

## AGENDA: MAY 1, 2007 CITY OF KENTWOOD COMMISSION MEETING

1. Call meeting to order at 7:30 P.M.
2. Invocation by Rev. Phong Q. Pham of St. Mary Magdalen Church.
3. Pledge of Allegiance to the Flag (Brown).
4. Roll Call: Brinks, Brown, Clanton, Coughlin, Cummings, Raha and Mayor Root.
5. Approve agenda.
6. Acknowledge visitors and those wishing to speak to non-agenda items.
7. Consent agenda (roll call vote).
  - a. Receive and file minutes of the [Committee of the Whole Meeting](#) held on April 17, 2007.
  - b. Receive and file minutes of the [Expanded Finance Committee Meeting](#) held on April 19, 2007.
  - c. Receive and file minutes of the [Ordinance Committee Meeting](#) held on April 24, 2007.
  - d. [City Payables](#).
8. Approve minutes of the regular [City Commission Meeting](#) held on April 17, 2007 as distributed.
9. Presentations and Proclamations.
10. Communications and Petitions.
11. Public Hearings.
  - a. Res. -07 to approve an application for an Industrial Facilities Exemption Certificate in the City of Kentwood for [Conway Products Corporation](#) d.b.a. Emerald Spa Corporation located at 4150 East Paris Ave., SE; under Act 198. (roll call vote)
12. Report of Standing Committees.
13. Other Committees.

**PROPOSED MINUTES OF THE  
COMMITTEE OF THE WHOLE**

April 17, 2007

Conference Room #119

6:30 P.M.

Present: Commissioners: Mayor Pro-Tem Sharon R. Brinks, Michael W. Brown, Richard Clanton, Robert Coughlin, Frank Cummings and Mayor Richard L. Root. Absent: Frank Raha III. Also present: Finance Director Tom Chase, City Clerk Dan Kasunic, Engineering and Inspection Director Steve Kepley, City Attorney Jeff Sluggett, Assistant Finance Director/ Purchasing Agent Phil Tietz, Deputy Administrator Keith Van Beek, Police Captain Scott Yerrick and Public Works Director Ron Woods. Also Present: Kentwood Advance and The Grand Rapids Press.

**1. CONTINUATION OF DISCUSSIONS REGARDING SANITARY SEWER LATERAL POLICY FOR DEPARTMENT OF PUBLIC WORKS.**

Mayor Pro-Tem Brinks opened the meeting and asked Commissioner Clanton about solving this conundrum and come to a consensus on the policy issue. Service Chairperson Clanton stated in discussions with the Mayor they focused on three items, and did not address the entire issue. The first item was the reconstruction (dig and replace) of the sewer lines under Murray and Madison roads, including the laterals and the elimination of the two (2) lift stations to make them a gravity system. All agreed those items need to be completed. The second item, relining the other streets that were noted to be under poor condition by Prein & Newhof in the five (5) million dollar bond project. With the third item, they agreed, within the scope of the project by relining the 18,000 feet of sanitary sewer lines that additional funding above the bond would be paid out of the Sewer Fund. In doing this, the lateral policy would remain the same (laterals within the ROW would still be the responsibility of the City) and some rate adjustment would need to be made to cover the additional costs and liability. The Committee discussed timing of construction and direction of staff; however, the long range direction has not been determined with continuing discussions to take place at the Service Committee level. Specifically noted was Commissioner Brown's concern if some of the narrow public streets need to be widened. Commissioner Brinks reviewed the five (5) points agreed upon: not to agree with State Statue to reassign the responsibility of the lateral to the homeowner; if the City digs to replace the sewer line, it will replace the laterals as needed; use the sewer fund balance to solve the current problem; not to take any item off the table regarding funding, such as bonding in the future, and to bring back to committee as needed; and, to set a general policy to replace laterals when digging through out the Wyoming Water District. The Committee agreed by consensus that the Service Committee will review the scope of other projects.

The meeting was adjourned at 7:26 P.M.

Dan Kasunic  
City Clerk

Sharon R. Brinks  
Mayor Pro-Tem

**PROPOSED MINUTES OF THE  
EXPANDED FINANCE COMMITTEE**

April 19, 2007

Conference Room #119

5:00 P.M.

Present: Commissioners: Chairperson Sharon R. Brinks, Michael W. Brown, Richard Clanton, Robert Coughlin (6:00), Frank Cummings, Frank Raha (5:15) and Mayor Richard L. Root. Also present: Finance Director Tom Chase, City Clerk Dan Kasunic, Assistant Finance Director Phil Tietz and Deputy Administrator Keith Van Beek.

**REVIEW OF THE 2007-2008 PROPOSED GENERAL FUND BUDGET.**

Mayor Root made a few opening remarks regarding how the millage shift is working well to aid in presenting a balanced budget.

The Committee reviewed the following departmental budgets with their representatives.

Human Resources-Lisa Sonego.

- Staffing is status quo.
- Dental change will result in an annual savings of \$35,000.
- Negotiations had started with the Fire Union, and will soon start with the KGEA Union.
- Discussion of using a third party broker.

Library-Cheryl Cammenga.

- Funds from the book sale had provided some of the needs without the use of City money.
- Discontinuation of the floor mat contract had resulted in saving money.
- Waiting for the report back on the condition of the building.
- Discussed if to retain the pay phone.

City Assessor-Deb Ring (absent) Tom Chase.

- Fully staffed, three new employees to replace retired ones.
- Noted the challenges of not knowing when an appeal will be filed and subsequent cost and time.
- Consultant fees in budget on an as needed basis.

Planning-Community Development Director Terry Schweitzer.

- Noted the responsibility of Code enforcement and spoke of how they will streamline the process to reduce the time for contact and resolution.
- Student Intern will be in place for the summer in aid the Code enforcement division.
- Discussion regarding the cost of oral history and its need, however; this program will be retained for the present as being time critical.

Expanded Finance Committee Meeting  
April 19, 2007.

- Discussion on re-assigning some secretarial duties with Code enforcement, however; resulting discussion noted this position is cost effective and labor intensive.
- Discussion on redevelopment and scheduling a joint meeting with Planning and City Commissions with the Wyoming Commissions.
- Discussion on educating the new members of the ZBA.

Treasurer-Jan Hollinrake.

- No changes.

Court-Judge William Kelly and Court Administrator Terry Dingman.

- Discussion regarding revenue and expenses, specifically jail charges.
- Reduction of staff by a half a person.

City Clerk-Dan Kasunic.

- No questions.

Executive-Mayor Richard Root.

- No staffing change, however; the title change of Keith to Deputy Administrator.

Dinner Break:

Park & Recreation Department-Director Charlie Ziesemer.

- A reduction of expenses and revenue from programs that were cut. Noted the budget reflects all programs for the year prior to any eliminated programs.
- Discussion of sponsorship and partnership of many programs resulting in reduced costs to the City, such as the Fourth of July activities.

DPW-Engineering- Public Works Director Ron Woods, City Engineer Steve Kepley.

- Displayed organizational chart reflecting positions paid by different funds, with discussion regarding elimination or reassignment of positions.
- Discussion of eliminating contracts for window cleaning and snow removal.
- Discussion of the City Works software program and its ramifications.
- Discussion of shift length, rotations and overtime.

Police Department-Chief Richard Mattice.

- Discussion on the county contract regarding increased dispatch charges.

Fire-Chief James Carr.

- Reduction of staffing levels
- Information pertaining to revenue of the Cost Recovery Ordinance regarding charging non-residents.
- Increase of dispatch cost from the present budget.
- Automatic Aid Agreement will be coming before the Commission for approval.
- Purchase of a thermal imaging camera.

Expanded Finance Committee Meeting  
April 19, 2007.

Finance-Information Technology-Finance Director Tom Chase.

- Staff increase of .4 FTE in Finance.
- Change of software to a network base platform to aid in reducing cost.
- Discussion on staff size and the need for accountability, cross-training and having job separation of job tasks to have a check/balance system.
- The use of smart phones by the IT Dept. resulting in saving of time and labor.
- Contractual services needed due to the specialties of computer programs.

City General Expenses/Revenue-Finance Director Tom Chase.

- Shift of REGIS cost from one account to another.
- Legal fees averaged over a five year period, due to unknowns.
- Phone cost reduced due to a contract change.
- Increase in cost of publication of notices due to newspaper charge increase.
- Unknowns and uncertainties for the year.

Motion by Cummings, supported by Clanton, to submit the amended budget to the City Commission.

Motion Carried.

**RECEIVE AND FILE THE FINANCIAL STATEMENT FOR NINE (9) MONTHS ENDED MARCH 31, 2007.**

Motion by Cummings, supported by Raha, to Receive and file the Financial Statement for nine (9) months ended March 31, 2007.

The meeting was adjourned at 8:48 P.M.

Dan Kasunic  
City Clerk

Sharon R. Brinks  
Chairperson

**PROPOSED MINUTES OF THE  
ORDINANCE COMMITTEE**

April 24, 2007

Conference Room #119

6:30 P.M.

Present: Chairperson Robert Coughlin, Michael Brown, Frank Cummings, Frank Raha III and Mayor Richard L. Root. Absent: Sharon R. Brinks. Also present: City Clerk Dan Kasunic, Community Development Director Terry Schweitzer, Deputy Administrator Keith Van Beek, YWCA Board Member Carol Crawford and VP Tom Cottrell.

**1. ARTICLE 2 TAX EXEMPTION FOR CERTAIN HOUSING PROJECTS.**

Community Development Director Schweitzer reviewed the letter of request for tax exemption dated April 4, 2007 and his memorandum dated April 18, 2007 regarding the background of prior approved exemptions. He noted the law allows for a tax exemption with a provision for a service charge in lieu of taxes (PILOT); however, he stated in 1975 Kentwood chose to preclude exemption eligibility for all and any class of housing projects. But since then, the City had allowed for a few specific exemptions, those being three (3) senior apartments and the renovation for Pheasant Ridge Apartments, which was considered a benefit to re-invest in the community. He stated that presently the YWCA does not qualify under the current allowances. The Committee discussed affordable housing availability and the concern of further reducing the revenue produced by taxes of these properties, due to other tax exemptions through out the community and City's fiduciary responsibility to other taxing entities. The Committee inquired where the properties were located and the costs involved. Mr. Cottrell explained the proposed program, the cost, and the requirements imposed by the MISHDA Grant. Board Member Crawford noted how this program, in general, benefits the community and the people affected in the future. After a brief discussion, the Committee took no action in granting a tax exemption.

**2. DISCUSSION ON UNDERAGE DRINKING ORDINANCE.**

Commissioner Cummings led the discussion as to why he brought this proposed ordinance before the Committee. The Committee discussed the ordinance; however, noting the Police Chief was unable to attend the meeting to discuss this ordinance and that legal counsel had not reviewed it, it was suggested that staff distribute to all appropriate parties and return it to the Ordinance Committee by May or June Meeting.

**3. DISCUSSION ON SIGN ORDINANCE.**

Commissioner Brown wanted to discuss the possibility of making allowance in the current zoning ordinance to allow for toggling between a message and

Ordinance Committee Meeting  
April 24, 2007.

the time/date on a message board through out Kentwood. Director Schweitzer stated that presently it is only allowed to have a message or time/date/temp but not to toggle between them and that the message can only change once every twenty-four hours. The Committee made no decision or recommendation.

The Committee inquired of staff regarding the signing situation with the 44<sup>th</sup> Street Bistro. Staff informed the Committee a signed agreement between the owner and City of Kentwood had been filed with the County and that the Bistro had been cited for violating the Sign Ordinance.

The meeting was adjourned at 7:28 P.M.

Dan Kasunic  
City Clerk

Robert Coughlin  
Chairperson

COMMISSION MEETING

May 1, 2007

PAYABLES

	4/18/2007	4/25/2007	TOTAL
CITY	110,752.29	204,678.60	315,430.89
ROADS	12,120.36	1,789.65	13,910.01
WATER/SEWER	18,990.17	972.45	19,962.62
TAXES	0.00	0.00	0.00
TOTAL	141,862.82	207,440.70	349,303.52

**PROPOSED MINUTES OF THE REGULAR MEETING  
OF THE KENTWOOD CITY COMMISSION  
HELD APRIL 17, 2007  
Commission Chambers**

Mayor Richard L. Root called the meeting to order at 7:30 P.M.

Reverend Jerry DeRuiter of Kentwood Community Church gave the invocation.

Commissioner Brinks led the Pledge of Allegiance to the Flag.

Roll Call: Present: Commissioners: Sharon R. Brinks, Michael W. Brown, Robert Coughlin, Richard Clanton, Frank Cummings and Mayor Richard L. Root.

Motion by Clanton, supported by Brinks, to excuse Commissioner Raha with prior notification.

Motion Carried.

Staff Present: Fire Chief Jim Carr, Finance Director Tom Chase, City Clerk Dan Kasunic, Engineering & Inspections Director Steve Kepley, Fire Department Administrative Assistant Nancy Shane, City Attorney Jeffrey Sluggett, Assistant Finance Director/Purchasing Agent Phil Tietz, Deputy Administrator Keith Van Beek, Public Works Director Ron Woods, Police Captain Scott Yerrick and Recreation Director Charlie Ziesemer.

Ten (10) citizens and members of the news media attended the meeting.

Motion by Brinks, supported by Brown, to **approve the agenda** with the following addendum: 15(b) contract with MDOT.

Motion Carried.

**ACKNOWLEDGE VISITORS AND NON-AGENDA ITEMS:**

The Commission acknowledged the students from South Christian High School.

**CONSENT AGENDA:**

Motion by Brinks, supported by Clanton, to approve the Consent Agenda as follows:

- A. Receive and file minutes of the Committee of the Whole held on April 9, 2007.
- B. Receive and file minutes of the Parks & Recreation Committee Meeting held on April 9, 2007.
- C. Authorize Mayor to extend the existing contract with Moore & Bruggink to include the Eastern Avenue resurfacing projects between 44<sup>th</sup> and 60<sup>th</sup> Streets as allowed under City of Kentwood purchasing rules and regulations and in accordance with representations contained in S. Kepley's memo of April 12, 2007

City Commission Meeting  
April 17, 2007

- D. Authorize Mayor to sign the termination of Special Assessment and Improvement Allowance Agreement for 2000-44<sup>th</sup> Street, SE.
- E. Receive and file minutes of the Service Committee Meeting held on April 12, 2007.
- F. Payables for the City of \$310,157.29, Roads of \$61,930.68, Water/Sewer of \$1,180.42, totaling \$373,268.39.

Roll Call Vote: Yeas: All. Nays: None. Absent: Raha.

Motion Carried.

Motion by Coughlin, supported by Brown, to **approve the minutes** of the April 9, 2007 City Commission Meeting.

Motion Carried.

**PRESENTATIONS AND PROCLAMATIONS:**

**APRIL 15-21, 2007 PROCLAIMED NATIONAL VOLUNTEER WEEK.**

Mayor Root proclaimed April 15-21, 2007 as National Volunteer Week.

**COMMUNICATIONS AND PETITIONS:**

**REQUEST OF DOROTHY GERGEN TO CONSIDER AN ORDINANCE FOR CLEAN AIR IN PUBLIC PLACES.**

Dorothy Gergen spoke briefly on her request to ban smoke in public spaces. The Commission accepted the request.

**REQUEST TO AWARD A SCHOOL ASSISTANCE GRANT TO ENDEAVOR ELEMENTARY SCHOOL FROM THE PARK MILLAGE BUDGET.**

Parks & Recreation Director Ziesemer reviewed the request, showing a picture of the requested equipment.

Motion by Coughlin, supported by Cummings, to approve the request to award a School Assistance Grant to Endeavor Elementary School in the amount of \$2,000.00 with monies from the Park Millage budget.

Motion Carried.

**BIDS:**

**APPROVAL TO REPLACE POLICE DEPARTMENT COPIER.**

Assistant Finance Director Tietz reviewed his memorandum dated April 10, 2007 regarding the replacement of the Police Department copier.

Motion by Brinks, supported by Clanton, to approve the purchase of one (1) Ricoh AF3045 multi-function copier/fax/scanner for the Police Department from IKON Office Solution under a State of Michigan contract at a cost not to exceed \$10,565.00 with funds from the Property & Building Fund.

Motion Carried.

**RESOLUTIONS:**

**ADOPT RESOLUTION 32-07, A RESOLUTION OF NECESSITY FOR THE IMPROVEMENT OF EAST PARIS AVENUE FROM 36<sup>TH</sup> STREET TO BROADMOOR AVENUE.**

City Engineer Kepley reviewed the process for starting the process for the road project.

Motion by Brinks, supported by Cummings, to adopt Resolution 32-07(resolution 1#), a resolution of necessity for the improvement of East Paris Avenue from 36<sup>th</sup> Street to Broadmoor Avenue to include a center turn lane, sidewalks and public utility extensions where necessary.

Roll Call Vote: Yeas: All. Nays: None. Absent: Raha.

Resolution Adopted.

Motion by Brinks, supported by Cummings to remove the MDOT Contract from the table. (tabled from the April 9, 2007 City Commission Meeting.)

Motion Carried.

**ADOPT RESOLUTION 33-07 TO APPROVE A CONTRACT BETWEEN THE CITY OF KENTWOOD AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION PERTAINING TO THE RECONSTRUCTION OF EAST PARIS AVENUE FROM 52<sup>ND</sup> STREET TO 60<sup>TH</sup> STREET.**

Motion by Brinks, supported by Cummings, to adopt Resolution 33-07 to approve a contract between the City of Kentwood and the Michigan Department of Transportation (MDOT) pertaining to the reconstruction of East Paris Avenue from 52<sup>nd</sup> Street to 60<sup>th</sup> Street.

Roll Call Vote: Yeas: All. Nays: None. Absent: Raha.

Resolution Adopted.

Commissioner Brinks noted that in making the motion in no way endorses that the Commission did not have the right to express their opinion or concerns on this matter or to do so in the future.

Motion by Clanton, supported by Coughlin, to adjourn to Closed Executive Session regarding discussion of opinion by legal counsel as permitted under Section 8(h) of P.A. 267 of 1975, as amended by Act 256 of the 1978 Open Meetings Act.

Motion Carried.

The Commission adjourned to Closed Executive Session at 7:58 P.M.

The Commission reconvened at 8:42 P.M.

City Commission Meeting  
April 17, 2007

**COMMENTS OF COMMISSIONERS AND MAYOR:**

Commissioner Clanton-Reminded the Commission of the May MML Conference and the EDC budget will be forwarded shortly to them.

Mayor Root-Noted the funds that had been committed by the State for the splash pad and for Stanaback Park that he had stated at the last meeting had been lost were confirmed to still be committed.

The meeting was adjourned at 8:49 P.M.

Dan Kasunic  
City Clerk

Richard L. Root  
Mayor

April 24, 2007

MEMO TO: Mayor Root and the Kentwood City Commission  
FROM: Lisa Golder, Economic Development Planner  
RE: Tax Abatement Application by Emerald Spa Corporation

Attached please find a proposed resolution to consider the approval of an Industrial Facilities Exemption Certificate for Conway Products Corporation d.b a. Emerald Spa Corporation. Emerald Spa is considering the construction of a 28,400 square foot addition to their facility at 4150 East Paris SE. The cost of this real property improvement is estimated at \$1,525,000. Emerald Spa is planning to transfer equipment from a Holland (Michigan) based company recently purchased by Emerald Spa. An abatement cannot be sought for the existing equipment that is to be relocated from Holland; however, if the equipment is abated under Public Act 198 the Industrial Facilities Exemption Certificates could be transferred to the Kentwood location.

#### **Company Information**

Emerald Spa is a manufacturer of home spas, with headquarters in Kentwood.

#### **Project Description:**

The new addition to the Emerald Spa facility involves the construction of 24,000 square feet of new manufacturing area and 4,400 square feet of office space. Equipment will be relocated from Holland Michigan.

#### **Employment History**

Emerald Spa applied for a tax abatement in 2001, which will expire in December 2007. At that time, the company employed 44 and had committed to hire an additional 12 people. Emerald Spa met their job creation commitments until 2005 and 2006, where employment dropped to 40. Current employment stands at 33, with jobs and wages as follows:

<b>JOB TYPE</b>	<b>NUMBER</b>	<b>WAGE RANGE</b>	<b>BENEFITS</b>
Supervisory	7	\$40,000-110,000/yr	Full
Skilled	8	\$31,000-\$65,000/yr	Full
Unskilled	15	\$8.00-\$15.00/hr	Full
Clerical	3	\$26,000-\$35,000/yr	Full

The company has indicated that an additional 42 employees will be hired within two years as a result of the project, with wages as follows:

<b>JOB TYPE</b>	<b>NUMBER</b>	<b>WAGE RANGE</b>	<b>BENEFITS</b>
Supervisory	4	\$40,000-70,000/yr	Full
Skilled	7	\$31,000-\$55,000/yr	Full
Unskilled	30	\$8.00-\$15.00/hr	Full
Clerical	1	\$26,000-\$35,000/yr	Full

**Company Representative:**

Company representative for Emerald Spa is Mr. Paul Slagh. He or another company representative will be available to answer your questions regarding the abatement application.

RESOLUTION NO. \_\_\_\_\_

CITY OF KENTWOOD  
KENT COUNTY, MICHIGAN

A RESOLUTION TO APPROVE AN APPLICATION FOR  
AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR  
IN THE CITY OF KENTWOOD FOR  
CONWAY PRODUCTS CORPORATION D B A EMERALD SPA CORPORATION

WHEREAS, Conway Products Corporation d.b.a Emerald Spa Corporation, pursuant to provisions of Act 198 of Public Acts of 1974, as amended, made application for an Industrial Development District for property located in the City of Kentwood, the legal description is attached as Exhibit "A"; and the City of Kentwood, having found that the requirements of Section 4 of said Act were existing and duly met, created the Emerald Spa Industrial Development District by Resolution No. 29-07 dated April 9, 2007; and

WHEREAS, said Conway Products Corporation d.b.a. Emerald Spa Corporation, submitted an application for a facility at 4150 East Paris SE, in the City of Kentwood, County of Kent, on April 10, 2007, (the legal description is the same as described in Exhibit "A"); and the City of Kentwood now makes the following findings of fact: THAT

- 1) Upon receipt of the application for the Industrial Facilities Exemption Certificate, each local unit affected by said application was duly notified of its filing, and that a public hearing was held on May 1, 2007 with respect to said

application, at which said units of government, the assessor, and the applicant were granted a hearing.

- 2) The commencement of construction of the facility occurred no sooner than six months before the filing of the application for the Industrial Facilities Exemption Certificate, with the proposed facility located within an industrial development district established by the City of Kentwood under Act 198 of Public Acts of 1974, as amended.
- 3) The request to establish an Industrial Development District was filed with the City of Kentwood prior to the construction of the facility.
- 4) Completion of the facility will occur in the City of Kentwood and has the reasonable likelihood of retaining employment or will provide new employment in the City of Kentwood.
- 5) The application of Conway Products Corporation d b a Emerald Spa Corporation constitutes a new facility under P.A. 198 of the Public Acts of 1974 as amended, and is situated within Emerald Spa Industrial Development District, duly established by this Commission.

WHEREAS, applicant having requested an exemption in the State Equalized Value in the amount of \$762,500 relating to real property; and \$0 relating to machinery, equipment, furniture and fixtures; the State Equalized Value of which when added to the sum of the

aggregate State Equalized Value of real and personal property exempt from ad valorem taxes under this Act in the City of Kentwood exceeds five percent (5%) of the total SEV of the City of Kentwood, and it is hereby determined that the granting of full exemption amount does not have the effect of substantially impeding the operating of the City of Kentwood or any other unit of government, and will not impair the financial soundness of said units;

NOW THEREFORE BE IT RESOLVED that the application for an Industrial Facilities Exemption Certificate be approved as follows:

- A) State Equalized Value of \$762,500 for real property and State Equalized Value of \$0 relating to machinery, equipment, furniture and fixtures is exempt. Expenditures in excess of the amount stated for 2007 and 2008 and for all years after 2008 shall not be exempt under this application.
- B) The completion of the facility shall be December 30, 2007 and in accordance with Act 198 of the Public Acts of 1974, as amended, the Industrial Facilities Exemption Certificate is hereby granted for a period of twelve (12) years with said period ending on December 30, 2019.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions inconsistent herewith are hereby rescinded.

EXHIBIT "A"

LEGAL DESCRIPTION

That part of the SW 1/4, Section 24, T6N, R11W, City of Kentwood, Kent County, Michigan, described as: Commencing at the W 1/4 corner of Section 24; thence S 02° 07' 05" East 660.91 feet along the West line of said SW 1/4; thence S 89° 56' 03" East 767.15 feet along the North line of the S 1/2 of the NW 1/4 of the SW 1/4 of said Section 24 to the Place of Beginning of this description; thence S 89° 56' 03" East 556.76 feet along said North line; thence S 02° 13' 43" East 660.45 feet along the West line of Airport Industrial Center No. 2; thence N 89° 57' 23" West 472.95 feet along the South line of the NW 1/4 of the SW 1/4 of Section 24; thence N 00° 02' 37" East 555.09 feet; thence N 89° 57' 23" West 110.00 feet; thence N 00° 02' 37" East 105.05 feet to the Place of Beginning.

The foregoing resolution was proposed by Commissioner \_\_\_\_\_

and supported by Commissioner \_\_\_\_\_

AYES: Commissioners: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED

\_\_\_\_\_

Dan Kasunic  
Kentwood City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kentwood, Kent County, Michigan at a regular meeting held on May 1, 2007, and that the public notices of said meeting were given pursuant to Act No. 267 of the Michigan Public Acts of 1976, including in the case of a special or rescheduled meeting notice of publication or posting at least eighteen (18) hours prior to the time set for the meeting.

\_\_\_\_\_

Dan Kasunic  
Kentwood City Clerk

AGENDA FORM

TO: CITY CLERK

FROM: ENGINEERING / DPW DEPARTMENT, James M Beke

Please place on the agenda for the May 1, 2007 meeting of:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> CITY COMMISSION | <input type="checkbox"/> SAFETY COMMITTEE       |
| <input type="checkbox"/> FINANCE COMMITTEE          | <input type="checkbox"/> SERVICE COMMITTEE      |
| <input type="checkbox"/> ORDINANCE COMMITTEE        | <input type="checkbox"/> COMMITTEE OF THE WHOLE |

Please list title of item (Title should include all pertinent data: who, what, when where, and action requested.):

**East Paris Avenue Reconstruction from 52<sup>nd</sup> Street to 60<sup>th</sup> Street. Street, sidewalk, and sanitary special assessment. Proposed Financial Fact Sheet (Report No. 1) and Resolutions 1 & 2.**

Comment or special directions:

**Approve Resolutions 1 & 2 which set the date for the Hearing of Necessity for this project.**

CITY OF KENTWOOD

EAST PARIS AVENUE RECONSTRUCTION  
(From 52<sup>nd</sup> Street to 60<sup>th</sup> Street)  
STREET, STORM SEWER, NON-MOTORIZED TRAIL, AND SANITARY SEWER  
SPECIAL ASSESSMENT DISTRICT

RESOLUTION NO. 22-07  
(Resolution No. 1)

Minutes of the regular meeting of the City Commission of the City of Kentwood, Kent County, Michigan, held in the City of Kentwood Commission Chambers, 4900 Breton Ave., S.E., in said City on May 1, 2007 at 7:30 P.M.

PRESENT: COMMISSIONERS: ?

ABSENT: ?

The following preamble and resolution were offered by Commissioner ? and supported by Commissioner ?.

WHEREAS, the City Commission of the City of Kentwood determines that it is necessary to acquire and construct the following improvements:

Street, Storm Sewer, Non-Motorized Trail, and Sanitary Sewer in East Paris Avenue from 52<sup>nd</sup> Street to 60<sup>th</sup> Street

AND WHEREAS, the City Commission determines the cost of such improvements should be paid by special assessment levied against the lots and parcels of land benefited by such improvements:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk shall prepare a report which shall include necessary plans, profiles, specifications and detailed estimates of cost, an estimate of the life of the improvement, a description of the assessment district, and such other pertinent information as will permit the City Commission to decide the cost extent and necessity for the proposed improvement and what proportion thereof should be paid by special assessment and by the City at large.

2. The foregoing report, as soon as completed, shall be filed in the office of the City Clerk.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

YEAS: COMMISSIONERS: ?

NAYS: ?

ABSENT: ?

RESOLUTION DECLARED ADOPTED

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Dan Kasunic  
Kentwood City Clerk

CERTIFICATION

The foregoing resolution was certified at a regular meeting of the Kentwood City Commission held on May 1, 2007

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Dan Kasunic  
Kentwood City Clerk

Hearing of Necessity: June 5, 2007  
Hearing on Roll: July 3, 2007  
Confirmed: ?

PROPOSED FINANCIAL FACT SHEET  
EAST PARIS RECONSTRUCTION

Project Limits: 52<sup>nd</sup> Street to 60<sup>th</sup> Street

Project Description: Street, Storm Sewer, Sidewalk, Utility Extensions where necessary, and all other Appurtenant Improvement Work.

<u>PROJECT ITEM</u>	<u>ASSESSED COSTS</u>	<u>FUND SOURCE</u>
Street & Storm Sewer	\$493,119.00	\$230,112.00 Act 51/ Municipal Street Fund (Actively Assessed) \$263,007.00 Act 51/ Municipal Street Fund (Deferred Assessment – Regular)
Sidewalk	\$101,043.00	\$75,983.42 Act 51/Municipal Street Fund (Actively Assessed) \$25,059.58 Act 51/ Municipal Street Fund (Deferred Assessment – Public)
Sanitary Sewer	\$38,915.63	\$38,915.63 Kentwood Trunkage Fund (Deferred Assessment – Regular)
TOTALS	\$633,077.63	

## SPECIAL ASSESSMENT PORTION OF THE PROJECT:

### Local Street & Storm Sewer – Computed as per Kentwood Resolution No. 127-90

Rate is \$51.00 per front foot x 9,669 assessable feet = \$493,119.00

The Active Assessment is based on the fact that the property is both zoned and used commercial or industrial 4,512ft. = \$230,112.00

The Deferred Regular Assessment becomes active if the zoning and use changes to commercial or industrial. 5,157ft. = \$263,007.00

### Non-Motorized Trail

Rate is \$10.45 per front foot x 9,669 assessable feet = \$101,043.00.

The Active Assessment is based on the fact that the property is not public property.

7,271 = \$75,983.42

The Deferred Public Assessment becomes active if the property is no longer owned publically  
2,398ft. = \$25,059.58

### Sanitary Sewer

3 sewer services at \$12,971.88 apiece = \$38,915.63

Deferred Regular Assessment becomes active upon connection to any sanitary sewer or further development

Life of the improvement is not less than 40 years

First payment due: ?

Interest rate: One percent over the prime rate on the date of the confirmation of the special assessment roll.

Number of years to pay is 10, excluding sanitary sewer connection.

Minimum installment is \$50.00.

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James M Beke, CST  
Senior Engineering Technician

cc: City Commission

I. Chase - Finance Officer

R. Woods - KWDPW

S. Kepley - City Engineer

CITY OF KENTWOOD

EAST PARIS AVENUE RECONSTRUCTION  
(From 52<sup>nd</sup> Street to 60<sup>th</sup> Street)  
STREET, STORM SEWER, NON-MOTORIZED TRAIL AND SANITARY SEWER  
SPECIAL ASSESSMENT DISTRICT  
RESOLUTION NO ??-07  
(Resolution No. 2)

Minutes of the regular meeting of the City Commission of the City of Kentwood, Kent County, Michigan, held in the City of Kentwood Commission Chambers, 4900 Breton Ave., S.E., in said City on May 1, 2007 at 7:30 P.M.

PRESENT: COMMISSIONERS: ?

ABSENT: ?

The following preamble and resolution were offered by Commissioner ? and supported by Commissioner ?.

WHEREAS, the City Commission of the City of Kentwood tentatively determines that it is necessary to acquire and construct street, storm sewer, non-motorized trail and sanitary sewer in the City of Kentwood, more particularly hereinafter described in this resolution:

AND WHEREAS, the City Clerk has prepared a report concerning such improvements, which includes all of the information required by the provisions of Section 4 of the Special Assessment Ordinance of the City;

AND WHEREAS, the City Commission has reviewed said report,

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Commission hereby tentatively determines that the public improvements described more particularly in the notice hereinafter provided for are necessary
2. The total assessed cost of said public improvements is estimated to be \$633,077 63 and shall be spread over the special assessment district as hereinafter described.
3. Said special assessment district shall consist of all of the lots and parcels of land as described in the notice in paragraph 9 hereof.
4. The estimated life of such public improvement is not less than forty (40) years.
5. Said special assessment shall be spread on the basis of benefits received by properties in the district.
6. The aforesaid report shall be placed on file in the office of the City Clerk, where the same shall be available for public examination.
7. The City Commission will meet on June 5, 2007 at 7:30 P.M. at the Kentwood City Commission Chambers, for the purpose of hearing objections to the making of said public

improvements.

8. The City Clerk is hereby directed to cause notice of said hearing to be published in the GRAND RAPIDS PRESS, a newspaper of general circulation in the City of Kentwood, at least ten (10) full days before the date of such hearing, and is further directed to cause notice of such hearing to be mailed by first class mail to each owner of or person in interest in property in the special assessment district, more particularly described in the following notice, at the addresses shown on the current assessment roll of the City, at least ten (10) days prior to the date of such hearing.

9. The notice of such hearing to be published and mailed shall be in substantially the following form:

### NOTICE

EAST PARIS AVENUE RECONSTRUCTION  
(From 52<sup>nd</sup> Street to 60<sup>th</sup> Street)  
STREET, STORM SEWER, NON-MOTORIZED TRAIL AND SANITARY SEWER  
SPECIAL ASSESSMENT DISTRICT

### CITY OF KENTWOOD

TAKE NOTICE, that the City Commission of the City of Kentwood, Kent County, Michigan has tentatively determined it to be necessary to make the following described improvements in the City of Kentwood, and the City Commission has determined that the cost of said public improvements shall be assessed against each of the following described lots and parcels of land:

### IMPROVEMENT

Street, storm sewer, non-motorized trail and sanitary sewer in East Paris Avenue from 52<sup>nd</sup> Street to 60<sup>th</sup> Street.

### PROPERTIES TO BE ASSESSED

41-18-35-227-001	41-18-35-202-001 etal	41-18-35-276-007	41-18-35-276-006
41-19-35-290-001 etal	41-18-35-428-032	41-18-35-429-004	41-18-35-432-009
41-18-35-433-001	41-18-35-433-002	41-18-35-433-005	41-18-35-476-005
41-18-36-300-018	41-18-36-100-043	41-18-36-100-045	41-18-36-100-005
41-18-36-100-050	41-18-36-100-031	41-18-36-100-032	41-18-36-100-022
41-18-36-400-019			

TAKE FURTHER NOTICE, that the City Commission of the City of Kentwood has caused a report concerning said public improvements to be prepared, which report includes necessary plans, profiles, specifications and estimates of cost of such public improvement, a description of the assessment district and other pertinent information, and this report is on file in the office of the City Clerk and available for public examination.

TAKE FURTHER NOTICE, that the City Commission will meet on June 5, 2007 at 7:30 P.M. in the Kentwood City Commission Chambers, located at 4900 Breton Avenue, S E. in said City, for the purposes of hearing objections to the making of such public improvements.

Objections may be made by appearing in person at said hearing or by filing a protest in writing with the City Clerk prior to the close of the hearing.

This notice is given by order of the City of Kentwood, Kent County, Michigan

\_\_\_\_\_  
Dan Kasunic  
Kentwood City Clerk

For further information, call Jim Beke at 554-0737.

10. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

YEAS: COMMISSIONERS: ?

NAYS: ?

ABSENT: ?

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Dan Kasunic  
Kentwood City Clerk

#### CERTIFICATION

The foregoing resolution was certified at a regular meeting of the Kentwood City Commission held on May 1, 2007

\_\_\_\_\_  
Dan Kasunic  
Kentwood City Clerk

Agenda for May 1, 2007 City of Kentwood Commission Meeting

14. Bids.
15. Resolutions.
  - a. Res. -07 (Resolution #1) to prepare the financial fact sheet for the [East Paris Avenue Reconstruction Project](#) from 52<sup>nd</sup> Street to 60<sup>th</sup> Street. (roll call vote)  
  
Res. -07 (Resolution #2) to accept the financial fact sheet and set a June 5, 2007 public hearing date for the Hearing of Necessity for the [East Paris Avenue Reconstruction Project](#) from 52<sup>nd</sup> Street to 60<sup>th</sup> Street. (roll call vote)
16. Ordinances.
17. Appointments and Resignations.
18. Bills.
19. Comments of Commissioners and Mayor.
20. Adjournment.

Mary Bremer  
Deputy City Clerk