



City of East Grand Rapids
Regular City Commission Meeting
Agenda

September 19, 2016 – 6:00 p.m.
(EGR Community Center – 750 Lakeside Drive)

1. Call to Order and Pledge of Allegiance.
2. Public Comment by persons in attendance.
3. Report of Mayor and City Commissioners.

Regular Agenda Items

4. Zoning variance hearing on the request of Stacy & Karl Roberts of 1118 Pinecrest to allow the replacement of the existing detached garage with side yard setback of 1.1' instead of the required 3.0' and a building separation of 7.3' from the home instead of the required 10.0'.
5. Zoning variance hearing on the request of Joshua Hall of 653 Gladstone to allow the construction of a detached garage with a side yard setback of 1' instead of the required 3.0' and a rear yard setback of 2' instead of the required 3' (action requested –notices sent).
6. Zoning variance hearing on the request of David Emdin of 655 Gladstone to allow the construction of a detached garage with a side yard setback of 1' instead of the required 3.0' and a rear yard setback of 2' instead of the required 3' (action requested –notices sent).
7. Final Reading of an ordinance amendment to repeal Section 10.7 of Chapter 101 of Title X of the City Code pertaining to the Traffic Commission (action requested – approval requested).
8. Introduction of an ordinance amendment to Article VII of Chapter 2 of Title I of the City Code pertaining to the Department of Public Safety (action requested – approval requested).
9. Introduction of an ordinance amendment to Chapter 6 of Title I of the City Code pertaining to the Emergency Management Department (action requested – approval requested).
10. Introduction of an ordinance amendment to Chapter 13 of Title I of the City Code pertaining to appearance tickets issued by the Public Safety Department (action requested – approval requested).
11. Introduction of an ordinance amendment to Chapter 14 of Title I of the City Code pertaining to municipal civil infractions (action requested – approval requested).
12. Introduction of an ordinance amendment to Chapter 25 of Title II of the City Code pertaining to public utility emergency response (action requested – approval requested).

Consent Agenda – Approval Requested

13. Receipt of communications.
14. Minutes of the regular meeting held September 6, 2016 (approval requested).
15. Report of Finance Committee on disbursement of funds: payroll disbursements of \$206,743.86; county and school disbursements of \$138,482.43, and total remaining disbursements of \$1,436,335.75 (approval requested).
16. Policy for sidewalk special assessments (action requested).
17. Purchase of trucks for the Public Works Department (action requested).
18. Sidewalk repair and replacement contract (action requested).
19. Appointments to the Parks & Recreation Commission (approval requested).
20. Preliminary minutes of the Parks & Recreation Commission meeting held August 8, 2016 (no action requested).

* * *

The City will provide reasonable auxiliary aids for individuals requiring them for effective communication in programs and services of the City. Notice must be made to the City five (5) days prior to the program or service requesting the specific auxiliary aid.



CITY OF
EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

THOMAS A. FAASSE
ZONING ADMINISTRATOR

Memorandum

TO: Mayor and City Commissioners - Board of Zoning Appeals
FROM: Tom Faasse, Zoning Administrator
DATE: August 23, 2016
RE: Request for Variances – 1118 Pinecrest Avenue, SE detached garage

ACTION REQUESTED: That the Commission conducts a public hearing and votes on the application of the owners of 1118 Pinecrest Avenue, SE, for two zoning variances for relief from the East Grand Rapids Zoning Ordinance, according to the plans presented, as follows:

- **Section 5.70A7, for a side (north) garage setback of 1.1 feet instead of 3.0 feet, a variance of 1.9 feet.**
- **from Section 5.70A6, for a separation distance of 7.3 feet from the house instead of 10 feet, a variance of 2.7 feet**

BACKGROUND: Stacy and Karl Roberts, the owners of 1118 Pinecrest Avenue, SE, are represented by Sears Architects. They wish to reconstruct their detached garage, which has structural issues, with a garage of the same footprint and in virtually the same location as the existing nonconforming garage. (Please refer to the attached site plan drawing which is based on survey information.) Instead of the required setbacks of 3 feet from lot lines, the narrowest setbacks of the current garage are 2.6 feet on the rear and 1.1 feet on the side. (It is not quite parallel to the lot lines.) Also, instead of the required 10 foot building separation, the garage is 7.3 feet from the house based on a variance granted in 2004 for a rear home addition. If they shift the new foundation slightly to make it parallel to the rear lot line, the rear of the garage can be made conforming, with a 3-foot setback, and the building separation will accordingly be improved by the same few inches. However, in order to maintain the alignment of the door to the driveway, they do request relief from Section 5.70A7 of the zoning ordinance for a side setback of 1.1 feet instead of 3 feet, a variance of 1.9 feet. They also request relief from Section 5.70A6 for a separation distance of 7.3 feet from the house instead of 10 feet, a variance of 2.7 feet as was previously granted.

Although the 19.3 feet width is rather narrow for a two stall garage, they are not requesting an increase in width. The applicant says that if they were to shift the garage southward in order to achieve a 3-foot side setback and comply with the zoning ordinance, it would create new difficulties for vehicle ingress and egress to the right-hand stall. It would also increase the overlap of the house and garage in the building separation area.

Lot coverage by buildings (28.7%) and overall impervious surface lot coverage (46.8%) would be unchanged with this proposal. In all other aspects, the design of this proposed garage complies with the Zoning Ordinance.

Brian Donovan, City Manager

Request for Zoning Ordinance Variance

Date: 7/28/16

Note to Applicant: Please pay careful attention to answer the questions in this application as accurately and completely as possible. This will give you the best possibility of your application appearing on the earliest agenda for action and for approval by the Board of Zoning Appeals.

All requests for a zoning variance are subject to a public hearing. The applicant will be advised of the hearing date, time and location and is requested to present a verbal summary of the request to the Board of Zoning Appeals prior to the public hearing. In addition, the City Services Office shall publish notice of the public hearing in a newspaper of general circulation in the local unit of government, as well as, provide notice of the public hearing to all property owners within a 300 foot radius of the subject property not less than fifteen (15) days before the date the application will be considered for approval.

A non-refundable filing fee of \$250.00 must accompany your application.

Applicant Name: ROBERT SEARS / SEARS ARCHITECTS

Address: 16 LONIA AVE. SW, SUITE ONE, GRAND RAPIDS 49503

Property Address (if different than above):

1118 PINECREST AVE. SE, EAST GRAND RAPIDS 49506

Daytime Phone: 616.336.8495

Legal Description of Property**: SEE ATTACHMENT

SURVEY INFORMATION BY NEPERVELD INC. DATED 6/15/2016

**(Use Attachments if Necessary)

Permanent Parcel (Tax) Number: 41-14-33-479-002

Briefly State the Requested Variance (Citing the specific section(s) of the Zoning Ordinance from which you are seeking a variance):**

SEE ATTACHED NARRATIVE

**(Use Attachments if Necessary)

Please check all the items below which are applicable to your request for variance:

- a. The situation which causes you to seek a variance does not result from any action of yours.
- b. A grant of the variance would do substantial justice to you as well as to other property owners and will not be of substantial detriment to neighboring properties.

c. The request for variance is based upon conditions and circumstances described on the attached sheet which are unique to your property and not generally applicable to others in your neighborhood.

d. Compliance with the Zoning Ordinance would unreasonably prevent you from using the property or would be unnecessarily burdensome.

Narrative Statement:

Please attach a narrative statement setting forth:

- a. What you wish to do with the property.
- b. Why you need the variance.
- c. The specific decision you seek
- d. The reason your project cannot be accomplished within the requirements of the zoning ordinance.

Site Plan:

Two (2) copies of a detailed, *scaled* site plan and elevation drawing showing the nature of the variance request, including, but not limited to: property boundaries, existing and proposed structures, the distance from the property lines of each existing building or structure and of each proposed building or structure, height of all proposed structures, and show and label abutting street(s). *Additional information may be required by the Zoning Administrator.*

The Board of Zoning Appeals may attach conditions to the granting of a variance.

Please be advised that substantial steps toward effecting the variance must be taken within twelve (12) months of approval of a variance, or the variance will become null and void per section 5.171-2 of the City Code.

[Handwritten Signature]
Signature of Applicant

ROB SEARS / SEARS ARCHITECTS
Print Name

Stacy Roberts
Signature of Property Owner
(If Different from Applicant)

Stacy Roberts
Print Name



City of East Grand Rapids
City Services
750 Lakeside Dr. SE, East Grand Rapids, MI 49506
Phone 616.940.4817 FAX 616.831-6121

PROPOSED ROBERTS RESIDENCE GARAGE @ 1118 PINECREST AVENUE SE

NARRATIVE STATEMENT**a. What you wish to do with the property.**

The owners of 1118 Pinecrest Avenue would like to replace the existing garage with an updated two stall garage to replace the existing garage. The existing garage needs to be demolished and re-built with a new concrete slab and foundations due to structural issues.

b. Why you need the variance.

The variance is necessary to replace the existing two stall garage on the property. The location of the existing garage (which needs to be re-built) does not comply with current zoning. The existing garage is too close to the rear and side lot line. The rear yard is 2.6 feet and the side yard is 1.1 feet, the required setback is 3 feet. The garage is too close to the house, the current separation distance is 7.3 feet. The required building separation is 10 feet, a variance was granted for this in the past.

c. The specific decision you seek.

Relief from Section 5.70A6 and 5.70A7 of the zoning ordinance.

-Section 5.70A6 requires 10 feet between the detached accessory structure and the principal building on the lot. The current separation distance is 7.3 feet. The proposed garage will be a few inches further from the house after being rotated, the request is to uphold the current 2.7 feet variance.

-Section 5.70A7 requires the setback distance to be three feet from the side and rear lot lines. The current garage is 2.6 feet from the rear lot line and 1.1 feet from the side lot line. The location of the proposed garage will be slightly rotated to achieve the 3 feet minimum rear yard setback and parallel to the rear face of the house. The variance request is to seek relief from the side yard setback, a 1.9 feet variance. The roof overhang has also been reduced due to the proximity to the lot line.

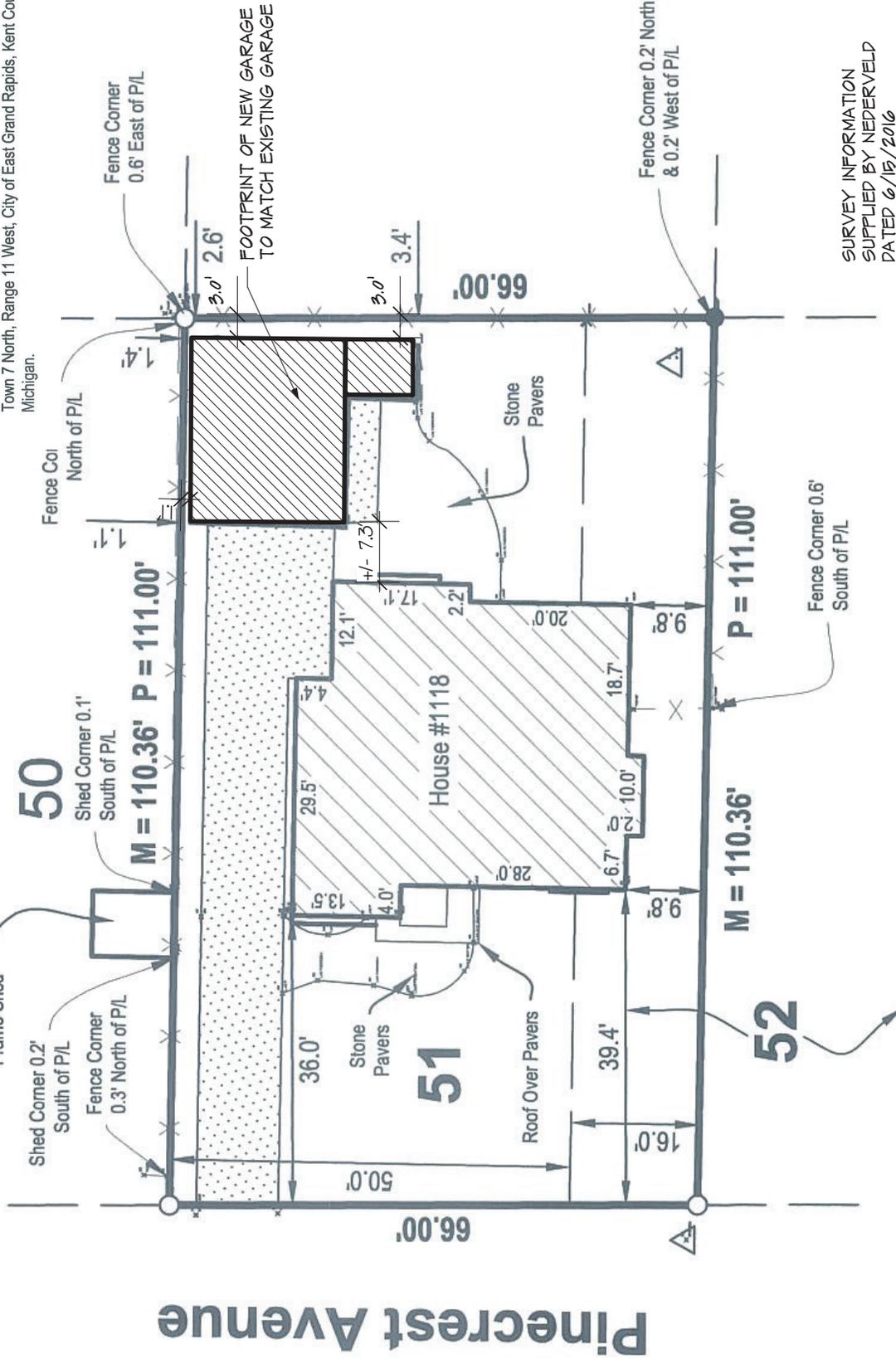
d. The reason your project cannot be accomplished within the requirements of the zoning ordinance.

Sections 5.70A6 and 5.70A7 of the zoning ordinance prevent the replacement of a two stall garage on the property.

The current garage on the property, which is smaller than most two stall garages, was built by a previous owner and has existed with the above zoning violations for decades. The current garage cannot be maintained due to structural issues. The proposed garage will be rotated to comply with the 3 feet rear yard set back requirement and maintain the current sideyard setback along with an identical footprint as the current garage. The proposed garage will have a slightly higher roof as allowed by the current zoning ordinance section 5.70A5.

DESCRIPTION

Lot 51 also North 16 feet of Lot 52, Paris Hall Park Addition, Section 33, Town 7 North, Range 11 West, City of East Grand Rapids, Kent County, Michigan.



SURVEY INFORMATION
SUPPLIED BY NIEDERVELD
DATED 6/15/2016

ROBERTS RESIDENCE GARAGE

1118 PINECREST AVENUE
EAST GRAND RAPIDS

SITE PLAN

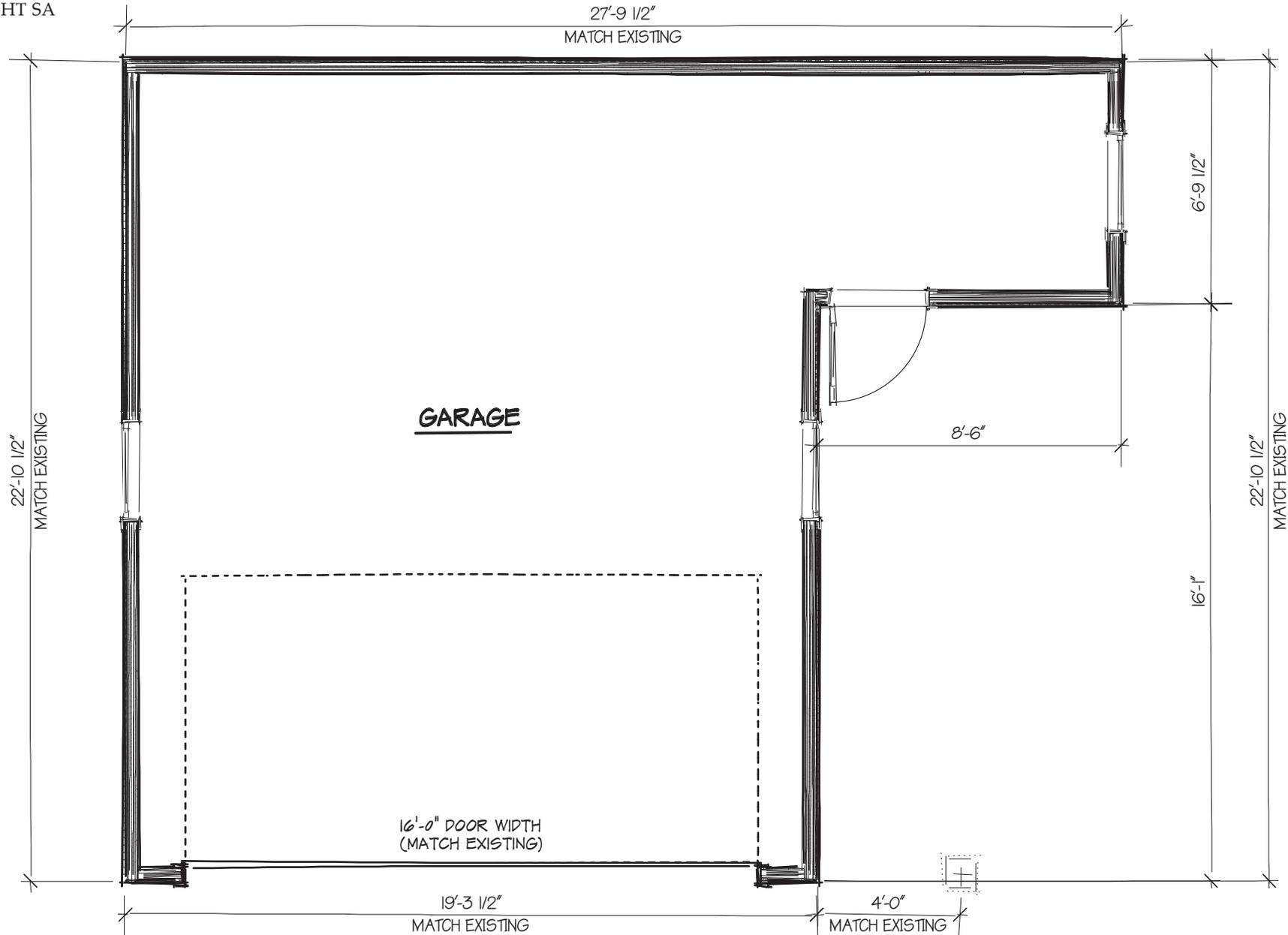


VARIANCE APPLICATION - DRAWING 1 OF 4

Scale: 1" = 20 ft

SEARS ARCHITECTS
GRAND RAPIDS, MICHIGAN
616.336.8495 www.searsarchitects.com
7.28.16
2016-121

COPYRIGHT SA



ROBERTS RESIDENCE GARAGE

1118 PINECREST AVENUE
EAST GRAND RAPIDS

GARAGE PLAN

VARIANCE APPLICATION - DRAWING 2 OF 4

Scale: 1/4" = 1'-0"

SEARS ARCHITECTS

GRAND RAPIDS, MICHIGAN
616.336.8495 www.searsarchitects.com

7.28.16

2016-121



ROBERTS RESIDENCE GARAGE

1118 PINECREST AVENUE
EAST GRAND RAPIDS

VARIANCE APPLICATION - DRAWING 4 OF 4

SITE PHOTOS

Scale: 1" = 30 ft

SEARS ARCHITECTS

GRAND RAPIDS, MICHIGAN
616.336.8495 www.searsarchitects.com

7.28.16

2016-121



BURCHARD ST

PINECREST AVE

54.5

120

STRIKWERDA CHARLES E TRUST
2148
BURCHARD ST SE

55

BERKELAAR WYERS HELEN E & BETTIE
1117
PINECREST AVE SE

72.5

KOLEKAMP SARAH M & ERIC
1125
PINECREST AVE SE

73.5

HOKTON JUSKIEWICZ
1127
PINECREST AVE SE

73.5

111

103.54

WOODHOUSE JOHN
2218
BURCHARD ST SE

111

103.26

CARLY KIMBERLY
2220
BURCHARD ST SE

50

ORCHARD AVE

111

103.19

SHIELDS TRUST
1111
BURCHARD ST SE

ROBERTS KARL & STACY
1118
PINECREST AVE SE

66

FRANISHA BRYAN
1119
ORCHARD AVE SE

50

50

KIHNICKE
1118
ORCHARD AVE SE

LAPEUR ROBERT & JENNIFER
1124
PINECREST AVE SE

70

KLODZINSKI BRIGID L
1125
ORCHARD AVE SE

50

50

SMITS RICKI & PAMELA R
1122
ORCHARD AVE SE

COPPES DEREK & AMANDA
1132
PINECREST AVE SE

50

50

BENNETT SUSAN
1128
ORCHARD AVE SE

113
ORCHARD AVE SE

MCPHEE COBEL MARIE E TRUST
1132
ORCHARD AVE SE



City of East Grand Rapids, Michigan

CITY OF EAST GRAND RAPIDS NOTICE OF PUBLIC HEARING

A public hearing will be held at the request of Sears Architects representing Stacy and Karl Roberts, the owners of 1118 Pinecrest Avenue, SE, to consider two related zoning variances at that address. Due to structural issues, they wish to reconstruct their existing nonconforming detached garage and foundation with a garage of the same footprint and in the same location. The narrowest setbacks of the current garage are 2.6 feet on the rear and 1.1 feet on the side, instead of the required setbacks of 3 feet from lot lines. The garage is 7.3 feet from the house instead of the required 10 foot separation based on a variance granted in 2004 for a rear home addition. By making the new garage foundation parallel to the rear lot line, the rear setback can be made conforming. However, they request relief from Section 5.70A7 of the East Grand Rapids Zoning Ordinance for a side setback of 1.1 feet instead of 3 feet, a variance of 1.9 feet. They also request relief from Section 5.70A6 to maintain the separation distance of 7.3 feet from the house instead of 10 feet, a variance of 2.7 feet, as was previously granted.

The application and plans may be viewed in the Public Works Administration office at the Community Center, or by linking from this notice at www.eastgr.org/notices.

The City Commission welcomes your views in this matter. You may express your views at the scheduled meeting or by writing to the Mayor and City Commission at 750 Lakeside Drive, SE, East Grand Rapids, Michigan 49506 or by email to the City Clerk at kbrower@eastgr.org. To be included in the hearing, written communications must contain the sender's name and address.

If you have any questions regarding this request, please contact the undersigned at 940-4817, or tfaasse@eastgr.org.

DATE: Tuesday, September 6, 2016 (note day of the week)
TIME: 6:00 p.m.
PLACE: East Grand Rapids Community Center,
Commission Chambers
750 Lakeside Drive, SE,
East Grand Rapids, Michigan 49506

Thomas A. Faasse
Zoning Administrator

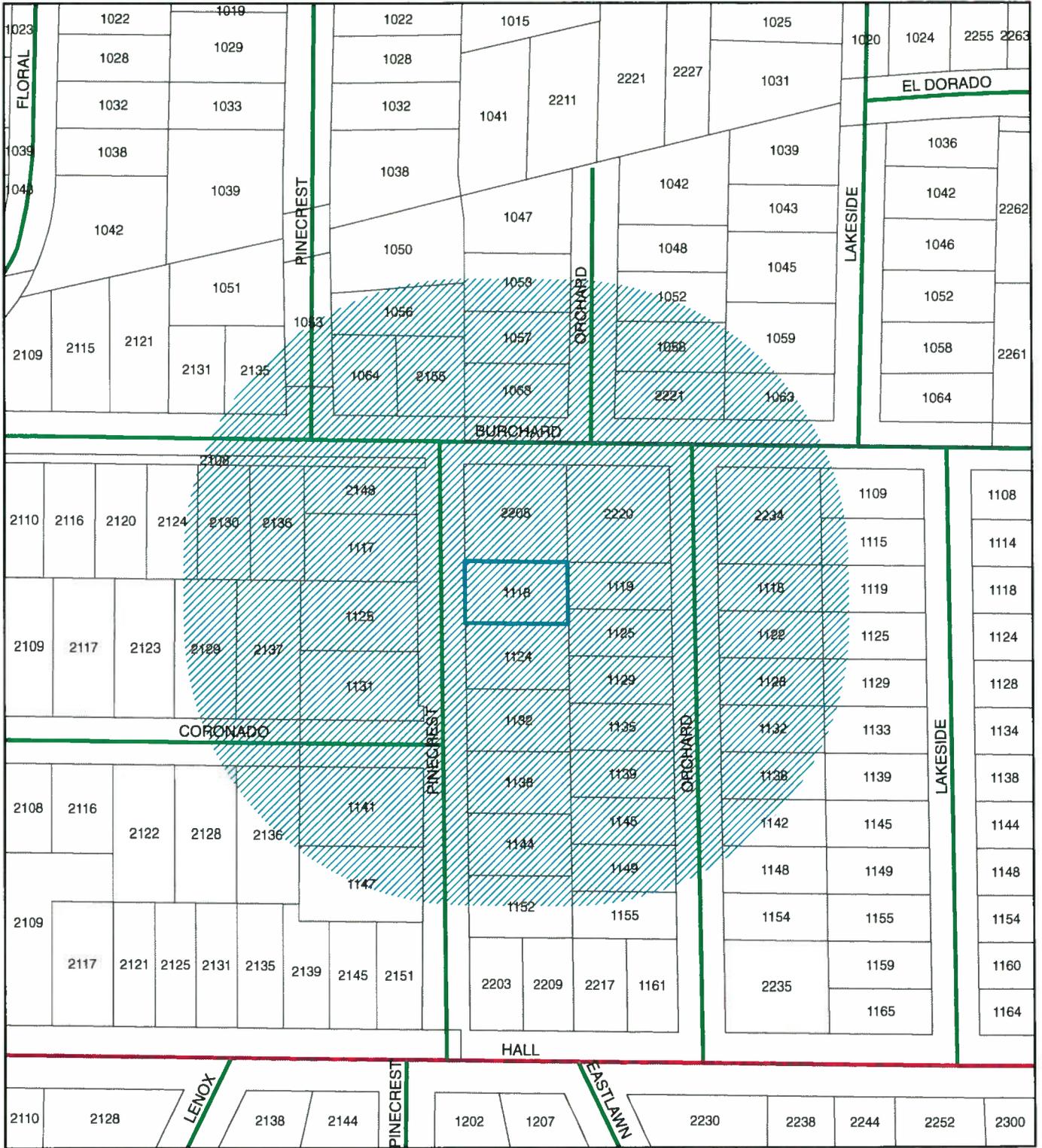
*61 notices
mailed
tfa*

PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION

750 Lakeside Drive, SE • East Grand Rapids, Michigan 49506
Telephone (616) 940-4817 Fax (616) 831-6121 www.eastgr.org

Partners with





Variance
 1118 Pinecrest Avenue, S. E.
 EastGrand Rapids, MI



Karen Brower

From: Karl Mead <karlmead@gmail.com>
Sent: Saturday, August 20, 2016 8:35 PM
To: Karen Brower
Subject: Variance for Stacy and Karl Roberts Garage Reconstruction

Good day.

We (Karl and Sherri Mead) support the variances needed to allow the Roberts' being able to reconstruct their garage as it exists today, the non-conformance relative to the lot side and rear has been that way since the original house was built and is like most of the garages in our neighborhood: non-conforming relative to side and rear setback requirements. The changes made by the Roberts in 2004 have added significantly to the value of our neighborhood, changing the relationship at this point would negatively impact the value of the garage to the current and future owners and would serve only to enforce a rule which is of questionable value as the buildings in their current relationship have served the owners well for the last twelve years.

Forcing conformance of the side and rear setbacks at this point would create an awkward space which would be relatively unusable by the owner and odd for the neighbor. Additionally it would make entry into the garage more difficult with a vehicle as the main door would be offset significantly from the current driveway.

A change to the current setback requirements would change an established relationship and fabric of four homes as they relate at that corner which has existed since the 1960s with little or no improvement in the value or livability to any of the four homes.

To reiterate, we support continuing the non-conformance to the side and rear setbacks to reconstruct the garage as it has existed since the original structures were built and the previous variance granted to maintain the separation distance of 7.3' of the garage to the Roberts' home as was granted previously in 2004.

If you have any questions for us we would be happy to speak further on this issue.

Sincerely

Karl and Sherri Mead

Karen Brower

From: John Woodhouse <JWoodhouse@medbioinc.com>
Sent: Tuesday, August 23, 2016 8:46 PM
To: Karen Brower
Subject: 1118 Pinecrest - request for variance

Dear City Clerk,

I am writing to let the City of East Grand Rapids know we are in favor of granting the variances to Karl and Stacy Roberts. The variances will allow them to rebuild their garage, and as their neighbors at 2208 Burchard St, we are in support the granting of the variances.

We are the neighbor just to the north and share the property line along side of the garage, and we do not have issues with a new structure replacing the current structure.

Please grant the Robert's the variances they need to start the construction of their new garage.

Thank you
John and Patty Woodhouse
(616) 308-0821

Sent from my iPad

Karen Brower

From: Tom Faasse
Sent: Tuesday, August 30, 2016 8:09 AM
To: Kim Carey; Brian Donovan
Cc: Karen Brower
Subject: RE: Zoning request from Karl & Stacy Roberts

Thank you for your comment, which I have forwarded by copy to the City Clerk.

Tom Faasse

Thomas A. Faasse

Zoning Administrator – City of East Grand Rapids
(616) 940-4817

From: Kim Carey [<mailto:Kim.Carey@microsoft.com>]
Sent: Monday, August 29, 2016 9:44 PM
To: Tom Faasse; Brian Donovan
Subject: Zoning request from Karl & Stacy Roberts

Hello,

Karl and Stacy Roberts (1118 Pinecrest) live directly behind me. I am at 2220 Burchard Street. I received a letter that they wish to receive a zoning variation for their garage. I completely support their wishes to construct their garage within the zoning variance proposed. I cannot make the hearing but want to ensure they have my full support in the matter.

Thank you,

Kim Carey

Karen Brower

From: Hester Erlank <hester.erlank@gmail.com>
Sent: Monday, August 29, 2016 12:53 PM
To: Karen Brower
Subject: SEARS Architects / Stacy and Karl Roberts - 1118 Pinecrest Ave SE

I approve of improvements to the lot.

H Erlank

Karen Brower

From: Lucy Lafleur <lucylafleur@sbcglobal.net>
Sent: Tuesday, September 13, 2016 11:31 AM
To: Karen Brower
Subject: 1118 Pinecrest SE

My husband, Robert Lafleur, and I live at 1124 Pinecrest SE. We are in agreement with and support Karl and Stacy Roberts' variance request at 1118 Pinecrest SE, EGR, MI 49506.

Lucy Lafleur
1124 Pinecrest SE
East Grand Rapids, MI 49506
616-241-2652



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

THOMAS A. FAASSE
ZONING ADMINISTRATOR

Memorandum

TO: Mayor and City Commissioners, Board of Zoning Appeals
FROM: Tom Faasse, Zoning Administrator
DATE: August 23, 2016
RE: **Request for Variances – 653 and 655 Gladstone Avenue, SE detached garages
Zoned R-3 Single Family Residential**

ACTION REQUESTED: That the Commission conducts a combined public hearing and votes (separately) on the applications of the owners of 653 and 655 Gladstone Avenue, SE, for two zoning variances at each address for relief from the East Grand Rapids Zoning Ordinance, according to the plans presented, as follows:

- **Section 5.70A7, for a side garage setback of 1.0 foot instead of 3.0 feet, a variance of 2.0 feet.**
- **Section 5.70A7, for a rear garage setback of 2.0 feet instead of 3.0 feet, a variance of 1.0 foot.**

BACKGROUND: Joshua Hall, the owner of 653 Gladstone Avenue, SE, and David Emdin, the owner of 655 Gladstone Avenue, SE, are represented by builder Charles Sommer. These properties share an existing garage which straddles the common lot line between these small nonconforming lots in the St. Stephens neighborhood. Due to age and poor condition, the shared garage will be demolished along with its foundation. It lacks depth (18.6 feet exterior) and it sits about 8 feet from the rear lot line, yet it is too close to the houses to allow extra parking or easy maneuvering. (Please refer to the attached site plan drawings.) The rear lot line is the city boundary, beyond which lies Clark Retirement Community in the City of Grand Rapids. At the rear property line there is a low retaining wall, a privacy fence and shrubbery. The Gladstone properties sit higher than the Clark property by a couple of feet. In order to avoid the negative aspects of having a property with a shared zero-lot-line garage, each property owner wishes to construct his own detached garage – a 12-by-22 one stall at 653 Gladstone and an 18-by-22 two stall at 655 Gladstone, both closer to the rear lot line and the common side lot line than the 3 foot setbacks that are required. They have contracted with the same builder for the entire process. The new garages would be deeper (22 feet) and set further back. The request for narrower side setbacks is based on the desire to line up the doors as closely as possible with the shared driveway. Therefore, each property owner is requesting relief from Section 5.70A7 of the zoning ordinance for a side setback of 1.0 foot instead of 3 feet, a variance of 2.0 feet. They also request relief from Section 5.70A7 for a rear setback of 2.0 feet instead of 3 feet, a variance of 1.0 foot.

In all other aspects, including lot coverage, the design of these proposed garages complies with the Zoning Ordinance.

Brian Donovan, City Manager



Request for Zoning Ordinance Variance

Date: July 29, 2016

Note to Applicant: Please pay careful attention to answer the questions in this application as accurately and completely as possible. This will give you the best possibility of your application appearing on the earliest agenda for action and for approval by the Board of Zoning Appeals.

All requests for a zoning variance are subject to a public hearing. The applicant will be advised of the hearing date, time and location and is requested to present a verbal summary of the request to the Board of Zoning Appeals prior to the public hearing. In addition, the City Services Office shall publish notice of the public hearing in a newspaper of general circulation in the local unit of government, as well as, provide notice of the public hearing to all property owners within a 300 foot radius of the subject property not less than fifteen (15) days before the date the application will be considered for approval.

A non-refundable filing fee of \$250.00 must accompany your application.

Applicant Name: CHARLES SOMMER

Address: 13625 NORTHLAND DR, CEDAR SPRINGS

Property Address (if different than above):

653 GLADSTONE

Daytime Phone: 616-299-2421

Legal Description of Property**: South 20 feet of Lot 22 and North 20 feet of Lot 23 Plat of Sherman Park Section 33, Town 7 North, Range 11 West City of East GRAND RAPIDS Kent County, Michigan
**(Use Attachments if Necessary)

Permanent Parcel (Tax) Number: 41-14-33-151-013 ✓

Briefly State the Requested Variance (Citing the specific section(s) of the Zoning Ordinance from which you are seeking a variance):**

SECTION 5.70 A7 - REQUESTING A VARIANCE OF 2' ON SIDE AND 1' REAR

** (Use Attachments if Necessary)

Please check all the items below which are applicable to your request for variance:

a. The situation which causes you to seek a variance does not result from any action of yours.

b. A grant of the variance would do substantial justice to you as well as to other property owners and will not be of substantial detriment to neighboring properties.

(over)

c. The request for variance is based upon conditions and circumstances described on the attached sheet which are unique to your property and not generally applicable to others in your neighborhood.

d. Compliance with the Zoning Ordinance would unreasonably prevent you from using the property or would be unnecessarily burdensome.

Narrative Statement:

Please attach a narrative statement setting forth:

- a. What you wish to do with the property.
- b. Why you need the variance.
- c. The specific decision you seek
- d. The reason your project cannot be accomplished within the requirements of the zoning ordinance.

Site Plan:

Two (2) copies of a detailed, *scaled* site plan and elevation drawing showing the nature of the variance request, including, but not limited to: property boundaries, existing and proposed structures, the distance from the property lines of each existing building or structure and of each proposed building or structure, height of all proposed structures, and show and label abutting street(s). *Additional information may be required by the Zoning Administrator.*

The Board of Zoning Appeals may attach conditions to the granting of a variance.

Please be advised that substantial steps toward effecting the variance must be taken within twelve (12) months of approval of a variance, or the variance will become null and void per section 5.171-2 of the City Code.



Signature of Applicant

CHARLES SOMMER
Print Name



Signature of Property Owner
(If Different from Applicant)

JOSHUA HALL
Print Name



City of East Grand Rapids
City Services
750 Lakeside Dr. SE, East Grand Rapids, MI 49506
Phone 616.940.4817 FAX 616.831-6121



Request for Zoning Ordinance Variance

Date: JULY, 29 2016

Note to Applicant: Please pay careful attention to answer the questions in this application as accurately and completely as possible. This will give you the best possibility of your application appearing on the earliest agenda for action and for approval by the Board of Zoning Appeals.

All requests for a zoning variance are subject to a public hearing. The applicant will be advised of the hearing date, time and location and is requested to present a verbal summary of the request to the Board of Zoning Appeals prior to the public hearing. In addition, the City Services Office shall publish notice of the public hearing in a newspaper of general circulation in the local unit of government, as well as, provide notice of the public hearing to all property owners within a 300 foot radius of the subject property not less than fifteen (15) days before the date the application will be considered for approval.

A non-refundable filing fee of \$250.00 must accompany your application.

Applicant Name: CHARLES SOMMER

Address: 13625 NORTHLAND DR CEDAR SPRINGS 49319

Property Address (if different than above):

655 GLADSTONE AVE

Daytime Phone: 616-299-2421

Legal Description of Property**: Lot 24 also South 5 feet of Lot 23 also North 1/2 of Lot 25, Plat of Sherman Park, City of East Grand Rapids, Kent County, MICHIGAN

** (Use Attachments if Necessary)

Permanent Parcel (Tax) Number: 41-14-33-151-014

Briefly State the Requested Variance (Citing the specific section(s) of the Zoning Ordinance from which you are seeking a variance):**

Section 5.70 A7 REQUESTING A VARIANCE OF 2' ON THE SIDE AND 1' IN BACK OR REAR

** (Use Attachments if Necessary)

Please check all the items below which are applicable to your request for variance:

- a. The situation which causes you to seek a variance does not result from any action of yours.
- b. A grant of the variance would do substantial justice to you as well as to other property owners and will not be of substantial detriment to neighboring properties.

c. The request for variance is based upon conditions and circumstances described on the attached sheet which are unique to your property and not generally applicable to others in your neighborhood.

d. Compliance with the Zoning Ordinance would unreasonably prevent you from using the property or would be unnecessarily burdensome.

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Please attach a narrative statement setting forth:

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- b. Why you need the variance.
- c. The specific decision you seek
- d. The reason your project cannot be accomplished within the requirements of the zoning ordinance.

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Two (2) copies of a detailed, *scaled* site plan and elevation drawing showing the nature of the variance request, including, but not limited to: property boundaries, existing and proposed structures, the distance from the property lines of each existing building or structure and of each proposed building or structure, height of all proposed structures, and show and label abutting street(s). *Additional information may be required by the Zoning Administrator.*

The Board of Zoning Appeals may attach conditions to the granting of a variance.

Please be advised that substantial steps toward effecting the variance must be taken within twelve (12) months of approval of a variance, or the variance will become null and void per section 5.171-2 of the City Code.



Signature of Applicant

CHARLES SOMMIER

Print Name



Signature of Property Owner
(If Different from Applicant)

David Emdin

Print Name



City of East Grand Rapids
City Services
750 Lakeside Dr. SE, East Grand Rapids, MI 49506
Phone 616.940.4817 FAX 616.831-6121



**Charles Sommer
Construction Inc.**

13625 Northland Drive • Cedar Springs, MI 49319
(616) 696-0828

July 2016

Variance request for
655 & 653 Gladstone

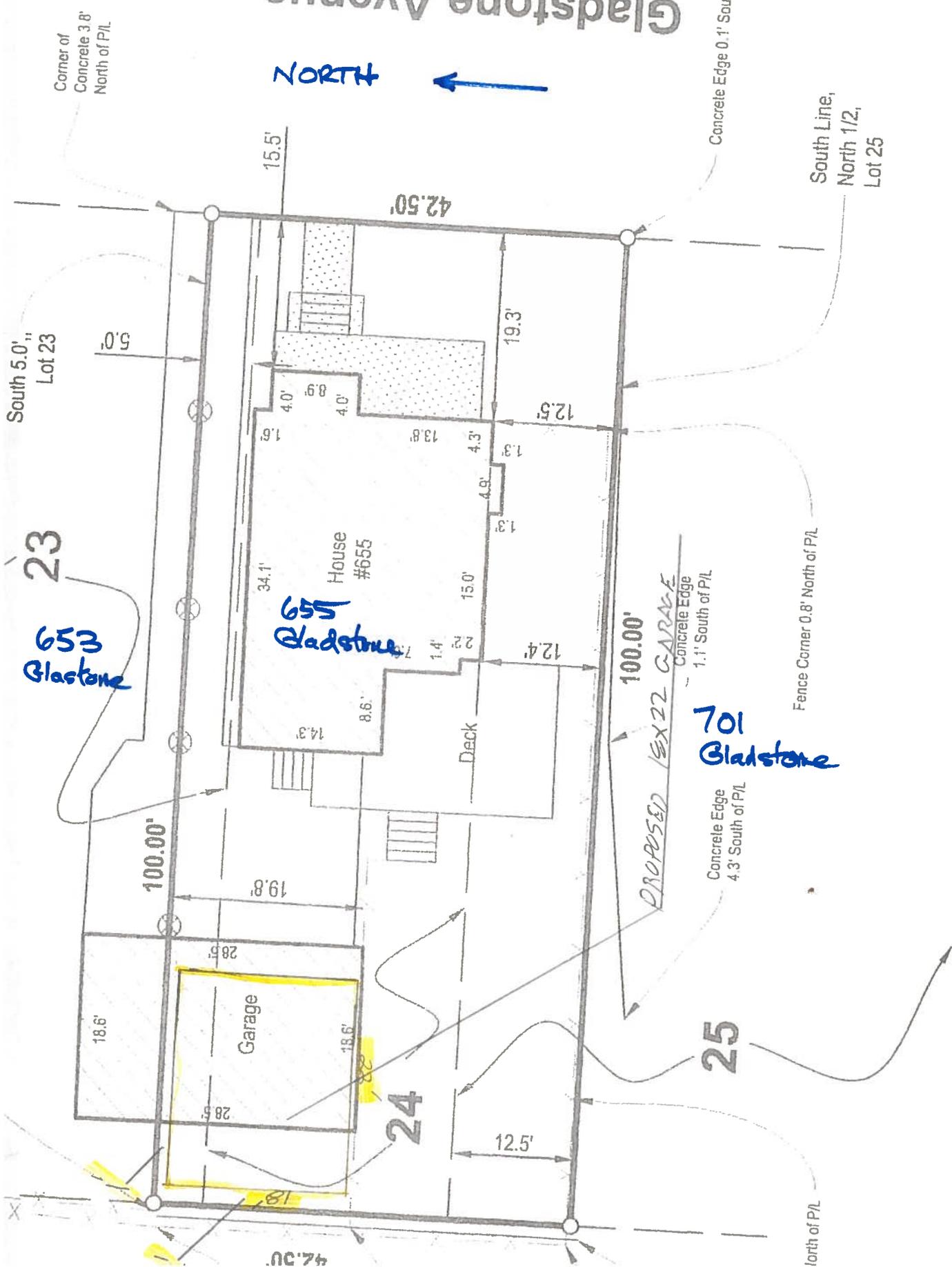
It is our desire to remove the existing shared garage that, due to its condition, location and design, is impractical for parking. The shared driveway, and the closeness of the garage to the house does not allow for parking in front of the garage. It is our desire to build two garages that are of usable size and to locate them back farther on the property to allow some parking in front of each garage. The size of these lots does not allow a garage to be built without the granting of a variance. We are requesting to construct the new garages 1 foot from the side lot line and 2 feet from the rear lot line. We believe that this would remove vehicles from on street parking, is consistent with the neighborhood and would in no way be a detriment to the surrounding properties.

Lot coverage	Existing	Proposed	Rear Yard
653 Gladstone	44.32%	46.98%	14.25%
655 Gladstone	46.00%	46.67%	18.90%

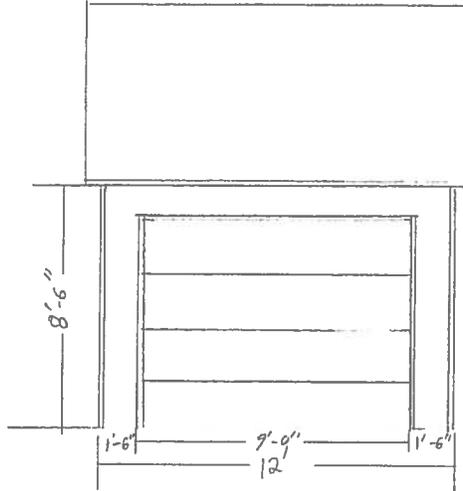
Charles Sommer

Gladstone Avenue

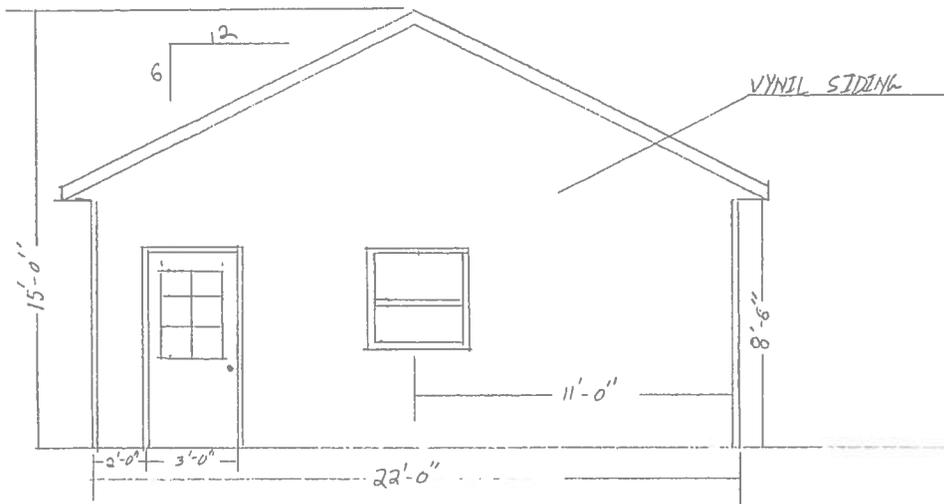
NORTH 



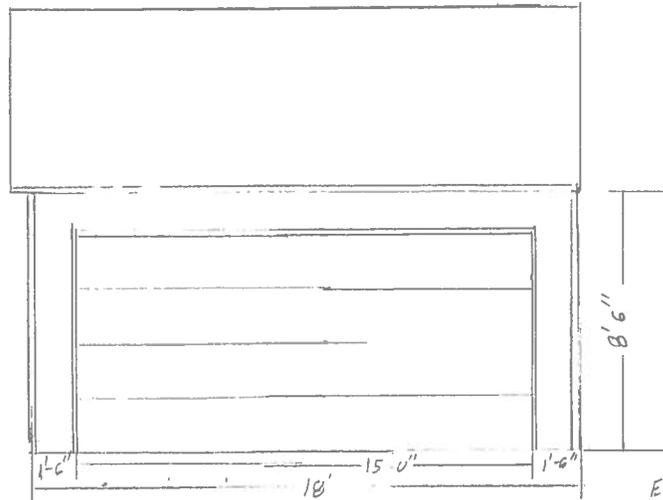
LEGEND



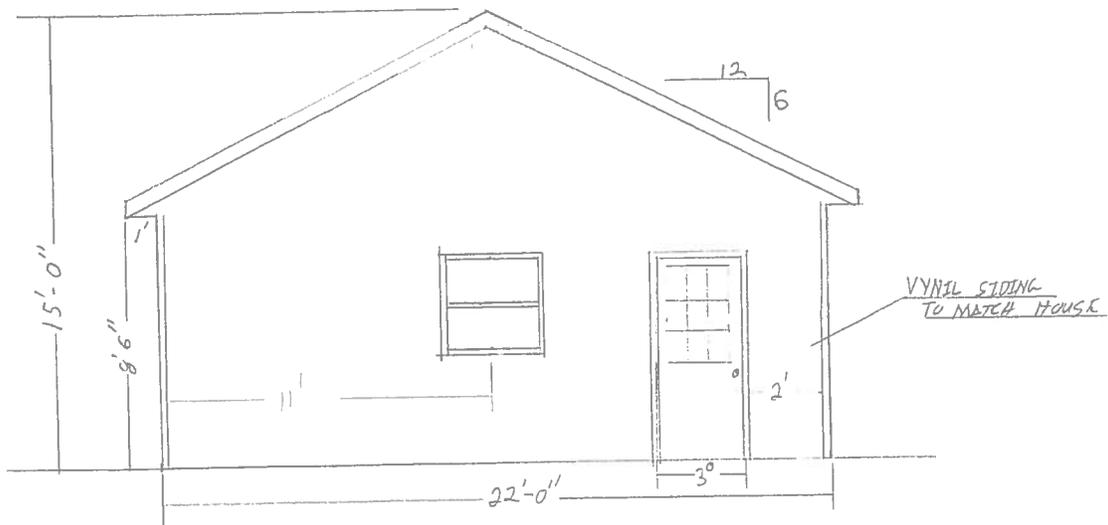
EAST ELEVATION HALL GARAGE
 - 2016 - SCALE 1/4" = 1'
 653 Gladstone SE



NORTH ELEVATION HALL GARAGE
 2016 SCALE 1/4" = 1'
 653 Gladstone SE



EAST ELEVATION GARDEN GARAGE
 2016 SCALE 1/4" = 1'
 655 Gladstone SE



SOUTH ELEVATION GARDEN GARAGE
 2016 SCALE 1/4" = 1'
 655 Gladstone SE



GALE CHRISTOPHER M
647
GLADSTONE AVE SE

STRAND CHRISTIAN P & AMY DUNHAM
651
GLADSTONE AVE SE

TABATA BRENT & AMANDA
653
GLADSTONE AVE SE

EMDIN DAVID
655
GLADSTONE AVE SE

APPEL NICOLE MARIE
701
GLADSTONE AVE SE

SCHADLER LYNNAE
705
GLADSTONE AVE SE

SLAMP KENNETH W
644
GLADSTONE AVE SE

ROBINSON JEREMY R & FLINT JOCELYN V
650
GLADSTONE AVE SE

DAY GEOFFREY S
1617
REED ST SE

WALKER MARK
656
GLADSTONE AVE SE

PRIVATE DR

CLARK RETIREMENT COMM
1551
FRANKLIN ST SE

GLADSTONE AVE

REED ST

42.5

40

42.5

37.5

60

50

55

80

45



View from Gladstone Ave, existing



Views from Clark, existing garage & fence





City of East Grand Rapids, Michigan

CITY OF EAST GRAND RAPIDS NOTICE OF PUBLIC HEARING

A public hearing will be held at the request of builder Charles Sommer representing Joshua Hall, owner of 653 Gladstone, SE, and David Emdin, owner of 655 Gladstone, SE, to consider two garage setback variances at each address. They plan to demolish the existing shared detached garage which straddles their common side lot line, after which each property owner wishes to construct his own detached garage - a 12-by-22 one stall garage at 653 Gladstone and an 18-by-22 two stall garage at 655 Gladstone, both closer to the rear lot line and the common side lot line than the 3 foot setbacks that are required. Therefore, each property owner is requesting relief from Section 5.70A7 of the East Grand Rapids Zoning Ordinance for a side setback of 1 foot instead of 3 feet, a variance of 2 feet. They also request relief from Section 5.70A7 for a rear setback of 2 feet instead of 3 feet, a variance of 1 foot.

The application and plans may be viewed in the Public Works Administration office at the Community Center, or by linking from this notice at www.eastgr.org/notices.

The City Commission welcomes your views in this matter. You may express your views at the scheduled meeting or by writing to the Mayor and City Commission at 750 Lakeside Drive, SE, East Grand Rapids, Michigan 49506 or by email to the City Clerk at kbrower@eastgr.org. To be included in the hearing, written communications must contain the sender's name and address.

If you have any questions regarding this request, please contact the undersigned at 940-4817, or tfaasse@eastgr.org.

DATE: Tuesday, September 6, 2016 (note day of week)
TIME: 6:00 p.m.
PLACE: East Grand Rapids Community Center,
Commission Chambers
750 Lakeside Drive, SE,
East Grand Rapids, Michigan 49506

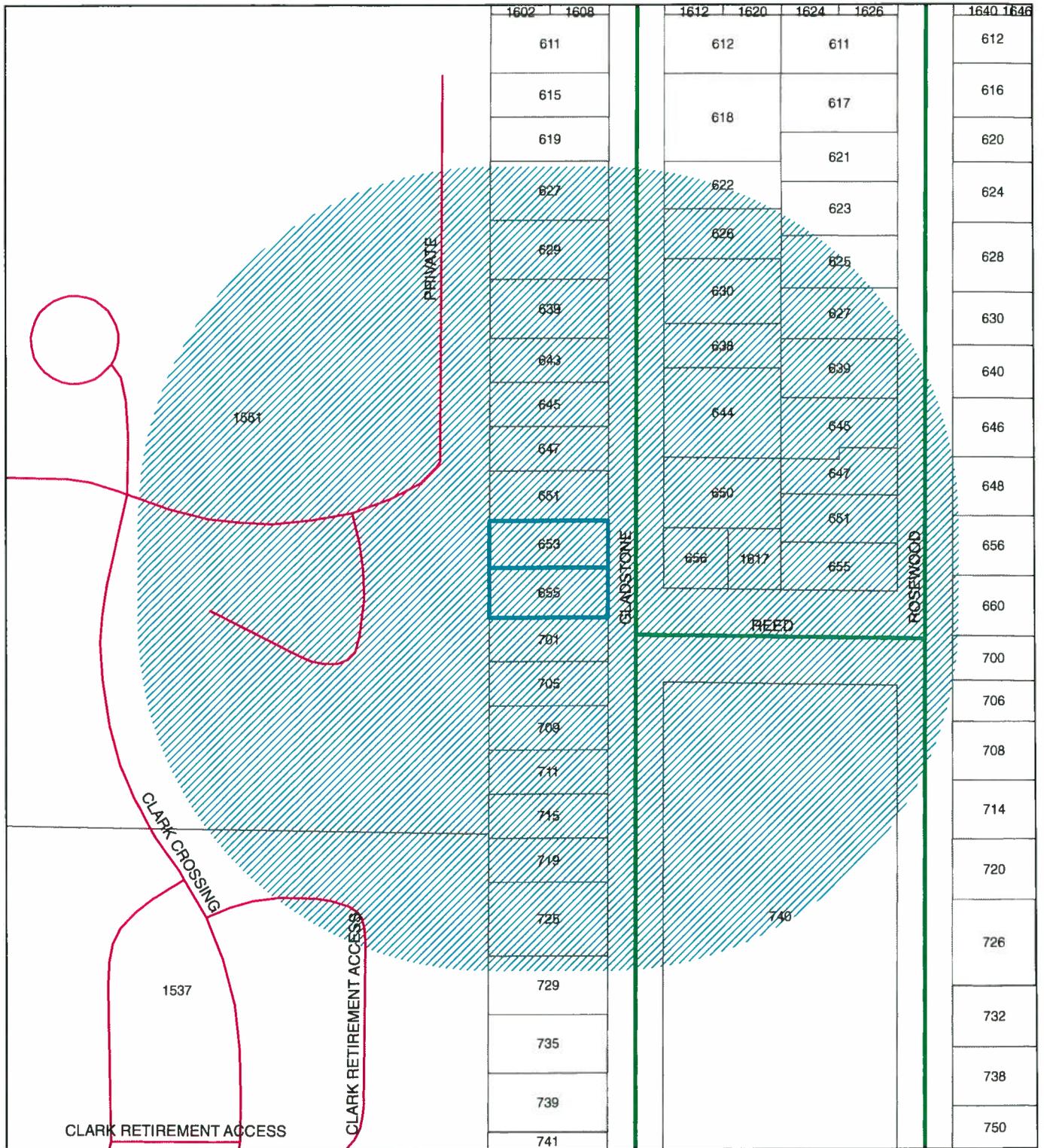
*39 notices
mailed
tfa*

Thomas A. Faasse
Zoning Administrator

PUBLIC WORKS DEPARTMENT – ENGINEERING DIVISION

750 Lakeside Drive, SE • East Grand Rapids, Michigan 49506
Telephone (616) 940-4817 Fax (616) 831-6121 www.eastgr.org





Variance
 653 & 655 Gladstone Avenue, S. E.
 EastGrand Rapids, MI





CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE-EAST GRAND RAPIDS, MICHIGAN 49506

DOUG LA FAVE
ASSISTANT CITY MANAGER

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Doug La Fave, Assistant City Manager and Mark Herald, Director of Public Safety
DATE: September 13, 2016
RE: Traffic Commission

Action Requested: That the City of East Grand Rapids transition from an advisory Traffic Commission that reviews and makes recommendations to the City Commission related to traffic related issues/complaints by amending the City Code that authorizes staff to address traffic related issues as required by law through the use of the Michigan Manual on Uniform Traffic Control Devices (MMUTCD). This would require repealing/amending Chapter 101 section 10.4 of the City Code. Traffic related items that are not addressed by the MMUTCD that arise from citizen petitions or appeals through the existing policy will be directed to the Infrastructure Committee and/or addressed by the full City Commission.

Background: The City of East Grand Rapids has had a Traffic Commission comprised of appointed residents to address traffic related issues in an advisory capacity to the City Commission. The Traffic Commission has been in place for many years including before the development of unified traffic control device standards. As the City of East Grand Rapids developed with housing plats, roads, population, etc. the growth of the community had impacts on vehicular traffic. As East Grand Rapids has become built out changes to traffic control devices and traffic related issues have become less frequent.

Coinciding with the development of the City of East Grand Rapids was the history and evolution of traffic control devices across the United States. In the early years of the automobile, there were limited traffic control devices and standards to safely guide automobile traffic across the United States. Automobile clubs were formed across the country in and around cities to develop amongst membership appropriate signage for different traffic situations. Cities, villages and towns across the country also created committees, the same or similar to traffic commissions, to help address citizen traffic complaints and to attempt to come up with solutions to problems for motorists in their respective communities. With this approach solutions were highly localized, but lacked uniformity across the country. Different signs, placements and designs led to issues for motorists from one community to the next. This led to confusion and had the opposite impact that local groups and commissions set forth to accomplish, which was safety. The non-uniform approach to traffic control devices led to a quilt-like approach to rules for standards across the country. In 1924 the First National Conference on Street and Highway Safety was held to look at national standards to address traffic control devices. Over the 20th century a unified manual was developed called the Manual on Uniform Traffic Control Devices (MUTCD) and in Michigan called the Michigan Manual on

Uniform Traffic Control Devices (MMUTCD) (approved by federal law). The MUTCD defines the standards that are to be used by road managers to install and maintain traffic control devices on all public streets, highways, bikeways, and private roads open to public travel. The MUTCD, which has been administered by the Federal Highway Administration (FHWA) since 1971, is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. It is updated periodically to accommodate the changing transportation needs and address new safety technologies, traffic control tools and traffic management techniques.

The important questions from the perspective of a local agency (the City of East Grand Rapids), are how does the State MUTCD apply to the local roads? Are the local agencies bound to the State standards, which in turn are bound to the Federal standards? Each State enacts its own laws regarding compliance with standards for traffic control devices in that State. If the State law has adopted a State Supplement or a State MUTCD that FHWA has found to be in substantial conformance with the national MUTCD, then those State requirements are what the local road agencies (as well as the State DOT) must abide by. This is the case in Michigan as noted previously, with the MMUTCD. The exception is when traffic control devices are installed on a federal aid project, in which case the Code of Federal Regulations (23 CFR 655.603(d)(2)) specifically requires those devices to comply with the national MUTCD before the road can be opened or reopened to the public for unrestricted use (An example would be the current Lake Drive Project).

The City of East Grand Rapids Traffic Commission does not regularly meet because East Grand Rapids is a built out community and most of the traffic issues have been resolved as this growth occurred. It should be noted that as East Grand Rapids addressed traffic concerns on a local level over this period, it is likely that some local solutions were deployed as were across the country, that were not recognized as best practices. Over the 20th century the MMUTCD was developed to guide solving traffic issues by utilizing a scientific and research approach that has been proven to be effective in appropriately addressing traffic concerns.

With the resource and requirement of the use of MMUTCD, the minimal traffic related issues and low frequency of meetings for the Traffic Commission, staff believes that the MMUTCD should be utilized to address traffic issues. This will provide for uniformity and the correct placement and application of traffic safety devices and provide for a best practice with respect to safety and liability for the City.

It should be noted that in 2003 the City of East Grand Rapids repealed most of the local traffic code and adopted the Michigan Vehicle Code, to implement uniformity across jurisdictions with respect to moving violations, etc. This same logic follows for the request to follow the MMUTCD with respect to regulations for traffic safety devices and placement.

This has been reviewed by the Finance Committee and found to be in order.

Brian Donovan, City Manager

**AN ORDINANCE TO AMEND THE CODE OF THE CITY
OF EAST GRAND RAPIDS BY REPEALING SECTION 10.7
OF CHAPTER 101 OF TITLE X OF SAID CODE**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 10.7 of Chapter 101 of Title X of the Code of the City of East Grand Rapids is hereby repealed in its entirety.

Section 2. This Ordinance shall be effective on September 30, 2016.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

City of East Grand Rapids

By _____
Karen K. Brower
City Clerk

10.5. References in uniform traffic code. References in the uniform traffic code to "governmental unit" or "municipality" shall mean the city of East Grand Rapids, Kent County, Michigan. (Ord., 2-14-2003)

10.6. Enforcement; sanctions in uniform traffic code.

- A. The uniform traffic code may be enforced by any public safety officer or other employee of the city authorized to enforce criminal ordinances or authorized to issue civil infractions.
- B. The penalties provided by the uniform traffic code are adopted by reference, provided, however, that the city may not enforce any provision of the uniform traffic code for which the maximum period of imprisonment is greater than ninety-three (93) days.
- C. When any person is found guilty of a misdemeanor or responsible for a civil infraction pursuant to this section, the judge or magistrate shall summarily determine and tax the costs of the action which shall include all expenses, direct and indirect, to which the city has been put in connection with the violation or infraction up to the entry of judgment. (Ord., 2-14-2003)

10.7. Traffic commission.

- A. **Definitions.** When used in this section, the following words shall have the following meanings:

TRAFFIC COMMISSION shall mean the body created in subsection B of this section.

TRAFFIC ENGINEER shall mean the office established by uniform traffic code rule 125 (R 28.1125 of the Michigan administrative code).

- B. **Traffic commission; creation.** There is hereby created a traffic commission to act in an advisory capacity in all matters relating to traffic and safety upon the highways and to investigate and make reports to the city commission of its findings, together with recommendations concerning such matter. Said commission shall be composed of one (1) member of the city commission who shall be appointed annually by the mayor, and six (6) resident taxpayers of East Grand Rapids who shall be appointed by the city commission for terms of one (1) year. The appointment of those members who are resident taxpayers shall be made as of the first Monday in July of each year. The city manager or other administrative official designated by the city manager and the public safety director may attend meetings of the traffic commission but shall have no vote. The traffic commission shall organize annually as soon after the first Monday in July as is practicable and shall select one (1) of its members as chairman. The members of the traffic commission shall serve without compensation and may be removed in the same manner as other city officers.
- C. **Powers of traffic commission.** Any and all authority to act granted to the traffic engineer under the provisions of the uniform traffic code, including, without limitation, the authority granted by uniform traffic code rule 153 (R 28.1153 of the Michigan administrative code), is limited to, subject to, and conditioned upon his first securing in every instance approval of the traffic commission. Upon approval by the traffic commission, a

report thereof shall be filed with the city commission prior to becoming effective. Unless reversed or modified by the city commission at the first meeting after such filing with the city commission, the actions of the traffic engineer approved by the traffic commission shall take effect immediately after said first meeting of the city commission. (Ord., 2-14-2003)

10.8. **Taxicab stands.** In designating taxicab stands in accordance with uniform traffic code rule 139 (R 28.1139 of the Michigan administrative code), the following shall apply:

- A. Taxicab stands shall be assigned to taxicab owners authorized to do business in the city upon the payment of ten dollars (\$10.00) for each space assigned.
- B. Sufficient spaces shall be assigned to each owner to accommodate his needs and when assigned shall be for the exclusive use of the owner to whom the particular space is assigned for the duration of the license year as set forth in title VII, chapter 71 of this code. Such assignment shall be deemed a permit subject in all respects to the provisions of title VII, chapter 71 of this code.
- C. Assignments shall be made so as to give each owner equal access to prospective users as nearly as possible. The traffic engineer shall have authority to alter or rotate assignments at any time.
- D. The taxicab stand assignee's rights shall be subject to the provisions of this chapter and the rights of the owners of land abutting the street at the stand location. (Ord., 2-14-2003)

10.9. **Snow removal.** No person shall move or deposit snow in such a manner as to interfere with an adjoining owner's use of a driveway or access walk. The city manager shall have the authority to issue regulations for the enforcement of this section. Such regulations shall be subject to review by the city commission at the next meeting of the commission following issuance of the same. The license issued to a snow removal contractor under section 7.90 of this code may be revoked by the city clerk upon violation by said contractor of the provisions of this chapter or the regulations issued hereunder. (Ord., 2-14-2003)

10.10. **Embracing prohibited.** No operator of a motor vehicle shall embrace, or be embraced by another person, while his vehicle is in motion. (Ord., 2-14-2003)

10.11. **Passenger vehicle equipment.** No passenger vehicle shall be operated upon any street or roadway unless such motor vehicle is properly equipped with fenders or with mudguards of not less than eight (8) inches in width. (Ord., 2-14-2003)

10.12. **Vehicles parked during darkness.** Vehicles which are parked during the hours of darkness shall have a red light on the left rear thereof which is visible for a distance of two hundred (200) feet, or a red reflector or reflex mirror on the left rear which shall be visible in the lights of a motor vehicle for a distance of two hundred (200) feet. (Ord., 2-14-2003)

10.13. **Parking of vehicles.** No motor vehicle shall be parked opposite or within ten (10) feet of the prolonged or extended edges of a public or private driveway. (Ord., 2-14-2003, Ord., 4-14-2003)

*Amended
5-27-11*



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Memorandum

Date: August 15, 2016

To: Honorable Mayor and City Commissioners

From: John Huff, City Attorney & Mark Herald, Director of Public Safety

Subject: **Review of Public Safety Ordinances for the City of East Grand Rapids Code (#1)**

Action Requested: That the City Commission review and authorize the updated public safety ordinances for the City of East Grand Rapids Code.

Background: The City Manager, City Attorney and Public Safety staff have reviewed all existing public safety ordinances in the East Grand Rapids Code and recommend the following changes:

1. Chapter 2: Articles V, VI, and VII are replaced by new Article that consolidates City's public safety services under the public safety department. These changes are functional only. Numbering of the Article and Sections is problematic, but will be addressed by the publisher.

2. Chapter 6: Department of Civil Defense is changed to Emergency Management Department. This Chapter is also revised to reflect the creation of the new public safety department. No issues.

3. Chapter 13: This chapter was enacted pursuant to Act No. 175 of the Public Acts of 1927, as amended by Act No. 506 of the Public Acts of 1980 and Act No. 366 of the Public Acts of 1984, being Sections 764.9c and 764.9f of the Michigan Compiled Laws, as amended. (Ord., 9-14-1996). This language should be updated to reflect more recent amendments as follows:

"This chapter is enacted pursuant to Act No. 175 of the Public Acts of 1927, as amended by Act No. 506 of the Public Acts of 1980, Act No. 445 of the Public Acts of 1994 and Act No. 366 of the Public Acts of 1984, being Sections 764.9c of the Michigan Compiled Laws, as amended, and Act No. 49 of the Public Acts of 1988, being Section 764.9f of the Michigan Compiled Laws, as amended."

4. Chapter 14: This section deals with civil infraction authorization. Minor modification was made to Section 1.692 indicating that persons authorized to issue civil infraction citations.

5. Chapter 25: This Chapter is revised to reflect the creation of the new public safety department. No issues.

These ordinance amendments have been reviewed by the Finance Committee and found to be in order.

Approved:

Brian Donovan, City Manager

Attachments

**AN ORDINANCE TO AMEND ARTICLE VII OF
CHAPTER 2 OF TITLE I OF THE CODE OF THE CITY OF
EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 2, Article VII of Title I of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

CHAPTER 2

ARTICLE VII: DEPARTMENT OF PUBLIC SAFETY

- Section: 1.96. Director; Assignment and Duties of Officers
1.97. Functions of Public Safety Department
1.98. Enforcement of Fire Laws
1.99. Other Duties of the Director of Public Safety
1.100. Department Rules
1.101. Acting Director of Public Safety

1.96. Director; Assignment and Duties of Officers.

The city shall appoint a Director of Public Safety, he shall have the powers and duties herein specified for the chief of police and the fire chief. City employees assigned to the police and fire departments shall become public safety officers and there shall be no distinction between public safety officers assigned to perform duties commonly performed by a police department and members of the department assigned to perform work commonly performed by a fire department. Every public safety officer shall perform either police work or fire work as such duties shall be assigned to him by the director of public safety. Wherever any duties shall be imposed upon a public safety officer by any statute of the State of Michigan, or by the Charter or this Code, such duties shall be imposed upon the public safety officers of the city and all public safety officers shall be “peace officers” within the meaning of such terms as used in the statutes of the State of Michigan. (1982 Code §1.96)

1.97. Functions of Public Safety Department.

The public safety work of the city shall consist of the following functions:

- A. The operation of motor, bicycle and foot patrol units for routine investigations and the general maintenance of law and order.
- B. The maintenance of the central complaint desk at public safety headquarters, the maintaining and supervising of police records,

criminal and noncriminal identification, property identification and custody of property.

- C. The investigation of crimes, elimination of illegal substance and liquor traffic and vice, and the preparation of evidence for the prosecution of criminal cases and offenses in violation of this Code.
- D. The removal of crime hazards and the coordination of community agencies interested in crime prevention.
- E. The control of traffic, traffic educational programs, school patrols, and the coordination of traffic violation prosecutions. (1982 Code §1.71)
- F. The prevention and extinguishment of fires, the protection of life and property against fire, the removal of fire hazards, provide medical first response service, provide water and ice rescue services as needed, and the performance of other public services of an emergency nature assigned to it, and the conducting of an educational fire prevention program. (1982 Code §1.91)

1.98. Enforcement of Fire Laws.

- A. It shall be the duty of the director of public safety or designee to enforce all state laws and provisions of this Code governing the following:
 - 1. The prevention of fires.
 - 2. The storage and use of explosives and flammables.
 - 3. Ensure proper maintenance of fire alarm systems and all fire extinguishing equipment is being performed.
 - 4. The maintenance and use of fire escapes.
 - 5. The maintenance of fire protection and the elimination of fire hazards in all buildings and structures.
 - 6. The maintenance and adequacy of fire exits from commercial properties, multi-residential units and all other places where persons work or congregate for any purpose. (1982 Code §1.94)

1.99. Other Duties of the Director of Public Safety.

The director of public safety shall perform the following duties:

- A. Investigate the origin, cause and circumstances of all fires.
- B. Issue all orders necessary for the enforcement of state laws and of the provisions included in section 1.94 of this Code.
- C. The public safety director shall be responsible for the operation, maintenance and care of all property and equipment used by the public safety department. (1982 Code §1.93)

1.100. Department Rules.

The public safety director may prescribe rules for the government of public safety officers of the city, subject to approval by the city manager, which shall be entered in a Manual of Policy and Procedure which can be amended or revoked by the director of public safety subject to approval by the city manager. Such rules may establish one or more divisions within the public safety department, each of which divisions may be charged with performing one or more of the functions of the public safety department enumerated in section 1.97. Any such divisions shall be supervised by an officer of the public safety department who shall be responsible for the particular functions of the public safety department assigned to the particular division supervised by him. It shall be the duty of all members of the public safety department to comply with such rules. (1982 Code §1.72)

Such rules shall designate the chain of command for the department so that in the absence or disability of the public safety director, the responsibility for the operation of the department shall immediately and automatically vest in the officer designated by such regulations. (1982 Code §1.92)

1.101. Acting Director of Public Safety.

In the case of the absence from the city of the public safety director, or his disability, or inability from any cause to act as public safety director, one of the captains shall act as director of public safety. In case of the absence, disability, or inability from any cause, of the public safety director and the captains, the city manager shall designate and appoint some other member of the public safety department to act as director during such absence or disability. (1982 Code §1.73)

Section 2. This Ordinance shall be effective on October ____, 2016.

Section 3. This Ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

REPLACED BY ATTACHED

CHAPTER 2

ADMINISTRATIVE SERVICE

ARTICLE V. ~~PUBLIC SAFETY~~ POLICE DEPARTMENT

Section:

- 1.70. ——— Police chief ~~Director of Public~~ ~~Safety~~
- 1.71. ——— Functions of police ~~public safety department~~
- 1.72. ——— Department rules
- 1.73. ——— Acting ~~Director~~ chief
- 1.74-1.90. Reserved

1.70. ——— Police chief. ~~Public Safety Director.~~ The department of ~~public safety~~ police shall be headed by the police chief ~~public safety director~~ who shall direct the police ~~and fire~~ work of the city. (1982 Code § 1.70)

1.71. ——— Functions of police ~~public safety~~ department. The police ~~public safety~~ work of the city shall consist of the following functions:

- A. The operation of motor and foot patrol units for routine investigations and the general maintenance of law and order.
- B. The maintenance of the central complaint desk at central police headquarters, the maintaining and supervising of police records, criminal and noncriminal identification, property identification and custody of property.
- C. The investigation of crimes, elimination of illegal substance and liquor traffic and vice, and the preparation of evidence for the prosecution of criminal cases and offenses in violation of this Code.
- D. The removal of crime hazards and the coordination of community agencies interested in crime prevention.
- E. The control of traffic, traffic educational programs, school patrols, coordination of traffic violation prosecutions, and the maintenance and erection of traffic signs and the painting of street and crosswalk lanes. (1982 Code §1.71)

F. ~~The prevention and extinguishment of fires, the protection of life and property against fire, the removal of fire hazards, the performance of other public services of an emergency nature assigned to it, and the conducting of an educational fire prevention program. (1982 Code §1.91)~~

~~1.72. Department rules. The ~~public safety director~~ chief of police may prescribe rules for the government of police officers of the city, subject to approval by the city manager, which shall be entered in a book of police department rules and may be amended or revoked by the police chief subject to approval by the city manager. Such rules may establish one or more divisions within the police department, each of which divisions may be charged with performing one or more of the functions of the police department enumerated in section 1.71. Any such divisions shall be supervised by an officer of the police department who shall be responsible for the particular functions of the police department assigned to the particular division supervised by him. It shall be the duty of all members of the police force to comply with such rules. (1982 Code §1.72)~~

~~Such rules shall designate the chain of command for the department so that in the absence or disability of the chief, the responsibility for the operation of the department shall immediately and automatically vest in the officer designated by such regulations. (1982 Code §1.92)~~

~~1.73. Acting chief. In the case of the absence from the city of the police chief, or his disability, or inability from any~~

~~cause to act as police chief, the deputy police chief shall act as chief. In case of the absence, disability, or inability from any cause, of both the police chief and the deputy, the city manager shall designate and appoint some other member of the police department to act as chief during such absence or disability. (1982 Code §1.73)~~

~~1.74-1.90. Reserved.~~

CHAPTER 2

ADMINISTRATIVE SERVICE

ARTICLE VI. FIRE DEPARTMENT

Section:

- 1.91. Fire chief
- 1.92. Department rules
- 1.93. Department equipment
- 1.94. Enforcement of fire laws
- 1.95. Other duties of fire chief
- 1.93. ~~Department equipment. The fire chief shall be responsible for the operation, maintenance and care of all property and equipment used by the fire department. (1982 Code §1.93)~~
- 1.94. ~~Enforcement of fire laws. It shall be the duty of the fire chief to enforce all state laws' and provisions of this Code' governing the following:~~
- 1.91. ~~Fire chief. The department of fire shall be headed by the fire chief and shall be charged with the prevention and extinguishment of fires, the protection of life and property against fire, the removal of fire hazards, the performance of other public services of an emergency nature assigned to it, and the conducting of an educational fire prevention program. (1982 Code §1.91)~~

1.92. ~~Department rules. The fire chief may prescribe rules for the government of the department, subject to the approval of the city manager, which shall be entered in a book of fire department rules and which may be amended or revoked by the fire chief subject to approval by the city manager. Such rules shall designate the chain of command for the department so that in the absence or disability of the chief, the responsibility for the operation of the department shall immediately and automatically vest in the officer designated by such regulations. (1982 Code §1.92)~~

-
1. M.C.L.A. §29.1 et seq.
2. See Chapter 95 of this Code.
- A.

~~The prevention of fires.~~

~~B. The storage and use of explosives and flammables.~~

~~C. The maintenance of fire alarm systems and all fire extinguishing equipment.~~

~~D. The maintenance and use of fire escapes.~~

~~E. The maintenance of fire protection and the elimination of fire hazards in all buildings and structures.~~

~~F. The maintenance and adequacy of fire exits from schools, hospitals, churches, halls, and all other places where persons work or congregate for any purpose. (1982 Code §1.94)~~

~~195. — Other duties of fire chief. The fire~~

~~duties:~~

~~chief shall perform the following~~

- A. ~~Investigate the origin, cause and circumstances of all fires.~~
- B. ~~Issue all orders necessary for the enforcement of state laws and of the provisions included in section 1.94 of this Code.~~
- C. ~~Require and supervise from time to time fire drills from all schools and educational institutions as required by law.³ (1982 Code §1.95)~~

1. M.C.L.A. §29.19.

CHAPTER 2

ADMINISTRATIVE SERVICE

ARTICLE VII. DEPARTMENT OF PUBLIC SAFETY

Section:

~~—1.96.— Director; assignment and duties of officers
1.97-1.100. Reserved~~

~~—1.96.— Director; assignment and duties of officers. In the event the city shall appoint a director of public safety, he shall have the powers and duties herein specified for the chief of police and the fire chief. In such case city employees assigned to the police and fire departments shall become public safety officers and there shall be no distinction between public safety officers assigned to perform duties commonly performed by a police department and members of the department assigned to perform work commonly performed by a fire department. Every public safety officer shall perform either police work or fire work as such duties shall from time to time be assigned to him by the director of public safety. Wherever any duties shall be imposed upon a city police officer or a city fireman by any statute of the State of Michigan, or by the Charter or this Code, such duties shall be imposed upon the public safety officers of the city and all public safety officers shall be "peace officers" within the meaning of such terms as used in the statutes of the State of Michigan. (1982 Code §1.96)~~

~~1.97-1.100. Reserved.~~

REPLACES CHAPTER 2 Article V, VI, and VII

1.96. Director; assignment and duties of officers. The city shall appoint a Director of Public Safety, he shall have the powers and duties herein specified for the chief of police and the fire chief. City employees assigned to the police and fire departments shall become public safety officers and there shall be no distinction between public safety officers assigned to perform duties commonly performed by a police department and members of the department assigned to perform work commonly performed by a fire department. Every public safety officer shall perform either police work or fire work as such duties shall be assigned to him by the director of public safety. Wherever any duties shall be imposed upon a public safety officer by any statute of the State of Michigan, or by the Charter or this Code, such duties shall be imposed upon the public safety officers of the city and all public safety officers shall be "peace officers" within the meaning of such terms as used in the statutes of the State of Michigan. (1982 Code §1.96)

1.71. Functions of public safety department. The public safety work of the city shall consist of the following functions:

- G. The operation of motor, bicycle and foot patrol units for routine investigations and the general maintenance of law and order.
- H. The maintenance of the central complaint desk at public safety headquarters, the maintaining and supervising of police records, criminal and noncriminal identification, property identification and custody of property.
- I. The investigation of crimes, elimination of illegal substance and liquor traffic and vice, and the preparation of evidence for the prosecution of criminal cases and offenses in violation of this Code.
- J. The removal of crime hazards and the coordination of community agencies interested in crime prevention.
- K. The control of traffic, traffic educational programs, school patrols, and the coordination of traffic violation prosecutions. (1982 Code §1.71)
- L. The prevention and extinguishment of fires, the protection of life and property against fire, the removal of fire hazards, provide medical first response service, provide water and ice rescue services as needed, and the performance of other public services of an emergency nature assigned to it, and the conducting of an educational fire prevention program. (1982 Code §1.91)

1.94. Enforcement of fire laws. It shall be the duty of the director of public safety or designee to enforce all state laws' and provisions of this Code' governing the following:

- G. The prevention of fires.
- H. The storage and use of explosives and flammables.
- I. Ensure proper maintenance of fire alarm systems and all fire extinguishing equipment is being performed.

- J. The maintenance and use of fire escapes.
- K. The maintenance of fire protection and the elimination of fire hazards in all buildings and structures.
- L. The maintenance and adequacy of fire exits from commercial properties, multi-residential units and all other places where persons work or congregate for any purpose. (1982 Code §1.94)

1.95. Other duties of the director of public safety. The director of public safety shall perform the following duties:

- D. Investigate the origin, cause and circumstances of all fires.
- E. Issue all orders necessary for the enforcement of state laws and of the provisions included in section 1.94 of this Code.
- C. The public safety director shall be responsible for the operation, maintenance and care of all property and equipment used by the public safety department. (1982 Code §1.93)

1.72. Department rules. The public safety director may prescribe rules for the government of public safety officers of the city, subject to approval by the city manager, which shall be entered in a Manual of Policy and Procedure which can be amended or revoked by the director of public safety subject to approval by the city manager. Such rules may establish one or more divisions within the public safety department, each of which divisions may be charged with performing one or more of the functions of the public safety department enumerated in section 1.71. Any such divisions shall be supervised by an officer of the public safety department who shall be responsible for the particular functions of the public safety department assigned to the particular division supervised by him. It shall be the duty of all members of the public safety department to comply with such rules. (1982 Code §1.72)

Such rules shall designate the chain of command for the department so that in the absence or disability of the public safety director, the responsibility for the operation of the department shall immediately and automatically vest in the officer designated by such regulations. (1982 Code §1.92)

1.73. Acting director of public safety. In the case of the absence from the city of the public safety director, or his disability, or inability from any cause to act as public safety director, one of the captains shall act as director of public safety. In case of the absence, disability, or inability from any cause, of the public safety director and the captains, the city manager shall designate and appoint some other member of the public safety department to act as director during such absence or disability. (1982 Code §1.73)

**AN ORDINANCE TO AMEND CHAPTER 6 OF TITLE I OF
THE CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 6 of Title I of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

CHAPTER 6: EMERGENCY MANAGEMENT DEPARTMENT

- Section: 1.220. Definitions
1.221. Emergency Management Department
1.222. Powers and duties of the mayor
1.223. Powers and duties of the city manager
1.224. Powers and duties of the director of emergency management
1.225. Emergency Management Plan
1.226. Conflicting ordinances, orders, rules and regulations suspended
1.227. Coordination with Michigan Emergency Preparedness Act

1.220. Definitions.

EMERGENCY MANAGEMENT shall mean the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, for protection against and to minimize and repair injury and damage resulting from enemy attack, sabotage, or other hostile action, or by natural disaster.

EMERGENCY MANAGEMENT VOLUNTEER shall mean any person who serves without compensation in the civil defense organization.

EMERGENCY shall mean a condition resulting from actual or threatened enemy attack or natural disaster which cannot be handled by normal operating personnel and facilities.

NATURAL DISASTER shall mean any condition seriously affecting or threatening public health, welfare or security as a result of severe fire, explosion, flood, tornado, hurricane or similar natural or accidental cause and which is beyond the control of public or private agencies ordinarily responsible for the control or relief of such conditions. Riots, strikes, insurrections or other civil disturbances shall not be included within the meaning of "natural disaster." (1982 Code § 1.220)

1.221. Emergency Management Department.

The emergency management department is hereby created utilizing to the fullest extent personnel and facilities of existing city departments and agencies. The city manager shall be responsible for its organization,

administration, and operation. The organization shall consist of the following:

- A. The emergency management department within the executive department of the city government. There shall be an executive head of the department of emergency management, appointed by the city commission, who shall be known as the director of emergency management, and such assistants, clerical help, other employees and civil defense volunteers as are deemed necessary to the proper functioning of the organization. In the absence of an appointment of a director by the city commission, the city manager shall be the director of emergency management.
- B. Four (4) deputy directors, finance director, public safety director (police, fire, ems), assistant city manager (engineering and public works), and parks and recreation director, appointed by the city manager. These shall, so far as possible, be additional duty assignments to existing personnel, and it is the intent of this chapter that emergency management and disaster assignments shall be as nearly consistent with normal duty assignment as possible.
- C. The employees, equipment, and facilities of all city departments, and agencies suitable for or adaptable to emergency management and designated by the city manager to participate in the emergency management activity.
- D. Emergency management volunteers, including persons and private agencies or governmental units offering services to the organization. (1982 Code §1.221)

1.222. Powers and Duties of the Mayor.

- A. In the event of actual or threatened enemy attack or natural disaster, the mayor, or in his/her absence or inability to serve, the president of the commission, as conservator of the peace, shall:
 - 1. Declare a state of emergency within the city, thereby placing in effect the emergency management and disaster control plan required by this chapter.
 - 2. As soon as may be thereafter, convene the city commission to perform such legislative and administrative functions as the situation may demand. The commission shall have the power to terminate the state of emergency.
 - 3. Request the state, its agencies or political subdivisions to send aid if the situation is beyond the control of the regular and emergency city forces.

4. Have the power to command services and the use of equipment, and facilities for such work and duties.
5. Promulgate such emergency regulations as may be deemed necessary to protect life and property and conserve critical resources, and such regulations may be invoked when necessary for tests of emergency management and disaster plans. All such regulations shall be effective when publicly promulgated but shall be subject to review by the commission as soon as practicable subsequent to promulgation.

B. The mayor, or in his/her absence or inability to serve, the president of the commission, shall have power to order emergency management forces to the aid of the state or political subdivisions thereof subject to commission review as soon as practicable. (1982 Code §1.222)

1.223. Powers and Duties of the City Manager.

The city manager, as the director of emergency management, shall maintain general supervision over the planning and administration for the emergency management organization and the execution of the emergency management and disaster plans. He shall coordinate emergency management activities and make emergency assignments as necessary.

1.224. Powers and Duties of the Director of Emergency Management Department.

- A. The director shall be executive head of the emergency management department, and shall have responsibility for the organization, administration, and operation of the emergency and disaster control organization subject to the direction and control of the city manager.
- B. The director of emergency management shall be responsible for public relations, information, and education regarding all phases of civil defense.
- C. The director shall be responsible for the development of an emergency management and disaster control plan, and upon adoption, shall be responsible for such implementation and revision of the plan as to maintain it on a current state of readiness at all times.
- D. The director shall coordinate all activities for emergency management and disaster control, and shall maintain liaison and

cooperate with all other interested and affected agencies, public and private.

- E. The director shall coordinate the recruitment and training of volunteer personnel and agencies to augment the personnel and facilities of the city for emergency management purposes.
- F. The director may issue proper insignia and papers to emergency management workers and other people directly concerned with emergency management. (1982 Code §1.224)

1.225. Emergency Management and Disaster Control Plan.

As soon as practicable after the enactment of this chapter, a comprehensive emergency management and disaster control plan shall be adopted by resolution of the commission upon the recommendations of the city manager. In the preparation of this plan as it pertains to city organization, it is the intent that the services, equipment, facilities and personnel of all existing departments and agencies shall be utilized to the fullest extent. When approved it shall be the duty of all municipal departments and agencies to perform the functions and duties assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. (1982 Code §1.225)

1.226. Conflicting Ordinances, Orders, Rules and Regulations Suspended.

At all times when the orders, rules and regulations made and promulgated pursuant to this chapter shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith. (1982 Code §1.226)

1.227. Coordination with Michigan Emergency Preparedness Act.

The actions of the emergency management department under this chapter shall be subject to the provisions of the Michigan Emergency Preparedness Act (MCL Section 30.401 *et seq*). In all instances where there is a conflict between the provisions of this chapter and the Michigan Emergency Preparedness Act, the provisions of the Emergency Preparedness Act shall supersede the provisions of this chapter. The director of emergency management under this chapter shall serve as the local coordinator under the Emergency Preparedness Act. (Ord., 9-15-85)

Section 2. This Ordinance shall be effective on September ____, 2016.

Section 3. This Ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

CHAPTER 6

EMERGENCY MANAGEMENT ~~CIVIL DEFENSE DEPARTMENT~~

Section:

- 1.220. Definitions
- 1.221. **Emergency Management** Department of civil defense
- 1.222. Powers and duties of the mayor
- 1.223. Powers and duties of the city manager
- 1.224. Powers and duties of the director of **emergency management** ~~civil defense~~
- 1.225. **Emergency Management Plan** ~~Civil defense and disaster control plan~~
- 1.226. Conflicting ordinances, orders, rules and regulations suspended
- 1.227. Coordination with Michigan Emergency Preparedness Act

- 1.220. Definitions.

EMERGENCY MANAGEMENT ~~CIVIL DEFENSE~~ shall mean the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, for protection against and to minimize and repair injury and damage resulting from enemy attack, sabotage, or other hostile action, or by natural disaster.

EMERGENCY MANAGEMENT VOLUNTEER shall mean any person who serves without compensation in the civil defense organization.

EMERGENCY shall mean a condition resulting from actual or threatened enemy attack or natural disaster which cannot be handled by normal operating personnel and facilities.

NATURAL DISASTER shall mean any condition seriously affecting or threatening public health, welfare or security as a result of severe fire, explosion, flood, tornado, hurricane or similar natural or accidental cause and which is beyond the control of public or private agencies ordinarily responsible for the control or relief of such conditions. Riots, strikes, insurrections or other civil disturbances shall not be included within the meaning of "natural disaster." (1982 Code § 1.220)

1.221. ~~Department of~~ **Emergency management department** ~~civil defense~~. A ~~department of~~ **The emergency management department** ~~civil defense~~ is hereby created utilizing to the fullest extent personnel and facilities of existing city departments and agencies. The city manager shall be responsible for its organization, administration, and operation. The organization shall consist of the following:

A.A **The emergency management** ~~department of civil defense~~ within the executive department of the city government. There shall be an executive head of the department of **emergency management** ~~civil defense~~, appointed by the city commission, who shall be known as the director of **emergency management** ~~civil defense~~, and such assistants, clerical help, other employees and civil defense volunteers as are deemed necessary to the proper functioning of the organization. In the absence of an appointment of a director by the city commission, the city manager shall be the director of **emergency management** ~~civil defense~~.

- B. ~~Five (5)~~ **Four (4)** deputy directors with responsibility for financial services, **finance director, public safety director (police, fire, ems), law enforcement, fire control, engineering services**(engineering and public works), and parks and recreation director**, appointed by the city manager. These shall, so far as possible, be additional duty assignments to existing personnel, and it is the intent of this chapter that **emergency management** ~~civil defense~~ and disaster assignments shall be as nearly consistent with normal duty assignment as possible.**
- C. The employees, equipment, and facilities of all city departments, and agencies suitable for or adaptable to **emergency management** ~~civil defense~~ and designated by the city manager to participate in the **emergency management** ~~civil defense~~ activity.
- D. **Emergency management** ~~Civil defense~~ volunteers, including persons and private agencies or governmental units offering services to the organization. (1982 Code §1.221)

1.222. Powers and duties of the mayor.

- A. In the event of actual or threatened enemy attack or natural disaster, the mayor, or in his/**her** absence or inability to serve, the president of the commission, as conservator of the peace, shall:
1. Declare a state of emergency within the city, thereby placing in effect the **emergency management** ~~civil defense~~ and disaster control plan required by this chapter.
 2. As soon as may be thereafter, convene the city commission to perform such legislative and administrative functions as the situation may demand. The commission shall have the power to terminate the state of emergency.
 3. Request the state, its agencies or political subdivisions to send aid if the situation is beyond the control of the regular and emergency city forces.
 4. Have the power to command services and the use of equipment, and facilities for such work and duties.
 5. Promulgate such emergency regulations as may be deemed necessary to protect life and property and conserve critical resources, and such regulations may be invoked when necessary for tests of ~~civil defense~~**emergency management** and disaster plans. All such regulations shall be effective when publicly promulgated but shall be subject to review by the commission as soon as practicable subsequent to promulgation.
- B. The mayor, or in his/**her** absence or inability to serve, the president of the commission, shall have power to order **emergency management** ~~civil defense~~ forces to the aid of the state or political

subdivisions thereof subject to commission review as soon as practicable. (1982 Code §1.222)

1.223. Powers and duties of the city manager.

A. The powers and duties of the city manager shall consist of the following:

1. The city manager, ~~through~~ **as** the director of **emergency management** ~~civil defense~~, shall maintain general supervision over the planning and administration for the **emergency management** ~~civil defense~~ organization and the execution of the **emergency management** ~~civil defense~~ and disaster plans. He shall coordinate ~~the~~ **emergency management** ~~civil defense~~ activities and make emergency assignments **as necessary.** ~~of civil defense duties~~

**AN ORDINANCE TO AMEND CHAPTER 13 OF TITLE I
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 13 of Title I of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

CHAPTER 13: APPEARANCE TICKETS AUTHORIZATION

Section: 1.681. Purpose
1.682. Authorized persons

1.681. Purpose.

The purpose of this chapter is to supplement existing ordinance provisions to empower certain City of East Grand Rapids officials to issue and serve appearance tickets for violations of the City of East Grand Rapids ordinances which contain criminal misdemeanor penalties for violations of the ordinance involved. This chapter is enacted pursuant to Act No. 175 of the Public Acts of 1927, as amended by Act No. 506 of the Public Acts of 1980, Act No. 445 of the Public Acts of 1994 and Act No. 366 of the Public Acts of 1984, being Sections 764.9c of the Michigan Compiled Laws, as amended, and Act No. 49 of the Public Acts of 1988, being Section 764.9f of the Michigan Compiled Laws, as amended. (Ord., 9-14-1996)

1.682. Authorized persons.

Unless prohibited by state law or unless otherwise provided by specific provisions of a particular City of East Grand Rapids ordinance to the contrary, the following officials are empowered to issue and serve appearance tickets for violations of city ordinances which contain criminal misdemeanor penalties for violations of the ordinance involved:

- A. The Director of public safety and all officers of said department.
- B. The Assistant City Manager and his or her designee.
- C. The Kent County sheriff and all other deputy county sheriffs of said County.
- D. All building mechanical, plumbing, electrical and property maintenance code inspectors.

Section 2. This Ordinance shall be effective on _____, 2016.

Section 3. This Ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**AN ORDINANCE TO AMEND CHAPTER 13 OF TITLE I
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 13 of Title I of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

CHAPTER 13: APPEARANCE TICKETS AUTHORIZATION

Section: ~~The city mechanical and electrical inspectors.(Ord., 9-14-1996)~~1.681.

Purpose

1.682. Authorized persons

1.681. Purpose.

The purpose of this chapter is to supplement existing ordinance provisions to empower certain City of East Grand Rapids officials to issue and serve appearance tickets for violations of the City of East Grand Rapids ordinances which contain criminal misdemeanor penalties for violations of the ordinance involved. This chapter is enacted pursuant to Act No. 175 of the Public Acts of 1927, as amended by Act No. 506 of the Public Acts of 1980, Act No. 445 of the Public Acts of 1994 and Act No. 366 of the Public Acts of 1984, being Sections 764.9c and of the Michigan Compiled Laws, as amended, and Act No. 49 of the Public Acts of 1988, being Section 764.9f of the Michigan Compiled Laws, as amended. (Ord., 9-14-1996)~~I don't know if these are still the most up to date. (TERRY NEEDS TO CHECK)~~

1.682. Authorized persons.

Unless prohibited by state law or unless otherwise provided by specific provisions of a particular City of East Grand Rapids ordinance to the contrary, the following officials are empowered to issue and serve appearance tickets for violations of city ordinances which contain criminal misdemeanor penalties for violations of the ordinance involved:

A. The ~~chief~~ Director of public safety and all officers of said department.

B. The ~~city services director~~ Assistant City Manager and his or her designee.

C. The Kent County sheriff and all other deputy county sheriffs of said County.

D. All building mechanical, plumbing, electrical and property maintenance code inspectors.

Section 2. This Ordinance shall be effective on _____, 2016.

[Section 3.](#) This Ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

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**AN ORDINANCE TO AMEND CHAPTER 14 OF TITLE I
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 14 of Title I of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

CHAPTER 14: MUNICIPAL CIVIL INFRACTION CITATIONS AUTHORIZATION

Section: 1.691. Purpose
1.692. Authorized persons

1.691. Purpose. The purpose of this chapter is to supplement existing ordinance provisions to empower certain city of East Grand Rapids officials to issue and serve municipal civil infraction citations for violations of those city of East Grand Rapids ordinances which constitute municipal civil infractions. This chapter is enacted pursuant to public acts 12-26 of 1994 and public act 236 of the public acts of 1961, as amended. (Ord., 9-14-1996)

1.692. Authorized Persons. Unless prohibited by state law or unless otherwise provided by specific provisions of a particular city of East Grand Rapids ordinance to the contrary, the following officials are hereby designated as authorized city officials to issue and serve municipal civil infraction citations for violation of city ordinances which provide for a municipal civil infraction for a violation thereof.

- A. The Director of the Public Safety Department, all officers of said department, and his or her designee.
- B. The Assistant City Manager and his or her designee.
- C. The Kent County sheriff and all other county sheriffs of said county.
- D. All building mechanical, plumbing, electrical and property maintenance code inspectors.
- E. The director of the Kent County department of animal control and his or her designee. (Ord., 9-14-1996; Ord., 4-14-2003; Ord., 4-9-2004)

Section 2. This Ordinance shall be effective on _____, 2016.

Section 3. This Ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**AN ORDINANCE TO AMEND CHAPTER 14 OF TITLE I
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 14 of Title I of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

CHAPTER 14: MUNICIPAL CIVIL INFRACTION CITATIONS AUTHORIZATION

Section: 1.691. Purpose
1.692. Authorized persons

~~1.691.~~1.691. Purpose. The purpose of this chapter is to supplement existing ordinance provisions to empower certain city of East Grand Rapids officials to issue and serve municipal civil infraction citations for violations of those city of East Grand Rapids ordinances which constitute municipal civil infractions. This chapter is enacted pursuant to public acts 12-26 of 1994 and public act 236 of the public acts ~~of~~of 1961, as amended. (Ord., 9-14-1996)

~~1.692.~~1.692. Authorized Persons. Unless prohibited by state law or unless otherwise provided by specific provisions of a particular city of East Grand Rapids ordinance to the contrary, the following officials are hereby designated as authorized city officials to issue and serve municipal civil infraction citations for violation of city ordinances which provide for a municipal civil infraction for a violation thereof.

- A. The director of the public safety department, all officers of said department, and his or her designee.
- B. The Assistant City Manager and his or her designee.
- C. The Kent County sheriff and all other county sheriffs of said county.
- D. ~~The city~~All building mechanical and, plumbing, electrical and property maintenance code inspectors.
- E. The director of the Kent County department of animal control and his or her designee. (Ord., 9-14-1996; Ord., 4-14-2003; Ord., ~~4-9-2004~~9-2004)

Section 2. This Ordinance shall be effective on ~~October, 2015~~ 2016.

Section 3. This Ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

**AN ORDINANCE TO AMEND CHAPTER 25 OF TITLE II
OF THE CODE OF THE CITY OF EAST GRAND RAPIDS**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Chapter 25 of Title II of the Code of the City of East Grand Rapids is amended in its entirety to read as follows:

CHAPTER 25: PUBLIC UTILITY EMERGENCY RESPONSE

- Section: 2.140. Purpose
2.141. Definitions
2.142. Liability for expense of an emergency response
2.143. Schedule of costs
2.144. Billing and payment
2.145. Enforcement and cost recovery

2.140. Purpose.

The city of East Grand Rapids finds that non-storm damage to public utilities frequently requires the response of the city's emergency services and this response places an operational and financial burden upon the city's public safety services. This chapter places the burden for these costs on the parties responsible for the ownership and maintenance.

2.141. Definitions. When used in this chapter, the following terms shall have the following meanings:

EMERGENCY RESPONSE shall mean the providing, sending, and/or utilizing of public safety services by the city, or by a private individual or corporation operating at the request or direction of the city, in connection with any incident involving damage to or a breakdown of a public utility which requires the response of public safety department services to protect the public safety and welfare.

EXPENSE OF AN EMERGENCY RESPONSE means the direct and reasonable costs incurred by the city, or by a private person or corporation operating at the request or direction of the city, when making an emergency response to the incident, including costs of providing public safety services at the scene of the incident. These costs further include all of the salaries and wages of the city personnel responding to the incident and all salaries and wages of the city personnel engaged in investigation, supervision, and report preparation.

PUBLIC UTILITY shall mean:

- A. Electrical service.

- B. Telephone service.
- C. Natural gas service.
- D. Cable television service.
- E. Telecommunications or other services located in the right of way.
(Ord., 1-26-2001)

2.142. Liability for expense of an emergency response. The public utility which owns the facilities or equipment which have suffered the damage and necessitated the emergency response shall be responsible for the payment of the expense of the emergency response. (Ord., 1-26-2001)

Section 2. This Ordinance shall be effective on October ____, 2016.

Section 3. This Ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

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CHAPTER 25

PUBLIC UTILITY EMERGENCY RESPONSE

Section:

- 2.140. Purpose
 - 2.141. Definitions
 - 2.142. Liability for expense of an emergency response
 - 2.143. Schedule of costs
 - 2.144. Billing and payment
 - 2.145. Enforcement and cost recovery
- 2.140. Purpose. The city of East Grand Rapids finds that non storm damage to public utilities frequently requires the response of the city's emergency services and this response places an operational and financial burden upon the city's ~~police, firefighting and rescue~~ **public safety** services. This chapter places the burden for these costs on the parties responsible

for the ownership and maintenance of public utility services. (Ord., 1-26-2001)

- 2.141. Definitions. When used in this chapter, the following terms shall have the following meanings:

EMERGENCY RESPONSE shall mean the providing, sending, and/or utilizing of ~~police, firefighting, emergency medical and rescue~~ **public safety** services by the city, or by a private individual or corporation operating at the request or direction of the city, in connection with any incident involving damage to or a breakdown of a public utility which requires the response of ~~police, firefighting, or emergency medical services~~ **public safety department services** to protect the public safety and welfare.

EXPENSE OF AN EMERGENCY RESPONSE means the direct and reasonable costs incurred by the city, or by a private person or corporation operating at the request or direction of the city, when making an emergency response to the incident, including costs of providing ~~police, firefighting, and rescue services~~ **public safety services** at the scene of the incident. These costs further include all of the salaries and wages of the city personnel responding to the incident and all salaries and wages of the city personnel engaged in investigation, supervision, and report preparation.

PUBLIC UTILITY shall mean:

- A. Electrical service.
- B. Telephone service.
- C. Natural gas service.
- D. Cable television service.
- E. Telecommunications or other services located in the right of way. (Ord., 1-26-2001)
- F. 2.142. Liability for expense of an emergency response. The public utility which owns the facilities or equipment which have suffered the damage and necessitated the emergency response shall be responsible for the payment of the expense of the emergency response. (Ord., 1-26-2001)

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held September 6, 2016

Mayor Seibold called the meeting to order at 6:01 p.m. in the City Commission Chambers at the East Grand Rapids Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Duncan, Hamrick, Miller, Skaggs, Zagel, and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Assistant City Manager LaFave; Parks & Recreation Director Bunn; Public Safety Director Herald; Finance Director Mushong; Zoning Administrator Faasse; City Clerk Brower

2016-86. No public comment was received.

2016-87. Commissioner Dills noted that school was back in session and asked everyone to adjust their driving to accommodate the new drivers and pedestrians heading to school. Mr. Dills also mentioned that the Reeds Lake Triathlon is on Saturday, September 10 and there would be road closures during the race hours.

Commissioner Miller thanked the Public Works staff for all their work overseeing the Lake/Breton/Lakeside project this year. The intersection is now open and looks great.

Commissioner Hamrick announced the Reeds Lake Triathlon is still in need of volunteers to assist.

Commissioner Skaggs reported the 10th anniversary party for the Community Center on August 24 was a great success and thanked the staff and volunteers who put on the event.

Commissioner Zagel reminded everyone to lock their doors to remove the easy opportunity presented by unlocked vehicles and homes.

Commissioner Duncan thanked the Public Safety Department for attending the block party on Amberley Court over the weekend.

City Manager Donovan noted the staff would be putting out materials for residents about the new features in the newly reconstructed intersection.

Mayor Seibold commended Assistant City Manager LaFave for dealing with all the issues and complaints during the construction project. She also thanked Dawn Lewis, Pam Slater and Karen Brower for their work organizing the recent 10th anniversary party for the Community Center.

2016-88. Mayor Seibold announced that due to issues with the public notices, the three variance request on tonight's agenda would be introduced and public comment accepted, but that discussion and decisions would not be made until the September 19 meeting.

2016-89. A zoning variance hearing was held regarding the request of Stacy & Karl Roberts of 1118 Pinecrest to allow the replacement of the existing detached garage with side yard setback of 1.1' instead of the required 3.0' and a building separation of 7.3' from the home instead of the required 10.0.'

Zoning Administrator Faasse explained the plan to replace the existing garage with a new building the of the same size and answered questions from the commission.

Mayor Seibold opened a public hearing. No public comment was received. Mayor Seibold continued the public hearing until the meeting of September 19, 2016.

2016-90. A zoning variance hearing was held regarding the request of Joshua Hall of 653 Gladstone and David Emdin of 655 Gladstone to allow the construction of two detached garages with side yard setbacks of 1' instead of the required 3.0' and rear yard setbacks of 2' instead of the required 3.'

Zoning Administrator Faasse explained the current shared garage would be replaced with two separate garages and that each property owner was requesting side and rear setback variances.

Mayor Seibold opened a public hearing. No public comment was received. Mayor Seibold continued the public hearing until the meeting of September 19, 2016.

2016-91. Site plan review for Coiffeteria Salon at 610 Lovett.

Zoning Administrator Faasse noted the property had recently been rezoned from residential to commercial, therefore the City Commission was being asked to review and approve the site plan as it is essentially the first time the property has made changes since the rezoning.

Planning Commission Chairman John Barbour reported the Planning Commission had recommended conditions be placed on the approval to ensure that the neighboring properties would be aware of the new construction and that all efforts would be made to minimize the impact of the construction activities on surrounding businesses. He noted the applicant had been very cooperative in working with the Planning Commission during the rezoning and site plan process.

Catherine Jacobs, attorney for Coiffeteria, reported that they have worked with Hoffman Jewelers and United Bank to coordinate deliveries and work by heavy equipment so that everyone knows what is happening and to minimize disruptions. She stated there are two shared parking agreements between the three property owners on file with the Kent County Registrar of Deeds. She did not foresee the need to update either agreement.

Mayor Seibold opened the meeting for public comment. No other public comment was received. Mayor Seibold closed public comment.

2016-91-A. Zagel-Duncan. That the site plan submitted by Coiffeteria Salon at 610 Lovett for a new 20x20' one-story addition to the rear of the building and the addition of a handicap ramp and the enlargement of the front porch along with parking lot and landscaping improvements be approved with the following conditions:

1. That Coiffeteria enter into a satisfactory shared access and parking agreement encompassing all property owners and business tenants of 610 Lovett, 2135 Wealthy and 2137 Wealthy and that the agreement be recorded with the Kent County Register of Deeds;
2. That disruptive construction activities and/or transportation of large equipment upon or across the United Bank property occur either before or after bank hours (M-F 9-5, Sat 9-noon) to minimize interference with bank business.

Commissioner Duncan commended the businesses for working together to improve the area while maintaining the parking areas and access routes.

Mayor Seibold thanked the salon for their efforts to accommodate handicapped patrons.

Commissioner Dills felt this was a good investment by the property owner for the newly rezoned property and its use as a salon.

Yeas: Dills, Duncan, Hamrick, Miller, Skaggs, Zagel and Seibold – 7

Nays: -0-

2016-92. Introduction of an ordinance amendment to repeal Section 10.7 of Chapter 101 of Title X of the City Code pertaining to the Traffic Commission.

Assistant City Manager LaFave explained the proposal to transition from a citizen review board to having staff use the Michigan Manual on Uniform Traffic Control Devices to apply consistent principles and solutions for the few traffic control issues that arise. Any special situations would be reviewed by the Infrastructure and City Commission, if needed.

Mayor Seibold stated her appreciation for the time and effort that the members of the Traffic Commission have spent researching and discussing issues over the years, but agreed that this was a much more scientific and consistent approach to dealing with traffic issues.

Commissioner Zagel agreed this was the natural progression to a more efficient system of solving issues.

2016-92-A. Skaggs-Miller. That an ordinance amendment to repeal Section 10.7 of Chapter 101 of Title X of the City Code pertaining to the Traffic Commission be introduced as set forth in Exhibit "A" attached hereto.

Yeas: Dills, Duncan, Hamrick, Miller, Skaggs, Zagel and Seibold – 7

Nays: -0-

2016-93. Miller-Zagel. To approve the consent agenda as follows:

2016-93-A. To approve the minutes of the regular meeting held August 15, 2016.

2016-93-B. Report of Finance Committee on disbursement of funds: payroll disbursements of \$458,938.63; county and school disbursements of \$13,265,653.86, and total remaining disbursements of \$2,638,340.07.

2016-93-C. The installation of a butterfly garden on the Schroder Park property at 2618 Reeds Lake Blvd as outlined in the sketch submitted by the volunteers overseeing the project.

Parks & Recreation Director Bunn explained the citizen initiative to plant pollinating shrubs and plants that will attract butterflies. He noted the volunteer group will plant 750 new plants and will water and maintain the area after planting.

2016-93-D. The quarterly financial report for the period ended June 30, 2016.

2016-93-E. The preliminary minutes of the Planning Commission meeting held August 9, 2016.

Yeas: Dills, Duncan, Hamrick, Miller, Skaggs, Zagel and Seibold – 7

Nays: -0-

Assistant City Manager LaFave updated the City Commission on the new features of the recently completed intersection at Lake/Breton/Lakeside, including new push buttons for the pedestrian crossing signal, a vibrating mechanism to allow the visually impaired to determine when to cross and cameras to detect traffic on off-peak hours and change the signals accordingly.

The meeting adjourned at 6:54 p.m., subject to the call of the Mayor until September 19, 2016.

Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to repeal Section 10.7 pertaining to the Traffic Commission

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

**AN ORDINANCE TO AMEND THE CODE OF THE CITY
OF EAST GRAND RAPIDS BY REPEALING SECTION 10.7
OF CHAPTER 101 OF TITLE X OF SAID CODE**

THE CITY OF EAST GRAND RAPIDS ORDAINS:

Section 1. Section 10.7 of Chapter 101 of Title X of the Code of the City of East Grand Rapids is hereby repealed in its entirety.

Section 2. This Ordinance shall be effective on September 30, 2016.

Section 3. This ordinance shall be published in full pursuant to the provisions of Chapter VII, Section 7.5 of the Charter of the City of East Grand Rapids.

City of East Grand Rapids

By _____
Karen K. Brower
City Clerk



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE-EAST GRAND RAPIDS, MICHIGAN 49506

DOUG LA FAVE
ASSISTANT CITY MANAGER

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Doug La Fave, Assistant City Manager
DATE: 8/25/2016

RE: New Sidewalk Special Assessment Policy

Action Requested: That the City Commission review and consider an alternative approach to the new sidewalk special assessment policy.

Background: The sidewalk funding policy from the 2015 streets and sidewalks millage dedicated \$200,000 per year of funds towards new and existing sidewalk rehabilitation and replacement. The breakdown of the approved funding policy is an appropriation of \$150,000 towards improving existing sidewalks and an additional \$50,000 towards new sidewalks (for areas that do not currently have sidewalks). Over the 10- year millage a total of \$500,000 is available towards the construction of sidewalks in areas that currently do not have them. The \$50,000 appropriation and special assessment currently allows for the City to contribute 80% of the total cost of a sidewalk project requiring that the remaining 20% be covered by a special assessment of adjacent properties, with the \$50,000 being the cap. In order to proceed with a special assessment, at least 51% of the property owners impacted in the area must sign a petition.

The City has received a petition request for new sidewalk for the north side of Lake Drive, between Woodshire Avenue and the east City limit. There are seven properties that the new sidewalk improvement would benefit. To date the City has received petition signatures from four out of the seven properties (57%).

City staff has put together a project estimate to construct and extend sidewalk on Lake Drive from Woodshire to the east City limit. The engineers estimate is ~\$104,000. At the current funding cap appropriation of \$50,000, the City contribution towards this project would cover 48% of the cost, requiring a \$54,000 or 52% special assessment for the property owners of the area. The City Commission could consider amending the policy to also consider the aggregate total of the overall 10-year millage of \$500,000, in that on a project by project basis, if a proposed project exceeds the \$50,000 appropriation, the City Commission may authorize the increase in funding to get to the 80% contribution, but not exceed the \$500,000 aggregate total of the 10-year millage.

In FY 15-16, the first year of the millage, \$200,000 was appropriated and invested in existing sidewalk rehabilitation and repairs along with the addition of the new sidewalk section from Reeds Lake Blvd to Remington Park. In current FY 2016-2017, \$200,000 is appropriated per the existing policy, with \$150,000 dedicated to rehabilitation and repairs for existing sidewalk and \$50,000 for new sidewalk. This would mean that there is \$400,000 left remaining for the millage towards new sidewalk. If the \$50,000 appropriation is increased to \$83,200 to meet an 80% contribution, the remaining balance of the millage through FY 2025/2016 would be \$366,800.

This has been reviewed by the Finance Committee and found to be in order.

Brian Donovan, City Manager



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE-EAST GRAND RAPIDS, MICHIGAN 49506

DOUG LA FAVE
ASSISTANT CITY MANAGER

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Doug La Fave, Assistant City Manager
DATE: 8/26/2016

RE: DPW work truck vehicle replacements, #111 (2007- 1 ton), #112 (2007-3/4 ton) and #113 (2007 3/4- ton)

Action Requested: That the City Commission approve the replacements of DPW work trucks/plows #111, #112 and #113, through the MiDeal bid contracts from Gorno Ford of Woodhaven, MI (with stainless box from Truck and Trailer Specialties of Dutton, MI) and Berger Chevrolet of Grand Rapids, MI for a total amount of \$124,001.60.

Background: The Department of Public Works requested work trucks with plows #111, #112 and #113 be replaced in the FY 16-17 budget as part of the approved Capital Improvement Plan.

The City of East Grand Rapids purchases vehicles and equipment, when possible, through the State of Michigan purchasing consortium MiDeal. Vehicle replacement information is as follows:

- 1 ton truck/plow with stainless box-Gorno Ford-Truck and Trailer, MiDeal contract #071B1300005, Truck and Trailer, totals \$61,057.
- ¾ ton trucks/plow-Berger Chevrolet, MiDeal contract# 071B1300016, totals \$31,472.30 each (quantity 2).

If approved it will take approximately 90 days for the trucks to be manufactured and delivered to the City.

This has been reviewed by the Finance Committee and found to be in order.

Brian Donovan, City Manager



CITY OF EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE-EAST GRAND RAPIDS, MICHIGAN 49506

DOUG LA FAVE
ASSISTANT CITY MANAGER

MEMORANDUM

TO: Honorable Mayor and City Commissioners
FROM: Doug La Fave, Assistant City Manager
DATE: 8/25/2016

RE: Sidewalk Replacement Program-FY 2016-2017

Action Requested: That the City Commission award the FY 2016-2017 sidewalk replacement contract to Groundhawg Excavating and Landscaping, LLC of Lowell, MI not to exceed \$150,000.

Background: This past year the City utilized grinding and cutting as a cost effective alternative to remove trip hazards from City sidewalks in conjunction with sidewalk replacements to improve sidewalk conditions.

The sidewalk replacement program policy in conjunction with the streets and sidewalks millage has an appropriation of \$150,000 towards sidewalk repairs and an additional \$50,000 towards new sidewalk sections through resident petitions and special assessment process (80% city contribution up to \$50,000).

The City of Grand Rapids recently bid out sidewalk grinding and replacement. The quantities for the City of Grand Rapids sidewalk program are more than what East Grand Rapids has planned for. The contractor that was awarded the contract for the City of Grand Rapids sidewalk program, Groundhawg Excavating and Landscaping, LLC, was contacted by the City of East Grand Rapids and they agreed to offer the same low bid quantity pricing for all similarly specified quantities. Please see attached.

The target area for sidewalk hazard removals and replacement are noted in the City's sidewalk replacement map, commencing where the FY 15/16 sidewalk program ended addressing areas last targeted in 2002 (see attached map). The contractor will proceed until the target budget is met.

If approved, the sidewalk work will be scheduled for this fall. Groundhawg Excavating and Landscaping, LLC has successfully completed projects with the City of East Grand Rapids in the past.

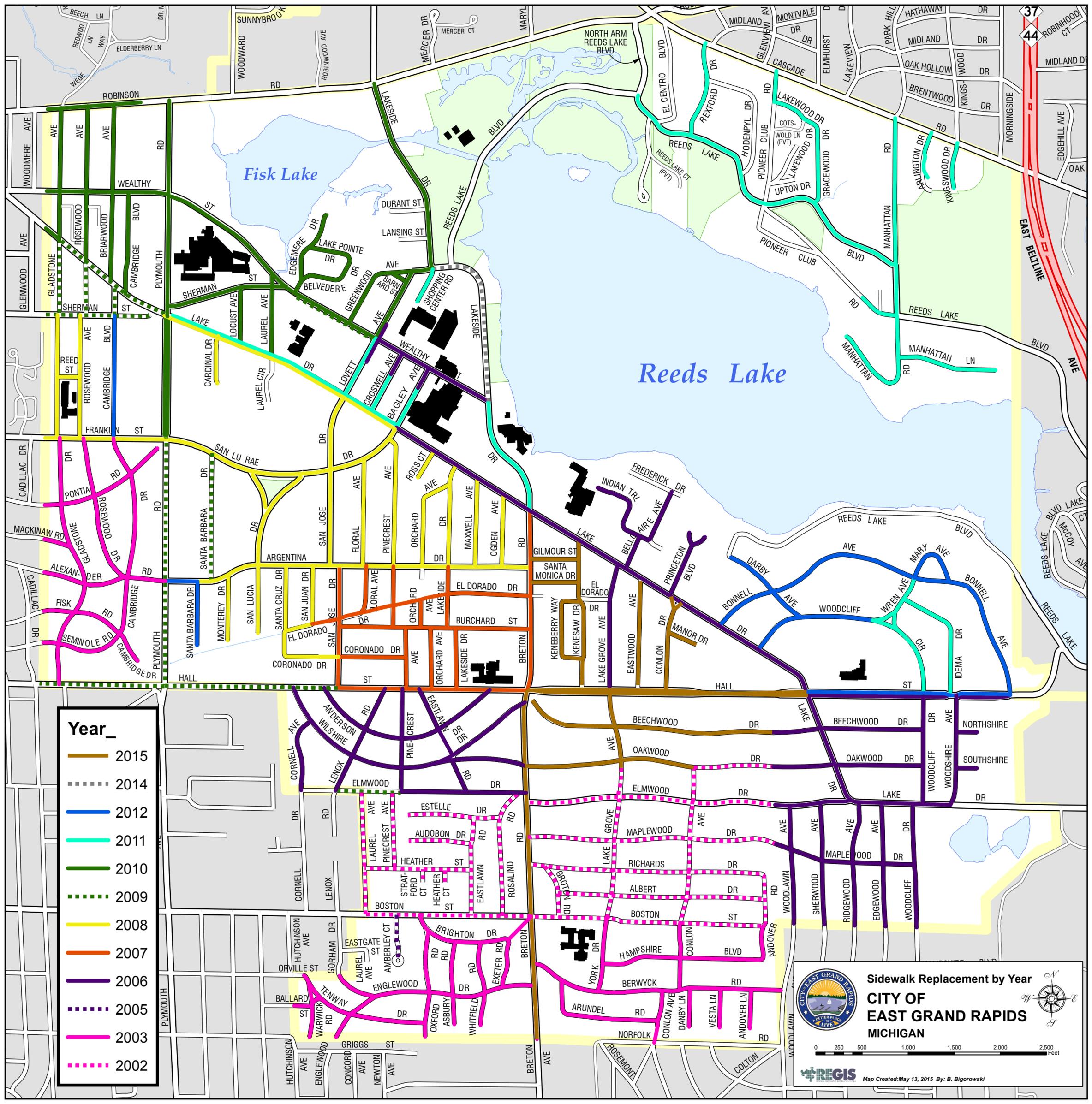
This has been reviewed by the Finance Committee and found to be in order.

Brian Donovan, City Manager

						Bids Received:	5/24/2016								
						at:	11:00AM		at the City Engineer's Office						
Construction of Sidewalk, Drive Approach, Curb, Curb and Gutter, and ADA Ramps at VARIOUS LOCATIONS - CONTRACT NO. 2016-5 South						ENGINEER'S ESTIMATE		GROUNDHAWG EXCAVATING & LANDSCAPING LLC		TORRESWORKS CONSTRUCTION LLC		KAMMINGA & ROODVOETS INC		LODESTAR CONSTRUCTION INC	
File No. 16006	Original Bid Amount (TOTAL)					\$ 182,260.00	\$ 167,900.00	\$ 193,580.00	\$ 202,220.00	\$ 237,045.00					
						<i>Allowable Discount Points</i>				1.0		5.0			
						<i>Allowable Discount Amount</i>				\$ 2,022.20		\$ 11,852.25			
						DISCOUNTED BID		\$ 167,900.00		\$ 193,580.00		\$ 200,197.80		\$ 225,192.75	
						Discounted BID Ranking No.		1		2		3		4	
Item Number	Item Description	Unit	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
1	Mobilization, Max. \$5,000	lump sum	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00		
2	Maintaining traffic	lump sum	1	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 11,000.00	\$ 11,000.00	\$ 20,000.00	\$ 20,000.00		
3	Remove and Replace concrete sidewalk 4" thick, including restoration	sq ft	13,000	\$ 8.00	\$ 104,000.00	\$ 7.85	\$ 102,050.00	\$ 8.50	\$ 110,500.00	\$ 9.00	\$ 117,000.00	\$ 10.30	\$ 133,900.00		
4	Remove and Replace concrete sidewalk 6" thick, including restoration	sq ft	2,000	\$ 9.00	\$ 18,000.00	\$ 8.50	\$ 17,000.00	\$ 9.50	\$ 19,000.00	\$ 10.30	\$ 20,600.00	\$ 11.00	\$ 22,000.00		
5	Remove and Replace concrete sidewalk 7" thick, including restoration	sq ft	300	\$ 9.00	\$ 2,700.00	\$ 7.50	\$ 2,250.00	\$ 10.50	\$ 3,150.00	\$ 12.00	\$ 3,600.00	\$ 12.00	\$ 3,600.00		
6	Remove and Replace drive approach 6" thick, including restoration	sq ft	300	\$ 9.00	\$ 2,700.00	\$ 7.00	\$ 2,100.00	\$ 9.50	\$ 2,850.00	\$ 10.30	\$ 3,090.00	\$ 11.00	\$ 3,300.00		
7	Remove and Replace alley approach 7" thick, including restoration	sq ft	300	\$ 9.00	\$ 2,700.00	\$ 7.50	\$ 2,250.00	\$ 10.50	\$ 3,150.00	\$ 12.00	\$ 3,600.00	\$ 12.00	\$ 3,600.00		
8	Remove and Replace concrete curb and gutter and/or straight curb per detail P5 including restoration	lin ft	100	\$ 35.00	\$ 3,500.00	\$ 30.00	\$ 3,000.00	\$ 30.50	\$ 3,050.00	\$ 50.00	\$ 5,000.00	\$ 41.00	\$ 4,100.00		
9	Remove vacated drive approach and/or sidewalk including restoration with top soil & grass seed.	sq ft	270	\$ 5.00	\$ 1,350.00	\$ 5.00	\$ 1,350.00	\$ 5.50	\$ 1,485.00	\$ 2.50	\$ 675.00	\$ 10.00	\$ 2,700.00		
10	Irrigation Repair, Max. \$4,500	lump sum	1	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00		
11	Sand Sub-base (C.I.P.)	cu yd	50	\$ 20.00	\$ 1,000.00	\$ 20.00	\$ 1,000.00	\$ 19.00	\$ 950.00	\$ 30.00	\$ 1,500.00	\$ 20.00	\$ 1,000.00		
12	Protect Catch Basin	each	5	\$ 100.00	\$ 500.00	\$ 75.00	\$ 375.00	\$ 105.00	\$ 525.00	\$ 105.00	\$ 525.00	\$ 50.00	\$ 250.00		
13	Furnish Curb Box (Top Section)	each	2	\$ 150.00	\$ 300.00	\$ 125.00	\$ 250.00	\$ 200.00	\$ 400.00	\$ 100.00	\$ 200.00	\$ 60.00	\$ 120.00		
14	Adjust curb stop and box to grade	each	2	\$ 100.00	\$ 200.00	\$ 100.00	\$ 200.00	\$ 185.00	\$ 370.00	\$ 150.00	\$ 300.00	\$ 100.00	\$ 200.00		
15	Turf Establishment	sq yd	100	\$ 6.00	\$ 600.00	\$ 6.00	\$ 600.00	\$ 20.00	\$ 2,000.00	\$ 10.00	\$ 1,000.00	\$ 5.00	\$ 500.00		
16	Saw Cutting, sidewalk, drive approach or curb	lin ft	100	\$ 6.00	\$ 600.00	\$ 5.00	\$ 500.00	\$ 10.00	\$ 1,000.00	\$ 2.00	\$ 200.00	\$ 3.00	\$ 300.00		
17	Saw Cutting curb head	lin ft	50	\$ 15.00	\$ 750.00	\$ 8.00	\$ 400.00	\$ 15.00	\$ 750.00	\$ 28.00	\$ 1,400.00	\$ 25.00	\$ 1,250.00		
18	Grind Curbhead less than 1 inch	lin ft	15	\$ 10.00	\$ 150.00	\$ 5.00	\$ 75.00	\$ 15.00	\$ 225.00	\$ 15.00	\$ 225.00	\$ 15.00	\$ 225.00		
19	Adjust manhole or valve chamber or catch basin casting to grade	each	2	\$ 150.00	\$ 300.00	\$ 150.00	\$ 300.00	\$ 200.00	\$ 400.00	\$ 250.00	\$ 500.00	\$ 375.00	\$ 750.00		
20	Rebuild existing manhole, valve chamber or catch basin	vert ft	5	\$ 150.00	\$ 750.00	\$ 100.00	\$ 500.00	\$ 300.00	\$ 1,500.00	\$ 185.00	\$ 925.00	\$ 275.00	\$ 1,375.00		
21	Remove and Replace sidewalk for ADA Sidewalk Ramp including restoration	sq ft	300	\$ 9.00	\$ 2,700.00	\$ 9.00	\$ 2,700.00	\$ 8.00	\$ 2,400.00	\$ 9.00	\$ 2,700.00	\$ 11.00	\$ 3,300.00		
22	Sidewalk Ramp, ADA Curb	lin ft	50	\$ 30.00	\$ 1,500.00	\$ 25.00	\$ 1,250.00	\$ 50.00	\$ 2,500.00	\$ 18.00	\$ 900.00	\$ 20.00	\$ 1,000.00		
23	Sidewalk Ramp, Detectable Warning surface	lin ft	75	\$ 60.00	\$ 4,500.00	\$ 40.00	\$ 3,000.00	\$ 60.00	\$ 4,500.00	\$ 51.00	\$ 3,825.00	\$ 60.00	\$ 4,500.00		
24	Sidewalk Grinding 0-1"	lin ft	500	\$ 12.00	\$ 6,000.00	\$ 8.00	\$ 4,000.00	\$ 15.00	\$ 7,500.00	\$ 10.00	\$ 5,000.00	\$ 12.00	\$ 6,000.00		
25	Furnish ADA catch basin casting (Type M3 5105 ADA Grate)	each	2	\$ 400.00	\$ 800.00	\$ 650.00	\$ 1,300.00	\$ 200.00	\$ 400.00	\$ 500.00	\$ 1,000.00	\$ 500.00	\$ 1,000.00		
26	Furnish manhole or valve chamber casting	each	2	\$ 500.00	\$ 1,000.00	\$ 500.00	\$ 1,000.00	\$ 600.00	\$ 1,200.00	\$ 365.00	\$ 730.00	\$ 350.00	\$ 700.00		
27	Adjust valve box to grade	each	2	\$ 100.00	\$ 200.00	\$ 125.00	\$ 250.00	\$ 150.00	\$ 300.00	\$ 150.00	\$ 300.00	\$ 125.00	\$ 250.00		
28	Temporary bituminous pavement	ton	5	\$ 100.00	\$ 500.00	\$ 180.00	\$ 900.00	\$ 90.00	\$ 450.00	\$ 100.00	\$ 500.00	\$ 75.00	\$ 375.00		
29	Misc brick repair	sq ft	80	\$ 12.00	\$ 960.00	\$ 10.00	\$ 800.00	\$ 30.00	\$ 2,400.00	\$ 20.00	\$ 1,600.00	\$ 50.00	\$ 4,000.00		
30	Root Pruning, Max \$5,000	lump sum	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 2,800.00	\$ 2,800.00	\$ 5,000.00	\$ 5,000.00		
31	Sulfur Application	sq yd	750	\$ 6.00	\$ 4,500.00	\$ 2.00	\$ 1,500.00	\$ 1.50	\$ 1,125.00	\$ 2.70	\$ 2,025.00	\$ 3.00	\$ 2,250.00		

EBO - Construction Worksheet

Construction of Sidewalk, Drive Approach, Curb, Curb and Gutter, and ADA Ramps at VARIOUS LOCATIONS - CONTRACT NO. 2016-5 South, File No. 16006								
	GROUNDHAWG EXCAVATING & LANDSCAPING LLC		TORRESWORKS CONSTRUCTION LLC		KAMMINGA & ROODVOETS INC		LODESTAR CONSTRUCTION INC	
Original Bid Amounts (Total)	\$167,900.00		\$193,580.00		\$202,220.00		\$237,045.00	
Prosperous Economy (A)	MLBE-N/A		MLBE-N/A		MLBE-N/A		MLBE-DURAN CONTRACTORS INC	\$88,900
Total Micro-LBE Participation	0.00%	\$ -	0.00%	\$ -	0.00%	\$ -	37.50%	\$ 88,900
Micro-LBE Discount Points	0.0		0.0		0.0		5.0	
SUMMARY:	0.0		0.0		0.0		5.0	
Prosperous Economy (A)	0.0		0.0		0.0		5.0	
Social Equity (B)								
Prosperous Economy - Annual (C)								
Enriched Lives (D)								
Clean Environment (E)					1.0			
TOTAL DISCOUNT POINTS					1.0		5.0	
<i>Allowable Discount Points</i>					1.0		5.0	
Discount Amount					\$ 2,022.20		\$ 11,852.25	
Allowable Discount Amount					\$ 2,022.20		\$ 11,852.25	
DISCOUNTED BID	\$ 167,900.00		\$ 193,580.00		\$ 200,197.80		\$ 225,192.75	
Discounted BID Ranking	1		2		3		4	



Year

2015	Orange line
2014	Dashed grey line
2012	Blue line
2011	Cyan line
2010	Green line
2009	Dotted green line
2008	Yellow line
2007	Red line
2006	Purple line
2005	Dotted purple line
2003	Magenta line
2002	Dotted magenta line

Sidewalk Replacement by Year
CITY OF EAST GRAND RAPIDS
MICHIGAN




0 250 500 1,000 1,500 2,000 2,500 Feet

REGIS Map Created: May 13, 2015 By: B. Bigorowski



CITY OF
EAST GRAND RAPIDS

750 LAKESIDE DRIVE SE • EAST GRAND RAPIDS, MICHIGAN 49506

AMNA SEIBOLD
MAYOR

MEMORANDUM

TO: City Commissioners
FROM: Amna Seibold, Mayor
DATE: September 9, 2016

RE: Appointments to Parks & Recreation Commission

Action Requested: That the City Commission approve the appointments of Aaron Smith of 1645 Laurel and Ren Brander of 2648 Lake Drive to the Parks & Recreation Commission for terms ending June 30, 2017.

Background: These appointments will fill two vacancies on the Parks & Recreation Commission that were not filled during the recent reappointments.

AS/kb/9178
Attachments

Advisory Board Application Form - Submission #4714

Date Submitted: 4/7/2016

Commission Applied For*

- Planning Commission
- Parks & Recreation Commission
- Library Commission
- Traffic Commission
- Board of Review
- Construction Board of Appeals
- EGR Community Foundation Board
- Any Available

Check any commission you are willing to serve on.

Personal Information

First Name*

Last Name*

Home Address*

City*

State*

Zip*

Daytime Phone Number*

Evening Phone Number*

Email Address

Occupation*

RESIDENCY INFORMATION

Length of Residency in City*

Are you a registered voter*

- Yes
- No

78 years

EDUCATION, EXPERIENCE and INTEREST

Are you currently serving on other Boards, Commissions, or Committees?*

- Yes
- No

If yes, which

Traffic Commission

Have you served on a Board, Commission, or Committee before?*

- Yes
- No

If yes, which

see above

Volunteer Experience/Involvement

Hospice of Michigan, Sheriff Department, VSU

Educational Background

EGR High School, University of Michigan, Wayne State University

Work Experience

Attorney, 50 years

Do you know of any conflict of interest or reason you should not receive an appointment?

no

**EAST GRAND RAPIDS
PARKS & RECREATION COMMISSION MEETING
EGR COMMUNITY CENTER
COMMISSION CHAMBERS
6:00 PM
MONDAY, AUGUST 8, 2016**

The regular meeting of the Parks and Recreation Commission was held in the City Commission Chambers in the East Grand Rapids Community Center.

Stacey Wykoski called the meeting to order at 6:03 pm.

PRESENT: Brad Andrzejewski, Dirk Buth, Carol Campbell, Mark Hessler, Brian Miller, Rick Sprague and Stacey Wykoski

ABSENT: None

STAFF: Fred Bunn and Diane Ritzke

Report of Commissioners

Carol Campbell – None

Dirk Buth – Glad to be back with fellow commissioners after having missed a few meetings.

Brian Miller – Reported the street construction projects for this summer are on or ahead of schedule and thanks to all for obeying detour signs and road closure signs.

Brad Andrzejewski - None

Rick Sprague – None

Mark Hessler – Reported security upgrades are being completed at the schools as well as renovations at the Middle School and High School. High School football practices started today with other teams starting their practices later this week.

Stacey Wykoski – Thanked Fred for making sure the orange cones from the Polar Plunge that went into Reeds Lake have been picked up. She had reported seeing these in the lake and asked Fred to have staff pick them up.

Minutes for the June 13, 2016 Parks and Recreation Commission meeting were presented for approval. A motion was made to approve the minutes for the June 13, 2016 Parks and Recreation Commission meeting.

MOTION: Carol Campbell

SUPPORT: Mark Hessler

YES: Andrzejewski, Buth, Campbell, Hessler, Miller, Sprague and Wykoski (7)

NO: (0)

Nominations for Chairperson and Vice Chairperson for the Parks and Recreation Commission for FY 2016/17 were held.

A motion was made to retain the current slate of officers with Stacey Wykoski as the Chairperson and Rick Sprague as the Vice Chair of the Parks and Recreation Commission for FY 2016/17.

MOTION: Brian Miller

SUPPORT: Carol Campbell

YES: Andrzejewski, Buth, Campbell, Hessler, Miller, Sprague, and Wykoski (7)

NO: (0)

Butterfly Garden Request

Director Fred Bunn gave a brief introduction on the request to install a Butterfly Garden on the Schroeder Park property. The Parks and Recreation Commission is being asked to recommend approval to the City Commission for the installation of a Butterfly Garden on the Schroeder Park property. Fred explained a request for this garden came from Janet Baxter and several neighbors on the north side of Reeds Lake who would like to have the Butterfly Garden in the Schroeder Park property. The group of residents raised funds (\$2,025) to purchase native plants and rocks to be installed by a group of 20 or more volunteer neighbors. Fred showed a map detailing the Schroeder Property, this map was included in the 2012 Master Plan. This project was reviewed by Fred, the City Manager and Grounds Maintenance staff. He reported the volunteer group will do the planting and watering of the garden until it is established (approx. 2 years), after the garden matures it will not need much upkeep. Commissioner asked questions regarding future upkeep and future development.

Janet Baxter, 180 Hodenpyl, Grand Rapids, MI 49506 spoke on behalf of the proposal for the Butterfly Garden. She feels this garden will enhance the look of the property by bringing in some color and might also help in the effort to prevent the extinction of Monarch butterflies, support the dwindling populations of bees and other pollinators and maintain a peaceful greenspace.

Bill Boorstein, 2646 Reeds Lake Blvd., Grand Rapids, MI 49506 spoke in favor of the Butterfly Garden. He was a neighbor of the Schroeder's and believes this is what Mr. Schroeder would want on the property. He will be donating financially and volunteering his time to assist with planting and watering.

Chad Edwards, 128 El Centro, Grand Rapids, MI 49506 spoke in favor of the Butterfly Garden. He thinks adding the flowers is a great idea, finds nothing bad with the plan.

James Sears, 2500 Cascade Rd., Grand Rapids, MI 49506 spoke in favor of the project. He and his wife own Enchanted Gardeners and will be working on the project. He mentioned the type of plants which will be planted in the garden are native to the area and once they are mature, they will not need much care as Mother Nature will take over.

Discussion followed.

Commissioner comments:

Brad Andrzejewski - Inquired about the size of the garden, Fred Bunn responded it would approximately encompass one third to one half of the site. Brad commented he thinks it is a great idea and it is nice to see a community group take the initiative to make something like this happen in their own back yard.

Mark Hessler – Remarked he likes the plan; he would just like to make sure the city is not handcuffed for any future use to the property.

Brian Miller – As a City Commissioner he wishes the City could fund a project like this so in the absence of the City funding these types of projects he appreciates the neighborhood group coming together to make the Butterfly Garden happen.

A motion was made to recommend approval to the City Commission the installation of a Butterfly Garden on the Schroeder Park Property with the stipulation the City has future rights to use the property for another use.

MOTION: Carol Campbell

SUPPORT: Dirk Buth

YES: Andrzejewski, Buth, Campbell, Hessler, Miller and Sprague (6)

NO: (0)

A Special Event Permit Application was submitted for approval for Reeds Lake Art Festival to be held June 17, 2017.

A motion was made to approve the Special Event Permit for the Reeds Lake Art Festival to be held on June 17, 2017.

MOTION: Mark Hessler

SUPPORT: Brian Miller

YES: Andrzejewski, Buth, Campbell, Hessler, Miller and Sprague (6)

NO: (0)

Director's Report

Fred Bunn, Director of Parks and Recreation reported on the following:

- 10th Anniversary of the Community Center will be celebrated on August 24, 2016 from 4-7pm. All are invited or if anyone would like to volunteer at this event please contact Pam Slater.
- Lake Drive Construction is on schedule to be completed and open by Labor Day.
- Fall Sport Practice for High School Sports start this week
- High School Pool is scheduled to open on August 10, 2016. The pool has been closed 8 weeks for maintenance.

Rick Sprague inquired if new lights were installed at the High School Pool. Fred reported the new lights were not installed as when the lights were being installed there were issues with the type of light being cast and the weight bearing aspect of the lights. If it is decided in the future to install different lights the pool will have to be shut down at that time.

Carol Campbell showed a picture of recycling containers she saw while in Hilton Head, South Carolina. Fred reported Doug LaFave is still researching recycling ideas for the City.

The meeting was adjourned @ 6:50 pm.

MOTION: Brian Miller

SUPPORT: Carol Campbell

YES: Andrzejewski, Buth, Campbell, Hessler, Miller and Sprague (6)

NO: (0)