

AGENDA: February 15, 2011 CITY OF KENTWOOD COMMISSION MEETING

1. Call meeting to order at 7:00 P.M.
2. Invocation by Rev. DAVE Poolman of Princeton Christian Reformed Church.
3. Pledge of Allegiance to the Flag (Clanton).
4. Roll Call: Brinks, Brown, Clanton, Coughlin, Cummings, VerWys 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 [Finance Meeting](#) held on February 1, 2011
  - b. Receive and file minutes of the [Commission Retreat](#) held February 4, 2011
  - c. Res. -11 to [release the objection](#) of the Liquor License for Sam's Bistro.
  - d. Res. -11 to approve the transfer of Class C Liquor License from Scooter's to [Chemical Bank](#).
8. Approve minutes of the regular [City Commission Meeting](#) held on February 1, 2011 as distributed.
9. Presentations and Proclamations.
10. Communications and Petitions.
11. Public Hearings.
12. Report of Standing Committees.
13. Other Committees.
14. Bids.
15. Resolutions.

**PROPOSED MINUTES OF THE  
FINANCE COMMITTEE**

February 1, 2011  
Conference Room #119  
6:30 P.M.

Present: Commissioners: Chairperson Sharon R. Brinks, Richard Clanton, Frank Cummings, and Mayor Richard L. Root. Also present: Finance Director Tom Chase, Information Systems Manager Bill Dudgeon, City Clerk Dan Kasunic City Engineer Steve Kepley, Police Chief Richard Mattice and Public Works Director Ron Woods.

**1. PURCHASE OF REPLACEMENT PICK-UP TRUCKS FOR THE DEPARTMENT OF PUBLIC WORKS.**

DPW Director Woods reviewed the memorandum dated January 25, 2011 regarding the request for three pick-up trucks for the Department of Public Works and the intended uses. He answered questions of the Committee. Staff stated they will review if additional “rustproofing” is a viable option.

Motion by Cummings, supported by Clanton, to recommend to the City Commission to authorize the purchase of three, three-quarter ton pick-up trucks at a cost of up to \$70,100.00 (including a \$750 per vehicle allowance for lights and decals) with funds from the DPW Equipment Fund Budget for the Fiscal Year ending June 30, 2011.

Motion Carried.

**2. CONSULTING SERVICES FOR INFORMATION SYSTEMS GROUP.**

Finance Director Chase explained the action requested. He reviewed the reasons and history of the reason for waiving the requirements.

Motion by Clanton, supported by Cummings, to recommend to the City Commission to waive purchasing requirements and authorize the Mayor to execute a contract with Lorraine Perales without competitive bidding for consulting services for the Information Systems Group within the Finance Department from approximately December 1, 2010 to February 18, 2011 at a cost not to exceed \$27,50.00 with funds from the General Fund (Information Systems) Operating Budget for the Fiscal Year ending June 30, 2011 in accordance with the representation contained in T. Chase/B. Dudgeon/P. Tietz memorandum dated February 1, 2011.

Motion Carried.

**3. INFORMATION SYSTEMS GROUP STAFFING FOR THE FINANCE DEPARTMENT.**

Finance Committee Meeting.  
February 1, 2011.

Director Chase reviewed the memorandum dated January 25, 2011 regarding the request for additional staff in the Information System Group.

Motion by Cummings, supported by Clanton, to recommend to the City Commission to authorize the addition of a Network Administrator position in the Information Systems Group within the Finance Department, with funds from the General Fund (Information Systems Group) Operating Budget for the Fiscal Year ending June 30, 2011.

Motion carried.

Mayor Root noted this action is only for this current fiscal year and does not mean that the City will be adding the position on a permanent basis, but it will be reviewed at upcoming budget discussions.

The meeting was adjourned at 6:40 P.M.

Dan Kasunic  
City Clerk

Sharon R. Brinks  
Chairperson

**PROPOSED MINUTES OF THE  
CITY COMMISSION RETREAT**

February 4, 2011

Library Community Room

8:30 P.M.

Present: Commissioners: Mayor Pro-Tem Richard Clanton, Sharon R. Brinks, Michael W. Brown, Robert Coughlin, Frank Cummings, Ray VerWys, and Mayor Richard L. Root. Also present: Fire Chief James Carr, Finance Director Tom Chase, Court Administrator Deb Clanton, Deputy Administrator Rich Houtteman, City Clerk Dan Kasunic, Judge William Kelly, Deputy Fire Chief Brent Looman, Police Chief Richard Mattice, City Assessor Deb Ring, Community Development Director Terry Schweitzer, City Attorney Jeff Sluggett, Human Resource Director Lisa Sonogo, Probation Lead Lynn Smith, Assistant Finance Director/ Purchasing Agent Phil Tietz, Public Works Director Ron Woods and Parks & Recreation Director Charlie Zieseemer.

Mayor Pro-Tem Clanton opened the Retreat and asked Mayor Root to review of the topics for this retreat. After the Mayor's remarks, Deputy Administrator Houtteman gave a power point presentation that reviewed the population, square miles, income and other important facts about the City. Houtteman reviewed projects the City has completed in 2010 and what issues and projects are a priority for 2011. He reviewed current collaboration efforts, economic downturns and State issues that are a concern to the City of Kentwood. After a brief discussion pertaining to collaboration, the Commissioners requested a Committee of the Whole to be scheduled to discuss collaboration issues.

Human Resource Director Sonogo reviewed employee counts, time tables and labor relation process and roles. The Commissioners requested time to discuss their views on issues prior to the City's team meeting with the unions. City Attorney informed them of the legal ground rules and boundaries.

Finance Director Chase reviewed the 5X5 fiscal projections that reflect the assumption that the City maintains the same service levels. Director Chase reviewed the dedicated millages and how they are allowed to be used. He then distributed the budget timetables.

Houtteman reviewed the Standing Committees and their roles and asked for input into the meeting schedule and times and thoughts. The Commissioners felt that they would like more time between meetings for various reasons and requested they have more input into agenda items and have all items vetted through Chairs of the Committees prior to meetings. They requested that the staff presentations, presently done at the City Commission, be done at Committee of the Whole with the thought that it could be more informally and interactive. The Commission also requested a Committee of the Whole meeting(s) be scheduled so the current Standing Rules can be reviewed for any needed changes.

City Attorney Sluggett reviewed the role of the City Attorney; he noted the City Attorney is the firm or firms that represent the City and not him alone. He reviewed certain aspects of the City Charter and what it means to be a “Home Rule City” under the State of Michigan. Attorney Sluggett along with Mayor Root discussed the succession of Elective Office and different scenarios that could happen. The Commissioners asked questions and suggested that a meeting(s) to review and possibly change the procedures and rules to eliminate or reduce problems or concerns that may occur. Attorney Sluggett reviewed the Medical Marihuana issue and noted this topic may need to be addressed in the future.

The meeting was adjourned at 1:07 P.M

Dan Kasunic  
City Clerk

Richard Clanton  
Mayor Pro-Tem



## MEMORANDUM

**TO:** City Commission and Mayor Root

**FROM:** City Clerk Dan Kasunic

**DATE:** January 25, 2011

**TOPIC:** Release Resolution

Commissioners, in a recent conversation with an attorney representing Fifth-Third Bank, I have been informed that the Michigan Liquor Control Commission will not accept the resolution completed in September 2010 approving the transfer from Sam' Bistro to Fifth-Third bank until the City releases its objection to the renewal of the license. Fifth-Third Bank is requesting that a new resolution simply states the City of Kentwood release its objection to the renewal of the license. The resolution document accompanying this memorandum does that and will be placed on both the February 14<sup>th</sup> Safety Committee Agenda and the City Commission Agenda. Please contact me if there are additional questions.

# CITY OF KENTWOOD

## RESOLUTION -11

### A RESOLUTION

WHEREAS,; the City of Kentwood maintains the right to approve all Class C Liquor License in the City and

WHEREAS,; the City of Kentwood has adopted Resolution 65-10 to approve the transfer of the Liquor License to Fifth-Third Bank from Sam's Bistro and

NOW THEREFORE BE IT RESOLVED, that the City of Kentwood releases its objection to the renewal of the Liquor License pursuant to the previously approved transfer request as identified in the September 7, 2010 resolution #65-10.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, supported by Commissioner \_\_\_\_\_, the vote being as follows:

YEAS:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED.

Dan Kasunic  
City Clerk

I hereby certify the foregoing to be a true copy of a resolution adopted at a meeting of the City Commission of Kentwood on ----, 2011

Dan Kasunic  
City Clerk



## MEMORANDUM

**TO:** City Commission and Mayor Root

**FROM:** City Clerk Dan Kasunic

**DATE:** January 25, 2011

**TOPIC:** Transfer of Scooter's Liquor License

Commissioner, Chemical Bank has requested the transfer of the Class C Liquor License that is currently held in escrow because of the closing of Scooter's Bistro and Grill, LLC. The Circuit Court has awarded the liquor license to Chemical Bank in a summary judgment and is requesting the transfer to them, which in turn will sell the liquor to an entity and will not stay with the property. The closed business is located on Broadmoor in a strip mall. I have attached the application and judgment with this memorandum. If you have additional question please contact me.

### RESOLUTION

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
(Regular or Special) (Township Board, City or Village Council)

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ P M.

The following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

**That the request to** TRANSFER ALL RIGHTS TO RENEWAL OF AN ESCROWED 2010 CLASS C LICENSED BUSINESS, LOCATED AT 3097-3099 SE BROADMOOR, KENTWOOD, MI 49512, KENT COUNTY FROM SCOOTER'S BISTRO & GRILL, LLC TO CHEMICAL BANK, WITH LICENSE TO REMAIN IN ESCROW (STEP 1)

be considered for \_\_\_\_\_  
(Approval or Disapproval)

**APPROVAL**

**DISAPPROVAL**

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

It is the consensus of this legislative body that the application be:

\_\_\_\_\_ for issuance  
(Recommended or Not Recommended)

State of Michigan \_\_\_\_\_)

County of \_\_\_\_\_)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
(Township Board, City or Village Council) (Regular or Special)

meeting held on \_\_\_\_\_  
(Date)

(Signed) \_\_\_\_\_  
(Township, City or Village Clerk)

SEAL

\_\_\_\_\_  
(Mailing address of Township, City or Village)



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
LIQUOR CONTROL COMMISSION  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
ANDREW S. LEVIN ACTING DIRECTOR

NIDA R. SAMONA  
CHAIRPERSON

**NOTICE: IMPENDING INVESTIGATION**  
(Authorized by MCL 436.7a)

AUGUST 19, 2010

OCM DEVELOPMENT, LLC  
% ERIK EAST  
3310 EAGLE PARK DRIVE, NE, STE 205  
GRAND RAPIDS, MI 49525

Request ID # 562205

Reference: OCM DEVELOPMENT, LLC REQUESTS TO TRANSFER OWNERSHIP OF AN ESCROWED 2010 CLASS C & SDM LICENSED BUSINESS WITH SUNDAY SALES PERMIT, LOCATED AT 3097-3099 SE BROADMOOR, KENTWOOD, MI 49512, KENT COUNTY FROM CHEMICAL BANK; TRANSFER LOCATION (GOVERNMENTAL UNIT) UNDER MCL 436 1531(1) TO 355 NW WILSON, SUITE 600, GRAND RAPIDS, MI 49534, KENT COUNTY & REQUESTS NEW OFFICIAL PERMIT (FOOD) (STEP 2)

Your request has been placed under investigation. Investigations are conducted by an investigator from the Michigan Liquor Control Commission, the local law enforcement agency, and in some instances, the local legislative body.

You will be contacted by a Commission investigator from:

District Office: GRAND RAPIDS

Telephone Number: (616) 447-2647

You may contact that office regarding any appointments or questions, until your file is returned to the Lansing office. After the Commission's investigator has contacted you, it is your responsibility to contact the police agency having jurisdiction at the business location, for their portion of the investigation. If you do not provide requested information or keep your appointments, your file will be returned to the Lansing office which will delay the processing of your application.

You may check the status of your application via the Commission's website at <http://www2.dleg.state.mi.us/reqstatus>. To access this feature, please have the Request ID number listed at the top of this notice available.

If you are to be fingerprinted, a \$30.00 fee must be paid to the police agency for each person printed. Fingerprint fees must be paid by check or money order and made out to the State of Michigan.

When all reports are received, your file is then submitted to the Administrative Offices of the Commission for presentation to the Commission for consideration. You will be notified in writing of the Commission's decision. Any outstanding fees and closing papers will be requested only after the Commission has approved your request.

**WARNING**

Do not invest any money in improvements or bind yourself in any agreements until you have been officially notified by the Michigan Liquor Control Commission that your request has been approved.

**OUTSTANDING VIOLATIONS**

If you are buying a license from a current licensee, and that licensee has a violation pending during the time the application for transfer is being processed, final papers will not be released until disposition of the violation.

dl

cc: CHEMICAL BANK  
CITY OF KENTWOOD  
LC-1975 Rev 08/2010  
4880-1140

DELEG is an equal opportunity employer/program  
Auxiliary aids services and other reasonable accommodations are available upon request to individuals with disabilities



Michigan Department of Energy, Labor & Economic Growth  
**MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)**  
7150 Harris Drive, P. O. Box 30005  
Lansing, Michigan 48909-7505

**FOR MLCC USE ONLY**

Request ID # 562200

Business ID # 224169

## LOCAL APPROVAL NOTICE

[Authorized by MCL 436.1501]

AUGUST 19, 2010

**TO:** KENTWOOD CITY COMMISSION  
ATTN: CLERK  
4900 BRETON AVENUE SE  
PO BOX 8848  
KENTWOOD, MI 49518-8848

**APPLICANT:** CHEMICAL BANK

**Home Address and Telephone No. or Contact Address and Telephone No.:**

CONTACT: CHEMICAL BANK C/O DAVID QUADE, 485 THREE MILE ROAD NW, GRAND RAPIDS, MI 49504, (616) 875-2535

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact Unit 3 of the Retail Licensing Division at (517) 636-0204

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN  
TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**

**STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF KENT**

CHEMICAL BANK, f/k/a Chemical Bank  
West, a Michigan banking corporation,

Plaintiff,

Case No. 09-05384-CK

vs.

HON. GEORGE S. BUTH

SCOOTER'S BISTRO & GRILL, LLC, a Michigan  
limited liability company, SCOTT D. KOTRCH, and  
JODI L. KOTRCH, jointly and severally,

Defendants.

---

Michael O'Neal (P66247)  
WARNER NORCROSS & JUDD LLP  
Attorneys for Plaintiff  
900 Fifth Third Center, 111 Lyon St. N.W.  
Grand Rapids, Michigan 49503  
(616) 752-2413

---

**JUDGMENT OF CLAIM AND DELIVERY**

Plaintiff has filed a Motion for Judgment of Claim and Delivery against Defendants. After notice and hearing, the Court orders as follows:

1. Plaintiff is entitled to possession of the following described property owned by Defendants (the "**Property**"):

All personal property and fixtures owned by [the Company] or in which [the Company] has rights, whether now or hereafter existing or acquired by [the Company] and wherever located; and all proceeds and products of the foregoing. The term "All Personal Property" means all tangible and intangible property and rights in which a security interest or lien may be taken including, but not limited to, all goods, equipment, inventory, farm products, accounts, documents, instruments, investment property, general intangibles, chattel paper, deposit accounts, letter-of-credit rights,

Copies of any written agreements, bills of sale and checks evidencing the sale or other disposition.

7. The Michigan Liquor Control Commission is ordered to transfer the Class Class C liquor license (No. 155864), SDM liquor license (No. 155865), and the Sunday sales, dance and entertainment and official permits, currently issued in the name of Scooter's Bistro & Grill, LLC, to Plaintiff or its assignee.

8. The sheriff or court officer shall seize the Property (wherever it is located) within twenty-one (21) days and deliver it to Plaintiff.

9. Plaintiff is authorized to sell or otherwise dispose of the Property as permitted by agreements with Defendants and in accordance with the Michigan Uniform Commercial Code.

10. Defendants are ordered to allow Plaintiff access to Defendants' books and records to determine the identity and location of the Property, and the identity of any person or entity to whom Defendants may have assigned, transferred, conveyed or otherwise disposed of the Property.

11. This Court has already entered a judgment against Defendants for \$173,239 under Plaintiff's second cause of action. In the event that the amount realized by Plaintiff from sale of the Property is not sufficient to fully pay the amount of the debt owed, Plaintiff may seek recovery of the deficiency by separate action.

12. This Court finds that the Property has a value for purposes of MCR 3.105(H)(1) of \$70,000.00

13. This Order resolves the last pending claim and closes this case.

Dated: ~~July~~ <sup>AUG</sup> 7, 2009

**GEORGE S. BUTH**

Honorable George S. Buth

Jan. 20. 2011 5:08PM CITY OF KENTWOOD

No. 2847 P. 1

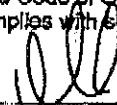
Date: \_\_\_\_\_

**LIQUOR LICENSE APPLICATION  
CITY OF KENTWOOD**

1. Applicant's Name: Chemical Bank  
 Address: 333 East Main Street, Midland, MI 48640  
 Telephone No.: (616) 875-2535
2. Operator/Manager's Name: David Quade, Community President-Senior Leader  
 Address: 485 Three Mile Road N.W., Grand Rapids, MI 49504  
 Telephone No.: (616) 875-2535
3. Business Name: See attached letter  
 Business Address: \_\_\_\_\_  
 Existing Business: \_\_\_\_\_ New Business: \_\_\_\_\_
4. Do you own/operate any other restaurants in Kentwood/Greater Grand Rapids Metropolitan area? Yes \_\_\_\_\_ No XX  
 If yes, does the restaurant have a liquor license? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Restaurant Address: See attached letter
5. Zoning Designation: \_\_\_\_\_
6. Class of Liquor License applied for:  
 A \_\_\_\_\_ B \_\_\_\_\_ C XX Tavern \_\_\_\_\_
7. Seating Capacity: n/a Dining Area Sq. Feet: n/a  
 (Dining Capacity: minimum 15 sq. ft. per person  
 Class A or B - 75 people or 1,125 sq. ft.  
 Class C - 150 people or 2,250 sq. ft.)
8. Has Applicant applied to the Michigan Liquor Control Commission: Yes XX No \_\_\_\_\_

**Attach to application:** Menu (5 copies)  
 Site Plan (5 copies) - if required  
 Floor Plan (5 copies) - if required  
 Letter to Michigan Liquor Control Commission - if required  
 Application Fee: (payable to the City of Kentwood; non-refundable)  
 \$100.00 for license transfer  
 \$300.00 for new license

I understand the requirements of the City of Kentwood Code of Ordinances Sections 6-31 through 6-93 (as attached) and affirm that the proposed facility complies with such requirements.

  
 \_\_\_\_\_  
 Signature of Applicant  
 David Quade, President  
 Community

City Commission Action: Approved \_\_\_\_\_ Denied \_\_\_\_\_  
 Date Date

January 24, 2011

*Via Hand Delivery*

City Clerk  
City of Kentwood  
4900 Breton Road Southeast  
Kentwood, MI 49508-5223

Re: **Application for Transfer of Class C License #155864 and SDM License #115865; Chemical Bank, Applicant**

Ladies and Gentlemen:

We represent Chemical Bank (the "**Applicant**") in its transfer of the above referenced escrowed Class C and SDM Licenses (the "**Licenses**") from Scooter's Bistro and Grill, LLC. The Applicant is requesting the transfer of the License pursuant to a judgment for claim and delivery as attached. The Applicant will not be establishing a retail operation or selling alcohol under the Licenses. The Applicant has already entered into a purchase agreement for the sale and transfer of the Licenses to a third party. The MLCC has required that the Licenses be transferred to the third party in a two-step transaction. The first step requires Scooter's Bistro and Grill, LLC to transfer the Licenses to Applicant, for which we must obtain City of Kentwood approval. Therefore, we request the city's approval of our transfer application.

In furtherance of the transfer request enclosed are the following:

1. City of Kentwood Application for Liquor License Transfer;
2. Judgment for Claim and Delivery entered by the Hon. George S. Buth; and
3. Check in the amount of \$100.00 for the fees relating to transfer application.

If there is anything else required or if you have any questions about the transfer of the Licenses, please do not hesitate to contact me.

Sincerely,

  
Marcus R. Jones

MRJ/ng

Enclosures

c: David Quade

blue: Michael O'Neal

5073967

**PROPOSED MINUTES OF THE REGULAR MEETING  
OF THE KENTWOOD CITY COMMISSION  
HELD FEBRUARY 1, 2011  
Commission Chambers**

Mayor Richard L. Root called the meeting to order at 7:00 P.M.

Reverend Mike Baynai of John Knox Presbyterian Church gave the invocation.

Commissioner Coughlin led the Pledge of Allegiance to the Flag.

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

Staff Present: Fire Chief Jim Carr, Finance Director Tom Chase, Information Systems Manager Bill Dudgeon, Economic Development Planner Lisa Golder, City Clerk Dan Kasunic, Engineering & Inspections Director Steve Kepley, Police Chief Rick Mattice, Community Development Director Terry Schweitzer, Fire Department Administrative Assistant Nancy Shane, City Attorney Jeffrey Sluggett, Assistant Finance Director/Purchasing Agent Phil Tietz, and Public Works Director Ron Woods.

Forty (40) citizens and members of the news media attended the meeting.

Motion by Brinks, supported by VerWys, to **approve the agenda** with the following addenda: add 7(h) Consulting Services and 9(b) Presentation by City Engineer.

Motion Carried.

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

County Commissioner Harold Mast spoke on the County's Rx Discount Card, Parks Study and the ITP Millage.

**CONSENT AGENDA:**

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

- A. Receive and file minutes of the Service Committee Meeting held January 18, 2011.
- B. Receive and file minutes of the Committee of the Whole Meeting held January 18, 2011.
- C. Approve the purchase of three, three-quarter ton replacement Pick-up Trucks at a cost of up to \$70,100.00 (including \$750 per vehicle allowance for lights & decals) with funds from the DPW Equipment Fund budget.

City Commission Meeting  
February 1, 2011.

- D. Authorize the addition of a Network Administrator position in the Information Systems Group within the Finance Department, with funds from the General Fund Operating Budget for the Fiscal Year ending June 30, 2011.
- E. Adopt Resolution 10–11 to adopt the restated plan-City of Kentwood Employee Pension Plan.
- F. Adopt Resolution 11–11 to adopt the restated Plan-City of Kentwood Defined Contribution Pension Plan.
- G. Payables for the City totaling \$1,510,381.89.
- H. Waive purchasing requirements and authorize the Mayor to execute a contract with Lorraine Perales without competitive bidding for consulting services for the Information Systems Group within the Finance Department, from approximately December 1, 2010 to February 8, 2011 at a cost not to exceed \$27,500. 00 with funds from the General Fund (Information Systems) Operating Budget for the Fiscal Year ending June 30, 2011 in accordance with the representations contained in T. Chase/B. Dudgeon/P. Tietz memorandum dated February 1, 2011.

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

Motion Carried.  
Resolutions Adopted.

Motion by Cummings, supported by Brown, to **approve the minutes** of the January 18, 2011 City Commission Meeting.

Motion Carried.

**PRESENTATIONS AND PROCLAMATIONS:**

**ADMINISTER THE OATH OF OFFICE TO FOUR NEW POLICE OFFICERS.**

Police Chief Mattice introduced the new officers: Marcelo Aranda, Faye Hartman-Goehring, Chad Nawrocki and Phillip Reinink. City Clerk Kasunic administered the Oath of Office and they introduced family who were present.

**PRESENTATION BY THE CITY ENGINEER STEVEN KEPLEY.**

City Engineer Kepley reviewed 2011 Capital Projects planned for the upcoming year including informing the Commission of the Asset Management Plan to record all assets such as length of water and sewer pipes and its diameters. He also reviewed the 2010 Building Permit Activity.

**PUBLIC HEARING:**

PUD, City of Grand Rapids.

Mayor Root opened the public hearing to approve the Preliminary Site Plan Review of the City of Grand Rapids Office PUD.

City Commission Meeting  
February 1, 2011.

After a brief presentation by Community Development Director Schweitzer, Representative FTC&H Dave Baar and City of Grand Rapids Representative Wayne Jernberg:

Motion by Coughlin, supported by Brown, to close the public hearing.

Motion Carried.

**APPROVE PRELIMINARY SITE PLAN REVIEW OF THE GRAND RAPIDS OFFICE PUD.**

Motion by Clanton, supported by Cummings, to conditionally approve the Preliminary Site Plan Review of the City of Grand Rapids Office PUD located at 3411 Patterson according to Planning Commission's January 25, 2011 Findings of Fact with conditions 1 through 5 and Basis Points 1 through 8 including City Commission's conditions 1) Language in the PUD Agreement shall be modified to address the security issues during tonight's discussion by the City Commission, 2) changes to the color/graphics language in the PUD Narrative shall be made to ensure consistency with tonight's discussion by the City Commission, 3) The non-motorized trail shall be incorporated into the drive shown on the Site Plan to the extent reasonably feasible.

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

Resolution Adopted.

**Autocam Medical LLC and Autocam.**

Mayor Root opened the public hearing to approve the application of an Industrial Facilities Exemption Certificate for Autocam Medical LLC located at 4162 East Paris Ave., SE in the City of Kentwood and Autocam located at 4060 and 4070 East Paris Ave., SE; under Act 198.

After a brief presentation by Economic Development Planner Golder:

Motion by Clanton, supported by Coughlin, to close the public hearing.

Motion Carried.

Commissioner VerWys informed the Commission he will no longer support any tax abatements and reviewed his reasons of his decision. (statement filed in the Clerk's Office)

**ADOPT RESOLUTION 12-11 TO APPROVE THE APPLICATION OF AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR AUTOCAM.**

Motion by Clanton, supported by Coughlin, to adopt Resolution 12-11 to approve the application of an Industrial facilities Exemption Certificate for Autocam Medical LLC located at 4162 East Paris Ave., SE; under Act 198.

Roll Call Vote: Yeas: Brinks, Brown, Clanton, Coughlin, Cummings and Root.  
Nays: VerWys. Absent: None.

Resolution Adopted.

City Commission Meeting  
February 1, 2011.

**ADOPT RESOLUTION 13-11 TO APPROVE THE APPLICATION OF AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR AUTOCAM.**

Motion by Clanton, supported by Coughlin, to adopt Resolution 13-11 to approve an application for an Industrial Facilities Exemption Certificate in the City of Kentwood for Autocam Corporation located at 4060 East Paris Ave., SE; under Act 198.

Roll Call Vote: Yeas: Brinks, Brown, Clanton, Coughlin, Cummings and Root.  
Nays: VerWys. Absent: None.

Resolution Adopted.

**ADOPT RESOLUTION 14-11 TO APPROVE THE APPLICATION OF AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR AUTOCAM.**

Motion by Clanton, supported by Coughlin, to adopt Resolution 14-11 to approve an application for an Industrial Facilities Exemption Certificate in the City of Kentwood for Autocam Corporation located at 4070 East Paris Ave., SE; under Act 198.

Roll Call Vote: Yeas: brinks, Brown, Clanton, Coughlin, Cummings and Root.  
Nays: VerWys. Absent: None.

Resolution Adopted.

**ORDINANCES:**

**AMEND CITY OF KENTWOOD ORDINANCE 2-11, TO ASSIGN AN APPROPRIATE CODE NUMBER.**

Motion by Brinks, supported by Clanton, to amend the City of Kentwood Ordinance 2-11, to assign an appropriate code number, that being the creation of Section 3.31 prohibition of Medical Marijuana Dispensaries.

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

Ordinance Adopted.

**COMMENTS OF COMMISSIONERS AND MAYOR:**

Commissioner Brinks-Informed the Commission of her "Relay for Life team name is "Roots of Kentwood".

Mayor Root- Stated he attended the Giants banquet and that Commissioner Clanton received another Giants award for his work in the community.

The meeting was adjourned at 8:25P.M.

Dan Kasunic  
City Clerk

Richard L. Root  
Mayor

Agenda for February 15, 2011 City of Kentwood Commission Meeting

16. Ordinances.
17. Appointments and Resignations.
18. Bills.
19. Roll Call Vote to adjourn to Closed executive Session regarding the negotiation of a collective bargaining agreement as permitted under Section 8(c), P.A. 267 of 1976, as amended by Act 256 of 1978, Michigan's Open Meeting Act.
20. Meeting reconvened from Close Executive Session.
21. Comments of Commissioners and Mayor.
20. Adjournment.

Dan Kasunic  
City Clerk