

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held January 5, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson, and Mayor Edison

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; City Services Director Baragar; Public Safety Director Gallagher; Finance Director VanderWall; Public Works Superintendent Keating; Recording Secretary Harrington

98-188. The minutes of the regular meeting held December 15, 1997 were received as submitted.

98-189. Mayor Edison advised of the following communications received at City Hall:

A) Terah Lamer of 423 Prospect, Grand Rapids, MI, wrote a letter thanking Public Safety for helping her gain entrance into her locked vehicle.

98-190. Williamson - Orlebeke. That payroll disbursements in the amount of \$130,036.90; and total remaining disbursements in the amount of \$404,135.28; as approved by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-191. Final Reading of an ordinance to amend Section 2.11 of Chapter 21 of Title II of the City Code pertaining to waste hauling regulations.

98-191-A. Williamson - Orlebeke. That an ordinance amendment to Section 2.11 of Chapter 21 of Title II of the City Code pertaining to waste hauling regulations be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-192. Consideration of a request to approve the purchase of a portable sewer pump.

98-192-A. Bartman - Lawless. That the purchase of a portable sewer pump and discharge hose from Burke Equipment Company in the amount of \$3,690.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-193. Consideration of a request to approve the purchase of an asphalt roller.

98-193-A. Bartman – Orlebeke. That the purchase of an asphalt roller from Miller Equipment in the amount of \$5,500.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-194. Consideration of a request to award a contract for the purchase and installation of a radio-controlled alarm system for the sewer lift stations.

98-194-A. Williamson – Bartman. That a contract be awarded to Microwave Data Systems in the amount of \$15,578.00 for the radio equipment and to Ackerman Electric Supply in the amount of \$5,119.18 for the controller and components for a radio-controlled alarm system for the sewer lift stations.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-195. Consideration of a request to adopt a resolution approving an amendment to the Articles of Incorporation of the Grand Valley Metropolitan Council.

98-195-A. Lawless – Mehney. That a resolution approving the amendments to the Articles of Incorporation of the Grand Valley Metropolitan Council confirming the membership of Wayland Township, be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-196. Finance Director VanderWall presented the financial reports for the quarter ending September 30, 1997.

98-197. The Public Safety Department report for the month of November 1997 was received.

98-198. Mayor Edison asked if there were any comments from the public.

Julie Koch of 2560 Frederick Drive and Lucia Patzelt of 2601 Frederick Drive were present and voiced concern over the condition of Frederick Drive. They also wanted to know when the Infrastructure Committee was going to meet regarding their road.

Mayor Edison informed them that the Infrastructure Committee is to meet January 8, 1998, to discuss the residents concerns.

98-199. Consideration of a request to add to the agenda an executive session to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act.

98-199-A. Williamson – Bartman. Motion to add to the agenda an executive session to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act. A roll call vote was taken.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-200. Williamson – Bartman. Motion to enter into an executive session to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act. A roll call was taken.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-201. The regular meeting was adjourned at 7:45 p.m.

98-202. The executive session was adjourned at 8:50 p.m.

98-203. Consideration of a request to add to the agenda a motion to approve an appeal of the ruling by Judge Sullivan denying the vacation of Reeds Lake Boulevard.

98-203-A. Bartman – Orlebeke. Motion to add to the agenda consideration of an appeal of the ruling by Judge Sullivan to deny the vacation of Reeds Lake Boulevard. A roll call vote was taken.

Vote on 98-203.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison –6

Nays: - 0

Abstain: Mehney - 1

98-203-B. Bartman – Orlebeke. Motion to approve an appeal of the ruling by Judge Sullivan denying the vacation of Reeds Lake Boulevard.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison –6

Nays: -0-

Abstain: Mehney - 1

98-204. The regular meeting was adjourned at 9:00 p.m. subject to the call of the Mayor until January 19, 1998.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Section 2.11 regarding waste hauling regulations
B – Resolution adopting change to GVMC Articles of Incorporation

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held January 19, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson, and Mayor Edison

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Parks & Recreation Director Rhodes; City Services Director Baragar; Building Inspector Conley; City Clerk Brower

98-200. The minutes of the regular meeting held January 5, 1998 were received as submitted.

98-201. Orlebeke-Lawless. That payroll disbursements in the amount of \$138,419.31; county and school disbursements in the amount of \$480,647.18; and total remaining disbursements in the amount of \$363,540.52; as approved by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-202. A zoning variance hearing was held regarding the request of Mr. Tom Reed of 2946 Woodcliff to allow the construction of an attached garage creating a side yard setback of 6'-0" instead of the required 10'-0."

Tom Reed, 2946 Woodcliff, was present and spoke in favor of the variance request.

Commissioner Shimko reported receiving a telephone call from Mr. and Mrs. Keith VanScoyk of 2960 Woodcliff stating their wish that this variance be granted.

Mayor Edison closed the public hearing.

98-202-A. Bartman-Mehney. That the request of Mr. Tom Reed of 2946 Woodcliff to allow the construction of an attached garage creating a side yard setback of 6'-0" instead of the required 10'-0" be approved.

Yeas: Bartman, Frakie, Mehney, Orlebeke, Walton, Williamson and Edison – 7

Nays: -0-

98-203. Mr. Rick Smoke, Kent County Commissioner, was present and reviewed his first year in office as a county commissioner and answered questions from the City Commission.

98-204. Consideration of a request to approve new rental rates for Parks & Recreation Department facilities.

98-204-A. Williamson-Orlebeke. That the rental rates recommended by the Parks & Recreation Commission for rental of activity rooms at City Hall be approved as requested.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-205. Consideration of a request to approve an appointment to the Parks & Recreation Commission.

98-205-A. Bartman-Mehney. That Mr. John Barbour be appointed to the Parks & Recreation Commission as requested by Mayor Edison.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-206. Consideration of a request to approve participation fees for the REGIS project.

98-206-A. Williamson-Shimko. Motion to table this matter until the February 3rd meeting which is after the Kent County Board of Commissioners will vote on whether to participate in the REGIS project.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko and Williamson – 6
Nays: Edison - 1

98-207. Introduction of an ordinance amendment adding Chapter 79B to Title VII of the City Code regarding telecommunications providers.

98-207-A. Williamson-Orlebeke. That an ordinance amendment adding Chapter 79B to Title VII of the City Code regarding telecommunications providers be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-208. The preliminary minutes of the Parks & Recreation Commission meeting held December 8, 1997 were received.

98-209. The preliminary minutes of the Traffic Commission meeting held December 5, 1997 were received.

98-210. The City Services Department Report for the month of December 1997 was received.

98-211. The Public Safety Department Report for the month of December 1997 was received.

98-212. No other public comment was received.

98-213. Mayor Edison informed the City Commission that George Davis had resigned from the Planning Commission because of home and work commitments. Mayor Edison recognized the eight years of service that Mr. Davis gave to the Planning Commission and his hard work on several major issues.

City Manager Donovan announced that Mayor Edison had recently celebrated his 40th birthday and invited everyone to view a display of several pictures of our fearless leader in his developmental years. Everyone wished the Mayor a happy birthday.

98-214. The regular meeting was adjourned at 8:10 p.m. subject to the call of the Mayor until February 2, 1998.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Chapter 79B regarding telecommunications providers.

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held February 2, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson, and Mayor Edison

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; Parks & Recreation Director Rhodes; City Services Director Baragar; Streets & Utilities Sup't Keating; Building Inspector Conley; City Clerk Brower

98-215. The minutes of the regular meeting held January 19, 1998 were received as submitted.

98-216. Orlebeke-Williamson. That payroll disbursements in the amount of \$129,130.75; and total remaining disbursements in the amount of \$52,802.11; as approved by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-217. Mayor Edison introduced Colleen Grable as the new reporter covering East Grand Rapids from the Cadence Newspaper.

98-218. A zoning variance hearing was held regarding the request of the Michigan Special Olympics Basketball Tournament Committee to allow the display of one 4'-0" x 20'-0" banner on the existing fence at the corner of Lakeside and Lake Drive annually until the completion of the 2003 event, and that the \$75 filing fee be waived.

Mark Schoof, 2415 Aleda, member of the Tournament Committee, was present and spoke in favor of the variance request.

No public comment was received. Mayor Edison closed the public hearing.

98-218-A. Williamson-Bartman. That the request of the Michigan Special Olympics Basketball Tournament Committee to allow the display of one 4'-0" x 20'-0" banner on the existing fence at the corner of Lakeside and Lake Drive annually and the request to waive the \$75 filing fee be approved.

Yeas: Bartman, Frakie, Mehney, Orlebeke, Walton, Williamson and Edison – 7

Nays: -0-

98-219. Consideration of a request to approve participation fees for the REGIS project.

98-219-A. Williamson-Bartman. That the request to participate in the REGIS pilot project at a cost not-to-exceed \$12,000 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-220. Final reading of an ordinance amendment adding Chapter 79B to Title VII of the City Code regarding telecommunications providers.

98-220-A. Orlebeke-Lawless. That an ordinance amendment adding Chapter 79B to Title VII of the City Code regarding telecommunications providers be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-221. Consideration of a request to approve a carryover of funds from the Community Development Block Grant program.

98-221-A. Bartman-Orlebeke. That the request to carryover funds in the amount of \$73,391.24 from FY 1996-97 to FY 1997-98 for the purpose of adding an elevator at Public Safety during the remodeling be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
 Nays: -0-

98-222. Consideration of a request to approve a cost-sharing program for the Middle School/Recreation Supervisor position.

98-222-A. Mehney-Orlebeke. That request to share the cost of the salary and benefits for the Middle School/Recreation Athletic Supervisor with the East Grand Rapids School District be approved as recommended by the City Manager.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
 Nays: -0-

98-223. Consideration of a request to purchase a radio-interface system for the Public Safety Department.

98-223-A. Bartman-Orlebeke. That the request to purchase 35 voice amplifiers and mounting brackets from West Shore Services of Allendale, Michigan for a total cost of \$8,797.95 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
 Nays: -0-

98-224. Consideration of a request to approve the replacement of vehicles for various departments.

98-224-A. Bartman-Lawless. That the following vehicle purchases be approved as requested by staff:

| | | |
|--------------------------|--------------------------------------|--------------------|
| ¾-ton Ford F250 pickup | Signature Ford (Owosso) | \$15,619.75 |
| ¾-ton GMC pickup | Red Holman Pontiac (Owosso) | \$19,032.00 |
| ¾-ton GMC ext.cab pickup | Red Holman Pontiac (Owosso) | \$19,254.00 |
| Pontiac Bonneville (2) | Red Holman Pontiac (Owosso) | \$36,736.00 |
| Dodge Cab/Chassis | Snethkamp's Dodge (Lansing) | \$19,104.91 |
| Service body/crane | Truck & Trailer Specialties (Dutton) | <u>\$10,528.00</u> |
| | | \$120,274.66 |

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
 Nays: -0-

98-225. Consideration of a request to approve the emergency repair of the street sweeper.

98-225-A. Bartman-Orlebeke. That the expenditure of \$2,857.55 to Bell Equipment Company for replacement parts needed to repair the City's street sweeper be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
 Nays: -0-

98-226. No other public comment was received.

98-227. Mayor Edison reported that the Joint Facilities Committee had received preliminary plans for the upgrading of the High School Practice Football Field, the Lower Middle School Soccer/Lacrosse Field, and Remington Softball Field. These plans will be revised based on input from the Joint Facilities Committee and will come back before the City Commission for further review before a joint meeting with the School Board is set.

Commissioner Williamson commented on the new Gaslight Village signs which direct visitors to the shopping district.

98-228. The regular meeting was adjourned at 7:48 p.m. subject to the call of the Mayor until February 16, 1998.

Karen K. Brower, City Clerk

Attachments: A – Ordinance Amendment to Chapter 79B regarding telecommunications providers.

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held February 16, 1998

The meeting was called to order by President Williamson at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Orlebeke, Shimko, and Williamson

Absent: Commissioner Mehney, Mayor Edison

Also Present: City Manager Donovan; City Attorney Huff; City Services Director Baragar; Building Inspector Conley; City Clerk Brower

98-229. The minutes of the regular meeting held February 2, 1998 were received with the following correction: paragraph 98-237-A should have reflected a vote of:

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-230. Lawless-Orlebeke. That payroll disbursements in the amount of \$136,090.45; county and school disbursements in the amount of \$942,255.70; and total remaining disbursements in the amount of \$309,110.22; as approved by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Orlebeke, Shimko and Williamson – 5
Nays: -0-

98-231. Consideration of a request to adopt a resolution supporting the application of the Rotary East Charities for a raffle license.

98-231-A. Bartman-Orlebeke. That a resolution supporting the application of the Rotary East Charities for a raffle license be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Orlebeke, Shimko and Williamson – 5
Nays: -0-

98-232. Consideration of a request to award a contract for watermain materials for construction projects.

98-232-A. Bartman-Lawless. That a contract be awarded to East Jordan Iron Works in the amount of \$16,084.80 for watermain materials for the upcoming construction season.

Yeas: Bartman, Lawless, Orlebeke, Shimko and Williamson – 5
Nays: -0-

98-233. Consideration of a request to award a contract for the water/sewer construction projects.

98-233-A. Bartman-Orlebeke. That contracts totaling \$1,250,570.05 for sanitary and storm sewer project and road reconstruction be awarded as follows:

| | | |
|-----------------------|--------------|--|
| Diversco Construction | \$628,151.50 | Kreiser, Wilshire, Elmwood, Cambridge, Estelle |
| Diversco Construction | \$341,800.45 | Burchard |
| MY-Con Enterprises | \$217,977.40 | Breton Downs, Richards |
| Twin Lakes Nursery | \$62,640.70 | Breton Downs Restoration |

Yeas: Bartman, Lawless, Orlebeke, Shimko and Williamson – 5
Nays: -0-

Commissioner Lawless reported that the open house prior to the City Commission meeting had gone well and several residents attended with questions that they had. Commissioner Lawless thanked the staff for putting the open house together and noted that the bids for the projects were well under the budgeted estimates.

98-234. Consideration of a request to approve the replacement of overhead garage door openers.

98-234-A. Bartman-Orlebeke. That a contract be awarded to Environmental Door Company in the amount of \$9,856.00 for the replacement of overhead door openers at Public Safety and Streets & Utilities buildings and that a budget amendment of \$4,856.00 be approved for this project.

Yeas: Bartman, Lawless, Orlebeke, Shimko and Williamson – 5
Nays: -0-

98-235. Consideration of a request to authorize staff to seek bids for a CAD computer for the Engineering Services Division.

98-235-A. Orlebeke-Shimko. That staff be authorized to seek bids for a CAD-compatible computer for the Engineering Services Division as requested.

Yeas: Bartman, Lawless, Orlebeke, Shimko and Williamson – 5
Nays: -0-

98-236. Consideration of a request to approve the emergency repair of the backhoe vehicle.

98-236-A. Bartman-Shimko. That the expenditure of \$3,894.15 to Klooster Equipment Company for the repair of the city's backhoe and \$1,175.00 for the rental of a replacement vehicle be approved as requested.

Yeas: Bartman, Lawless, Orlebeke, Shimko and Williamson – 5
Nays: -0-

98-237. The minutes of the Parks & Recreation Commission meeting held January 12, 1998 were received.

98-238. The minutes of the Library Commission meeting held January 26, 1998 were received.

98-239. The minutes of the Planning Commission meeting held February 12, 1998 were received.

98-240. The City Services Department Report for the month of January 1998 was received

98-241. Judy Harrison, candidate for the 73rd State House District, introduced herself. She left information for the Commissioners and offered to talk further with anyone who had questions for her.

Lee Nabkey, 317 Carlton, was present and read a prepared statement about an incident that occurred between herself and the East Grand Rapids Public Safety Department. Ms. Nabkey asked that all citizens be treated equally and fairly in their dealings with the department and asked that the City Attorney's office address this issue.

98-242. Commissioner Bartman received a phone call from a resident on Indian Trail who thanked Streets & Utilities employees Jim Stehouwer and Tim Thompson for clearing their road after snow and construction debris made traveling the road very difficult.

Commissioners Orlebeke, Lawless and Shimko reported that the open house with residents prior to the City Commission meeting to discuss the upcoming construction projects went very well and thanked the staff and OMM Engineering for their help answering resident's questions.

President Williamson expressed condolences to Commissioner Dave Mehney and his family on the passing of his mother, Mrs. Catherine Mehney, on Monday, February 16, 1998.

President Williamson also reported to everyone that former mayor Nyal Deems and his wife, Jodi, were the proud new parents of a baby girl, Georgia, born on February 13, 1998.

98-243. The regular meeting was adjourned at 7:45 p.m. subject to the call of the Mayor until March 2, 1998.

Karen K. Brower, City Clerk

Attachments: A – Resolution recognizing Rotary East Charities as a non-profit organization for raffle license

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held March 2, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Manager Donovan; City Attorney Huff; City Services Director Baragar; Public Safety Director Gallagher; Parks & Recreation Director Rhodes; Finance Director VanderWall; Building Inspector Conley; City Clerk Brower

98-248. The minutes of the regular meeting held February 2, 1998 were received as submitted.

98-249. Mayor Edison reported that the following communications had been received at City Hall:

- A. Thank you note from Jane Williamson expressing appreciation for the flowers sent to her after recent surgery.
- B. Letter from Boy Scout Troop 200 thanking School Liaison Officer Davis for showing them around the Public Safety Building and explaining the workings of the department to the troop members.

98-250. Orlebeke-Lawless. That payroll disbursements in the amount of \$120,536.51; county and school disbursements in the amount of \$258.00; and total remaining disbursements in the amount of \$194,903.27; as approved by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-251. A zoning variance hearing was held regarding the request of Mr. and Mrs. Chris Genter of 916 Bellclaire Avenue to allow the construction of a new 20'-0" x 24'-0" attached garage creating a side yard setback of approximately 3'-0" instead of the required 7'-0" and a combined side yard setback of 13'-0" instead of the required 18'-0."

Chris Genter of 916 Bellclaire was present and spoke in favor of the variance request. Jim Karczewski, architect for Mr. and Mrs. Genter was also present to answer questions from the City Commission.

Mayor Edison closed the public hearing.

98-251-A. Mehney-Bartman. That the request of Mr. and Mrs. Chris Genter of 916 Bellclaire Avenue to allow the construction of a new 20'-0" x 24'-0" attached garage creating a side yard setback of approximately 3'-0" instead of the required 7'-0" and a combined side yard setback of 13'-0" instead of the required 18'-0" be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-252. Consideration of a request to approve engineering and architectural fees to design and solicit bids for a replacement chiller for the upgrade to the Municipal Complex air conditioning system.

City Manager Donovan introduced Bob Olson of Cox Medendorp & Olson who reviewed the preliminary sketches of the possible uses for the municipal office complex and the plans for the Public Safety Building Remodeling. Mr. Olson answered questions from the City Commission about the need for a new chiller of this size and capacity and the placement of the new equipment.

City Manager Donovan reported that City Staff was close to an agreement with the City of Grand Rapids for taking over the pumping of the water which would allow the use of the water storage tank for office, storage and activity rooms. As soon as the agreement has been reached it will be brought to the City Commission. Decisions on the use of space can then be made.

Commissioner Mehney departed.

98-252-A. Bartman-Orlebeke. That contracts be awarded to Comprehensive Engineering for the design, bid specifications and inspection for a new chiller at a cost not-to-exceed \$8,300.00 and to Cox Medendorp and Olson for the design, bid specifications and inspection for the support structure at a cost not-to-exceed \$2,000.00, and to authorize staff to seek bids for these items.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

98-253. Consideration of a request to approve a change to the grounds maintenance program.

City Manager Donovan explained the request to add an additional full-time person to the grounds maintenance staff and to reduce the number of part-time hours. The Joint Facilities Committee reviewed this request on January 29, 1998 and recommended the adoption of Model 2 as recommended by staff, but increased the number of part-time hours in Model 2 by 1,000 hours to ensure that the level of maintenance on the athletic fields during peak growing season was maintained.

Commissioners Bartman and Williamson stated their feelings that this request be considered during the budget process and not at this time.

98-253-A. Lawless-_____. That the request to hire an additional full-time grounds maintenance employee with a yearly salary range of \$20,000 to \$25,000 be approved, but with no increase in Model 2 part-time hours.

Motion failed due to lack of a second.

Mayor Edison asked for direction from the City Commissioners on the program and the request for a full-time person. The City Commission discussed the allocation of hours and the advantages of having two qualified full-time employees working in different locations. The Commission also questioned the need for additional hours for part-time gardeners when there was an overall reduction in the total number of hours spent on grounds maintenance.

98-253-B. Orlebeke-Shimko. That the request to hire an additional full-time grounds maintenance employee with a yearly salary range of \$20,000 to \$25,000, be approved without an increase in Model 2 part-time hours.

Commissioner Williamson questioned whether approving this motion would make a commitment to the program for the upcoming fiscal year. Mayor Edison stated that this would be a commitment to the additional full-time person for at least the upcoming fiscal year.

Commissioner Bartman stated that she felt the number of hours requested was inadequate to maintain the level of maintenance expected on these fields.

Vote on 98-253-B.

Yeas: Lawless, Orlebeke, Shimko, Edison – 4
Nays: Bartman, Williamson - 2

98-254. Consideration of a request to solicit bids for the El Dorado detention basin landscape restoration.

98-254-A. Williamson-Bartman. That staff be authorized to seek bids for the landscaping materials and services to restore the ElDorado detention basin site.

Yeas: Bartman, Lawless, Shimko, Williamson and Edison – 5
Nays: -0-

98-255. Finance Director VanderWall presented the financial report for the quarter ended December 31, 1997 and answered questions from the City Commission.

98-256. Consideration of a request to approve an appointment to the Planning Commission.

98-256-A. Bartman-Shimko. That John Meilner be appointed to the East Grand Rapids Planning Commission to fill a vacant position expiring June 30, 1999.

Yeas: Bartman, Lawless, Shimko, Williamson and Edison – 5
Nays: -0-

98-257. The Public Safety Department 1998 Annual Report was received.

98-258. The Public Safety Department Report for the month of January 1998 was received.

98-259. The preliminary minutes of the Joint Facilities Committee meeting held January 29, 1998 were received.

98-260. Ted Iorio, 1941 Lake Drive, was present and asked the City Commission to intervene in whatever means possible with the construction taking place at the Wealthy School playground. He stated that the neighbors had not been notified about crucial changes to the plans and the time schedule of the construction and that several large trees and several feet of green space had been destroyed without notice. He reviewed the dispute over whether zoning laws applied to the school district and stated that the neighborhood had hired an attorney to research this issue.

John Kernosky, 560 Laurel, reviewed the current traffic problems on Laurel created by parents dropping off children and stated that this would become worse with the changes being made by the construction. He stated that this will change the residential character of the neighborhood and that the City should intervene in this situation because of the potential traffic problems.

Brian Accola, 558 Laurel, stated his concern about the increased traffic on the narrow residential street. He felt the School Board had repeatedly changed plans without informing the neighbors and that the neighbors no longer trusted the School Board to keep their word on future plans.

Warren Hecker, 618 Laurel, expressed his dismay over the demolition of the Esther Seidman Memorial Playground at Wealthy School which was built by the community over 30 years ago. He stated that the School Board will no longer discuss the project with them, and the neighbors were now asking the City to become involved.

Mayor Edison responded that the City's policy has always been not to interfere with the School District on issues such as this but to work with the school on suggestions for traffic flow and safety concerns only. The Traffic Commission did consider this issue and found no safety concerns with the proposed plans.

Mr. Iorio asked the City to discuss these issues at committee level and in other discussions with the School Board and asked that the neighbors be notified and allowed to give input.

Mr. Hecker stated that Laurel was a narrow, residential street and that the residents definitely did not want this street widened to accommodate extra traffic, but wanted the traffic controlled for the safety of the neighborhood residents and the school children.

98-261. Commissioner Shimko reported that he had been contacted by several of the neighbors of the Wealthy School playground and had discussed with them that the School Board was the appropriate body to address with these concerns.

98-262. Williamson-Bartman. To enter into executive session to discuss pending litigation and an attorney's opinion in accordance with Sections 8(e) and 8(h) of the Open Meetings Act. A roll call vote was taken.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6

Nays: -0-

98-263. The regular meeting was adjourned at 9:15 p.m. subject to the call of the Mayor until March 16, 1998.

Karen K. Brower, City Clerk

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held March 16, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: Commissioner Bartman

Also Present: City Manager Donovan; City Attorney Huff; City Services Director Baragar; Public Safety Director Gallagher; Parks & Recreation Director Rhodes; Finance Director VanderWall; Engineering Supervisor Kadzban; Building Inspector Conley; City Clerk Brower

98-264. The minutes of the regular meeting held March 2, 1998 were received as submitted.

98-265. Orlebeke-Shimko. That payroll disbursements in the amount of \$131,971.87; county and school disbursements in the amount of \$455,684.27; and total remaining disbursements in the amount of \$162,252.30; as approved by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6

Nays: -0-

98-266. A zoning variance hearing was held regarding the request of Mr. Thomas Cole of 2145 Lake Drive to allow the reconstruction of a 12'-0" x 16'-0" detached garage creating a side yard setback of approximately 1'-6" instead of the required 3'-0."

Tom Cole of 2145 Lake Drive was present and explained that he had not yet decided on the size and location of the new garage.

Mayor Edison closed the public hearing.

98-266-A. Williamson-Shimko. Motion to table the request of Mr. Thomas Cole of 2145 Lake Drive until the exact placement and dimensions of the garage can be determined.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6

Nays: -0-

98-267. Consideration of a request to approve the division of a lot located at 1731 Andover Lane.

Ed Shea of Greenridge Realty was present on behalf of Dr. Berger to answer questions on this request.

98-267-A. Williamson-Orlebeke. That the request to allow 1.4' along the rear of the lot at 1731 Andover Lane to be split off and added to the rear of the lot located at 1730 Vesta Lane as requested by Dr. and Mrs. Steven Berger, the former owners of the property, with the condition that the split complies with the surveys and the relevant deed or land contract be recorded with the Kent County Registrar of Deeds within 90 days of approval.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6

Nays: -0-

98-268. Consideration of a request to award a contract for the purchase of a turf roller.

98-268-A. Orlebeke-Williamson. That the request to purchase a tractor-mounted turf roller for the grounds maintenance operations from Gordon Bannerman Ltd. of Ontario, Canada, the sole-source supplier of the specified equipment, in the amount of \$3,470.00 be approved.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

98-269. Consideration of a request to authorize staff to solicit bids for road construction projects.

98-269-A. Williamson-Orlebeke. That staff be authorized to seek bids for the milling and resurfacing of portions of Lake Grove and Manhattan Lane, and that a budget amendment in the amount of \$30,000 from the major/local winter routine maintenance to the major/local road construction account be approved.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

98-270. Consideration of a request to approve a change order for the El Dorado construction project.

98-270-A. Williamson-Orlebeke. That Change Order #1 of the contract with Diversco Construction in the amount of \$3,250.00 for an additional manhole and the resizing of a second manhole for the El Dorado detention basin project be approved as requested.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

98-271. The preliminary minutes of the Parks & Recreation Commission meeting held February 10, 1998 were received.

98-272. The preliminary minutes of the Library Commission meeting held February 23, 1998 were received.

98-273. The preliminary minutes of the Planning Commission meeting held February 10, 1998 were received.

98-274. No other Public Comment was received.

98-275. Commissioner Mehney questioned the City Commissioners about the vote at the previous meeting on the increased grounds maintenance budget request, and why the recommendation from the Joint Facilities Committee for additional part-time hours was not approved. Mayor Edison responded that the City Commission wished to consider this issue during the budget process.

Mayor Edison asked the other Commissioners whether they would be in town for the meeting on April 6th. As there were only three Commissioners who would not be present, the Mayor decided not to reschedule the regular meeting.

98-276. Williamson-Lawless. To enter into executive session to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act. A roll call vote was taken.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

98-277. The regular meeting was adjourned at 7:56 p.m. subject to the call of the Mayor until April 6, 1998.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held April 6, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Lawless, Orlebeke, Williamson and Mayor Edison

Absent: Commissioners Bartman, Mehney, Shimko

Also Present: Assistant City Attorney Sluggett; City Services Director Baragar; Public Safety Director Gallagher; Finance Director VanderWall; Building Inspector Conley; Data Processing Manager Rathbun; City Clerk Brower

98-278. The minutes of the regular meeting held March 2, 1998 were received as submitted.

98-279. Mayor Edison advised of the following communications received at City Hall:

- A. Letters from 2nd graders at Breton Downs Elementary thanking the Mayor for the tour of City Hall on April 1st.

98-280. Williamson-Orlebeke. That payroll disbursements in the amount of \$119,229.48; county and school disbursements in the amount of \$12,864.32; and total remaining disbursements in the amount of \$162,959.54; as approved by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Lawless, Orlebeke, Williamson and Edison – 4

Nays: -0-

98-281. A zoning variance hearing was held regarding the request of Mr. Thomas Cole of 2145 Lake Drive to allow the reconstruction of a 15'-0" x 20'-0" detached garage creating a side yard setback of approximately 1'-6" instead of the required 3'-0."

Mrs. Cole, representative for Mr. Thomas Cole, was present and spoke in favor of the variance request.

No other public comment was received. Mayor Edison closed the public hearing.

98-281-A. Lawless-Orlebeke. That the request of Mr. Thomas Cole of 2145 Lake Drive to allow the reconstruction of a 15'-0" x 20'-0" detached garage creating a side yard setback of approximately 1'-6" instead of the required 3'-0" be approved.

Yeas: Lawless, Orlebeke, Williamson and Edison – 4

Nays: -0-

98-282. Consideration of a request to approve a change to the Grand Valley Metro Council Articles of Incorporation.

98-282-A. Williamson-Orlebeke. That a resolution approving the amendments to the Articles of Incorporation of the Grand Valley Metropolitan Council confirming the membership of Georgetown Township be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Lawless, Orlebeke, Williamson and Edison – 4

Nays: -0-

98-283. Consideration of a request to award a contract for the purchase and installation of a new chiller unit for the municipal complex air conditioning system.

98-284. Williamson-Orlebeke. That a contract be awarded to Process Engineering & Equipment in the amount of \$59,133.00 for the purchase and installation of a 175-ton capacity chiller package, and that a fund transfer from the contingency account to the building capital account for this purchase also be approved.

Yeas: Lawless, Orlebeke, Williamson and Edison – 4
Nays: -0-

98-285. Consideration of a request to award a contract for landscaping restoration services for the El Dorado detention basin site.

98-285-A. Lawless-Williamson. That a contract be awarded to Kregel Landscaping Service of Byron Center in the amount of \$11,740.80 for the landscaping restoration of the El Dorado detention basin construction site.

Yeas: Lawless, Orlebeke, Williamson and Edison – 4
Nays: -0-

98-286. Consideration of a request to approve the purchase of computer equipment.

98-286-A. Orlebeke-Williamson. That the purchase of hardware and software from Omega Systems Inc in the amount of \$8,640.00 for computer equipment for the Engineering Services Division and the Public Safety Department be approved as requested with funding of \$4,973.00 from the General Fund and \$3,028.00 from the Drug Seizure Fund.

Yeas: Lawless, Orlebeke, Williamson and Edison – 4
Nays: -0-

98-287. The preliminary minutes of the Parks & Recreation Commission Master Plan Update meetings held January 26, February 10, March 3, and March 16, 1998 were received.

Commissioner Lawless asked that consideration be given to replacing the playground equipment at Breton Downs school in the near future. Mayor Edison will add that item to the items under consideration.

98-288. The City Services Department report for the month of February 1998 was received.

98-289. The Public Safety Department report for the month of February 1998 was received.

Public Safety Director Gallagher noted some changes to the format for reporting bench warrants closed out for other departments.

98-290. William Poisson, 2718 Richards, was present to address several issues of concern. Mr. Poisson asked for a left-turn signal from eastbound Boston onto southbound Breton because of the time it takes to complete this turn during rush hour. He also asked the City Commission to consider adding a turnaround drive to the boat launch at Collins Park to ease the congestion on Lakeside Drive caused by vehicles with trailers trying to back down the ramp. Mr. Poisson then asked the City Commission to eliminate the weed harvesting program and return to adding copper sulfate to Reeds Lake to improve the clarity and appearance of the water which would facilitate a reduction in the number of carp populating the lake. A final item of concern was the readiness-to-serve charge on the water bills. Mr. Poisson spoke in favor of adding the charge to the property tax bills so residents could take a tax deduction for these costs. Mayor Edison asked the City Services Department to review the most recent lake sampling report to determine if any change in the current program is warranted.

Bill Townsend of Grand Rapids Township was present and asked the City Commission to consider taking a position in opposition to the special use permit request of Porter Hills in Grand Rapids Township. Mr.

Townsend and a group of residents are opposing the development because of potential impact to the Reeds Lake watershed. The group would like to see the land preserved in its natural state. The meeting of the

Grand Rapids Township Planning Commission is April 29th at 7:30 p.m. Mayor Edison stated that the City Commission and the City Attorney would review the information presented by Mr. Townsend and decide at the next City Commission meeting whether to take a position on this issue.

98-291. There were no reports from the City Commission.

98-292. The regular meeting was adjourned at 8:10 p.m. subject to the call of the Mayor until April 20, 1998.

Karen K. Brower, City Clerk

Attachments: A – Resolution adopting GVMC Articles of Incorporation amendment

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held April 20, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Public Safety Director Gallagher; Parks & Recreation Director Rhodes; Streets & Utilities Sup't Keating; Deputy Public Safety Director Spencer; Engineering Services Supervisor Kadzban; Building Inspector Conley; City Clerk Brower

98-293. Commissioner Lawless asked that Item 98-287 of the minutes of the April 6, 1998 be amended to reflect the fact that he was referring to the pre-kindergarten playground equipment at Breton School. The minutes of the regular meeting held April 6, 1998 were then received as amended.

98-294. Mayor Edison advised of the following communications received at City Hall:

A. A photograph of Commissioner Orlebeke cutting the ribbon on the new GRATA bus dedicated to East Grand Rapids.

98-295. Lawless-Orlebeke. That payroll disbursements in the amount of \$225,967.88; county and school disbursements in the amount of -0-; and total remaining disbursements in the amount of \$283,308.25; as approved by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-296. A zoning variance hearing was held regarding the request of Blodgett Memorial Medical Center (Spectrum Health) of 1840 Wealthy Street to allow the replacement of six ground signs which exceed height and/or location requirements.

Roger Grow, Plant Operations Director for Blodgett, and Jean Norcross, Communications Director, were present and answered questions regarding the variance request.

The following people were present and expressed their views concerning this variance request:

| | |
|------------------------------------|---|
| * Mark Stoppels, 503 Cambridge SE | Concerned about fitting in with surrounding area. |
| * James Thompson, 443 Plymouth SE | Concerned residents weren't notified and about the size of the main sign. |
| * Sandra Thompson, 443 Plymouth SE | Signs should be brown, not green. Does not want signs lighted. Submitted alternate proposal. |
| * Beatrice Kress, 435 Plymouth SE | Opposed changing Mary Free Bed sign. |
| * Sally Traidman, 1945 Wealthy SE | Opposed to lighted signs. |
| * Dave Wittenbach, 415 Plymouth SE | Opposed to changes. Leave signs as they currently are. |
| * Penny Pestle, 515 Plymouth SE | Asked for more time to study and give input. Concerned about long-term use of the property. Liked alternate proposal. |
| * Martha Parks, 431 Plymouth SE | Opposed to Mary Free Bed sign being lighted. Doesn't like bright white light. |
| * Robert Osipoff, 511 Plymouth SE | Opposed lighting the main entrance sign. |

Roger Grow of Blodgett addressed the concerns of the residents and made concessions about colors, size and lighting on

some of the signs. The hospital agreed to use flush lettering—not raised—on all signs and will use the Spectrum Health logo only where the current signs use the name and/or logo. The compromise resulted in two signs no longer needing a variance and the following requests:

| <u>Sign # and Location</u> | <u>Description and Request</u> |
|------------------------------------|---|
| (1) Plymouth/Sherman corner | Will be lighted sign, green with red emergency lettering and white accessory lettering. Variance for height and location as proposed. |
| (3) Wealthy/Plymouth corner | Will be a lighted sign, green with red emergency lettering and white accessory lettering. Variance for height and location as proposed. |
| (5) Main entrance drive on Wealthy | Will be a lighted sign, color will be green. Variance for height and location as proposed. |
| (6) Wealthy/Sherman corner | Will be an unlighted sign, green with red emergency lettering and white accessory lighting. Variance for location as proposed. |

Mayor Edison closed the public hearing.

Roger Grow and City Attorney Huff answered questions from the City Commission. It was determined that Blodgett did not need a variance or permission to change the color of the signs or to change the interior lettering or lighting on existing signs.

98-296-A. Williamson-Shimko. That the request of Blodgett Memorial Medical Center (Spectrum Health) of 1840 Wealthy Street to allow the replacement of ground signs which exceed height and/or location requirements as outlined above be approved.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-
Abstain: Mehney - 1

98-297. Consideration of a request to approve the division of a lot located at 2330 Hall Street.

98-297-A. Williamson-Bartman. That a property split deeding a 8'-0" x 71'-0" piece of property from lot 23 Paris Park Plat owned by Mr. Goebel at 2330 Hall Street to a portion of lot 23 and lot 24 owned by Mr. and Mrs. Huff at 2310 Anderson be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-298. Consideration of a request to award a contract for the annual 4th of July Fireworks show.

98-298-A. Orlebeke-Williamson. That a contract be awarded to Melrose Pyrotechnics Inc in the amount of \$8,200.00 for the annual 4th of July Fireworks show.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-299. Consideration of a request to approve the purchase of salt spreading equipment for the Streets & Utilities Department.

98-299-A. Williamson-Orlebeke. That the purchase of a salt spreader from Allied Truck Equipment of Grand Rapids in the amount of \$6,953.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-300. Consideration of a request to approve the purchase of a “claw” pincher bucket for the Streets & Utilities Department.

98-300-A. Bartman-Orlebeke. That the purchase of a “claw” pincher bucket from Klooster Equipment Inc. of Grand Rapids in the amount of \$7,740.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-301. Consideration of a request to award a contract for crack repair of city streets.

98-301-A. Orlebeke-Bartman. That a contract in the amount of \$19,125.00 be awarded to Scodeller Construction of South Lyon, Michigan, for the crack repair program in various locations throughout the City.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-302. Consideration of a request to award a contract for grinding and resurfacing of Lake Grove Avenue and Manhattan Lane.

98-302-A. Bartman-Orlebeke. That a contract in the amount of \$71,730.00 be awarded to Diversco Construction for the grinding and resurfacing of Lake Grove Avenue and Manhattan Lane during FY97-98, and that a budget amendment of \$16,058.00 from the General Fund Contingency Account to the Local Road Capital Account be approved as requested.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-303. The preliminary minutes of the Library Commission meeting held March 23, 1998 were received.

98-304. The preliminary minutes of the Planning Commission meeting held March 10, 1998 were received.

98-305. The Public Safety Department report for the month of March 1998 was received.

98-306. The City Services Department report for the month of March 1998 was received.

98-307. No other public comment was received.

98-308. Commissioner Mehney noted that there were no press reporters present at this meeting. Commissioner Mehney also reported that the portion of the football field that was replaced with sod last fall is coming in beautifully and should provide an excellent surface this year.

Commissioner Shimko asked that the corner of San Jose and Argentina be reviewed for needed restoration following the recent watermain break.

Mayor Edison asked if any of the commissioners wanted to take any action on the Grand Rapids Township special use permit application of Porter Hills as requested by Bill Townsend at the April 6, 1998 meeting. No motion was offered.

Mayor Edison reminded everyone of the joint meeting of the City Commission and School Board on May 6th.

98-309. Williamson-Mehney. To enter into executive session to discuss an attorney's opinion and to conduct a periodic personnel evaluation as requested by the City Manager in accordance with Sections 8(h) and 8(a) of the Open Meetings Act. A roll call vote was taken.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-310. The regular meeting was adjourned at 8:50 p.m. subject to the call of the Mayor until May 4, 1998.

Karen K. Brower, City Clerk

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held May 4, 1998

The meeting was called to order by Mayor Edison at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Streets & Utilities Foreman Morey; City Assessor Proctor; Building Inspector Conley; City Clerk Brower; Library Director VanderPloeg

98-311. The minutes of the regular meeting held April 20, 1998 were received as submitted.

98-312. Orlebeke-Shimko. That payroll disbursements in the amount of \$115,175.82; and total remaining disbursements in the amount of \$311,651.20; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-313. A zoning variance hearing was held regarding the request of Mr. James Zevalkink of 2900 Pioneer Club Road to allow the construction of an 8'-0" x 15'-0" storage addition to the existing detached two-story garage in the front yard.

No public comment was offered. Mayor Edison closed the public hearing.

98-313-A. Bartman-Orlebeke. That the request of Mr. James Zevalkink of 2900 Pioneer Club Road to allow the construction of an 8'-0" x 15'-0" storage addition to the existing detached two-story garage in the front yard, be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-314. A zoning variance hearing was held regarding the request of Ms. Cindy Douthett of 957 Rosewood Avenue to allow the construction of a mudroom attaching the house to the existing garage creating a 3'-10" side yard instead of the required 7'-0" and creating a 3'-0" rear yard instead of the required 25'-0."

Cindy Douthett, 957 Rosewood Avenue, was present and spoke in favor of the variance request and answered questions from the City Commission.

Ginny Mikita of Smith Haughey Rice & Roegge, an attorney representing Mr. and Mrs. Carlton Failor of 953 Rosewood, was present and expressed the Failor's opposition to the mudroom proposed by Ms. Douthett. She outlined the history of the garage built by Ms. Douthett in 1997 and the Failor's attempts to stop this construction. She spoke against the variance request because the request does not improve safety, results from a situation created by the applicant when she built the garage, and will decrease the value of the Failor's property.

Marilyn Failor, 953 Rosewood, was present and spoke against the variance request because she felt the new garage provided enough storage space for the applicant.

Bud Passchier, builder, was present to explain the size and location of the garage that was built and the other improvements made by Ms. Douthett to the property.

Jim Nickels, was present and described the significant improvements Ms. Douthett has made to the home to date,

and supported her in this present variance request.

The following communications were received at City Hall concerning this variance request:

| | |
|--|--------------|
| Carlton & Marilyn Failor, 953 Rosewood | Opposed |
| Frederick Avery, Jr., 958 Gladstone | Opposed |
| Michael & Suzanne Moore, 948 Gladstone | Opposed |
| Kenneth Horjus, 960 Rosewood | No objection |
| Perry Francisco, 968 Gladstone | Concerned |
| Stuart & Edith Long, 941 Rosewood | Opposed |
| Joan VanderPloeg, 965 Rosewood | Concerned |

Mayor Edison closed the public hearing.

City Attorney Huff answered questions from the City Commission concerning the conditions that must be met to grant a variance and the definitions and setback requirements associated with this zoning district.

The Commission discussed the requirements at length and debated whether the applicant created the situation which required the variance. Several Commissioners stated that the construction of a new garage in its current location constituted a self-created hardship. Other commissioners felt that the mudroom was not the real issue, but the placement of the garage, and that the garage could not feasibly have been built in any other location on this property. No commissioner thought that the addition would be a detriment to surrounding properties. Rather, the consensus was that the addition would be a further improvement to the applicant's property thereby positively impacting the neighborhood. The placement of the house and garage on the lot in question satisfied the uniqueness requirement.

98-314-A. Williamson-Lawless. That the request of Ms. Cindy Douthett of 957 Rosewood Avenue to allow the construction of a mudroom attaching the house to the existing garage creating a 3'-10" side yard instead of the required 7'-0" and creating a 3'-0" rear yard instead of the required 25'-0, be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko and Williamson – 6
Nays: Edison – 1

98-315. Consideration of a request to approve the division of a lot located on Durant Street.

98-315-A. Bartman-Mehney. That a property split deeding a 10'-0" x 125'-0" piece of property from lot 33 of Grove's Subdivision No. 1 to lot 34, and the remaining 34'-0" x 125'-0" of lot 33 to lot 32 to create a buildable lot, be approved as requested with the condition that the split be recorded with the Kent County Register of Deeds within 90 days.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-316. Ms. Claudya Muller of the Kent District Library was present and updated the City Commission on several current and future issues facing the library. She reported that East Grand Rapids is one of the busiest libraries in the district and will be receiving an additional part-time employee soon to assist the other staff members.

98-317. Mr. Thomas Mulder of Varnum Riddering Schmidt & Howlett was present representing Mr. and Mrs. James Koning of 255 Hodenpyl. Mr. Mulder explained the sewer repair claim against the City and the Koning's subsequent appeal to the City Commission after being denied by the Finance Committee. Mr. Mulder outlined the events surrounding the claim. He requested that the City review the policy for paying these claims and elect to treat the entire "Y" fitting as part of the city sewer main and to assume the maintenance repair costs for this fitting.

The City Commission discussed the request and asked several questions of City Attorney Huff regarding definitions and intent of the ordinance.

Commissioners Mehney and Orlebeke felt that the “Y” connection should be part of the city sewer main for purposes of repair and maintenance. Commissioners Bartman and Williamson and Mayor Edison felt that the policy should remain the same because the homeowner’s connection is the reason for needing a “Y” fitting in the sewer main.

98-317-A. Mehney-Orlebeke. That Mr. and Mrs. James Koning of 255 Hodenpyl Drive be reimbursed for the cost of repairing the “Y” connection to the city sewer main.

Yeas: Mehney, Orlebeke – 2
Nays: Bartman, Shimko, Williamson, Edison – 4
Abstain: Lawless – 1

98-318. Introduction of an ordinance amendment to Chapter 79 of Title VII of the City Code.

98-318-A. Williamson-Shimko. That an ordinance amendment to Chapter 79 of Title VII pertaining to franchise and consent agreements for use of the public right-of-way be introduced as set forth in Exhibit “A” attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-319. Finance Director VanderWall and City Assessor Proctor presented several graphs representing the effects of Proposal A on property tax values and resulting revenues and the balance and status of the various funds of the city. The quarterly financial report for the period ending March 31, 1998 and the City Manager’s Recommended Budget for FY 1998-99 were also presented for review. The proposed budget will be discussed at worksessions preceding the next two commission meetings.

98-320. No other public comment was received.

98-321. Commissioner Bartman encouraged everyone to attend the “Remembering Ramona” exhibit at the EGR Library. She also expressed her gratitude to Sgt. Brian Williams of the Public Safety Department for locating her son earlier in the evening when he wandered a short distance from home.

Mayor Edison also remarked on the Ramona Park exhibit being very well done. Mayor Edison asked the opinion of the commissioners on starting worksessions at 6:00 p.m. prior to the City Commission meetings so that the evenings do not run so late. Everyone was in favor of this suggestion. Mayor Edison also reminded everyone that the worksession with the Planning Commission concerning funding for the Master Plan Update will follow the next City Commission meeting.

98-322. Williamson-Shimko. Motion to add to the agenda an executive session to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act. A roll call vote was taken.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-323. Williamson-Mehney. To enter into an executive session to discuss pending litigation in accordance with Section 8(e) of the Open Meetings Act. A roll call vote was taken.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-324. The regular meeting was adjourned at 9:47 p.m. subject to the call of the Mayor until May 18, 1998.

Attachments: A - Ordinance amendment to Chapter 79 pertaining to cable franchise agreements

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held May 18, 1998

The meeting was called to order by Mayor Edison at 7:33 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Parks & Recreation Director Rhodes; Streets & Utilities Sup't Keating; Deputy Public Safety Director Spencer; City Clerk Brower

98-325. The minutes of the regular meeting held May 4, 1998 were received as submitted.

98-326. Mayor Edison advised of the following communications received at City Hall:

A) Letter from Mr. Isenberg thanking Chief Gallagher for the Citizen's Public Safety Academy that he felt was very well prepared and very professionally done.

98-327. Lawless-Orlebeke. That payroll disbursements in the amount of \$122,449.08; county and school disbursements in the amount of \$1,000.00; and total remaining disbursements in the amount of \$244,543.47; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-328. Consideration of a request to set a public hearing date for delinquent accounts.

98-328-A. Williamson-Shimko. That a hearing date of June 1, 1998 be set to review the list of accounts delinquent more than 60 days for placement on the summer tax roll.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-329. Consideration of a request to approve the Joint Facilities budget for FY 1998-99.

98-329-A. Mehney-Orlebeke. That the Joint Facilities Budget for FY 1998-99 requesting \$20,000 for general maintenance and \$50,000 for capital projects be approved as submitted by the Joint Facilities Committee.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-330. Consideration of a request to award a contract for the replacement of the chiller unit and related building and connections.

98-330-A. Bartman-Orlebeke. That the request to award a contract to Harper Industrial Construction of Grand Rapids, to install the HVAC chiller package in the amount of \$190,000.00, and the request to approve a fund transfer of \$19,000.00 from the contingency account to the building capital account for project contingencies be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-331. Consideration of a request to award a contract for the replacement of a garage door in the lower level at City Hall.

98-331-A. Williamson-Bartman. That a contract be awarded to Artec Interiors of Grand Rapids in the amount of

\$4,165.00 for the purchase and installation of steel doors and hardware in the lower level of City Hall.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-332. Final Reading of an ordinance amendment to Chapter 79 of Title VII of the City Code.

98-332-A. Lawless-Shimko. That an ordinance amendment to Chapter 79 of Title VII pertaining to franchise and consent agreements for use of the public right-of-way by cable television providers be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-333. The preliminary minutes of the Library Commission meeting held April 27, 1998 were received.

98-334. The preliminary minutes of the Planning Commission meeting held April 14, 1998 were received.

98-335. The preliminary minutes of the Parks & Recreation Commission meetings held March 30, April 14, and April 28, 1998 were received.

98-336. The preliminary minutes of the Traffic Commission meeting held May 1, 1998 were received.

98-337. The Public Safety Department Report for the month of April 1998 was received.

98-338. The City Services Department Report for the month of April 1998 was received.

Commissioner Bartman liked the narrative of the report. The City Commission decided to draw straws for the honors of driving in the snowplow rodeo later this year.

98-339. No other public comment was received.

98-340. Commissioner Bartman thanked the City Services crews for the wonderful job done during the City's annual Clean-Up Day on May 16th. She noted that this was also Public Works Week. Commissioner Bartman invited other commissioners to ride along in the snowplow handing out candy during the 4th of July parade.

Commissioner Bartman read an excerpt from an article regarding the number of police officers killed in the line of duty each year. She then thanked the Public Safety Department for their contributions throughout the year to the safety and security of the citizens of East Grand Rapids.

Commissioner Lawless complimented the Public Safety Department on the trading card program which is a wonderful way for the officers to interact with the school children.

Commissioner Shimko reported that all of the residents surrounding the El Dorado detention basin project were very happy with the landscaping which had been finished at the site.

98-341. The regular meeting was adjourned at 7:50 p.m. subject to the call of the Mayor until June 1, 1998.

Karen K. Brower, City Clerk

Attachments: A - Ordinance amendment to Chapter 79 pertaining to cable franchise agreements

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held June 1, 1998

The meeting was called to order by Mayor Edison at 7:33 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Gallagher; Parks & Recreation Director Rhodes; Streets & Utilities Sup't Keating; Deputy Public Safety Director Spencer; Engineering Supervisor Kadzban; Deputy Treasurer Veenstra; City Clerk Brower

98-342. The minutes of the regular meeting held May 18, 1998 were received as submitted.

98-343. Mayor Edison advised of the following communications received at City Hall:

A) A certificate of appreciation presented by the 61st District Court for our participation in the Community Service Worker program.

Mayor Edison updated everyone on the status of the power outages in the metropolitan area following the windstorm on May 31st. Power is expected to be restored by the end of the week.

98-344. Williamson-Shimko. That payroll disbursements in the amount of \$126,178.85; county and school disbursements in the amount of \$13,119.79; and total remaining disbursements in the amount of \$194,840.87; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-345. A zoning variance hearing was held regarding the request of Mr. Brian Deaver of 1065 Conlon to allow the construction of a detached garage with an average height of 13'-0" instead of the allowable 12'-0."

Brian Deaver, 1065 Conlon, was present and spoke in favor of the variance request.

No other public comment was offered. Mayor Edison closed the public hearing.

98-345-A. Williamson-Shimko. That the request of Mr. Brian Deaver of 1065 Conlon to allow the construction of a detached garage with an average height of 13'-0" instead of the allowable 12'-0, be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-346. A zoning variance hearing was held regarding the request of Mr. and Mrs. Matt Zimmerman of 3164 Hall Street to allow the construction of an addition to the front of the home creating a front yard setback of 61'-0" instead of the required 63'-0."

Matt Zimmerman, 3164 Hall Street, was present and spoke in favor of the variance request.

No other public comment was offered. Mayor Edison closed the public hearing.

98-346-A. Mehney-Bartman. That the request of Mr. and Mrs. Matt Zimmerman of 3164 Hall Street to allow the construction of an addition to the front of the home creating a front yard setback of 61'-0" instead of the required

63'-0," be approved.

Yeas: Bartman, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-
Abstain: Lawless - 1

98-347. A public hearing was held on the special assessment roll of delinquent accounts for placement on the July 1, 1998 tax roll. No public comment was made.

City Manager Donovan submitted a letter from Jodi Reigler of 923 Lakeside protesting the high water bills for her residence.

98-347-A. Williamson-Mehney. That the special assessment roll of delinquent accounts totalling \$61,655.83 be certified and that these accounts be placed on the July 1, 1998 tax roll.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-348. A public hearing was held pertaining to the General Fund budget and the property tax levy for Fiscal Year 1998-99. No public comment was made.

98-349. Consideration of a request to adopt a resolution on vacating a portion of Maxwell Avenue.

98-349-A. Williamson-Mehney. That a resolution setting a hearing date of July 6, 1998 to consider the necessity of vacating a portion of Maxwell Avenue be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-350. Introduction of an ordinance amendment to Section 5.172 of Chapter 50 of Title V of the City Code.

98-350-A. Orlebeke-Lawless. That an ordinance amendment to Section 5.172 of Chapter 50 of Title V pertaining to variance requests be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-351. Introduction of an ordinance amendment to Section 5.406 of Chapter 50 of Title V of the City Code.

98-351-A. Lawless-Orlebeke. That an ordinance amendment to Section 5.406 of Chapter 50 of Title V pertaining to lot split requests be adopted as set forth in Exhibit "C" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-352. Consideration of a request to award a contract for t-shirts for summer recreation programs.

98-352-A. Bartman-Williamson. That the request to award a contract to Kel Graphics of Cadillac to provide t-shirts for summer recreation programs in the amount of \$23,186.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-353. Consideration of a request to approve a change order for the Wilshire Drive project.

98-353-A. Bartman-Williamson. That a change order for the contract with Diversco Construction for the addition of a 4'-0" manhole at the intersection of Wilshire and Lenox in the amount of \$7,275.00 be approved as requested.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-354. Consideration of a request to award a contract for preliminary engineering work for storm water drainage issues along Reeds Lake Blvd.

98-354-A. Orlebeke-Williamson. That a contract not-to-exceed \$9,000.00 with OMM Engineering to provide preliminary engineering for storm water drainage on Reeds Lake Blvd. southshore be approved as presented by staff.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-355. Consideration of a request to approve the purchase of body armor for the Public Safety Department.

98-355-A. Bartman-Orlebeke. That the purchase of five body armor vests from Michigan Police Equipment of Charlotte, Michigan, in the amount of \$2,550.00 plus 10% for any vest XXL or larger be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

98-356. The schedule of City Commission meeting dates for FY 1998-99 was received.

98-357. Dick Stiffler, 302 Lakewood, was present and asked what was being done about the condition of Lakewood Drive. Mayor Edison replied that he would respond to Mr. Stiffler's inquiries soon.

98-358. Commissioner Bartman passed around photos of public safety officers signing autographs on trading cards at local elementary schools recently. Commissioner Bartman also thanked Susan Perry and Bill Rhodes of the Parks & Recreation Department for making sure that the pool reopened on schedule for an elementary swimming party today.

98-359. The regular meeting was adjourned at 8:05 p.m. subject to the call of the Mayor until June 15, 1998.

Karen K. Brower, City Clerk

Attachments: A - Resolution setting hearing date for vacating portion of Maxwell Avenue.
B – Ordinance amendment to Section 5.172 pertaining to lot split requests.
C – Ordinance amendment to Section 5.406 pertaining to zoning variance requests.

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Special Meeting Held June 1, 1998

The meeting was called to order by Mayor Edison at 10:21p.m. in the City Commission Chambers at City Hall following the budget work session.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Manager Donovan; City Clerk Brower

98-360. Resolution adopting the FY 1998-99 budget and setting a millage rate for the coming year.

98-360-A. Orlebeke-Shimko. That a resolution adopting the FY 1998-99 budget as amended during the budget worksession and setting the millage rate at 15.056 for FY 1998-99, be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

98-361. Resolution establishing water/sewer rates for FY 1998-99.

98-361-A. Williamson-Bartman. That a resolution setting water/sewer rates for the upcoming fiscal year be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

Commissioner Lawless asked that staff work with the City of Grand Rapids to provide information on the rate structure and billing methodology of the current water/sewer rates. Commissioner Lawless felt that the City Commission needed to have a thorough understanding of the rate structure. He also asked that the City Commission look at developing guidelines for handling special situations with water/sewer bills, and suggested that the City Commission analyze a long-term projection of revenues from the water/sewer fund.

98-362. The special meeting was adjourned at 10:40 p.m. subject to the call of the Mayor until June 15, 1998.

Karen K. Brower, City Clerk

Attachments: A - Resolution adopting FY 1998-99 budget.

B – Resolution establishing water/sewer rates for FY 1998-99

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held June 15, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Lawless, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: Commissioners Bartman and Mehney

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation Director Rhodes; City Services Director Baragar; City Clerk Brower; Human Resources Assistant Arthur

98-363. The minutes of the special meetings held May 22, 1998 and June 1, 1998, and the regular meeting held June 1, 1998 were received with the following correction: On item 98-362-A of the special meeting held June 1, 1998, Commissioner Williamson voted against the motion to set the millage rate at 15.056.

98-364. Mayor Edison advised of the following communications received at City Hall:

A) Letter from Wendy Wohns who recently attended the Citizen's Public Safety Academy thanking Chief Gallagher for all the work which went into the academy. Everyone enjoyed the experience.

B) Letter from High School Principal Pat Cwayna thanking Dan DeLooff and the grounds maintenance crews for the excellent work preparing the high school grounds for the graduation ceremonies.

98-365. Orlebeke-Lawless. That payroll disbursements in the amount of \$146,651.16; county and school disbursements in the amount of \$407.75; and total remaining disbursements in the amount of \$412,320.99; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5

Nays: -0-

98-366. Introduction of an ordinance amendment to add Section 9.61 to Chapter 93 of Title IX of the City Code.

98-366-A. Williamson-Orlebeke. That an ordinance amendment to add Section 9.61 of Chapter 93 of Title IX pertaining to retail fraud be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5

Nays: -0-

98-367. Final Reading of an ordinance amendment to Section 5.172 of Chapter 50 of Title V of the City Code.

98-367-A. Shimko-Orlebeke. That an ordinance amendment to Section 5.172 of Chapter 50 of Title V pertaining to zoning variance requests be adopted as set forth in Exhibit "B" attached hereto with an effective date of July 7, 1998.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5

Nays: -0-

98-368. Final Reading of an ordinance amendment to Section 5.406 of Chapter 50 of Title V of the City Code.

98-368-A. Orlebeke-Lawless. That an ordinance amendment to Section 5.406 of Chapter 50 of Title V pertaining to lot split requests be adopted as set forth in Exhibit "C" attached hereto with an effective date of July 7, 1998.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5

Nays: -0-

98-369. Consideration of a request to approve commission appointments for the upcoming fiscal year.

98-369-A. Williamson-Lawless. That the commission appointments as recommended by Mayor Edison be approved for the fiscal year beginning July 1, 1998.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

98-370. Consideration of a request to approve bids for the replacement of fencing at Breton Downs Elementary.

98-370-A. Williamson-Orlebeke. That the low bid from Grand Rapids Fence Company for the removal and replacement of fencing surrounding the Breton Downs ball field be approved with funding of up to \$8,000.00 coming from the Joint Facilities Fund.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

98-371. Consideration of a request to award a contract for the lane and crosswalk marking of city streets.

98-371-A. Orlebeke-Lawless. That a contract be awarded to Clark Highway Services of Lake City, Michigan, in the amount of \$9,693.87 for the marking of lanes and crosswalks on city streets.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

98-372. Consideration of a request to approve the purchase of a new copier for City Hall.

98-372-A. Lawless-Orlebeke. That the purchase of a copier from Reed Office Systems in the amount of \$13,700.00 and electrical wiring in the amount of \$500 be approved as requested by staff.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

98-373. The preliminary minutes of the Library Commission meeting held May 18, 1998 were received.

98-374. The preliminary minutes of the Parks & Recreation Commission meetings held May 11, 1998 were received.

98-375. The preliminary minutes of the Joint Facilities Committee meeting held March 26, 1998 were received.

98-376. The City Services Department Report for the month of May 1998 was received.

98-377. Derek Hamm, a member of Boy Scout Troop 217, was present to observe the City Commission meeting in his effort to earn a Communications Merit Badge.

98-378. Commissioner Lawless recognized the years of service of Dr. Rob Deane on the Board of Review. Dr. Deane is retiring from the Board of Review after several years.

Commissioner Shimko asked staff to check the trees and plantings at the El Dorado Detention Basin for damage from the recent wind storm.

Mayor Edison reported that the all-star grounds crew at the Whitecaps game on June 9th consisted of City Manager Donovan and City Attorney Huff along with several other employees who were attending the game as part of an employee outing.

Mayor Edison also asked the commissioners to attend either the lunch or dinner portion of the upcoming Mayor's Exchange where City officials from Alma will be visiting East Grand Rapids on July 9th.

98-379. The regular meeting was adjourned at 7:59 p.m. subject to the call of the Mayor until July 6, 1998.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to add Section 9.61 pertaining to retail fraud.
B – Ordinance amendment to Section 5.172 pertaining to zoning variance requests.
C – Ordinance amendment to Section 5.406 pertaining to lot split requests.

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held July 6, 1998

The meeting was called to order by Mayor Edison at 7:32 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Engineering Supervisor Kadzban; Building Inspector Conley; City Clerk Brower

99-1. The minutes of the special meetings held June 11, 1998 and June 15, 1998, were received as submitted.

99-2. Mayor Edison advised of the following communications received at City Hall:

A) Thank you letter from Mr. Malaney on Wilshire for the quick and efficient completion of the construction project near his home.

B) E-mail from James Stanton urging the City Commission to seek input from the surrounding residents regarding the color of the fence at Breton Downs school.

C) Letter from Harry Beck thanking the CityServices Department for their prompt assistance cleaning up a downed tree after the storm of May 31st.

99-3. Williamson-Lawless. That payroll disbursements in the amount of \$133,887.08; county and school disbursements in the amount of \$630.15; and total remaining disbursements in the amount of \$323,330.21; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6

Nays: -0-

99-4. Election of a President of the City Commission for FY 1998-99.

99-4-A. Bartman-Lawless. Motion to elect Commissioner Williamson as President of the City Commission for the fiscal year of July 1, 1998 through June 30, 1999.

Yeas: Bartman, Lawless, Mehney, Shimko and Edison – 5

Nays: -0-

Abstain: Williamson – 1

99-5. Consideration of a request to approve the division of a lot located at 350 Plymouth Road.

John Jacobitz of 350 Plymouth Road was present and spoke in favor of the request. No other public comment was received.

99-5-A. Mehney-Bartman. That the division of the lot owned by Mr. and Mrs. John Jacobitz located at 350 Plymouth Road creating a second buildable parcel be approved as requested with the condition that the split complies with the surveys and the relevant deed or land contract be recorded with the Kent County Registrar of Deeds within 90 days of approval.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6

Nays: -0-

99-6. Consideration of a request to approve the division of a lot located adjacent to 1716 Whitfield Road. Lewis Lampert of 1716 Whitfield Road was present and spoke in favor of the request.

Richard Elias of 1715 Exeter Road was present and spoke in favor of the request.

99-6-A. Mehney-Lawless. That the lot known as Lot 218, Paris Park No. 1, owned by Mr. Lewis Lampert of 1716 Whitfield Road, be divided according to the request and added to the property owned by Mr. Lampert and to the property owned by Richard Elias of 1715 Exeter Road with the condition that the split complies with the surveys and the relevant deed or land contract be recorded with the Kent County Registrar of Deeds within 90 days of approval.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6

Nays: -0-

99-7. A zoning variance hearing was held regarding the request of Mr. and Mrs. David Sebastian of 1100 Cambridge Blvd to allow the creation of a new lot with 10,482 sq. ft. instead of the required 12,000 sq. ft. and to allow a total side yard for the house at 1100 Cambridge to be 22'-6" instead of the required 24'-0".

David Sebastian of 1100 Cambridge was present and spoke in favor of the variance request and answered questions from the City Commission.

The following people were present and expressed their views concerning this variance request:

| | |
|------------------------------------|-------------------|
| - Charles Worsfold, 1120 Cambridge | Questions on size |
| - Sara Hecker, 1065 Cambridge | Opposed |

The following communications were received at City Hall concerning this variance request:

| | |
|----------------------------|---------|
| - Tom Cole, 1125 Cambridge | Opposed |
|----------------------------|---------|

Mayor Edison closed the public hearing. City Attorney Huff answered questions from the City Commission concerning the legal aspects of lot splits. He explained to the Commission the standards for review of a lot split contained in Section 5.406 of the City Code. There was discussion among the Commission as to the applicant's inability to comply with all required standards.

99-7-A. Lawless-Bartman. That the request of Mr. and Mrs. David Sebastian of 1100 Cambridge Blvd to allow the creation of a new lot with 10,482 sq. ft. instead of the required 12,000 sq. ft. and to allow a total side yard for the house at 1100 Cambridge to be 22'-6" instead of the required 24'-0" be denied.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6

Nays: -0-

99-8. The request to approve the division of a lot located at 1100 Cambridge Blvd was withdrawn.

99-9. A zoning variance hearing was held regarding the request of Mr. Phil Goodspeed of 1404 Sherwood to allow the installation of a fence along the northern property line which does not meet the 15'-0" setback requirement.

Phil Goodspeed, 1404 Sherwood, was present and spoke in favor of the variance request.

No other public comment was received. Mayor Edison closed the public hearing.

99-9-A. Williamson-Bartman. That the request of Mr. Phil Goodspeed of 1404 Sherwood to allow the installation of a fence along the northern property line which does not meet the 15'-0" setback requirement be denied.

Commissioner Orlebeke arrived.

City staff answered questions from the Commission concerning the sight distance along the sidewalk of a car backing out of the applicant's driveway or the neighboring driveway. Several commissioners were concerned about the inability to see pedestrians or bicyclists because of the limited sight distance. Mayor Edison stated that he lived across the street from this situation and did not feel that sight distance was a problem.

99-9-B. Mehney-Williamson. Motion to table the request of Mr. Phil Goodspeed until the next meeting when staff can review the request and present more detailed information on the distances and sight limitations.

Vote on 99-9-B.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-10. A public hearing was held regarding the request to vacate a portion of Maxwell Avenue south of Argentina Drive.

Brian Grunewald of 2260 Argentina Drive and Jim Mielock of 2300 Argentina Drive were present and spoke in favor of the vacation.

99-11. Consideration of a request to adopt a resolution on vacating a portion of Maxwell Avenue.

99-11-A. Shimko-Bartman. That a resolution vacating a portion of Maxwell Avenue and retaining a utility easement be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-12. Mayor Edison opened the discussion of the request to pave Frederick Drive. The following people were present to express their feelings on this request:

| | |
|-------------------------------|---|
| - Bill Bush, 2545 Frederick | Leave it gravel. Gave costs on paving vs. leaving gravel. |
| - Tim Schad, 2609 Frederick | Leave it gravel. Likes the quaint, country feel. |
| - Rick Holmes, 855 Bellclaire | Would like to see it paved to reduce dust and mud. |

The following communications were received at City Hall concerning this request:

| | |
|---|-------------------------|
| - Ray & Nancy Loeschner, 2565 Frederick | Leave as a gravel road. |
| - William Bush, 2545 Frederick | Leave as a gravel road. |
| - Bob & Julie Koch, 2560 Frederick | Pave the road. |

Mayor Edison closed the public comment portion of the discussion.

99-12-A. Mehney-Williamson. That Frederick Drive be paved and a special assessment district be created for the purpose of paving this street.

The City Commission discussed the current policy of considering each street for improvement on an individual basis. Commissioners Mehney and Williamson felt that the community standard is for streets to be paved and that Frederick Drive should be paved. Commissioners Orlebeke and Bartman and Mayor Edison felt that this was not a health or safety hazard and should not be paved if the residents opposed it. Commissioner Shimko stated that he felt the street should be paved, but would not vote against the majority of the residents on the street.

Yeas: Mehney and Williamson - 2
Nays: Bartman, Lawless, Orlebeke, Shimko and Edison - 5

99-13. Consideration of a request to adopt a resolution establishing fees for variance requests and lot split requests.

99-13-A. Williamson-Shimko. That a resolution establishing the fee for variance requests at \$75.00 and the fee for lot splits at \$200.00 be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-14. Consideration of a request to approve a change order for the Breton Downs Detention Area project.

City Manager Donovan explained that a meeting was held with the neighbors surrounding this project who suggested that a large cottonwood in this area be taken down and replaced with evergreens bordering the parking lot. The City has agreed to do this with the savings realized from the bids coming in lower than estimated.

Lynn Brown, 2433 Berwyck, was present and questioned staff about the service road and the gate from the parking lot. She also requested trees be placed around the parking lot, not just shrubs. Ms. Brown also asked that a dead tree on school property near the border of her home be addressed. City Manager Donovan will relay this request to the school personnel.

Martha Adams, 2439 Berwyck, expressed her appreciation to the City for paving the parking lot and eliminating dust and asked that the poor drainage in this area be considered when connecting the playground drains.

99-14-A. Orlebeke-Shimko. That a change order to MyCon, Inc. in the amount of \$6,890.00 for the enlargement and paving of a parking lot at the Breton Downs School Playground be approved with the tree removal and landscaping costs included with funding to come from the project savings.

Commissioner Williamson suggested that funding for this item be taken from the Joint Facilities Fund because of the joint use of this area by the City and the Schools. Mayor Edison spoke in favor of funding this with the project savings and leaving the Joint Facilities funds for other joint recreation projects coming up in the future.

99-14-B. Williamson-Bartman. Motion to amend 99-14-A. to change the funding from project savings to the Joint Facilities Fund.

Vote on 99-14-B.

Yeas: Bartman and Williamson - 2
Nays: Lawless, Mehney, Orlebeke, Shimko and Edison – 5

Vote on 99-14-A.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-15. Final Reading of an ordinance amendment to add Section 9.61 to Chapter 93 of Title IX of the City Code.

99-15-A. Williamson-Bartman. That an ordinance amendment to add Section 9.61 of Chapter 93 of Title IX pertaining to retail fraud be adopted as set forth in Exhibit "C" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-16. Introduction of an ordinance amendment to Section 8.52 of Chapter 82 of Title VIII of the City Code.

99-16-A. Williamson-Bartman. That an ordinance amendment to Section 8.52 of Chapter 82 of Title VIII pertaining to fencing around swimming pools be introduced as set forth in Exhibit "D" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-17. Introduction of an ordinance amendment to repeal Section 9.42 of Chapter 92 of Title IX of the City Code.

99-17-A. Bartman-Orlebeke. That an ordinance amendment to repeal Section 9.42 of Chapter 92 of Title IX pertaining to the animal control violations bureau be introduced as set forth in Exhibit "E" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-18. Consideration of a request to authorize staff to negotiate a contract with Grand Rapids Township to provide fire administration.

Commissioner Lawless asked that some form of compensation from Grand Rapids Township be considered for the expertise being received from East Grand Rapids staff.

Commissioner Williamson asked City Attorney to investigate any increased liability that may result from this agreement.

99-18-A. Williamson-**Bartman**. That staff be authorized to negotiate a contract for fire administration services between the City of East Grand Rapids and Grand Rapid Charter Township.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-19. The Public Safety Department Report for the month of May 1998 was received.

Public Safety Director Gallagher advised the City Commission that there had been a recent rash of burglaries and urged everyone to lock their doors and windows when retiring for the night.

99-20. No other public comment was received.

99-21. Commissioner Williamson recognized the Parks & Recreation Department staff and the Public Safety Department for their excellent work during the 4th of July festivities.

Commissioner Bartman also praised these two departments saying that it was an outstanding event that everyone could be proud of.

Mayor Edison also commended the city staff for the well-run activities.

99-22. The regular meeting was adjourned at 9:14 p.m. subject to the call of the Mayor until July 20, 1998.

Karen K. Brower, City Clerk

Attachments: A – Resolution vacating a portion of Maxwell Avenue
B – Resolution establishing fees for variance and lot split requests
C – Ordinance amendment to add Section 9.61 pertaining to retail fraud.
D – Ordinance amendment to Section 8.52 pertaining to fencing around pools.
E – Ordinance amendment to Section 9.42 pertaining to animal control operations.
Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held July 20, 1998

The meeting was called to order by Mayor Edison at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: Assistant City Attorney Bloom; City Manager Donovan; Public Safety Director Gallagher; Parks & Recreation Director Rhodes; Finance Director VanderWall; City Services Director Baragar; Streets & Utilities Sup't Keating; Building Inspector Conley; City Clerk Brower

99-23. Commissioner Lawless asked that the second paragraph of Item 99-18 of the minutes of the regular meeting held July 6, 1998, be amended to read:

Commissioner Lawless asked that the contract contain some form of compensation from Grand Rapids Township for the expertise being received from East Grand Rapids management.

The minutes were then received as amended.

99-24. Mayor Edison advised of the following communications received at City Hall:

A) Letter from Dick Steketee commending the City for the wonderful fireworks display on July 4th.

B) A proclamation, Key to the City and plaque presented by Alma City Officials to Mayor Edison and City Manager Donovan during the recent Mayor's Exchange trip to Alma.

99-25. Williamson-Lawless. That payroll disbursements in the amount of \$139,495.00; county and school disbursements in the amount of \$-0-; and total remaining disbursements in the amount of \$563,812.25; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-26. Zoning variance request of Mr. and Mrs. Phil Goodspeed of 1404 Sherwood to allow the installation of a fence along the northern property line which does not meet the 15'-0" setback requirement.

Darrow Goodspeed, 1404 Sherwood, was present and spoke in favor of the variance request as originally requested because of the applicants desire to maximize the use of a small rear yard.

The following communications were received at City Hall concerning this variance request:

- Charley & Deb Vranian, 2840 Elmwood In Favor

No other public comment was received.

99-26-A.Mehney-Shimko. Motion to take from the table motion 99-9-A, to deny the request of Mr. Phil Goodspeed of 1404 Sherwood to allow the installation of a fence along the northern property line which does not meet the 15'-0" setback requirement.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-9-A. Williamson-Bartman. That the request of Mr. Phil Goodspeed of 1404 Sherwood to allow the installation of a fence along the northern property line rather than the 15'-0" setback requirement be denied.

The City Commission discussed the 1996 study of sight distance requirements conducted by City Staff from the perspective of a vehicle backing out of a driveway. Although there had never been an accident when the original fence was in place at this location, some commissioners felt that a safety and sight distance problem did exist if the fence were placed as originally requested. Others felt there was sufficient sight distance at this location to grant this variance as requested.

Vote on 99-9-A.

Yeas: Bartman - 1

Nays: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6

99-26-B. Lawless-Mehney. That the request of Mr. Phil Goodspeed of 1404 Sherwood to allow the installation of a fence along the northern property line rather than the 15'-0" setback requirement be approved as originally requested.

99-26-C. Williamson-Bartman. Motion to amend 99-26-B. to approve the variance request with the angled corners to provide adequate sight distance as recommended by City staff.

A roll call vote was taken.

Yeas: Bartman, Mehney, Shimko, Williamson – 4

Nays: Lawless, Orlebeke, Edison – 3

Vote on 99-26-B. as amended.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

Commissioner Williamson asked that the Infrastructure Committee review the sight distance considerations to determine if a change to the ordinance was necessary to allow alternate proposals such as this to be approved by staff instead of requiring City Commission approval.

99-27. A zoning variance hearing was held regarding the request of Mr. Art Wible of 552 Cambridge Blvd to allow the installation of a 6'-0" wood privacy fence along the northeast lot line instead of the 15'-0" setback requirement.

Stephen Bloom of 516 Cambridge was present on behalf of the applicant, Art Wible of 552 Cambridge. Mr. and Mrs. Bloom are purchasing the property at 552 Cambridge and are requesting this variance to allow the placement of the fence. Mr. Bloom explained the request and presented photos and drawings of the proposed fence. Mr. and Mrs. Bloom presented a petition signed by twenty-three surrounding property owners supporting their variance request.

No other public comment was received. Mayor Edison closed the public hearing.

99-27-A. Mehney-Bartman. That the request of Mr. Art Wible of 552 Cambridge Blvd to allow the installation of a 6'-0" wood privacy fence along the northeast lot line instead of the 15'-0" setback requirement be approved.

Building Inspector Conley explained because of the geographical layout of this property, no sight distance problems exist with this proposed fence.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

- 99-28. A zoning variance hearing was held regarding the request of Mr. Stephen Hilger of 3156 Bonnell Avenue to allow the conversion of unfinished attic space into storage area creating a third story to the house.

Stephen Hilger, 3156 Bonnell, was present and spoke in favor of the variance request.

The following communications were received at City Hall concerning this variance request:

- David & Peggy Smith, 3147 Bonnell In Favor

No other public comment was received. Mayor Edison closed the public hearing.

- 99-28-A. Williamson-Shimko. That the request of Mr. Stephen Hilger of 3156 Bonnell Avenue to allow the conversion of unfinished attic space into storage area creating a third story to the house be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

- 99-29. Final Reading of an ordinance amendment to Section 8.52 of Chapter 82 of Title VIII of the City Code.

- 99-29-A. Williamson-Bartman. That an ordinance amendment to Section 8.52 of Chapter 82 of Title VIII pertaining to fencing around swimming pools be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

- 99-30. Final Reading of an ordinance amendment to repeal Section 9.42 of Chapter 92 of Title IX of the City Code.

- 99-30-A. Bartman-Orlebeke. That an ordinance amendment to repeal Section 9.42 of Chapter 92 of Title IX pertaining to the animal control violations bureau be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

- 99-31. Consideration of a request to approve an agreement with Kent County for animal control services.

- 99-31-A. Orlebeke-Bartman. That an agreement with Kent County for animal control services be approved as set forth in Exhibit "C" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

- 99-32. Consideration of a request to approve an agreement with the City of Grand Rapids for operation of the water pumping system.

City Services Baragar explained the current and the proposed system of water pumping and the advantages of allowing Grand Rapids to supply the water pressure for the entire city thus eliminating the need for a pumping station at City Hall.

Commissioner Williamson questioned the need to make this changeover now versus having the infrastructure installed at the Grand Rapids Franklin pumping plant now and making the switch at some later date when absolutely necessary. He was also concerned about the potential increase in consumer water bills and the timing of the capital expenditures necessary to continue the current operation of the City Hall water plant if this proposal was not adopted.

Other Commissioners felt this was an appropriate time to make the changes if the new plan did not adversely affect the EGR pressure and supply and if a satisfactory agreement could be worked out with Grand Rapids for the day-to-day operations. The concept of having Grand Rapids operate the system was supported by the City Commission with the understanding that the final written agreement would be reviewed by the City Attorney and submitted to the City Commission for final approval.

99-32-A. Mehney-Orlebeke. That the proposal to contract with the City of Grand Rapids for the operation of the water pumping system at an annual cost of \$130,284 be approved with the final contract to be adopted by the City Commission at a later date.

99-32-B. Lawless-Williamson. Motion to amend 99-32-A. to require the City of Grand Rapids to provide detailed documentation of the calculations used to determine East Grand Rapids wholesale water rates as part of the final approval process.

Vote on 99-32-B.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

Vote on 99-32-A. as amended.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko and Edison – 6
Nays: Williamson – 1

99-33. Consideration of a request to adopt a resolution approving an amendment to the Articles of Incorporation of the Grand Valley Metropolitan Council pertaining to partial memberships.

99-33-A. Williamson-Orlebeke. That a resolution approving Amendment No. 20 of the Grand Valley Metro Council's Articles of Incorporation pertaining to partial memberships be adopted as set forth in Exhibit "D" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-34. Consideration of a request to approve computer purchases for various departments.

99-34-A. Mehney-Bartman. That the purchase of five computers from Omega Systems, Inc. in the amount of \$6,538.00 and the purchase of a network control station from Global Computer Supplies in the amount of \$3,967.85 be approved with funding of \$9,217.85 from the General Fund Capital Account and \$1,288.00 from the Drug Seizure Account.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-35. Consideration of a request to approve the purchase of a solid-tine aerator for the grounds maintenance program.

99-35-A. Williamson-Bartman. That the request to purchase a solid-tine aerator from Spartan Distributors of Sparta, Michigan, in the amount of \$4,462.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-36. Consideration of a request to approve the purchase of utility billing software.

99-36-A. Williamson-Shimko. That the purchase of utility billing software from Data West Corporation in the amount of \$14,475.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-37. Consideration of a request to approve the purchase of trucks for the Streets & Utilities Department.

99-37-A. Bartman-Orlebeke. That the request to purchase two dump trucks from Freightliner of Grand Rapids, Inc. in the amount of \$48,783.00 per unit for a total price of \$97,566.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-38. Consideration of a request to approve costs to refurbish a police vehicle for the Public Safety Department.

99-38-A. Lawless-Bartman. That the request to approve parts and labor costs of \$12,057.00 for city staff to refurbish a police cruiser be approved.

Commissioner Bartman complimented the mechanics at the Streets & Utilities Department for their outstanding work in keeping the fleet of city vehicles in working order and properly maintained under such heavy use conditions.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-39. Consideration of a request to approve the purchase of portable radios for the Public Safety Department.

99-39-A. Shimko-Williamson. That the request to purchase four portable radios from General Communication Company of Grand Rapids, in the amount of \$4,400.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-40. Consideration of a request to approve a proposal for the bid process of the City's flexible benefit plan.

99-40-A. Lawless-Bartman. That the proposal of Kushner & Company to prepare bid specifications, review proposals and make recommendations for the flexible benefit plan at a cost not-to-exceed \$10,000.00 be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-41. Consideration of a request to approve a proposal for a pool facilities study.

99-41-A. Mehney-Bartman. That the proposal of URS Griener to provide a study of the Wealthy Pool and Community pool at a cost not-to-exceed \$18,000.00 to be split with the East Grand Rapids School District be approved with a fund transfer of \$2,000.00 from the General Fund Undesignated balance to the capital account.

Commissioner Williamson spoke against this expenditure because staff solicited bids from only two vendors and because he felt the cost was too high for a study of the buildings and a recommendation for ADA purposes.

The Commission discussed the proposal which included involving community groups in a long-range plan of the facilities and the needs/wants of the community. Several commissioners felt that this project could be split into two phases: 1) the analysis of the current facilities and cost estimates to renovate and 2) the long-term study of needs involving community and parent groups. The feeling was that if the recommendation from the first phase was that the facilities could be sufficiently upgraded, there was no need for the second phase.

Motion 99-41-A. was withdrawn by Commissioners Mehney and Bartman.

99-41-B.Mehney-_____. That the proposal of URS Griener to provide a study of the Wealthy Pool and Community pool be approved with the cost limit set at \$7,000 for the City's portion of the study.

The motion failed for lack of a second.

99-41-C.Lawless-Williamson. Motion to authorize the City Manager to work with the school district to solicit a proposal(s) to research the ADA requirements and analyze the current physical state of the two facilities and bring the proposals back to the City Commission at the next meeting.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-42. The preliminary minutes of the Parks & Recreation Commission meeting held June 8, 1998 were received.

99-43. The preliminary minutes of the Planning Commission meeting held June 9, 1998 were received.

99-44. The City Services Department Report for the month of June 1998 was received.

99-45. No other public comment was received.

99-46. Commissioner Lawless expressed his interest in the upcoming demonstration of the artificial turf surface being considered for the proposed soccer/lacrosse field renovations at the middle school.

Commissioner Shimko questioned the staff about the construction at the middle school and the plans to bring the field back to its prior condition following the completion.

99-47. The regular meeting was adjourned at 9:57 p.m. subject to the call of the Mayor until August 3, 1998.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Section 8.52 pertaining to fencing around pools
B – Ordinance amendment to Section 9.42 pertaining to animal control operations
C – Agreement with Kent County for animal control services
D – GVMC Articles of Incorporation change pertaining to partial memberships

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held August 3, 1998

The meeting was called to order by Mayor Edison at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Lawless, Mehney, Shimko, Williamson and Mayor Edison

Absent: Commissioners Bartman, Orlebeke

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation Director Rhodes; City Services Director Baragar; City Clerk Brower

99-48. The minutes of the regular meeting held July 20, 1998, were received as submitted.

99-49. Mayor Edison advised of the following communications received at City Hall:

A) Letter from Bob Clore, construction manager for the EGR Schools, detailing some improvements that will be made to the Community Pool this fall.

99-50. Lawless-Shimko. That payroll disbursements in the amount of \$139,591.78; county and school disbursements in the amount of \$978,183.40; and total remaining disbursements in the amount of \$405,201.52; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Lawless, Mehney, Shimko, Williamson and Edison – 5

Nays: -0-

99-51. Consideration of a request to award a contract for sidewalk replacement.

99-51-A. Williamson-Lawless. That a contract in the amount of \$86,450.00 plus contingencies of \$8,645.00 be awarded to McCreary Concrete Construction for the 1998-99 sidewalk replacement program.

Yeas: Lawless, Mehney, Shimko, Williamson and Edison – 5

Nays: -0-

99-52. Consideration of a request to reject bids for road construction projects.

City Manager Donovan explained that the bids had come in significantly higher than expected and it was staff's recommendation to reject bids at this time and re-bid the projects in the spring.

99-52-A. Williamson-Shimko. That the bids received for fall road construction projects be rejected and staff be directed to solicit bids for this work in conjunction with the spring projects.

Yeas: Lawless, Mehney, Shimko, Williamson and Edison – 5

Nays: -0-

Commissioner Williamson asked staff to notify all of the bidders of the rejection and the schedule for spring bidding.

99-53. Consideration of a request to approve a proposal for a pool facilities study.

99-53-A. Mehney-Shimko. To approve the proposal of URS Greiner to provide at a cost of \$8,000 a study of the current condition and cost analysis to bring the Wealthy and Community Pools up to modern structural, mechanical and electrical standards. The cost will be split with the East Grand Rapids School District with each share being

\$4,000.

Commissioner Williamson stated his objection to awarding this contract because it was not competitively bid.

Yeas: Lawless, Mehney, Shimko, Edison – 4

Nays: Williamson – 1

99-54. No other public comment was received.

99-55. Mayor Edison expressed the condolences of the City Commission to City Services Director Bill Baragar on the recent loss of his mother and to the family of Jay Alt, a former EGR Lifeguard and Swim Coach, who also passed away recently.

Mayor Edison also informed the Commission that a group of City and School officials would be travelling to Pennsylvania later in the week to view an artificial turf surface and would report back to the City Commission.

99-56. The regular meeting was adjourned at 7:48 p.m. subject to the call of the Mayor until August 3, 1998.

Karen K. Brower, City Clerk

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held August 17, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Shimko, Williamson and Mayor Edison

Absent: Commissioner Orlebeke

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation Director Rhodes; City Services Director Baragar; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Building Inspector Conley; City Clerk Brower

99-57. The minutes of the regular meeting held August 3, 1998, were received as submitted.

99-58. Mayor Edison advised of the following communications received at City Hall:

A) Thank you letter from Mary Ellen Burton thanking the Public Safety Department for helping her remove a bat from her home. She appreciated the department's assistance in small things like this that make living in East Grand Rapids so nice.

99-59. Williamson-Lawless. That payroll disbursements in the amount of \$144,349.15; county and school disbursements in the amount of \$357,967.17; and total remaining disbursements in the amount of \$269,713.83; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6

Nays: -0-

99-60. A zoning variance hearing was held regarding the request of Mrs. Ronda Simons of 2441 Lake Drive to allow the construction of a covered front porch creating a front yard setback of approximately 56'-6" from the center of the street instead of the required 58'-0."

Ronda Simons, 2441 Lake Drive, was present and spoke in favor of the variance request.

The following communications were received at City Hall concerning this variance request:

- Lewis and Carol Cook, 2439 Lake Drive

In Favor

Mayor Edison closed the public hearing.

99-60-A. Mehney-Shimko. That the request of Mrs. Ronda Simons of 2441 Lake Drive to allow the construction of a covered front porch creating a front yard setback of approximately 56'-6" from the center of the street instead of the required 58'-0" be approved.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6

Nays: -0-

99-61. A zoning variance hearing was held regarding the request of Mrs. Ronda Simons of 2441 Lake Drive to allow the construction of a detached garage on the property line instead of the required 3'-0" setback required and to allow the garage to have an average height of 13'-6" instead of the required 12'-0" maximum.

Ronda Simons, 2441 Lake Drive, was present and spoke in favor of the variance request.

The following communications were received at City Hall concerning this variance request:

- Lewis and Carol Cook, 2439 Lake Drive In Favor

Mayor Edison closed the public hearing.

99-61-A. Bartman-Mehney. That the request of Mrs. Ronda Simons of 2441 Lake Drive to allow the construction of a detached garage on the property line instead of the required 3'-0" setback required and to allow the garage to have an average height of 13'-6" instead of the required 12'-0" maximum be approved.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6
Nays: -0-

99-62. A zoning variance hearing was held regarding the request of Mr. and Mrs. John Ferguson of 2134 Englewood Drive to allow the construction of a detached garage approximately 1'-0" from the side lot line instead of the required 3'-0" and approximately 7'-0" from the house instead of the required 10'-0."

John Ferguson, 2134 Englewood, was present and spoke in favor of the variance request.

The following communications were received at City Hall concerning this variance request:

- Petition signed by thirteen neighbors In Favor

Mayor Edison closed the public hearing.

99-62-A. Shimko-Lawless. That the request of Mr. and Mrs. John Ferguson of 2134 Englewood Drive to allow the construction of a detached garage approximately 1'-0" from the side lot line instead of the required 3'-0" and approximately 7'-0" from the house instead of the required 10'-0 be approved.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6
Nays: -0-

99-63. Consideration of a request to authorize a public auction of city-owned land on Beechwood Drive.

Mayor Edison briefly explained the history of the lots and the proposal to create cul-de-sacs, improve the drainage, and sell six individual lots.

The following people were present and expressed their views concerning the development and sale of these properties:

- | | |
|-----------------------------|--|
| Dean Agee, 2804 Oakwood | Concerned about increased traffic on Oakwood when Beechwood is closed. Would like detention pond fenced. Concerned about depth of drainage pond. |
| John Meilner, 2841 Oakwood | Asked to postpone decision until more information can be given to neighbors. |
| Joanne Barnes, 2761 Oakwood | Opposed because of health and safety issues, impact on environment, drainage problems, cost and the impact on real estate values. |
| Bruce Nicola, 2832 Oakwood | Drainage questions. Wanted options considered carefully. |
| Al Swansen, 2945 Bonnell | Wants trees protected. |

| | |
|----------------------------------|---|
| Pat Tergerson, 2760 Hall | Would like houses built to deter teenage parties. Her property was restored completely after construction of detention pond. |
| Tina Sprik, 2738 Hall | Opposed because of negative impact on all property values in the area. Detention pond should be under the DNR control. |
| Dave Hoerle, 2825 Oakwood | Concerned about water after heavy rainfalls. |
| Walt Lange, 2753 Oakwood | Opposed because of poor soil and drainage problems. |
| Arlene Lange, 2753 Oakwood | Opposed because of poor soil and drainage problems. |
| Arthur Silverstein, 2739 Oakwood | Opposed because of poor drainage. |
| Doris Zuidema, 2725 Beechwood | Opposed because drainage from these lots and from Hall Street already floods her property. |
| Helen Salan, 2747 Oakwood | Opposed because of high water during rainfall. Doesn't want water in her basement. Said cost/benefit analysis should be done. |
| Tom Sprik, 2738 Hall | Opposed because of water. Asked commissioners to walk the area after rain. |
| Peter Moll, 2719 Beechwood | Opposed because of water and destroying the aesthetics of greenspace. |
| John Salan, 2747 Oakwood | Opposed. Doesn't want wetland destroyed but held in trust for future generation. Thinks DNR permits would be needed. |
| Dave Dutcher, 2807 Oakwood | Opposed. Doesn't want trees destroyed. Thinks DNR permits would be needed because of flood plain. |
| Tom Farrington, 2811 Oakwood | Concerned about traffic speeds on Oakwood and detention pond safety. |
| Gary Dobre, 2819 Oakwood | Concerned about traffic speeds on Oakwood. |
| Jeff Barnes, 2761 Oakwood | Opposed. |

Mayor Edison closed the public portion of this issue. The City Commission then discussed the proposal for the sale of the lots and issues presented by the residents.

Commissioner Mehney asked that the Traffic Commission study the existing traffic concern on Oakwood.

Commissioner Bartman informed the Commission that she had spoken with Dennis Benoit of Oakwood Drive who was concerned about emergency vehicles gaining access to the cul-de-sacs, the traffic on Oakwood and the impact of modifying this drainage area. He also requested that a pedestrian path or bridge be installed between the two cul-de-sacs.

The City Commissioners felt that the residents should have more information on this proposal before approval was given for the sale of the properties and asked staff to share the information provided by the engineers with the residents in a neighborhood meeting.

99-63-A.Bartman-Shimko. That staff be directed to investigate the questions and concerns of the residents and present engineering data and the details of the proposal to the residents in a neighborhood meeting.

Commissioner Williamson requested a proposal from the engineer on the costs to prepare this information and to be present at the neighborhood meeting and subsequent City Commission meeting.

Mayor Edison suggested that the First Ward Commissioners plan to attend the neighborhood meeting to help residents understand the proposal. He expressed his intent to be present as well.

Mayor Edison asked that the residents put their questions and concerns in writing to the City and that one or two people be appointed to act as contact people for the meeting dates, correspondence, etc.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6
Nays: -0-

99-64. Consideration of a request to reject bids for sidewalk ramp construction.

99-64-A. Bartman-Williamson. That the bid received for sidewalk ramp construction be rejected and staff be directed to solicit bids for this work in the spring.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6
Nays: -0-

99-65. Consideration of a request to approve an appointment to the Planning Commission.

99-65-A. Shimko-Bartman. That Mr. David Hooker of 2747 Bonnell be appointed to the Planning Commission for a term ending June 30, 2000.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6
Nays: -0-

99-66. The preliminary minutes of the Traffic Commission meeting held August 7, 1998 were received. No action was taken on the Traffic Commission's motion to allow parking on San Lu Rae Drive for the next twelve months. This motion will take effect accordingly.

99-67. The Public Safety Department Report for the month of June 1998 was received.

99-68. The Public Safety Department Report for the month of July 1998 was received.

99-69. The City Services Department Report for the month of July 1998 was received.

99-70. No other public comment was received.

99-71. Mayor Edison provided a report on the recent trip to Pennsylvania to view the *Fieldturf* surface being considered for the middle school soccer/lacrosse field. The School Board has directed staff to continue investigating costs and timelines. Another vendor, AstroTurf, will provide a demonstration of their product at 10:00 a.m. on Thursday, August 20th, at City Hall. Everyone is encouraged to attend. The City Commission referred this issue to the Joint Facilities Committee for a formal proposal.

Commissioner Shimko reported that he had received very positive feedback from neighbors in his area about the new El Dorado area and about the presence of the bike patrol officers this summer.

Commissioner Bartman commended the City Services Department on the exceptional work for the paving overlay on Wealthy Street through Gaslight Village. Commissioner Bartman also expressed sympathy to the families of two EGR teachers who passed away recently: Joe Whiz and Lois Rawn. They will be missed.

99-72. Lawless-Bartman. Motion to enter into an executive session to discuss a collective bargaining agreement in

accordance with Section 8(c) of the Open Meetings Act. A roll call was taken.

Yeas: Bartman, Lawless, Mehney, Shimko, Williamson and Edison – 6
Nays: -0-

99-73. The regular meeting was adjourned at 9:34 p.m. subject to the call of the Mayor until September 8, 1998.

Karen K. Brower, City Clerk

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held September 8, 1998

The meeting was called to order by Mayor Edison at 7:32 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; Parks & Recreation Director Rhodes; City Services Director Baragar; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Streets & Utilities Sup't Keating; City Clerk Brower

99-74. The minutes of the regular meeting held August 17, 1998, were received as submitted.

99-75. Mayor Edison advised of the following communications received at City Hall:

A) Letter from Joe White of 1761 Breton Road concerning the trees that were recently cut down on Lakeside Drive. City Manager Donovan responded to the letter.

99-76. Orlebeke-Lawless. That payroll disbursements in the amount of 133,204.59; county and school disbursements in the amount of \$1,448,654.94; and total remaining disbursements in the amount of \$195,245.33; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-77. Melissa Havey and Kyle Breischaft were sworn in as Public Safety Officers for the City of East Grand Rapids. The Mayor presented the new officers with East Grand Rapids sweatshirts.

99-78. Consideration of a request to approve the division of a lot located at 506 Belvedere Drive.

99-78-A. Williamson-Bartman. That the division of the lot owned by Mr. and Mrs. Robert Schmidt located at 506 Belvedere Drive creating a second buildable parcel known as Lot 14 be approved as requested with the condition that the split complies with the surveys and that the relevant deed or land contract be recorded with the Kent County Registrar of Deeds within 90 days of approval.

Bob Schmidt, owner of the property being split, was present and spoke in favor of this request.

Dick Tupper, 2065 Lake Pointe, was present and expressed concerns about property values should another house be built in this area.

Richard Ryan, 537 Greenwood, was present and expressed concerns about the drainage in this area.

Shirley Vandenberg, 613 Lakeside, was present and asked the minimum lot size in this area for building a home.

Mary Ormes, 518 Belvedere, was present and expressed concern about placing a home on such a small lot.

The City Commission discussed this request and had questions about whether these lots were already separately platted lots and whether a lot split was needed. The applicant stated that a three-foot strip had been taken from one lot to the other; however this was not clearly shown on the drawings. The Commission asked staff to review this request and provide further information on the exact location of the property lines.

99-78-B. Williamson-Orlebeke. Motion to table 99-78-A. until the next meeting until staff can reevaluate this request and prepare a recommendation.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-79. Consideration of a request to adopt a resolution on vacating portions of Cotswald Lane and Lakewood Drive.

Steve Bratschie, 250 Pioneer Club, was present and spoke in favor of the request. Mr. Bratschie requested that yard debris and snow removal services continue to be provided on this road.

John Bouwer, 2819 Cotswald Lane, was also present to speak in favor of this request.

99-79-A. Williamson-Shimko. That a resolution setting a hearing date of October 19, 1998 to consider the necessity of vacating portions of Cotswald Lane and Lakewood Drive be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

City Manager Donovan arrived.

99-80. Consideration of a request to approve an agreement with Grand Rapids Charter Township for administration of fire training and human resources.

City Manager Donovan explained the concept of joint administration of certain aspects of the two departments and outlined the basics of the proposed agreement.

Commissioner Williamson questioned whether the city's liability would increase by taking on a larger geographic area for equipment and personnel. Finance Director VanderWall reported that she had spoken with the insurance company and was told there would be no premium increase as a result of this agreement. City Attorney Huff and Finance Director VanderWall were asked to continue researching this issue and to get confirmation from the insurance carrier in writing.

Commissioner Lawless favored letting Grand Rapids Township review and approve the final written agreement prior to approval by the City Commission.

David Tomsu, 2466 Lake Drive, questioned the new regulations mentioned that were taking effect. Deputy Chief Spencer responded that new federal regulations required a minimum number of people on the scene of a fire before an interior attack could be started. Currently, both departments would have difficulty meeting these new requirements, but under the joint agreement having more personnel at all fires would be much easier to achieve.

Commissioner Mehney asked staff to take into consideration when drafting the agreement the probability that Grand Rapids Township population will continue to increase significantly in the coming years whereas the population of East Grand Rapids will not.

99-80-A. Shimko-Mehney. That the City staff be directed to continue working toward an agreement with Grand Rapids Charter Township for administration of fire training and human resources.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-81. Consideration of a request to approve change orders for the Breton Downs project.

99-81-A. Mehney-Shimko. That Change Order #1 in the amount of \$9,304.00 to Twin Lakes Nursery for the change in perimeter fencing material in connection with the Breton Downs Detention Basin project be approved as requested.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: Bartman - 1

99-81-B. Lawless-Shimko. That Change Order #2 in the amount of \$6,280.00 to My-Con Construction for the parking lot improvements in connection with the Breton Downs Detention Basin project be approved as requested and that the school district be invoiced for the removal of a second tree.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-82. Consideration of a request to authorize staff to extend the contract with Progressive Architecture, arrange for soil borings and send out a “Request For Proposals” for the placement of artificial turf on the soccer/lacrosse field at the Middle School.

The City Commission discussed the artificial turf proposal at length. A predominant feeling was that although this seems to be a worthwhile project and should continue to be researched, more information and better cost estimates are needed before a final decision is made.

Commissioner Bartman asked staff to prepare figures on the number of events currently scheduled on this field, the number of events that could be scheduled if the field were made of artificial turf, and the maintenance costs for each situation.

Commissioner Mehney reminded everyone that soil borings and some engineering work were going to be needed for either kind of surface and suggested that this work be authorized.

99-82-A. Mehney-Orlebeke. That the request to authorize soil borings at this site at a cost not-to-exceed \$2,500 to be split with the School District be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-82-B. Mehney-Shimko. Motion to direct the city staff and Joint Facilities Committee to continue gathering information and to compile a preliminary report on the various options, cost estimates, and recommendations to be distributed to the City Commission, School Board, and interested community members.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

The City Commission asked staff work with Progressive Architecture to break down the various stages of this project whether natural or artificial turf is used, and to give time and cost estimates for each stage.

Commissioner Bartman expressed concern about the environmental impact of this project being so close to Reeds Lake and asked that as much information as possible from the vendors be included with the report.

Commissioner Mehney suggested that staff contact Country Day for information on how their field was constructed.

99-83. David Tomsu, 2466 Lake Drive, was present and requested that the Mayor respond to a letter he had written. Mr. Tomsu gave Mayor Edison a copy of the letter. Mayor Edison assured him that he would receive a response soon.

99-84. Commissioner Shimko reported that he had spoken with the coaches at Catholic Central who had recently visited Country Day’s new field. The coaches were very enthusiastic about the qualities of the new surface and the team enjoyed playing on it. Commissioner Shimko also mentioned the frequent use of the Manhattan soccer

field by community groups on Sundays and ask staff to closely monitor this to protect the City's investment in these fields.

Commissioners Lawless and Orlebeke both commended the Parks & Recreation Department and the City Services Department for their excellent work on the Breton Downs playground. The project is nearly complete and looks very nice.

99-85. Williamson-Orlebeke. Motion to enter into an executive session to discuss a legal opinion in accordance with Section 8(h) of the Open Meetings Act. A roll call was taken.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-86. The regular meeting was adjourned at 9:40 p.m. subject to the call of the Mayor until September 21, 1998.

Karen K. Brower, City Clerk

Attachments: A – Resolution setting public hearing on vacating Cotswald/Lakewood

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held September 21, 1998

The meeting was called to order by Mayor Edison at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Finance Director VanderWall; Parks & Recreation Director Rhodes; City Services Director Baragar; Public Safety Director Gallagher; City Clerk Brower

99-87. The minutes of the regular meeting held September 8, 1998, were received as submitted.

99-88. Lawless-Shimko. That payroll disbursements in the amount of \$140,819.47; county and school disbursements in the amount of \$3,082,599.62; and total remaining disbursements in the amount of \$756,458.73; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-89. Consideration of a request to approve the division of a lot located at 506 Beveledere Drive.

99-89-A. Bartman-Orlebeke. That the request of Mr. and Mrs. Robert Schmidt to approve the division of a lot be taken from the table.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-89-B. Williamson-Bartman. That a property split deeding a 3'-0" x 115'-0" piece of property from Lot 14 to Lot 13 of Fisk Lake Gardens as requested by Mr. and Mrs. Robert Schmidt, owner of both properties, be approved as requested with the condition that the split complies with the surveys and that the relevant deed or land contract be recorded with the Kent County Registrar of Deeds within 90 days of approval.

Bob Schmidt, owner both properties, was present and spoke in favor of this request.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-90. A zoning variance hearing was held regarding the request of Mr. and Mrs. Stephen Bloom of 552 Cambridge to allow the installation of a 6'-0" wooden fence on the southerly lot line abutting 40'-0" of the Sherman Street right-of-way.

Betsy Bloom, 552 Cambridge, was present and spoke in favor of the variance request.

The following people were present and expressed their views concerning this variance request:

- Erin Walhall, 1122 Eastwood In Favor

The following communications were received at City Hall concerning this variance request:

- Kyle and Marc LaGrois, 535 Cambridge In Favor

- Allison and David Bok, 520 Cambridge In Favor

- Steve and Denise Twinney, 534 Cambridge In Favor

Mayor Edison closed the public hearing.

- 99-90-A. Williamson-Shimko. That the request of Mr. and Mrs. Stephen Bloom of 552 Cambridge to allow the installation of a 6'-0" wooden fence on the southerly lot line abutting 40'-0" of the Sherman Street right-of-way be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

- 99-91. Consideration of a request to award a contract for the Comprehensive Master Plan.

Rick Chapla, Planning Commission Chairman, was present and explained the bid process and interviews conducted by the Planning Commission in the selection of a planning firm to update the Comprehensive Master Plan. He invited the City Commissioners to participate in the upcoming worksessions and meetings during the update process.

David Skirto of The Strader Group was present and answered questions from the City Commission.

Sue Swain, Planning Commissioner, was present and explained that the Strader Group was chosen because of their experience working with hospital mergers and with small downtown areas.

- 99-91-A. Lawless-Bartman. That a contract be awarded to The Strader Group for the updating of the City's Comprehensive Master Plan without a community survey at a cost not-to-exceed \$25,000.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

- 99-92. Public Hearing and consideration of a request to approve a special use permit and an agreement for the placement of a cellular phone antenna at the City water tower site.

Barb Egeler of Faulk & Foster, agent for CenturyTel, was present to answer questions

No other public comment was received. Mayor Edison closed the public hearing.

- 99-92-A. Williamson-Bartman. That a special use permit be granted to CenturyTel Personal Access Network, Inc. for the placement of a cellular phone antenna at the City water tower site as requested, and that the proposed contract be approved as set forth in Exhibit "A" attached hereto.

Commissioner Lawless asked staff to prepare a sketch of the proposed landscaping and mail it to the surrounding neighbors so that everyone knew what the project would look like when completed.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

- 99-93. Consideration of a request to approve an investment policy for City funds.

Finance Director VanderWall outlined the updated investment policy which is required by new legislation.

Commissioner Bartman pointed out one small wording clarification on the last page which will be corrected for the final copy.

- 99-93-A. Orlebeke-Williamson. That the policy for investment of City funds be approved as set forth in Exhibit "B" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

- 99-94. The preliminary minutes of the Planning Commission meetings held August 11, 1998 and September 4, 1998 were received.
- 99-95. The preliminary minutes of the Joint Facilities Committee meeting held August 28, 1998 were received with two corrections to the list of those present.
- 99-96. The Public Safety Department Report for the month of August 1998 was received.
- 99-97. The City Services Department Report for the month of August 1998 was received.
- 99-98. No other public comment was received.
- 99-99. Commissioner Lawless asked the Recreation Department to investigate a product made of shredded rubber from tires which was brought to his attention by a resident for possible use on the new playgrounds being planned.

Commissioner Williamson reported that the Traffic Commission had studied the proposed cul-de-sacs on Beechwood and found that there was no significant impact on the traffic volumes on surrounding streets when Beechwood was closed off for several days. The Traffic Commission also found that the speeds of vehicles travelling on Oakwood were not considered excessive and that no further action would be taken on this street.

Mayor Edison reminded everyone that an informational meeting had been scheduled with residents surrounding the proposed Beechwood cul-de-sacs for Monday, September 28, 1998 at 7:30 p.m. All commissioners are welcome to attend.

- 99-100. Williamson-Lawless. Motion to enter into an executive session to collective bargaining in accordance with Section 8(c) of the Open Meetings Act. A roll call was taken.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

- 99-101. The regular meeting was adjourned at 8:10 p.m. subject to the call of the Mayor until October 5, 1998.

Karen K. Brower, City Clerk

Attachments: A – Agreement for placement of cellular antenna equipment at City Water Tower
B – Investment Policy

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held October 5, 1998

The meeting was called to order by Mayor Edison at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Parks & Recreation Director Rhodes; City Services Director Baragar; Public Safety Director Gallagher; Deputy Public Safety Spencer; Asst. Recreation Director Spencer; Building Inspector Conley; City Clerk Brower

99-102. The minutes of the regular meeting held September 21, 1998, were received as submitted.

99-103. Williamson-Lawless. That payroll disbursements in the amount of \$121,553.55; county and school disbursements in the amount of \$144,534.29; and total remaining disbursements in the amount of \$345,201.34; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-104. A zoning variance hearing was held regarding the request of Mr. and Mrs. Rodger Talbert of 523 Manhattan to allow the construction of a 24'-0" x 26'-0" detached garage with an average height of 15'-0" instead of the allowable 12'-0."

Jerilyn Talbert, 523 Manhattan, was present and spoke in favor of the variance request.

The following people were present and expressed their views concerning this variance request:

| | |
|---|--|
| - Peter Gallagher, 2958 Reeds Lake Blvd | Concerned about access to his property if garage is constructed. |
|---|--|

The following communications were received at City Hall concerning this variance request:

| | |
|--------------------------------------|--------------|
| - Petition signed by: | |
| Susan Fonger, 2935 Pioneer Club Road | No objection |
| Michael Adelman, 535 Manhattan Road | No objection |
| Rob Dana, 509 Manhattan Road | No objection |
| William Doyle, 539 Manhattan Road | No objection |

Mayor Edison closed the public hearing.

99-104-A. Bartman-Orlebeke. That the request of Mr. and Mrs. Rodger Talbert of 523 Manhattan to allow the construction of a 24'-0" x 26'-0" detached garage with an average height of 15'-0" instead of the allowable 12'-0" be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-105. Paula Jacobsen and Deb Snow were present and spoke to the City Commission about the senior millage on the November ballot and urged the Commissioners to vote in favor of this proposal.

99-106. A public hearing was held regarding the proposed Parks & Recreation Master Plan Update. Dick Tupper,

Chairman of the Parks & Recreation Commission, and Mike Smith of MC Smith & Associates, developers of the Plan, were present and outlined the major points of the Plan and answered questions from the audience and the City Commissioners.

The following public input was received:

Bill Poisson, 2718 Richards, was present and expressed his dissatisfaction with the handling of the boat launch currently at Collins Park. He stated that the current location is inconvenient and sometimes dangerous and that the ramp should be moved to the Gilmore property as proposed several years ago.

Mary Dersch, 956 Lakeside, was present and offered to help design the historical walk section being proposed for Collins Park. Ms. Dersch manages the historical room at the Library and felt the history of East Grand Rapids should be featured in this public area as a community enrichment tool.

Gordon Jones, 325 Rosewood, was present and expressed his desire to see the boat launch left at Collins Park and not moved to the waterfront park area because of all of the wildlife that would be displaced from this area. He also spoke in favor of regulating the "jet ski" vehicles that are using the lake.

Mayor Edison closed the public hearing.

99-106-A. Lawless-Shimko. That the Parks & Recreation Master Plan developed by MC Smith Associates be adopted as presented.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-107. Consideration of a request to adopt a resolution approving rates for basic service, equipment and installation for TCI Cablevision of Western Michigan.

99-107-A. Williamson-Orlebeke. That a resolution approving rates for basic service, equipment and installation for TCI Cablevision of Western Michigan be adopted as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-108. Consideration of a request to award a contract for the annual tree-planting program.

99-108-A. Orlebeke-Bartman. That a contract be awarded to Tepper Nursery, Inc. of Grand Rapids in the amount of \$8,057.40 for the purchase and installation of 130 trees for the annual tree-planting program and other projects.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-109. Mayor Edison announced that the contract for tree replacements due to construction projects had been withdrawn from the agenda. This item will be considered at the next City Commission meeting.

99-110. Consideration of a request to award a contract for roof resurfacing of the rear building at the Streets & Utilities site.

99-110-A. Bartman-Shimko. That a contract be awarded to Thermal-Tec/Michigan of Cedar Springs in the amount of \$7,072.00 for the resurfacing of the rear building at the Streets & Utilities location.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-111. The preliminary minutes of the Traffic Commission meeting held September 18, 1998 were received.

99-112. Several residents from Beechwood Drive were present to address the proposal to cul-de-sac one end of their street. Mayor Edison reported that this issue would not be discussed at this meeting, but would be on the agenda for a future City Commission. Residents will be notified by mail of the meeting date.

No other public comment was received.

99-113. City Manager Donovan reported that there was very little street ponding during the heavy rains earlier in the afternoon. There was a slight water accumulation on the field at Breton Downs which drained fairly well with only a few puddles left after the rain stopped. The staff will be working with the contractor to fix these low spots.

Commissioner Bartman reported that the MML's Finance and Taxation Committee will be meeting in the near future and asked for feedback from the Commissioners before the meeting on several issues. Commissioner Bartman also related a story about her son falling on his bike and cracking his bike helmet. Her son was not hurt, but she was very grateful that he was wearing a helmet and thanked the Public Safety Department and the City Commission for enacting the bike helmet ordinance.

Mayor Edison reported that a meeting was held on September 28, 1998 with residents from the Beechwood/Oakwood area to answer questions about the proposed cul-de-sacs and lot sales. This issue will be brought back to the City Commission at a future date for a decision.

99-114. The regular meeting was adjourned at 8:35 p.m. subject to the call of the Mayor until October 19, 1998.

Karen K. Brower, City Clerk

Attachments: A – Resolution adopting rates for TCI Cablevision

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held October 19, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Deputy Public Safety Director Spencer; Streets & Utilities Superintendent Keating; Engineering Supervisor Kadzban; Building Inspector Conley; City Clerk Brower

99-115. The minutes of the regular meeting held October 5, 1998, were received as submitted.

99-116. Mayor Edison advised that the following communications were received at City Hall:

- A. Thank you card from former employee Gary Bowman thanking the City for the flowers sent after his wife passed away.

99-117. Lawless-Orlebeke. That payroll disbursements in the amount of \$264,219.30; county and school disbursements in the amount of \$58,603.69; and total remaining disbursements in the amount of \$279,076.86; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

Commissioner Bartman arrived.

99-118. A zoning variance hearing was held regarding the request of Mr. Domenic Federico of 541 Cambridge Blvd to allow the installation of a 6'-0" vinyl privacy fence along the northern lot line abutting the Lake Drive right-of-way.

Dominic Federico, 541 Cambridge, was present and spoke in favor of the variance request.

No other public comment was received. Mayor Edison closed the public hearing.

99-118-A. Shimko-Bartman. That the request of Mr. Domenic Federico of 541 Cambridge Blvd to allow the installation of a 6'-0" vinyl privacy fence along the northern lot line abutting the Lake Drive right-of-way be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-119. Mayor Edison opened the public hearing on the proposal to vacate portions of Cotswold Lane and Lakewood Drive. The following people were present and expressed their views concerning this proposal:

Steve Bratschie, 250 Pioneer Club Road, was present and spoke in favor of the vacation. Mr. Bratschie asked that the City continue to pick up leaves and provide snowplowing services after the road was vacated.

No other public comment was received. Mayor Edison closed the public hearing.

99-120. Consideration of a request to adopt a resolution vacating portions of Cotswold Lane and Lakewood Drive.

99-120-A. Williamson-Orlebeke. That a resolution vacating Cotswold Lane and 100 feet of Lakewood Drive be

adopted as set forth in Exhibit "A" attached hereto.

Commissioner Bartman spoke in favor of continuing the leaf pick-up on this vacated road because the street does go all the way through and picking up leaves on Pioneer Club Road is difficult because of the incline and the narrow road.

Commissioner Williamson explained that the Finance Committee had reviewed this issue and denied the request because the City does not pick up leaves on private property for any other homeowner in East Grand Rapids and this would set a precedent for having to enter onto someone's property to pick up leaves.

Commissioner Shimko also favored continuing the leaf pick-up on the vacated road because of the distance from the homes to the main road.

99-120-B. Shimko-Bartman. Motion to amend 99-120-A. to adopt the resolution as presented and to add the continued leaf collection services to these two homeowners on a private road.

Vote on 99-120-B. A roll call vote was taken.

Yeas: Bartman, Mehney, Shimko – 3

Nays: Lawless, Orlebeke, Williamson, Edison – 4

Vote on 99-120-A.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-121. Consideration of a request to adopt a resolution approving an amendment to the Articles of Incorporation of the Grand Valley Metropolitan Council.

99-121-A. Bartman-Lawless. That a resolution approving the membership of a portion of Ottawa County be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-122. Consideration of a request to approve an agreement with the City of Grand Rapids for operation of the pumping station at City Hall.

Commissioner Lawless reported that the Finance Committee had reviewed this issue several times at length and were convinced that this proposal was the best for East Grand Rapids.

99-122-A. Lawless-Orlebeke. That the City Hall pumping station be abandoned and the agreement with the City of Grand Rapids for the provision of pumping services from the Grand Rapids system be approved as recommended by staff.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-123. The Financial Reports for the period ending June 30, 1998 were received. Finance Director VanderWall briefly reviewed the report and answered questions from the City Commission.

99-124. Consideration of a request to award a contract for tree replacements due to construction projects.

99-124-A. Lawless-Shimko. That a contract in the amount of \$28,989.00 be awarded to Landscape Specialties of Grand Rapids for tree replacements due to construction projects.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-125. Consideration of a request to award a contract for sidewalk handicap ramp replacements.

99-125-A. Williamson-Orlebeke. That a contract be awarded to Exxel Concrete Construction of Norton Shores in the amount of \$79,450.00 for the replacement of sidewalk stones to comply with ADA requirements to be funded through the Kent County Community Development Block Grant program, and to request an additional \$2,500 in funding from the program to cover the amount over budget.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-126. Consideration of a request to award a contract for the purchase of a sidewalk plow vehicles for the Streets & Utilities Department.

99-126-A. Orlebeke-Bartman. That the purchase of a Bombardier sidewalk plow from the Gregware Equipment Company of Grand Rapids, the sole-source supplier of this item, in the amount of \$59,696.00 and the corresponding budget amendment of \$2,696.00 for this purchase be approved as requested.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-127. Consideration of a request to award contracts for employee flexible benefit plan components.

99-127-A. Williamson-Lawless. That the bid proposals of American United Life for life insurance, Fortis Benefits for disability coverage, ASR Corporation for flexible benefit plan administration, and First Allmerica for stop loss coverage be approved as recommended by staff and Kushner & Company consultants.

Todd Stacey of ASR Corporation was present to address the service problems that had occurred in the past year and promised better service in the future.

Commissioner Bartman related experiences that some employees had had with ASR and stressed the importance of correcting the problems and giving the employees timely service for the claims. She asked staff to monitor the employee satisfaction with ASR over the next three months and report back to the City Commission.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: Bartman – 1

99-128. The preliminary minutes of the Library Commission meeting held September 28, 1998 were received.

99-129. The preliminary minutes of the Planning Commission meeting held September 4, 1998 were received.

99-130. The preliminary minutes of the Joint Facilities Committee meeting held October 6, 1998 were received.

99-131. The City Services Department Report for the month of September 1998 was received.

99-132. Tom Keating, Streets & Utilities Superintendent, thanked members of the City Commission for pledging funds to the March of Dimes to secure his release from “jail” during the fund raiser.

Mr. Keating also reported that Commissioner Jack Shimko had placed 2nd in the Celebrity Division of the APWA Snowplow Rodeo and that the City employee team of Jeff Stults and Marty Kroes placed 2nd in their division and third place overall. Everyone did a great job representing East Grand Rapids.

99-133. Commissioner Shimko thanked Tom Keating and members of his staff for their training assistance preparing for the Rodeo. He developed a new appreciation for the employees who drive snowplows and had a lot of fun during the event.

Commissioner Bartman suggested planting trees in the outlawn on Manhattan Road at Manhattan Park.

Mayor Edison invited anyone interested to attend the GVMC's paratransit meeting on October 22nd at 11:30 a.m. at the Grand Rapids Township Hall.

City Manager Donovan announced that a trip to County Day High School was being planned so that staff and commissioners could see the artificial field at that site. He will be in touch with everyone to set something up.

99-134. The regular meeting was adjourned at 8:30 p.m. subject to the call of the Mayor until November 2, 1998.

Karen K. Brower, City Clerk

Attachments: A – Resolution vacating Cotswold and Lakewood
B – Resolution approving GVMC Articles change

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held November 2, 1998

The meeting was called to order by Mayor Edison at 7:32 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Finance Director VanderWall; Parks & Recreation Director Rhodes; Deputy Public Safety Director Spencer; Engineering Supervisor Kadzban; City Clerk Brower

99-135. The minutes of the regular meeting held October 19, 1998, were received as submitted.

99-136. Orlebeke-Lawless. That payroll disbursements in the amount of \$128,777.00; county and school disbursements in the amount of \$19,200.23; and total remaining disbursements in the amount of \$141,653.65; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-137. Presentation of pool study analysis by URS Griener and consideration of a funding request for a Phase II study.

Dave Mestker and Doug Smith of URS Griener were present and outlined the findings of the Phase I study of the pool facilities. They reported that extensive repairs and upgrades to both pools were needed to bring the facilities up to current building code and handicap-accessibility standards. The cost estimate for Wealthy Pool is \$1,000,700, and the estimate for Community Pool is \$1,992,600.

Because of the high cost of upgrading the facilities, URS Greiner, along with City and School staff members, recommends a Phase II study of the pools to gather community input and study the various options for either upgrading the existing pools or building a new facility.

The following people were present and expressed their support for the study and the upgrades and repairs to the pools:

Shawna Robinson, 2530 Maplewood
Gwen Wallin, 2538 Beechwood
Matt Caldemeyer, 977 Gladstone
Trudy Nicely, 1427 Breton
Tom Farrington, 2811 Oakwood
Homer Miller, 520 Gladstone

99-137-A. Mehney-Bartman. That the proposal to award a Phase II study of the pools to URS Griener at a cost not-to-exceed \$10,000, to be split with the Board of Education with the City's portion being \$5,000, be approved as requested, and that the budget amendment transferring \$2,000 from the General Fund Ending Balance to the Wealthy Pool Capital Account be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-138. Mayor Edison opened the public hearing on the proposal to create two cul-de-sacs on Beechwood Drive and to sell the remaining city-owned property on these cul-de-sacs. The following people were present and expressed their views concerning this proposal:

| | |
|---------------------------------|--|
| Walt Lange, 2753 Oakwood | Presented history of the properties and the drainage problems in the area. Building homes not worth destroying the trees and greenspace. Let children play there instead of putting up houses. |
| Ed Wietecha, 2555 Beechwood | Wants land preserved for future generations. Also feels cul-de-sac could be too long and dangerous for safety reasons and increased traffic problems. There are penalties for destroying a wetland. |
| Tom Leonard, 429 Briarwood | East Grand Rapids should develop a greenspace plan to preserve property like this and not develop. Offered the services of WMEAC to help set up plan. |
| Judy Sink, 110 El Centro | Leave as greenspace. Audobon Society will do a census of the bird and plant species in this area to show what would be destroyed if homes are built. |
| Peggy Burke, 2555 Beechwood | Property is a wetland and should not be disturbed. Felt City had other, less destructive, options to allow the private property owner access to his property. |
| Mary Swain, 514 Lakeside | City should conduct a public opinion survey such as the one in 1972 and find out what citizens want and then these fights wouldn't come up. Growth brings problems such as traffic pollution, etc. |
| Martha Farrington, 2811 Oakwood | Concerned about the safety of children if traffic on Oakwood increases because Beechwood is closed off. Questioned when this plan was developed and what other options were. City Manager Donovan replied that this was part of the drawings when the City designed the water/sewer projects three years ago to eliminate the flooding problems. |
| Jack Kennedy, 2868 Lake Drive | Road is unstable because of poor drainage. Leave land as greenspace and detention pond. |
| Dick Smith, 2620 Beechwood | Concerned that detention pond has not been adequately tested. City shouldn't make a decision until after a heavy rainfall. |
| John Salan, 2747 Oakwood | After one recent rain, water was over 16" deep in this area. Wasn't dry for two days. |
| Helen Salan, 2747 Oakwood | Can't buy flood insurance because area is not a designated flood plain, she would have to sue City or new property owners to cover damages. Questioned the City's drainage project. |
| Cynthia Moll, 2719 Beechwood | Don't destroy trees and greenspace—they have more value than homes. |
| Martha Dutcher, 2807 Oakwood | Loves East Grand Rapids because of neighborhood character and thinks this neighborhood would suffer because of loss of greenspace. |
| Steve Pattee, 2505 Beechwood | Has drainage problems currently at his house and doesn't want to see more homes put in to increase the problem. |
| Joe Walker, 2706 Hall | Currently has two sump pumps because of poor drainage. New houses would be a long-term economic disaster. |
| John Mielner, 2841 Oakwood | Neighbors haven't been swayed by information provided by City. Don't make mistake for \$1 per taxpayer per year. |

| | |
|--------------------------------|--|
| Peter Moll, 2719 Beechwood | Urged City to let WMEAC do the greenspace plan to forge a progressive vision for the City. Don't be persuaded by individuals who want to build homes. |
| Jeff Barnes, 2761 Oakwood | This area is the last of vast greenspace in the area when he was young. Would like it preserved. |
| Donna Coolidge, 2720 Beechwood | Keep as a greenspace. |
| Arlene Lange, 2753 Oakwood | Keep as a greenspace. Beechwood is very low and her property drains into these lots. Concerned about her property if homes are built. |
| John Coolidge, 2720 Beechwood | Asked if cul-de-sac and sale of lots could be separated into two issues. Mayor Edison replied that the cul-de-sacs could not be completed without the revenue from the sale of the lots. |
| Tina Sprik, 2738 Hall | Wants wetland preserved. |
| Doris Zuidema, 2725 Beechwood | Area is a bit of country in the city and would like to see it kept as woods. Also concerned about emergency access if cul-de-sac is constructed. |
| Tom Farrington, 2811 Oakwood | Feels City data collection of speeds on Oakwood for Traffic Commission study was flawed. Feels traffic is speeding on Oakwood and would be worse if Beechwood is closed off. |
| Valerie Burhans, 1119 Plymouth | Invited everyone to see the area across from her home after City put in the detention chambers at El Dorado. She believes the restoration was unsatisfactory and thinks Beechwood area will turn out the same. |
| Lynn Molter, 2864 Lake Drive | Keep things the way they are but wants more trees planted around the detention area. |
| John Ferguson, 2134 Englewood | Suggested that a builder may be interested in buying the area to leave as a wetland to secure a credit for other areas being destroyed. |

The following communications were received at City Hall concerning this issue:

| | |
|---|----------|
| Olga Cassard | In Favor |
| Doris Zuidema, 2725 Oakwood | Opposed |
| Gordon Jones, 325 Rosewood | Opposed |
| James Disser, 2420 Beechwood | Opposed |
| Catherine Collins, 2420 Beechwood | Opposed |
| Elizabeth Coolidge, 2720 Beechwood | Opposed |
| R.L. Stiffler, 302 Lakewood | Opposed |
| Peggy Burke/Ed Wietecha, 2555 Beechwood | Opposed |
| Petitions signed by over 100 residents | Opposed |

No other public comment was received. Mayor Edison closed the public hearing.

Commissioner Mehney spoke about the economic factors involved in selling these lots and his feeling that developers would not pay very much for these lots because of the drainage problems that would be expensive to fix before a home could be built. He felt the cost would be prohibitive to people interested in the lots.

99-138-A. Mehney-Bartman. Motion to leave City-owned lots on Beechwood Drive undeveloped and to terminate plans for a cul-de-sac and a public auction of the property.

Commissioner Bartman spoke against the proposal because of the economic factors and because the cul-de-sacs weren't warranted because of traffic numbers or safety concerns. She also favored waiting until a heavy rainfall to see if the detention area was working properly.

Commissioners Williamson, Lawless and Orlebeke felt that the entire issue should be tabled and voted upon at the next City Commission meeting. Each felt that the Commission should take the time to consider all of the information presented and to make a decision only after reviewing everything. Mayor Edison stated that there was further information prepared for the residents which the City Commission should review before the next meeting. This will be distributed for review.

99-138-B. Mehney-Lawless. Motion to table this issue until the City Commission has had a chance to review the pertinent materials on this issue.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: Bartman – 1

Commissioner Lawless asked for a complete analysis of the value of this property and engineering estimates on creating the cul-de-sacs.

Notices will be sent to residents notifying them of the specific date and time of the meeting.

99-139. Consideration of a request to approve expenditures for landscaping work in the medians on Cambridge Boulevard and additional trees at the water tower site.

The following people were present and expressed their views concerning this proposal:

Doris Larson, 735 Cambridge

Thanked City Commission and staff for their time and effort into this project.

99-139-A. Bartman-Shimko. That the proposal of Kregel's Landscape in the amount of \$5,750.00 for landscaping on Cambridge Boulevard and in the amount of \$1,410.00 for placement of additional trees at the water tower site, be approved with the necessary budget amendment of \$5,750.00 from the General Fund Ending Balance to the Parks & Recreation Capital Account.

Commissioner Williamson asked that the sprinkler system on Cambridge be repaired so that these new plantings can be maintained.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-140. Consideration of a request to award a contract for transportation services for the Ski Club Program.

99-140-A. Williamson-Lawless. That a contract for transportation services for the 1998-99 Ski Club be awarded to Great Lakes Motor Coach in the amount of \$250.00 per unit and a show-up charge of \$75.00 per bus with an estimated total cost of \$6,000.00.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-141. Consideration of a request to extend the contract with Progressive Architecture for engineering work on the middle school soccer/lacrosse field and additional soil samples.

Commissioner Bartman favored having the larger discussion of whether or not to place artificial turf at this site before deciding to spend additional funds on engineering and soil samples. Mayor Edison stated that this engineering work and the soil samples are needed regardless of the type of field that is put here.

Commissioner Lawless spoke in favor of paying Progressive Architecture for the time already spent on this project and encouraged other commissioners to attend the Joint Facilities Committee meeting to hear the discussions and learn about the different types of surfaces.

Commissioner Orlebeke questioned if a formal decision had been made to relocate the soccer/lacrosse field to the middle school site. Mayor Edison replied that it had not been voted upon yet and that information such as soil composition was vital to making the decision.

99-141-A. Lawless-Shimko. That the contract with Progressive Architecture for engineering work on the middle school soccer/lacrosse field be extended in the amount of \$10,000.00, and that additional soil borings for the further study of this area in the amount of \$2,000.00 be approved. The total cost of \$12,000 will be split with the Board of Education with the City's portion being \$6,000.

Yeas: Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 6
Nays: Bartman - 1

99-142. Consideration of a request to approve the purchase of a platform lift for the Streets & Utilities Department.

99-142-A. Williamson-Bartman. That the request to purchase a Dura-A-Lift Model DTS-29TS platform lift from Truck and Trailer Specialties of Dutton, Michigan in the amount of \$14,992.00.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-143. Consideration of a request to authorize payment of an invoice for the traffic signal installation at the intersection of Boston Street and Breton Road.

99-143-A. Orlebeke-Williamson. That the request for payment to the City of Grand Rapids in the amount of \$10,489.27 for the installation of the traffic signals at Boston Street and Breton Road, and the budget amendment in the same amount from the General Fund Ending Balance to the Major Street Fund, be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-144. Consideration of a request to award a contract for weed harvesting services.

99-144-A. Bartman-Orlebeke. That a five-year contract be awarded to Professional Lake Management for the total not-to-exceed amount of \$92,396.00 for weed harvesting services.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-145. The Public Safety Department Report for the month of September 1998 was received.

99-146. Ed Witecha, 2555 Beechwood, thanked the City Commissioners for the time spent in consideration of the Beechwood issue and for listening to the concerns of the neighbors.

99-147. Commissioner Bartman congratulated Sgt. David Smith on the recent newspaper article featuring the helmet designed for baseball player Mark McGwire. Commissioner Bartman also related concerns of some of the neighbors surrounding the recent abandonment of Cotswold and Lakwood who weren't notified of the proposed vacation. She asked that this procedure be reviewed to determine if it notices should be sent.

Commissioner Bartman also reported that a 12-year-old boy was accidentally locked in the restroom for about 20 minutes following the football game on Friday evening. She asked staff to review the procedures for locking this facility and for making sure that no one is inside.

Mayor Edison invited commissioners to attend the Planning Commission meeting on November 10th at 3:00 p.m. for a tour of the City with the Strader Group to being the Master Plan update.

Mayor Edison also reported that the GVMC has completed the paratransit study and will be hosting an informational meeting soon.

99-148. Williamson-Bartman. To enter into an executive session to discuss collective bargaining in accordance with Section 8(c) of the Open Meetings Act. A roll call vote was taken.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-149. The regular meeting was adjourned at 10:17 p.m. subject to the call of the Mayor until November 16, 1998.

Karen K. Brower, City Clerk

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held November 16, 1998

The meeting was called to order by Mayor Edison at 7:30 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Finance Director VanderWall; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; Streets & Utilities Superintendent Keating; Assistant Parks & Recreation Director Bunn; City Clerk Brower

99-150. The minutes of the regular meeting held November 2, 1998, were corrected as follows:

- A) Commissioner Williamson corrected the second paragraph of Item 99-139-A. to read "the sprinkler system on Plymouth be repaired."
- B) Commissioner Mehney noted that further investigation showed that the incident referred to in Item 99-147. where a boy was locked in the restroom following a football game was actually less than one minute.

99-151. Williamson-Lawless. That payroll disbursements in the amount of \$201,448.40; county and school disbursements in the amount of \$23,488.32; and total remaining disbursements in the amount of \$285,738.94; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-152. A zoning variance hearing was held regarding the request of Mrs. Ronda Simons of 2441 Lake Drive to allow the construction of a detached garage with an average height of 15'-6" instead of the 13'-6" granted by prior variance.

Ronda Simons, 2441 Lake Drive, was present and spoke in favor of the variance request.

The following communications were received at City Hall concerning this variance request:

- Carol & Lew Cook, 2439 Lake Drive In Favor

No other public comment was offered. Mayor Edison closed the public hearing.

99-152-A. Shimko-Bartman. That the request of Mrs. Ronda Simons of 2441 Lake Drive to allow the construction of a detached garage with an average height of 15'-6" instead of the 13'-6" granted by prior variance be approved.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7

Nays: -0-

99-153. Pamela VanderPloeg, Director of the East Grand Rapids Library, presented the request of the Library for a feasibility study for the expansion of the East Grand Rapids Library.

Jim Kipp, 1098 Idema, was present and spoke in favor of the expansion.

99-153-A. Williamson-Shimko. That staff be directed to solicit proposals for a feasibility study of the expansion of the

East Grand Rapids Library.

Commissioner Lawless asked that staff investigate all possibilities for the expansion and/or building of a new building, and that this potential expansion be considered in conjunction with the other proposed changes to the City Hall complex.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-154. Action on proposed public auction of city-owned land on Beechwood Drive. Mayor Edison explained that a motion was made at the last meeting which had been tabled to allow Commissioners time to review the material.

99-154-A. Mehney-Bartman. Motion to take from the table the motion 99-154-B. from the meeting of November 2, 1998.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

Motion under consideration:

99-154-B. Mehney-Bartman. Motion to leave City-owned lots on Beechwood Drive undeveloped and to terminate plans for a cul-de-sac and public auction of property.

The Commission discussed the implications of the current motion and whether or not this motion would prohibit the City Commission from discussing or taking action on this issue in the future. All commissioners agreed that the City Commission would be able to reconsider this matter.

Commissioner Shimko reported that the Infrastructure Committee had reviewed this issue and the various options open to the City Commission. The Infrastructure Committee reached no final recommendation. Commissioner Shimko also stated his feeling that the City should not be mowing this area if it's supposed to be undeveloped.

Mayor Edison reminded everyone that the issue of providing service to the privately-owned lot still needed to be addressed if the Commission decided against the cul-de-sacs and the sale of the City-owned lots. He suggested that staff investigate the possibility of switching lots with the private owner to make it easier to provide services to the private owner.

Commissioners Mehney and Bartman spoke against developing these lots because the sale would not be economically beneficial to the City.

Commissioners Shimko and Orlebeke favored waiting to vote on this issue until they had reviewed the information even more carefully.

Mayor Edison felt that the drainage, traffic and safety concerns voiced by the neighbors were unfounded, but felt that eliminating the greenspace was a significant factor to leave the area undeveloped.

Vote on 99-138-A. A roll call vote was taken.

Yeas: Bartman, Mehney, Shimko, Williamson and Edison – 5
Nays: Lawless, Orlebeke – 2

99-154-B. Lawless-Orlebeke. Motion to direct staff to open discussions with the private property owner in this area to discuss the options for providing water and sewer service to their property.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-155. Consideration of a request to approve participation by East Grand Rapids in the GVMC's Para-Transit program.

Mayor Edison explained the history of this issue and asked the City Commission to continue participation in the study for providing service to the disabled and handicapped.

The following people were present to express their opinions concerning this issue:

- | | |
|--|--------------------------------------|
| - Clark Goodrich, 4634 N. Breton Ct SE, Kentwood | In favor of continued participation. |
| - Robin Saylor, 1319 Leonard NE, Grand Rapids | In favor of continued participation. |
| - Dave Bulkowski, 3600 Camelot SE, Grand Rapids | In favor of continued participation. |

99-155-A. Lawless-Shimko. That the City of East Grand Rapids participate in the study of an expanded Para-Transit system through the Grand Valley Metro Council.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-156. Consideration of a request to approve a defined contribution plan for City employees.

99-156-A. Williamson-Lawless. That resolutions approving a a defined contribution plan for City employees be adopted as recommended by Finance Director VanderWall and as set forth in Exhibit "A" attached hereto.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-157. Consideration of a request to award a contract for stretegic planning retreat facilitation services.

99-157-A. Lawless-Mehney. That the proposal of Marilyn Semonick to facilitate a strategic planning retreat for City Commissioners in the amount of \$2,500 per day plus expenses be accepted.

Yeas: Bartman, Lawless, Mehney, Orlebeke, Shimko, Williamson and Edison – 7
Nays: -0-

99-158. The request to award a contract for cellular phones was withdrawn. This item will be presented at a future meeting

99-159. The preliminary minutes of the Parks & Recreation Commission meeting held October 12, 1998 were received.

99-160. The preliminary minutes of the Joint Facilities Committee meeting held October 21, 1998 were received.

99-161. Bob Kirchgessner, 1900 El Dorado, questioned the dollar figures used in deciding upon the proposed sale of the Beechwood lots. Mayor Edison and City Manager Donovan will set a meeting with Mr. Kirchgessner to go over the information and the options for his property.

99-162. Commissioner Bartman apologized for the inaccurate information on the restroom incident and asked that staff continue to look at ways to avoid this happening in the future, regardless of the time involved.

Commissioner Lawless reported that he and City Manager Donovan and Parks & Recreation Director Rhodes had travelled to Country Day High School to look at the artificial turf there and had also visited the new pool in Ann Arbor and some of the redeveloped areas in Birminham.

Mayor Edison asked everyone to try to attend the water/sewer rate meeting on November 18th at the Frederick Meijer Gardens. Mayor Edison also reminded everyone of the ribbon-cutting ceremony at Breton Downs Elementary on November 20th to celebrate the end of the three-year water/sewer construction program.

99-163. The regular meeting was adjourned at 9:30 p.m. subject to the call of the Mayor until December 7, 1998.

Karen K. Brower, City Clerk

Attachments: A – Resolution approving defined contribution plan

Attachments listed above are available for inspection at the office of the City Clerk.

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 7, 1998

The meeting was called to order by Mayor Edison at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Bartman, Lawless, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: Commissioner Mehney

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Finance Director VanderWall; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; City Clerk Brower

99-164. The minutes of the regular meeting held November 16, 1998, were received as submitted.

99-165. Orlebeke-Williamson. That payroll disbursements in the amount of \$201,448.40; county and school disbursements in the amount of \$134,392.86; and total remaining disbursements in the amount of \$263,329.30; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

99-166. Consideration of a request to approve an agreement with Grand Rapids Township for administration of fire training and personnel services.

Commissioner Lawless asked staff to again review the issue of liability coverage with the insurance carrier to make sure that the City is covered if named in a lawsuit because of this agreement.

99-166-A. Williamson-Shimko. That the agreement with Grand Rapids Township for administration of fire training and personnel services be approved as set forth in Exhibit "A" attached hereto providing the question on liability coverage is answered to the Mayor's satisfaction.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

99-167. Finance Director VanderWall presented the quarterly financial statements for the period ending September 30, 1998 and answered questions from the City Commission.

99-168. Consideration of a request to award a contract for the purchase and service connection fees for cellular phones for various City departments.

99-168-A. Bartman-Orlebeke. That a two-year contract with AirTouch Cellular to provide cellular service for 23 phones at a cost of \$4,689.24 per year and a one-time equipment cost of \$2,079.28 be approved as requested.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

99-169. Consideration of a request to adopt a resolution approving full participation in the Regional Geographic Information System (REGIS) program.

99-169-A. Williamson-Shimko. That the resolution approving full participation in the REGIS program be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

- 99-170. Consideration of a request to award a contract for program development for the Public Safety Department's monthly report.

Commissioner Shimko asked staff to investigate whether there would be yearly maintenance charges or significant future upgrade costs before signing a contract for this work.

- 99-170-A. Bartman-Lawless. That a contract with Aargus Computer Design in the amount not-to-exceed \$4,500.00 for the development of computer software for the Public Safety Department monthly report be approved as requested.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

- 99-171. Consideration of a request to approve a service agreement for City Hall's HVAC/chiller unit.

- 99-171-A. Shimko-Williamson. That a three-year service agreement with York International for annual maintenance services for the HVAC/chiller unit in the total amount of \$38,312.00 be approved.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

- 99-172. Consideration of a request to authorize payment of engineering bills from OMM Engineering.

- 99-172-A. Lawless-Bartman. That a change order in the contract with OMM Engineering in the amount of \$9,000.00 for construction inspection services be approved with the corresponding budget amendment in the same amount from the Water/Sewer Capital Account.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

- 99-173. Consideration of a request to award a contract for tree maintenance services.

- 99-173-A. Lawless-Bartman. That a three-year contract with Poortenga Tree Service of Grand Rapids be approved with the following unit prices: tree trimming at \$70.00 per hour; tree removal at \$12.00 per diameter inch; and stump grinding at \$3.00 per diameter inch.

Commissioner Williamson asked staff to convey to Poortenga his opinion that over the last year some of the tree trimming and removal services had not been timely and ask that they do better on this in the future.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

- 99-174. The preliminary minutes of the Parks & Recreation Commission meeting held November 9, 1998 were received.

- 99-175. The preliminary minutes of the Library Commission meetings held October 26, 1998 and November 23, 1998 were received.

- 99-176. The Public Safety Department Report for the month of October 1998 was received.

- 99-177. The City Services Department Report for the month of October 1998 was received.

- 99-178. No other public comment was offered.

- 99-179. Commissioner Bartman thanked Chief Gallagher for the timely and interesting presentation to the Gaslight Village Merchant's Association recently on forgery and counterfeit money.

Mayor Edison reported that he and City Manager Donovan had attended a meeting recently on the new water/sewer agreement between Grand Rapids and the customer communities and would be disseminating information to all Commissioners in the near future.

Mayor Edison also stated that a copy of the "North East Beltline Joint Development Plan" was in the City Manager's office for review if anyone was interested.

Mayor Edison reported that none of the area townships had voted to participate in the paratransit program and that the six cities were now meeting to review the remaining options. He thanked the East Grand Rapids City Commission for their support of this issue.

Mayor Edison reviewed the current revenue sharing proposal passed by the State House of Representatives and asked for permission to send a letter to Senator Posthumus urging him to vote against this when considered by the Senate this week. A draft letter was presented and all City Commissioners offered to sign the final letter. This will be faxed immediately.

99-180. Williamson – Shimko. Motion to enter into an executive session to discuss collective bargaining and an attorney's opinion in accordance with Sections 8(c) and 8(h) of the Open Meetings Act. A roll call was taken.

Yeas: Bartman, Lawless, Orlebeke, Shimko, Williamson and Edison – 6
Nays: -0-

99-181. The meeting adjourned at 8:05 p.m. to hold the executive session. Commissioner Bartman departed prior to the end of the executive session. The meeting resumed at 9:10 p.m. following the executive session.

99-182. Consideration of a request to approve a collective bargaining agreement with the AFSCME union.

99-182-A. Williamson-Orlebeke. That a three-year agreement beginning July 1, 1998 with the AFSCME Local 1645 Union be approved as recommended by the City Manager.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

99-183. Consideration of a request to approve a defined contribution plan for the AFSCME Union employees.

99-183-A. Williamson-Orlebeke. That resolutions approving a a defined contribution plan for AFSCME Union employees be adopted as recommended by Finance Director VanderWall and as set forth in Exhibit "C" attached hereto.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

99-184. The regular meeting was adjourned at 9:15 p.m. subject to the call of the Mayor until December 21, 1998.


Karen K. Brower, City Clerk

Attachments: A – Fire Administration Agreement with Grand Rapids Township
B – Resolution for REGIS participation
C – Resolution establishing defined contribution plan

Attachments listed above are available for inspection at the office of the City Clerk.

**PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS**

Regular Meeting Held December 21, 1998

The meeting was called to order by Mayor Edison at 7:31 p.m. in the City Commission Chambers at City Hall.

Present: Commissioners Lawless, Mehney, Orlebeke, Shimko, Williamson and Mayor Edison

Absent: Commissioner Bartman

Also Present: City Attorney Huff; City Manager Donovan; City Services Director Baragar; Public Safety Director Gallagher; Deputy Public Safety Director Spencer; City Clerk Brower

99-185. The minutes of the regular meeting held December 7, 1998, were received as submitted.

99-186. Lawless-Williamson. That payroll disbursements in the amount of \$127,202.36; county and school disbursements in the amount of \$27,559.39; and total remaining disbursements in the amount of \$392,955.83; as reviewed by the Finance Committee, be allowed and the Clerk be authorized to draw an order on the Treasurer for the respective amounts.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5

Nays: -0-

99-187. A zoning variance hearing was held regarding the request of Mr. and Mrs. Cameron Streidl of 2122 Wilshire to allow the construction of a detached garage approximately 4'-0" from the house instead of the required 10'-0."

Cameron Streidl, 2122 Wilshire, was present and spoke in favor of the variance request.

No other public comment was received. Mayor Edison closed the public hearing.

99-187-A. Shimko-Lawless. That the request of Mr. and Mrs. Cameron Streidl of 2122 Wilshire to allow the construction of a detached garage approximately 4'-0" from the house instead of the required 10'-0" be approved.

Commissioner Williamson reminded the applicant that it was necessary to install a firewall on the interior of the new garage to meet building code requirements.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5

Nays: -0-

99-188. Consideration of a request to approve appointments to the Parks & Recreation Commission.

99-188-A. Williamson-Lawless. That Dirk Buth of 1900 San Lu Rae and Tom Koperski of 2550 Oakwood Drive be appointed to the Parks & Recreation Commission to fill unexpired terms ending June 30, 1999 as recommended by Mayor Edison.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5

Nays: -0-

99-189. The consideration of a request to approve a car allowance for the City Manager was withdrawn from the agenda. This matter will be considered at a future meeting.

99-190. Consideration of a request to approve a change order for Diversco Construction for services performed in connection with the Burchard storm sewer project.

99-190-A. Williamson-Orlebeke. That a change order in the amount of \$20,679.00 to Diversco Construction of Grandville for additional work performed on the Burchard storm sewer project be approved.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

99-191. Consideration of a request to approve a change order for Diversco Construction for services performed in connection with the Wilshire storm sewer project.

99-191-A. Orlebeke-Shimko. That a change order in the amount of \$29,694.00 to Diversco Construction of Grandville for additional work performed on the Wilshire storm sewer project be approved.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

99-192. Consideration of a request to ratify payment for services performed by Diversco construction for emergency repair of the storm sewer on Ross Court.

99-192-A. Shimko-Orlebeke. That the payment of \$3,447.50 to Diversco Construction for the emergency repair of the storm sewer on Ross Court be approved.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

99-193. Consideration of a request to purchase a computer-monitored laser shooting system.

99-193-A. Williamson-Orlebeke. That the purchase of a computer-monitored laser shooting system from Beamhit in the amount of \$3,665.50 from Drug Seizure Funds be approved as requested.

Yeas: Lawless, Orlebeke, Shimko, Williamson and Edison – 5
Nays: -0-

Commissioner Mehney arrived.

99-194. The preliminary minutes of the Joint Facilities Committee meeting held December 2, 1998 were received.

The City Commission discussed the details of the upcoming proposals for the artificial turf for the new soccer/lacrosse field. The matter will be on the agenda for January 4, 1999. Questions and/or comments should be given to Brian Donovan as soon as possible so that all information can be assembled for the agenda packet and distributed to all Commissioners.

99-195. The preliminary minutes of the Planning Commission meeting held November 10, 1998 and the Chairperson's 1998 annual report were received.

99-196. The Uniform Crime Report for 1997 was received.

The City Commission commended all of the members of the Public Safety Department for the outstanding report and asked that Chief Gallagher convey the commendation to everyone in the department.

99-197. The City Services Department Report for the month of November 1998 was received.

99-198. J.J. Camp, an East Grand Rapids resident, was present and introduced himself to the City Commission. J.J. is working on a citizenship merit badge by attending meetings.

99-199. Commissioner Shimko questioned the withdrawal of the car allowance issue from the agenda. Mayor Edison

responded that this issue needs some further research and possibly a review from the Personnel Committee and will be brought back to the City Commission at a future time.

Commissioner Shimko also addressed the report of the Planning Commission chairperson and some of the issues contained in the report. Mayor Edison is working to set up a meeting with Planning Commission Chairperson Chapla to discuss the items in the report.

99-200. The regular meeting was adjourned at 8:30 p.m. subject to the call of the Mayor until January 4, 1999.

Karen K. Brower, City Clerk