberg requesting the City Commission to consider creating a storage area and lecture area in the lower level of the East Grand Rapids Library for library use. The City Manager distributed a Community Center Room Usage Report prepared by the Recreation Department indicating the times that the Recreation Department uses this room for recreational purposes.

64-A. Cooper-Stoppels. That this matter be tabled until more information can be obtained and that a copy of the Community Center Usage Report be given to the library.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6

Nays: 0

65. Mayor Baxter-Pierce. That Fred H. Tholen be designated as delegate to represent the City of East Grand Rapids at the annual Michigan Municipal League Conference.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6

Nays: 0

66. The City Manager reported on a request he had received from the West Michigan Regional Planning Commission encouraging the City of East Grand Rapids to concur in Grand Rapids metropolitan area solid waste disposal plan.

66-A. Cooper-Mayor Baxter. That this matter be tabled for two weeks.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

67. The City Manager distributed material relative to the financial support formula and recommended that East Grand Rapids join Region 8.

67-A.

MAYOR BAXTER-PIERCE:

WHEREAS, within the portion of the State of Michigan designated as Region 8 by Executive Directive, the major units of government have identified a need for a unified, comprehensive planning and development program based on regional goals and objectives, encompassing a variety of planning activities related to land use, community facilities, open space, transportation, economic development, law enforcement, recreation, sewer development, water development, environmental protection, and the like, and

WHEREAS, a determined planning program is deemed necessary to promote the orderly growth of the urban, urbanizing and rural areas of the region, and

WHEREAS, it is to the mutual advantage of the various political subdivisions within the region to cooperate and join in a formal association of local general purpose units of government, as expressed in Act 281 of the Michigan Public Acts of 1945, as amended,

NOW THEREFORE, BE IT RESOLVED by the City of East Grand Rapids that it desires to become an active member of the West Michigan Regional Planning Commission and will participate in its regional planning program activities by the following actions:

1. Designation of the following as their duly appointed representative(s), in accordance with the Bylaws, to serve on the General Assembly of the West Michigan Regional Planning Commission.

2. Acknowledgement of the responsibility to financially support, in concert, with the other member units of government throughout the region, the local contributions share of the annual planning program as approved in accordance with the Bylaws.

A roll call vote was taken:

Yeas: Cooper, Pierce, Stoppels, Baxter - 4  
Nays: Robberson - 1  
Commissioner Clary abstained.

68. The City Manager reported that the City has received bids for the sale of the 1949 Diamond T fire truck and recommended that the Commission accept the high bid in the amount of \$3,036.00.

68-A. Stoppels-Robberson. That this Commission authorize the acceptance of the high bid and the sale of this fire truck for \$3,036.00.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

69. The City Manager reported that the Businessmen's Association requested that the area between the curb and sidewalk in the business district be cemented to alleviate the weed problem that now exists. The cost for doing this would be approximately \$1,594.65. The City Manager recommended that the Commission authorize award of the contract with costs to be charged to abutting property owners.

After much discussion it was moved by Commissioner Cooper and supported by Commissioner Robberson that this matter be delayed for two weeks for the purpose of obtaining costs for sodding and sprinkling systems in these areas.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

70. Pierce-Cooper. That expense vouchers in the amount of \$262,884.19, and payroll vouchers in the amount of \$43,763.14, 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: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

71. It was decided that the East Grand Rapids City Commission meet with the Planning Commission on September 17 at 4:00 p.m. in the East Grand Rapids City Commission room.

72. The City Manager reported on bids which were received for a truck for the Service Department and recommended that a purchase order be issued to Jack Keller Ford in the amount of \$9,350.00 for this purpose which was the low bid.

72-A. Robberson-Stoppels. That the recommendation of the City Manager be concurred in.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

73. The Mayor presented the following resolution to the Commissioners:

Since a compromise has been discussed by the Commission and Mr. Gilmore as to the use of the Reeds Lake property owned by him.

Since the bases of agreement are substantially complete.

Since those bases are:

1. Mr. Gilmore will deed to the City all the land between Reeds Lake Blvd. and the shore of Reeds Lake. The City will agree that no structures will be built on the land deeded except landscaping type structures. It has been agreed that on the North 100 feet and at least 100 feet East of the East line of the Boulevard the restriction as to building will allow a somewhat larger structure. The same applies to the part South of a line to be agreed upon extending roughly from the Southwest margin of the natural bay to a point roughly 150 feet North of the intersection of Reeds Lake Blvd. and Lakeside Drive.
2. Mr. Gilmore will also deed to the City the South 140 feet of the land between Lakeside Drive where it is on a Northerly course and Reeds Lake Blvd. This land may be used by the City for any public purpose, including parking.
3. The City and Mr. Gilmore will cooperate and share expenses in the creation of a landscaping plan which will have as its purpose the enhancement of the land for the scenic enjoyment of the citizens of East Grand Rapids.
4. The City will establish for Mr. Gilmore a zoning change that will allow him to build on the land between Reeds Lake Blvd. and Lakeside 80 units of high quality multiple housing. It is understood the project will include indoor locked parking, construction of reinforced

concrete and steel, units of various sizes and configurations, and extensive landscaping. The maximum height will be within the present 35 foot limitation above the grade level as established.

I move that the Commission authorize an advisory vote to be held at the earliest possible date, in any case no later than October 8, 1974. The ballot will ask simply whether or not the voters favor pursuit and completion of such a compromise plan.

In addition, the motion includes authorization for a general mailing to inform the people thoroughly as to the compromise possible and the alternative which is to continue with the condemnation suit.

73-A. Cooper-Robberson. That this proposed resolution be tabled.

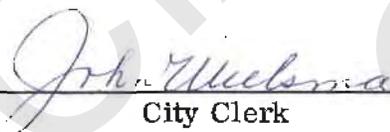
A roll call vote was taken:

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels - 5

Nays: Baxter - 1

74. There were 21 residents in attendance at this meeting.

75. The meeting was adjourned, subject to the call of the Mayor, until September 23, 1974.

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

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

Regular Meeting Held September 30, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Clary, Cooper, Pierce, Robberson, Stoppels, and Mayor Baxter.  
Absent: Com. Remien.

76. The minutes of the regular meeting held September 9, 1974 were approved as written.

77. The City Manager reported on quotations he had received relative to the installation of improvements in the area between the curb and sidewalk in the business district. Mrs. VanAllsburg, Chairman of the Gaslight Village Association, was present to request and urge the Commission to place concrete in these locations because of the heavy pedestrian traffic utilizing this area.

77-A. Clary-Mayor Baxter. That the City proceed with the placing of concrete in the areas in question at a cost of \$1,594.65.

A roll call vote was taken:

Yeas: Clary, Cooper, Piece, Stoppels, Baxter - 5  
Nays: Robberson - 1

The motion carried.

78. The City Attorney submitted a proposed ordinance amendment establishing new electrical fees.

78-A. Stoppels-Pierce. That this ordinance be introduced for consideration at a future Commission meeting.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

79. Mayor Baxter recommended that he and Mr. Tholen be appointed as representatives of the City of East Grand Rapids on the West Michigan Regional Planning Commission.

79-A. Stoppels-Cooper. That this Commission concur in the Mayor's recommendation.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

80. A letter was received from Mr. Robert Stockman, Director of the West Michigan Regional Planning Commission, requesting concurrence by the City in the Solid Waste Management Plan.

80-A. Mayor Baxter-Cooper.

WHEREAS, a general Solid Waste Management Plan for the Kent-Ottawa Region has been prepared and submitted to the State of Michigan by the Kent-Ottawa Regional Planning Commission, and

WHEREAS, said plan was prepared on a coordinated and cooperative effort and submitted on behalf of various local governmental bodies, and

WHEREAS, it is recognized that both the planning, and the implementation of such planning, will be the responsibility of each unit of government working together in a cooperative and responsible manner in the best interest of all units of government in the region,

NOW, THEREFORE, BE IT RESOLVED, That the City Commission of the City of East Grand Rapids hereby concurs with the Solid Waste Management Plan, as presented.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

81. The City Manager requested authorization to issue purchase orders for landscaping at Remington Park and Lake Drive-Plymouth intersection.

81-A. Cooper-Stoppels. That the quotation from Kappes Landscapes in the amount of \$3,136.00 - \$4,144.00 be accepted for the placement of 5 ft. to 8 ft. tall white pines and white spruce on the berm at Remington Park, said cost to be charged to the Contingent Fund.

Yeas: Clary, Cooper, Robberson, Stoppels, Baxter - 5  
Nays: Pierce - 1

81-B. Mayor Baxter-Stoppels. That the quotation from Kappes Landscapes in the amount of \$587.00 be accepted for the regrading and replanting of the area at the southwest corner of Plymouth and Lake Drive, said cost to be charged to the Contingent Fund.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

82. The City Manager recommended that the City renew its Radio Maintenance Agreement with the City of Grand Rapids.

82-A. Clary-Robberson. That the Mayor and Clerk be authorized to execute a renewal of the agreement with the City of Grand Rapids for radio maintenance repair.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

83. A statement was received from the City Attorney in the amount of \$8,730.21 for services and costs since June 7, 1974 regarding the building settlement lawsuit.

83-A. Mayor Baxter-Pierce. That the statement as submitted be approved for payment.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

84. A report was received from the City Engineer regarding sanitary sewer inspections and his recommendations as to potential corrective measures that can be used. Mr. and Mrs. Wilcox were present to discuss this matter. After much discussion it was decided by the Commission to review this matter at a work session after the regular meeting on October 14, 1974.

84-A. Robberson-Stoppels. That the City Engineer be directed to advertise for bids to relay the 12" storm drain in swamp from Hall to Beechwood and in Beechwood west of Lake Drive.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

85. The financial report for a two-month period ended August 31, 1974 was received and filed.

86. Cooper-Pierce. That expense vouchers in the amount of \$781,704.58, and payroll vouchers in the amount of \$73,001.42, 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: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

87. Commissioner Cooper discussed a letter which was received from Mr. John Kernosky of 560 Laurel Ave. SE, regarding his sidewalk repair. No action was taken by the Commission at this time.

88. There were eight residents in attendance at this meeting.

89. The meeting was adjourned at 9:45 p.m., subject to the call of the Mayor, until October 14, 1974.

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

UNOFFICIAL  
Reference Only

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

Regular Meeting Held October 14, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Clary, Cooper, Pierce, Robberson, Stoppels, and Mayor Baxter.  
Absent: Com. Remien.

90. The minutes of the regular meeting held September 30, 1974 were approved as written.

91. The Fire Chief submitted a report relative to revising electrical and heating permit fees.

91-A. Cooper-Pierce. That the following ordinance be adopted:

AN ORDINANCE TO AMEND SECTION 8.4 BY AMENDING  
SUBSECTION 121.5 THEREUNDER ENTITLED FEES FOR  
INSPECTION OF CHAPTER 79 OF TITLE VIII OF THE CODE  
OF THE CITY OF EAST GRAND RAPIDS

The City of East Grand Rapids ordains as follows:

"Section 1. That Subsection 121.5 under Section 8.4 of Chapter 79 of Title VIII of the Code of the City of East Grand Rapids be amended to read as follows:

"121.5 - Fees for Inspection. When an application is made for a permit to equip any building with electrical fixtures or wiring for heat, light, or power, a fee shall be paid in an amount as prescribed in the following schedule.

SCHEDULE OF FEES

Permanent Services

30 Ampere 120, 240, and 480 volts	\$2.00
60 Ampere 120, 240, and 480 volts	2.00
70 Ampere 120, 240, and 480 volts	\$2.00
100 Ampere 120, 240, and 480 volts	2.50
200 Ampere 120, 240, and 480 volts	3.00
400 Ampere 120, 240, and 480 volts	4.00
Over 400 Amperes	10.00
Temporary service, each location	3.00

Wiring

Installing or altering wiring for lights, switches and/or receptables:

1 or 2 outlets	\$1.00
3 or 4 outlets	1.25
5 or 6 outlets	1.50
7 to 12 outlets	2.00

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 50 cents for each additional 12 or major part thereof.

1 circuit	\$2.00
For each additional circuit	.50

## 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	\$2.00
Water Heater	2.00
Dryer	2.00
Dishwasher	1.00
Disposal or Garbage Grinder	1.00
Gas Furnace	2.00
Oil Furnace	3.00
Incinerator	5.00
Gas Logs	5.00
Individual Space Heating	
First Unit	10.00
Additional Units	5.00
Trailer Service (One meter and one circuit)	4.00

Note: Appliances such as range, dishwasher, garbage disposal, dryer or room air conditioner require separate circuit for each unit, \$2.00 each.

## Luminous Gas Tube System Transformers

2,000 to 6,000 volts incl.	\$1.00
6,000 to 11,000 volts incl.	1.50
11,000 to 15,000 volts incl.	2.00

## Motor Schedule

	1 to 5 (1)	6 to 10 (2)	Over 10 (3)
Fractional hp	\$1.00	.75	.50
1 to 3 hp incl.	2.00	1.50	1.00
3-1/2 to 5 hp incl.	2.50	2.00	1.50
5-1/2 to 10 hp incl.	3.00	2.50	2.00
10-1/2 to 20 hp incl.	3.50	3.00	2.50
20-1/2 to 30 hp incl.	4.00	3.50	3.00
30-1/2 to 40 hp incl.	4.50	4.00	3.00
40-1/2 to 50 hp incl.	5.00	4.00	3.00
50-1/2 to 75 hp incl.	5.50	4.00	3.00
Over 75 hp	6.00	4.00	3.00

Where more than five (5) and less than eleven (11) motors are installed and inspected at the same time and on the same premises, Schedule No. 2 shall be used in computing inspection fees.

Where more than ten (10) motors are installed and inspected at the same time and on the same premises, Schedule No. 3 shall apply.

Where motors are moved more than two feet and less than twenty feet, Schedule No. 3 shall apply provided that the equipment and/or motor was previously inspected and a permit fee paid.

#### Heating Devices

Up to 1.0 KW, incl.	\$1.00
1.1 to 5 KW, incl.	1.50
5.1 to 10 KW, incl.	2.00
10.1 KW and over	2.50

#### Transformers

Up to $\frac{1}{2}$ K. V. A., incl.	\$1.00
.6 to 1 K. V. A., incl.	1.50
1.1 to 5 K. V. A., incl.	2.00
5.1 to 10 K. V. A., incl.	2.50
10.1 K. V. A., and over	3.00

#### Illuminated Signs

Single face signs	15 cents per square foot	\$2.00 minimum
Double face signs	25 cents per square foot	2.00 minimum

#### Air Conditioners

1/2 HP or Less	5.00
Over 1/2 HP through 3 HP	10.00
Over 3 HP Through 25 HP	10.00 + 1.50 per HP over 3
Over 25 HP	43.00 + .75 per HP over 25
Window Units up to 24,000 BTU/NR	3.00
New Installation of an Air Condition Cooling Tower	4.00 per unit

#### Heating Schedule

##### Hot Water, Gas Steam

Up to 75,000 BTU Input	5.00
75,100 to 140,000 BTU Input	7.50
140,000 to 200,000 BTU Input	10.00
Over 200,000 BTU Input	10.00 for equipment valued to \$1,000.00. Add \$1.00 for each additional \$1,000.00

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.

Section 2. This ordinance shall become effective on November 1, 1974.

Section 3. This ordinance shall be published in full within ten days after its enactment in a newspaper of general circulation in the City of East Grand Rapids.

A roll call vote was taken:

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6  
Nays: 0

The motion carried.

92. A proposal from the Library for modification of the Community Center was received. Following discussion the City Manager was directed to prepare a cost estimate relative to the various requests of the Library.

93. A proposed agreement under which the City would conduct School elections for that part of the school district in the City was presented.

93-A. Clary-Stoppels. Resolved that the Mayor and Clerk be authorized to sign the agreement in the form presented at the meeting.

A roll call vote was taken:

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6

Nays: 0

94. Cooper-Stoppels. That John Wielsma be designated as official delegate to the annual meeting of the Municipal Employees' Retirement System to be held on Monday, October 28, 1974.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6

Nays: 0

95. Monthly departmental reports of the Police Department, Fire Department, and Building Inspector were received and filed. The minutes of the Traffic Commission meeting held October 1, 1974 were received and filed.

96. The City Clerk reported on an invoice which was received from the National Power Rodding Corporation in the amount of \$15,482.72 for services they performed for the City regarding the inspection, cleaning, and repairing of certain sections of the sanitary sewer system. He recommended that the Commission approve payment of this invoice and that funds be allocated from contingencies to cover this expense.

96-A. Pierce-Robberson. That payment of the National Power Rodding Corporation's invoice in the amount of \$15,482.72 be authorized and that funds be taken from the contingency fund for this purpose.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6

Nays: 0

97. Pierce-Cooper. That expense vouchers in the amount of \$321,297.32, and payroll vouchers in the amount of \$36,920.39, 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: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6

Nays: 0

98. Commissioner Robberson made a brief report on the meeting he attended relative to sanitary landfill for the County.

99. There were four residents in attendance at this meeting.

100. Stoppels-Pierce. That the meeting be adjourned, subject to the call of the Mayor, until October 28, 1974.

Yeas: Clary, Cooper, Pierce, Robberson, Stoppels, Baxter - 6

Nays: 0

  
City Clerk

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

Regular Meeting Held October 28, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Clary, Cooper, Pierce, Remien, Robberson, Stoppels, and  
Mayor Baxter.

Absent: None.

101. The minutes of the regular meeting held October 14, 1974 were approved as written.

102. The City Manager submitted proposed regulations relative to governing collection of grass clippings and garden materials for approval by the Commission.

102-A. Clary-Cooper. That the following regulations be approved:

REGULATIONS GOVERNING COLLECTION  
OF GRASS CLIPPINGS AND GARDEN MATERIALS

The following regulations are issued pursuant to the provisions of Section 2.6 of Chapter 16 of Title II of the Code of the City of East Grand Rapids.

Regulation No. 1. Yard rubbish, including grass clippings, branches, twigs, leaves, weeds, shrub clippings, and general yard and garden waste materials shall be picked up by the City at curbside according to a schedule established and published by the City Manager.

Regulation No. 2. All grass clippings, weeds, and general yard and garden waste materials shall be placed in a bag, box, or other suitable container which shall be placed on the outlawn next to the curb for collection.

Regulation No. 3. Shrub clippings and branches may be placed on the outlawn next to the curb for collection.

Regulation No. 4. Leaves not placed in bags or containers may be placed in the street along the curb for collection but care should be taken that piles of leaves not extend into the traveled portion of the roadway.

Regulation No. 5. Residents will be encouraged to deposit such materials for pick up by the City not earlier than the day preceding the scheduled pick up day for the area.

Regulation No. 6. These regulations apply to lawn contractors as well as residents. Violation of these regulations by lawn contractors shall be grounds for suspension of their permits.

Failure to comply with these regulations shall constitute a misdemeanor subject to the penalty prescribed in Sec. 1.13 of the City Code.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

103. Mayor Baxter-Stoppels. That the following resolution be adopted:

WHEREAS, the diverting into the sanitary sewer system of the City of East Grand Rapids of large quantities of storm water overloads said system with resulting flooding of basements in certain areas; and

WHEREAS, such diversion also substantially increases the costs to the City under its sewerage disposal contract with the City of Grand Rapids; and

WHEREAS, it is necessary that action as herein set forth be taken to correct these problems.

NOW, THEREFORE, BE IT RESOLVED that the City institute a program pursuant to Section 2.66 of the City Code requiring property owners who have footing tiles directly connected to the sanitary sewer system to disconnect the same and that the City Engineer advise said property owners of this requirement on a scheduled basis commencing with those properties which the Engineer determines to cause the largest amount of flow of storm water into the sanitary sewer system.

BE IT FURTHER RESOLVED that the Engineer furnish each person to whom such an order is given such counsel, advice, and information as may be available to the Engineer to assist in the proper resolution of the problems involved.

BE IT FURTHER RESOLVED that the Engineer maintain a follow up program and advise the City Commission from time to time on orders given, actions taken, and results obtained.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

104. A communication was received from the Genesee County Small Cities Association inviting the City to attend a meeting of this group. Mayor Baxter recommended we decline the invitation at this time since it appears to be a duplication of service by the Michigan Municipal League.

104-A. Mayor Baxter-Cooper. That we decline the invitation at this time.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

105. The City Engineer submitted a summary of the bids received for the repair of sanitary sewers in six locations in the city. He recommended that the low bid of Smith Brothers in the amount of \$10,848.50 be accepted and the contract awarded to them.

105-A. Stoppels-Robberson. That the contract be awarded to Smith Brothers in the amount of \$10,848.50 for the sewer repairs, and that this expenditure be charged against the contingency fund.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

106. The City Engineer submitted a summary of the bids received for the tree planting program. He recommended that the contract be awarded to Chet's Nursery, the low bidder, in the amount of \$2,275.00.

106-A. Remien-Robberson. That the contract for the planting of trees be awarded to Chet's Nursery in the amount of \$2,275.00.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

107. The City Manager reported on bids received for the construction of a storage building at the Public Service Department. Three bids were received; however, the low bidder did not bid according to specifications. He recommended that the contract be awarded to the second lowest bidder, Borkholder Construction Company, in the amount of \$17,265.00.

107-A. Remien-Stoppels. That the contract be awarded to Borholder Construction Company in the amount of \$17,265.00 for the construction of the storage building.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

108. Commissioner Remien requested that the City Manager check on a pick-up truck body parked in a driveway on Bellelaire to see if it could be removed.

109. Pierce-Robberson. That expense vouchers in the amount of \$674,451.29, and payroll vouchers in the amount of \$36,838.42, 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: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

110. Commissioner Pierce reported that the sign recognizing the President on Lake Drive at the west city limits has been defaced.

111. Commissioner Stoppels requested that the City Manager check Pinecrest Avenue between Hall and Burchard regarding the possibility of limiting parking to one side of the street.

112. Commissioner Robberson reported that the double yellow lines on Breton Road appear to be slowing the speed of traffic, but that there still are a substantial number of violations. Commissioner Robberson also asked relative to progress on obtaining cost figures on the Beechwood storm sewer repair and on Community Room decorating.

113. Clary-Pierce. That the City Attorney draft a resolution welcoming home President Ford and that it be hand delivered by Commissioner Clary.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

114. The City Manager reported that he had received a request from the School for erection of fencing around tennis courts to be placed at Lakeside School.

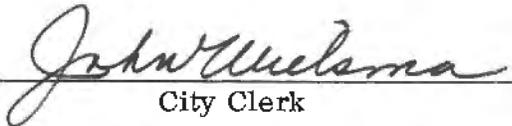
114-A. Cooper-Pierce. That this matter be noticed out for public hearing to be held November 11, 1974.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

115. There were two residents in attendance at this meeting.

116. Cooper-Pierce. That the meeting be adjourned, subject to the call of the Mayor, until November 11, 1974.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

  
City Clerk

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

Regular Meeting Held November 11, 1974

The meeting was called to order by Commission President Stoppels.

Present: Coms. Clary, Cooper, Pierce, and Stoppels.

Absent: Coms. Remien, Robberson, and Mayor Baxter.

117. The minutes of the regular meeting held October 28, 1974 were approved as written.

118. Pursuant to public notice, a hearing was held upon the request of the East Grand Rapids School District to construct tennis courts with a 12-foot fence at Lakeside School within 10 feet of the Breton property line. There were no objections raised.

118-A. Cooper-Clary. That the request of the East Grand Rapids School District to construct tennis courts with a 12-foot fence on the Lakeside School property be granted.

Yeas: Clary, Cooper, Pierce, Stoppels - 4

Nays: 0

119. A request relative to the improvement of a ravine adjacent to 3029 Mary Avenue to prevent continued erosion was deferred to a Committee-of-the-Whole meeting.

120. A letter was received from Project Rehab requesting that East Grand Rapids continue funding their program for the fiscal year 1974-75 in the amount of \$2,125.00.

120-A. Clary-Cooper. That East Grand Rapids contribute \$2,125.00 for the fiscal year 1974-75 for the purpose of continuing its support for the Project Rehab program.

Yeas: Clary, Cooper, Pierce, Stoppels - 4

Nays: 0

121. The City Manager reported on quotations he has received regarding the carpeting or tiling of the lower level of the Library. He reported that to carpet the entire area would be \$5,148.61; to carpet part of the area and tile the rest would cost \$4,028.47; to tile the entire area would cost \$1,379.35.

Mrs. David Amberg, on behalf of the Library, was present to discuss the desires and needs of the Library for this area. It was decided that the Commissioners meet with Mrs. Amberg in the lower level of the Library after the Commission meeting this evening.

122. A letter from the Kent County Board of Public Works regarding proposed disposal fee increases was received and filed.

123. Reports for the month of October were received from the Fire Department, Police Department and City Assessor.

124. The City Manager reported that the Association of Grand Rapids Area Governments were involved in the study of metropolitan transit systems and that on Wednesday, December 4, 1974, 7:00 p.m., at Holly's Landing, Mr. Fred Bridges from Battle Creek will discuss the successes their municipality has had with one of the five optional transit systems.

125. Cooper-Pierce. That expense vouchers in the amount of \$383,067.99, and payroll vouchers in the amount of \$48,214.57, 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: Clary, Cooper, Pierce, Stoppels - 4

Nays: 0

11/11/74

126. Commissioner Stoppels reported that the Commission will consider a proposed resolution regarding a compromise with Mr. John Gilmore as it relates to the Gilmore property at its next meeting, November 25, 1974.

127. There were six residents in attendance at this meeting.

128. The meeting was adjourned, subject to the call of the Mayor, until November 25, 1974.

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

UNOFFICIAL  
Reference Only

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

Regular Meeting Held November 25, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Cooper, Pierce, Remien, Robberson, Stoppels, and Mayor Baxter.  
Absent: Com. Clary.

129. The minutes of the regular meeting held November 11, 1974 were approved as written.

130. A proposed agreement between the City of East Grand Rapids and Mr. John F. Gilmore relating to the property between Lakeside Drive and Reeds Lake Blvd., and south of the Reeds Lake-Fisk Lake Channel was presented to the Commission and a discussion held thereon.

A letter was received from Commissioner Clary indicating his approval of the proposed agreement.

130-A. Cooper-Stoppels. That the following resolution be adopted:

RESOLVED that the following proposition be submitted to an Advisory Vote of the duly qualified electors of the City of East Grand Rapids, Michigan, at a special election to be held on December 16, 1974:

ADVISORY VOTE PROPOSITION

"Should the City of East Grand Rapids make a compromise settlement of the litigation for condemnation of the so-called Brooks/Gilmore Property and agree to dismiss the pending court suit and authorize the construction of no more than 80 multi-family units of no more than 3 stories or 35 feet in height to be constructed in the area bounded by Lakeside Drive on the West, by Reeds Lake/Fisk Lake Channel on the North and Reeds Lake Boulevard on the East in exchange for transfer of title, by gift, to the City of the following land:

1. A parcel 140 feet deep at the South end of the property bordered by Lakeside Drive on the West and South and by Reeds Lake Boulevard on the East without restriction as to use of land.
2. All the land lying East of Reeds Lake Boulevard, South of the Reeds Lake/Fisk Lake channel and North of Lakeside Drive, without restrictions as to use of the land included in the South 253 feet thereof, the balance of this land to be restricted to the construction of landscaping type structures which do not impede the aesthetic view of the lake."

FURTHER RESOLVED that the City Clerk is hereby instructed to take all necessary action to implement the fore-going resolution.

130-B. Cooper-Robberson. That the motion be amended to set the date of the special Advisory Vote as January 13, 1975.

A roll call vote was taken:

Yeas: Cooper, Remien, Robberson - 3  
Nays: Pierce, Stoppels, Baxter - 3

The motion failed.

A roll call vote was taken on the main motion:

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

130-C. Cooper-Stoppels. That the Mayor be authorized to sign the Agreement between the City and Mr. John F. Gilmore in the form presented to the meeting.

A roll call vote was taken:

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

130-D. Pierce-Robberson. That a public meeting be held on Monday, December 9th at 7:30 p.m. in the Little Auditorium of the High School for the purpose of public consideration and discussion of this Agreement.

A roll call vote was taken:

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

130-E. Cooper-Pierce. That all documents that were presented to the Commission at this meeting be mailed to the general public for their review.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

131. The City Manager reported on a request he had received from Mr. Carl H. Kutsche relative to the payment of a sewer repair bill he incurred for the repair of the sanitary sewer lateral at his residence at 2961 Lake Drive, SE.

131-A. Pierce-Remien. That this item be referred to the City Attorney for his study and recommendation.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

132. The City Manager reported on a tabulation of bids received for the purchase of police cars and recommended that the contract be awarded to the low bidder, Berger Chevrolet, for a net cost of \$10,650.00, and that \$2,650.00 be transferred from the Contingency Account to the Police Capital Account (1820) to cover the amount in excess of budget for this purpose.

132-A. Stoppels-Remien. That the recommendation of the City Manager be concurred in and that the Commission authorize the transfer of \$2,650.00 from the Contingency Account to the Police Capital Account for this purpose.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

133. The City Manager read a letter from the Southeast Grand Rapids Lions Club offering the City their assistance and service in any way in which they can be of help. This letter was received and filed. The City Manager was directed to write a letter to the Southeast Grand Rapids Lions Club acknowledging this offer and thanking them for their interest.

134. A communication from Mr. Winfred Ettesvold, Chairman of the Michigan Grand River Watershed Council, was received and the matter was deferred until the first meeting in January when Commissioner Clary and Mr. Winfred Ettesvold can be present.

135. A communication from Ernst & Ernst, the independent auditors for the City, was received in which they discuss budgetary practices and controls and make recommendations for the City of East Grand Rapids. This matter was deferred until the second meeting in January at which time representatives from Ernst & Ernst will be asked to attend to discuss these various issues.

136. Minutes of the Traffic Commission meeting held Tuesday, November 12, 1974 were received and filed.

137. The financial report for a 4-month period ended October 31, 1974 was received and filed.

138. A draft of the "Comment", the periodic newsletter by the East Grand Rapids City Commission, was reviewed. It was decided to omit at this time the discussion of refuse pickup. The Comment is to be mailed out following the initial mailing relative to the Gilmore Property which should go out this week. The issue of Comment will also remind the people of the Advisory Vote on December 16 and the public hearing which will be held on December 9th in the Little Auditorium of the High School.

139. Cooper-Pierce. That expense vouchers in the amount of \$40,931.92, and payroll vouchers in the amount of \$38,379.88, 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: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

140. Commissioner Pierce suggested the planting of trees on Lake Drive from the east city limits to Woodshire as a means of assisting in controlling the speed of cars at the point where 4 lanes reduce to two for westbound traffic.

140-A. Pierce-Robberson. That this matter be referred to the City Manager to determine the costs of planting trees on Lake Drive in the area discussed.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

141. Commissioner Stoppels inquired about "No Parking" signs on one side of Pinecrest between Burchard and Hall.

142. The City Manager requested authorization to issue a purchase order for grader blades in the amount of \$1,082.50 to Gregware, Inc.

142-A. Stoppels-Pierce. That this expenditure be authorized and that the City Manager be authorized to issue a purchase order for this purpose.

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6  
Nays: 0

143. An inquiry was made about the possibility of creating another boat ramp on Reeds Lake to help alleviate the traffic situation which occurs during the summer months on Lakeside Drive. The Commissioners responded that they were not considering any additional boat ramp on Reeds Lake at this time.

144. The Mayor then recessed the meeting for the purpose of discussing with legal counsel matters relative to the building lawsuit. After the recess Mr. Fritz Hunting made a comprehensive report on the status of the building lawsuit. After much discussion the following resolution was moved by Commissioner Stoppels and supported by Commissioner Remien:

Resolved that the Attorneys for the City of East Grand Rapids are authorized to negotiate settlement of the City's claims against one or more of the defendants in the suit pending in Kent County Circuit Court (Case No. 72-13759 CK), and that in the event such a settlement is negotiated the Mayor be authorized to execute all documents necessary to effect such settlement.

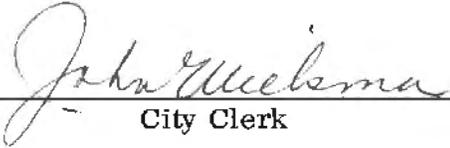
A roll call vote was taken:

Yeas: Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 6

Nays: 0

145. There were 13 residents in attendance at this meeting.

146. The meeting was adjourned at 10:20 p.m., subject to the call of the Mayor, until December 9, 1974.

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

UNOFFICIAL  
Reference Only

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

Regular Meeting Held December 9, 1974

The meeting was called to order by Mayor Baxter at 7:30 p.m. in the East Grand Rapids Pioneer Auditorium.

Present: Coms. Clary, Cooper, Pierce, Remien, Robberson, Stoppels, and  
Mayor Baxter.

Absent: None.

147. The minutes of the regular meeting held November 25, 1974 were approved as written.

148. Pursuant to public notice, a hearing was then held on the proposed Advisory Vote proposition regarding the compromise settlement of the Gilmore Property. There were 111 residents in attendance at this hearing. There were several persons who expressed their viewpoints, both pro and con. At the request of the Mayor, Commissioner Cooper described some of the history of the proposed compromise. After all citizens who wished to be heard were recognized, the Mayor declared the hearing closed.

149. A petition was received requesting that Sherman be made into a one-way street east between Plymouth and Wealthy.

149-A. Cooper-Robberson. That this item be referred to the Traffic Commission for their study and recommendation.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

150. The City Attorney submitted a report relative to a request of Mr. Carl Kutsche for payment of sewer repair bills.

150-A. Robberson-Remien. That the City accept responsibility in this matter and that funds in the amount of \$1,199.75 be paid for this purpose from the Contingency Fund.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

151. An ordinance to establish an unemployment compensation system in the City of East Grand Rapids was submitted by the City Attorney.

151-A. Robberson-Stoppels. That this ordinance be introduced at this meeting for consideration at the meeting to be held on December 23, 1974.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

152. The City Manager reported on bids which were received for the purchase of recreation equipment and recommended that the contract be awarded to the low bidder, Reynolds and Brown, in the amount of \$1,569.69.

152-A. Clary-Stoppels. That the City Manager be authorized to issue a purchase order to Reynolds and Brown for the said amount.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

153. The City Manager reported on bids which were received in the City Engineer's office for the reconstruction of Beechwood storm drain and recommended that the low bid of Quality Asphalt Company in the amount of \$9,846.50 be accepted and that this contract be paid from the Contingency Fund.

153-A. Stoppels-Robberson. That the bid of Quality Asphalt Company in the amount of \$9,846.50 be accepted and that this contract be paid from the Contingency Fund.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

154. The Commission was notified of the expiration of the term of I. W. Samuelson on the East Beltline Association Board of Directors.

154-A. Pierce-Clary. That Mr. Samuelson be re-appointed to the East Beltline Association Board of Directors for a term of three years.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

155. The Mayor urged the Commissioners to attend the dinner meeting of AGRAG which will be held on January 15, 1975.

156. Reports for the month of November were received from the Fire Department, Police Department, and City Assessor, and the minutes of the Parks & Recreation Commission meeting held Tuesday, November 19th, were received and filed.

157. The City Manager reported that all fire alarm boxes with the exception of two in the business district and those in Blodgett Hospital have been disconnected and placed out of service primarily due to the rash of false alarms that have been occurring within the past three weeks.

158. The City Manager requested authorization to issue a purchase order to General Electric Company in the amount of \$3,262 for the purchase of radio equipment for the Service Department. He stated that \$2,830<sup>was</sup> budgeted in the 1974-75 budget and that the amount of \$432 would have to be allocated from the Contingency Fund to cover this additional cost.

158-A. Pierce-Remien. That the City Manager be authorized to issue this purchase order in the amount of \$3,262 to General Electric Company and that \$432 of this amount be allocated from the Contingency Fund.

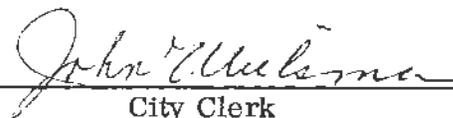
Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

159. Commissioner Remien asked that the City Manager be directed to write a letter to the East Grand Rapids Public Schools requesting that the lighting conditions around their schools be improved. He stated that he had been receiving a number of calls from residents who are concerned about this matter.

160. Pierce-Cooper. That expense vouchers in the amount of \$151,558.87, and payroll vouchers in the amount of \$44,112.87, 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: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

161. Remien-Stoppels. That this Commission adjourn, subject to the call of the Mayor, until December 23, 1974.

  
City Clerk

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

Regular Meeting Held December 23, 1974

The meeting was called to order by Mayor Baxter.

Present: Coms. Clary, Cooper, Pierce, Remien, Robberson, Stoppels, and Mayor  
Baxter.

Absent: None.

162. The minutes of the regular meeting held December 9, 1974 were approved as written.

163. The Unemployment Compensation Ordinance which was introduced at the last regular meeting of the Commission was discussed. The City Attorney distributed a letter to the Commissioners relative to this proposed ordinance which set forth some amendments which were suggested by the Department of Labor, Michigan Employment Security Commission. The City Manager also recommended a change in wording.

163-A. Cooper-Remien. That the amendments as submitted by the Attorney and the City Manager be approved and incorporated in the proposed ordinance.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7

Nays: 0

163-B. Stoppels-Clary. That the following ordinance be adopted:

CHAPTER 10 OF TITLE I  
AN ORDINANCE TO ESTABLISH AN UNEMPLOYMENT  
COMPENSATION SYSTEM  
in the  
CITY OF EAST GRAND RAPIDS

WHEREAS, the State of Michigan by Act No. 104 of the Public Acts of 1974, has required unemployment compensation coverage by services performed for political subdivisions.

BE IT THEREFORE ORDAINED by the Commission of the City of East Grand Rapids as follows:

Section 1.401. Unemployment Compensation System.

There is hereby established an unemployment compensation system and benefit plan for employees of the City of East Grand Rapids to be administered by the City Manager of the City of East Grand Rapids. This plan is established pursuant to Act No. 170 of the Public Acts of 1958 as amended of the State of Michigan.

Section 1.402. Definitions.

"Average Weekly Wage" with respect to a base period of employment, shall be the amount determined by dividing total wages paid by the City of East Grand Rapids for credit weeks earned in the employment of the City of East Grand Rapids by the number of such credit weeks chargeable to the City of East Grand Rapids as employer.

"Base Period" means the period of 52 consecutive calendar weeks ending with the day immediately preceding the first day of an individual's benefit year.

"Benefit Year" with respect to any individual who does not have a benefit year in effect means the period of 52 consecutive calendar weeks beginning with the first calendar week with respect to which the individual files a claim for benefits under this ordinance.

"Credit Week"; any calendar week in which an individual earns wages of at least \$25.01 from the City of East Grand Rapids.

"Benefits" means the money payments payable to an eligible and qualified individual, as provided in this ordinance, with respect to unemployment.

"Secretary-Examiner"; all references to Secretary-Examiner herein shall refer to the City Controller.

"Unemployed"; an individual shall be deemed unemployed with respect to any week during which he earns no remuneration or with respect to which the remuneration earned is less than his weekly benefit rate.

"Wages" means remuneration paid for employment but shall not include any payment by the city for life or health insurance, pension, equipment allowance or similar payment.

#### Section 1.403. Benefit Rates.

Benefit payments to eligible employees shall begin with the effective date of the unemployment and shall be calculated according to the following rules:

- a) The weekly benefit rate and amount of the weekly benefit payment shall be determined in accordance with all of the relevant provisions as set forth in Section 27 of the Michigan Employment Security Act and as set forth in the MESA Weekly Benefit Rate Table in effect at the time an employee is laid off.
- b) The dependency class category of a laid off employee shall be determined as stipulated and provided by the Michigan Employment Security Act. Once an individual establishes a dependency classification it cannot be reduced in the benefit year except as related to a change in the Michigan Employment Security Act. A dependent shall be as defined by the Michigan Employment Security Act.
- c) Eligible employees (as defined in Section 7) shall be entitled to three (3) weeks of benefits for each four (4) credit weeks earned working for the City of East Grand Rapids up to a maximum of twenty-six (26) weeks of benefits in any benefit year. Each eligible employee shall be entitled to a minimum of ten and one-half (10-1/2) weeks of benefits in any benefit year.
- d) Any change in the rate of regular benefits and their duration that would be mandatory to meet the requirements for equivalency with the Michigan Employment Security Act shall become effective on the same day to change the method of determination of amounts of benefit payment as provided in this section.

#### Section 1.404. Authorization of Payment.

Payment of unemployment benefits shall be based on a certification to the Secretary-Examiner. Such certification shall contain all information necessary for payment. A record of the benefits received by each individual shall be maintained by the Secretary-Examiner.

#### Section 1.405. Employees Covered.

Except as provided by Section 6, employees covered by this Unemployment Compensation System, shall consist exclusively of regular full-time employees of the City of East Grand Rapids as defined in the Personnel Rules and Regulations.

#### Section 1.406. Employees and Persons Not Covered.

Employees not covered by this unemployment compensation system shall be:

- a) Employees classified as department heads and elected officials.
- b) Persons providing contractual service to the City as specialists, independent contractors or employees thereof.
- c) Employees who are or were at the time of their employment by the City, students enrolled on a regular basis in high school, college, graduate school or any other school in which their primary status is clearly that of a student or any persons hired as students.
- d) Seasonal, temporary, and part-time employees.
- e) Service performed by an individual where compensation is derived at least 50% from federal funds received under a specific federal program for which an application was made and whose employment is terminated due to discontinuance of the federal funding.

Section 1.407. Eligibility for Benefits.

An employee to be eligible for benefits must have at least 14 credit weeks in his base period, be unemployed, as defined, make a claim for benefits in the manner prescribed by the Secretary-Examiner, and further must:

- a) Be able and available to perform full-time work of a character which he is qualified to perform by past experience or training, and of a character generally similar to work for which he has earned wages; and
- b) Be in compliance with registration and reporting requirements; and
- c) Be seeking work.

Section 1.408. Disqualifications.

A claimant is disqualified from receiving benefits if the Secretary-Examiner finds that an individual is unemployed due to an ineligible termination or separation as specified in Section 1.409, has left his work voluntarily or has accepted permanent full-time work with another employer, or has failed without just cause to apply for available suitable work or has failed to accept suitable work when offered, or has failed when directed to return to his customary work.

Section 1.409. Ineligible Terminations and Separations.

An employee shall not be eligible for benefits under the unemployment compensation system established by this ordinance, if the unemployment shall result from:

1. Retirement under any retirement system covering City employees.
2. Discharge or suspension for misconduct connected with one's work, for intoxication while at work, for absence due to imprisonment, or for an act of assault, theft or sabotage connected with his work.
3. Resignations, including resignations in lieu of discharge.
4. Leaves of absence for any reason, whether voluntary or involuntary.
5. Temporary separations made at the request of the employee.
6. Participation or direct interest in a labor dispute including any strike, unauthorized work stoppages, or other concerted action.

Section 1.410. Payment of and Restrictions on Benefits.

Benefits shall be paid weekly at a time and place fixed by the Secretary-Examiner. All beneficiaries must report weekly to the Secretary-Examiner's office on designated days for weekly benefit checks and determination of continuing eligibility. For continuing eligibility, a beneficiary must be actively seeking work, and must be registered with the Michigan Employment Security Commission. No beneficiary who shall refuse any reasonable bona fide offer of employment shall receive any benefits after such refusal.

Section 1.411. Rules and Procedures.

Rules and procedures including any necessary forms may be established by the City Manager to administer the Unemployment Compensation System. The Secretary-Examiner or his designee may bring suit in the name of the City of East Grand Rapids to recover any moneys paid upon a fraudulent or untrue application or claim.

Section 1.412. Determinations.

The Secretary-Examiner or his designee shall promptly make a determination after an application for benefits is filed whether the claimant is a covered individual eligible and qualified to draw benefits based upon the available information. The issuance of each benefit check shall be considered a determination that the claimant receiving the check was a covered individual eligible and qualified for benefits. Where a claimant refused work or fails to apply for work or in any other way is or becomes disqualified or ineligible for benefits, the Secretary-Examiner or his designee shall promptly make a written determination of such disqualification or ineligibility and shall send the claimant notice thereof.

Section 1.413. Redeterminations.

Upon the written request of any claimant within 15 days following any determination or decision respecting qualification, eligibility or rate of benefits, the Secretary-Examiner or his designee shall promptly review the prior determination and, if necessary, may order a hearing thereon. Upon review with or without hearing, the Secretary-Examiner or his designee shall issue a redetermination affirming, modifying or reversing the prior determination and stating the reasons therefor. Such redetermination shall be final unless an appeal is filed as provided in Section 1.414 (below).

Section 1.414. Appeals.

There is hereby established an unemployment compensation appeal board, to consist of three members appointed by the Mayor to serve for a period of not more than five years. It shall be the duty of the board to review redeterminations and decisions of the Secretary-Examiner pertaining to this Unemployment Compensation System provided that a claim of appeal is filed within 15 days of such decision or redetermination. The time to file a claim of appeal shall not begin until an employee has been notified in writing of his right to appeal.

Section 1.415. Appeal Board Powers and Duties.

The appeal board may on its own motion affirm, modify, set aside or reverse any decision or order on the basis of the evidence previously submitted in such case, or direct the taking of additional evidence, or may permit any of the parties to such decision or order to initiate further appeals before it. The appeal board shall promptly notify parties of its findings and decisions and its reasons therefor but may omit the giving of any reasons if the previous order, decision, or determination is affirmed without any alternation or modification.

Section 1.416. Procedure, Reports, Record of Proceedings on Appeal, Transcripts of Testimony.

The manner in which appeals to the appeal board shall be presented, the reports thereon required from the interested party or parties, and the procedure governing such appeals shall be in accordance with rules prescribed by the appeal board. A full and complete record shall be kept of all proceedings in connection with an appeal. Staff, space and such clerical service as is needed shall be provided by the Secretary-Examiner to the appeal board.

Section 1.417. Extension of Time.

Whenever the last day of the period to apply for redetermination or to appeal any decision, determination or redetermination falls on a Saturday, Sunday, or legal holiday, such period shall run until the end of the next day which is not a Saturday, Sunday, or holiday.

Section 1.418. Finances.

An Unemployment Compensation System Fund is herewith established to account for related revenue and expenditures, including payment of unemployment benefits. Financing of benefits shall be accomplished through said Fund. The City Controller shall recommend to the City Commission annual appropriations to be made for this activity.

Section 1.419. False Statements.

No person shall, with intent to deceive, make any false or untrue statements or reports. In lieu of criminal action based on any false or untrue statements or reports, the Secretary-Examiner may recommend disciplinary or other action to the controlling department.

Section 1.420. Catchline Headings.

The catchline headings of the sections of this ordinance shall in no way be considered to be a part of the respective sections or of this ordinance but are inserted herein for purposes of convenience.

Section 1.421. Severability.

Each section, and every part of each section, is hereby declared to be independent sections and parts of sections, and holding of any section or part of section to be void and ineffective for any cause, shall not be deemed to affect any other section or part of section.

Section 1.422. Effective Date.

The effective date of the unemployment compensation system and benefit fund established by this ordinance and of coverage thereunder shall be December 31, 1974.

Section 1.423. Publication.

The City Clerk shall cause to have published the following summary of this ordinance in compliance with Chapter VIII, Section 5(2) of the City Charter:

NOTICE OF ORDINANCE

The East Grand Rapids City Commission on December 23, 1974, adopted an ordinance pursuant to Public Act 104 of 1974 of the State of Michigan, to establish an Unemployment Compensation System for the City of East Grand Rapids for the benefit of the employees of the city.

The ordinance establishes eligibility requirements for benefits, establishes benefit rates, provides for establishment of rules and procedures of administering the ordinance, establishes an appeal board, and creates an Unemployment Compensation System Fund, and in general, provides for the establishment of an Unemployment Compensation System pursuant to the provisions of Michigan Public Act 104 of 1974.

This ordinance becomes effective on December 31, 1974. Copies may be obtained from the City Clerk of the City of East Grand Rapids at the City Hall.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

163-C. Clary-Stoppels. Resolved, that the Ordinance to Establish an Unemployment Compensation System in the City of East Grand Rapids adopted this date be codified as Sections 1.401 through 1.422 of Chapter 10 of Title I of the Code of the City of East Grand Rapids.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

164. A letter from Albert Builders, Inc. requesting improvements in Paris Road Uplands was received. Mr. Albert was present to discuss his request. After much discussion the following motion was moved by Mayor Baxter and supported by Commissioner Pierce:

RESOLVED that this Commission desires to consider the proposed improvement consisting of watermain, including all necessary services and underground work, sanitary sewer including the necessary laterals and underground work, grading, proper base, asphalt wearing surface, combination curb and gutter, concrete drive approaches, concrete sidewalks, 12-inch storm drain, catch basins, and other necessary appurtenances and underground work in the following streets:

ARUNDEL ROAD from Melrose Drive to Conlon Drive,  
YORK DRIVE from Berwyck Road to Arundel Road, and  
MELROSE DRIVE from Berwyck Road to Norfolk Road,

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

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

165. The following resolution relative to vacation of portions of Arundel Road, York Drive, and Melrose Drive was moved by Mayor Baxter and supported by Commissioner Pierce:

RESOLVED, by this Commission that it deems it advisable to vacate, abolish and discontinue all that part of Arundel Road, York Drive, and Melrose Drive, in the City of East Grand Rapids, Kent County, Michigan described as:

Commencing at a point on the North line of Lot 85 and 40' Southwesterly of the most Northerly corner thereof, Paris Road Uplands as platted, thence Southwesterly along the Northerly line of said Lot 85, 106.5 feet to the point of compound curvature, thence Northwesterly to a point on the Southeasterly line of Lot 8, said plat, at a point 109.5 feet Southwesterly from the most Easterly corner thereof, thence Northeasterly along the Southeasterly line of Lot 8 and 9 said plat 168.8 feet, thence Southeasterly to point of beginning

also

Commencing at the Northeast corner of Lot 83 Paris Road Uplands, according to the recorded plat thereof being point of beginning thence Westerly along the Northerly line of Lots 83 and 84 said plat 154.75 feet to point of compound curvature, thence Northerly to a point on the Southerly line of Lot 31 said plat at a point 124.2 feet Southwesterly of the Southeast corner thereof, thence Northeasterly 124.20 feet to the Southeast corner Lot 31, thence Southeasterly to the point of beginning.

BE IT FURTHER RESOLVED, that this Commission meet on the 3rd day of February, 1975, at 7:30 p.m. in the Commission Room in the City Hall of said City to hear and consider any and all objections and reasons why the above mentioned portions of ARUNDEL ROAD, YORK DRIVE, and MELROSE DRIVE described as aforesaid should not be vacated, abolished and discontinued, and it is

ORDERED, that the City Clerk give written notice of the time and place when and where the Commission of said City will meet to hear and consider objections to the vacating, abolishing and discontinuing of said portion of ARUNDEL ROAD, YORK DRIVE, and MELROSE DRIVE above described by any persons interested therein and desiring to be heard by publishing the notice of such meeting with a copy of this resolution once not less than two weeks before said meeting in the Grand Rapids Press, a newspaper of general circulation in the City of East Grand Rapids.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7

Nays: 0

166. A letter from Greater Grand Rapids Chamber of Commerce acknowledging receipt of funds to implement an effective regional effort aimed specifically at providing additional employment opportunities for persons living in the metropolitan area was received and filed.

167. A letter from Sylvia Porter in behalf of the Citizens' Action Committee to Fight Inflation was received and filed.

168. The City Manager reported on a letter he had received from the Secretary of AGRAG requesting that he notify the Mayor and City Commissioners of the AGRAG dinner meeting which will be held at 7:00 p.m. on Wednesday, January 15, 1975 at Holly's Landing. The City Manager urged the Mayor and City Commissioners to attend this important meeting.

169. The City Clerk submitted a certificate of the Statement of Votes cast at the Special Municipal Election held on December 16, 1974 relative to the Gilmore Property Advisory Vote. This was received and filed.

170. The City Manager reported on a proposal he has received from Kappes Landscapes relative to the planting of 20 trees on Lake Drive from the east city limits west to Woodshire, the cost being \$4,000.

170-A. Clary-Remien. That this matter be referred to the Traffic Commission.

Yeas: Clary, Cooper, Pierce, Remien, Stoppels, Baxter - 6

Nays: Robberson - 1

171. The City Manager reported on the Soil Erosion and Sedimentation Continuation Act which becomes effective on January 1, 1975. He stated that should the City of East Grand Rapids not create its own ordinance for this purpose it would come under the control of the County. It was his recommendation that the City of East Grand Rapids permit the County of Kent to be the enforcement agency. No action was taken.

172. The "Save Our Land" escrow account agreement was discussed.

172-A. Clary-Cooper. That the City Attorney be authorized to prepare and the Mayor and Clerk to sign an amendment to this agreement to permit the return of the pledge by those donors who so request it.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

173. The Traffic Commission minutes of December 5, 1974 were received and filed.

174. The financial report for a 5-month period ended November 30, 1974 was received and filed.

175. Cooper-Pierce. That expense vouchers in the amount of \$537,222.68, and payroll vouchers in the amount of \$57,133.02, 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: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

176. Mr. Vern Ehlers, who was elected in November as the member of the County Board of Commissioners representing East Grand Rapids, was present and stated that he will be taking office the first of January and is looking forward to a good channel of communication with the City of East Grand Rapids.

177. Clary-Stoppels. That this meeting be adjourned, subject to the call of the Mayor, until January 6, 1975.

Yeas: Clary, Cooper, Pierce, Remien, Robberson, Stoppels, Baxter - 7  
Nays: 0

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