



City of East Grand Rapids
Regular City Commission Meeting
Agenda

January 7, 2019 – 6:00 p.m.
(EGR Community Center – 750 Lakeside Drive)

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

Regular Agenda Items

4. Adoption of a policy for private fireworks show permits (action requested).

Consent Agenda – Approval Requested

5. Receipt of communications.
6. Minutes of the regular meeting held December 17, 2018.
7. Minutes of the special meeting held December 18, 2018.
8. Report of Finance Committee on disbursement of funds: payroll disbursements of \$229,715.64; county and school disbursements of \$315,917.95, and total remaining disbursements of \$288,178.82.

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CITY OF
EAST GRAND RAPIDS

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750 LAKESIDE DRIVE SE · EAST GRAND RAPIDS, MICHIGAN 49506
(616) 949-2110 www.eastgr.org

FRED BUNN
PARKS & RECREATION DIRECTOR

MEMORANDUM

TO: Mayor and City Commissioners
FROM: Fred Bunn, Director of Parks & Recreation
DATE: December 17, 2018

RE: Permit application process and requirements for firework displays

ACTION REQUESTED: The City Commission approve the proposed Fireworks and Display Permit Application Process and associated fee for fireworks display requests by private parties.

BACKGROUND: Over the past several years we have had four requests to display fireworks in East Grand Rapids. The four requests were submitted by residents (3) and Calvin College. After working through the permitting process on four occasions the City Manager and I agree there is a need for a formal permitting application process and fee structure. The permit application document provides step by step instructions detailing the process, guidelines and requirements. Based on Commission comments I have revised the proposed permit application with your comments in mind. I have highlighted the proposed changes and additions in yellow for your review. The permit application process will ensure each applicant submitting an application will follow the same steps prior to being submitted to the City Commission for approval or denial.

The Michigan Department of Licensing & Regulatory Affairs requires the local legislative body to approve a “Permit for Fireworks Other Than Consumer or Low Impact” allowing a pyrotechnics licensed vendor to transport, set up and display fireworks. If the City Commission approves a permit application the Mayor or designee will sign the permit and copies will be sent to the pyrotechnics company and the permit applicant.

This information has been reviewed by City attorney John Huff and the Finance Committee and found to be in order.

Brian Donovan, City Manager



FRED S. BUNN
DIRECTOR

CITY OF EAST GRAND RAPIDS, MICHIGAN PARKS & RECREATION DEPARTMENT

PRIVATE FIREWORKS USE AND DISPLAY PERMIT APPLICATION PROCESS

The applicant **MUST** complete the online fireworks display permit application form electronically on the City's website. The information provided may require City staff to contact the Applicant throughout the permitting process. The Applicant must follow the steps listed below without exception. The Applicant may be given further direction after the form is reviewed and the applicable \$600 permit fees have been paid to the City of East Grand Rapids. **The City reserves the right to deny any fireworks display permit application for any reason.**

Fireworks Guidelines

- Size of shells must be four inches or less.
- Duration of the display may not exceed 20 minutes.
- Display may contain up to 750 total shells.
- A fireworks permit will not be granted for displays scheduled on a school night.
- **A maximum of four permits can be granted each calendar year.**
- **No more than one private fireworks permit shall be granted in any given calendar month each year.**

PERMIT APPLICATION PROCESS:

1. **Applicants may apply for a fireworks display permit up to 11 months in advance of the month the requested fireworks display will take place. The City Commission reserves the right to use discretion when reviewing permit applications and how they align with other approved permits on the calendar.**
2. Applicant must complete and submit the online Fireworks Display Permit Application **and pay the \$600 permit fee** at least 60 days in advance of the display date.
3. City staff will schedule and conduct an on-site inspection to best determine life safety issues and measures, property & exposure protection and any special resource needs that may be required.
4. After the inspection is completed, City staff will contact the Applicant and advise the Applicant of any required Fire Rescue apparatus and personnel requirements to facilitate the safe use and display of the fireworks. Associated apparatus and personnel costs will be billed directly to the applicant and must be paid at least 10 days in advance of the display date.

5. The online permit application and documents listed below must be submitted for review by City staff. The fireworks display permit application will not be processed until all documents have been submitted and received:
 - Copy of your Pyrotechnic Contract from the company firing the show
 - Completed “Application for Fireworks Other Than Consumer or Low Impact” Form
 - Completed “Permit for Fireworks Other Than Consumer or Low Impact” Form
 - Certificate of Insurance with City of East Grand Rapids listed in the “Certificate Holder” box
 - Detailed site plan schematic visually illustrating event layout including firing zone, safety zones, spectator areas, and surrounding properties as potential exposures. Show site map scale and if not to scale, please show distances in estimated feet. Hand-drawn illustrations are permitted if cleanly drawn and they meet desirable expectations and the visual intent of use.
6. After receiving the completed online permit application form, **\$600 permit application fee** and the above required documents, City staff will contact the Applicant to confirm the status of their permit request.
7. If all information is found to be in order the permit application will be brought before the City Commission for approval or denial. A public hearing notice will be sent, at a minimum, to property owners within 300 feet the fireworks display site in advance of the City Commission meeting. This will provide community members the opportunity to give public comment. **The City reserves the right to deny any fireworks display permit application for any reason.**
8. Following the City Commission meeting the applicant will be contacted with the results of the permit application request. If the permit application is approved a legislative body representative will sign and date the permit. Copies of the signed “Permit for Fireworks Other Than Consumer or Low Impact” will be provided to the applicant and/or pyrotechnics company. If the permit application is denied the applicant will be informed and the **\$600** permit application fee will NOT be refunded.
9. Approved permit requirements:
 - The permit holder agrees to send out a letter or postcard notification containing the details of the fireworks display to all property owners within a ½ mile radius of the fireworks display location. The permit holder will be responsible for preparing and sending the mailing. The applicant will be responsible for all costs associated with the mailing. A draft of the fireworks notification letter or postcard must be approved by the City prior to printing and mailing. An electronic file of addresses will be provided by the City to the Applicant for the mailing. The fireworks notification must be mailed or distributed no less than 10 days prior to the date of the display.
 - **If the Applicant does not abide by all of the requirements of the Fireworks Permit Application Process the permit may be revoked and future requests denied.**

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held December 17, 2018

Mayor Seibold called the meeting to order at 6:00 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 Duncan, Favale, Hamrick, Miller, Walters, Zagel and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; City Manager Donovan; Assistant City Manager LaFave; Public Safety Director Herald; Finance Director Mushong; Parks & Recreation Director Bunn; City Clerk Brower; Zoning Administrator Mizikar; Communications Specialists Greenleaf and Licari, Sgt. Smith; PSOs Hollis, Karnes, Wallace

2018-181. No public comment was received.

2018-182. Commissioner Favale announced that the James Salon would be donating 20% of their profits to the high school PTO on Wednesday, December 19.

Mayor Seibold congratulated the Ferris State University football team on their 2nd place finish in the Division 2 national championships.

2018-183. Public Safety Director Herald presented the following awards: Life Saving Awards to Staff Sergeant Eric Smith and Public Safety Officer Zach Nagtzaam; Unit Citation Awards to Staff Sergeant Eric Smith, PSO Zach Nagtzaam, PSO Dan Lobbezoo and PSO John Karnes; Chief's Citation Award to Physician Assistant Megan Zabawa.

2018-184. A zoning variance hearing was held regarding the request of Christopher Wessely of 1447 Woodcliff to allow the construction of an addition to the rear of the home creating a rear yard setback of 15' instead of the required 25'.

Zoning Administrator Mizikar explained the request for a 15'x30' addition to the rear of the home that would contain a bedroom, bathroom and sitting area. He noted that the lot is non-conforming so the existing reduced side yard setback is allowed. He stated the proximity and size of the addition could be considered a detriment to the neighbor to the south.

Chris & Kim Wessely of 1447 Woodcliff were present to explain the request. Mr. Wessely stated the addition needed to be on the main floor to avoid using the stairs and felt this location was their best choice because it would line up with existing living space and avoid the kitchen windows. He stated the kitchenette shown on the plans could be eliminated and the entry would be a sliding glass door.

Commissioner Hamrick questioned whether the applicants had looked at the option of only a bedroom and bathroom that might be able to be built within the allowed setback and avoid the need for a variance. Mr. Wessely said this might be possible, but he would have to have an architect look at the options. He also acknowledged that there may be other options for adding on to the rear of the home but has not looked into these with any depth.

Mayor Seibold opened a public hearing. The following people were present to express their opinions:

- Tom Stankewicz, 1453 Woodcliff

Requested the variance be denied as there were no special conditions on this property and the addition would have a negative impact on his property. He also felt it could be done without needing a variance and was concerned about water runoff and overcrowding in the neighborhood. Mr. Stankewicz noted he was not opposed to an addition to the home but did not support the current request.

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

- Smith Haughey on behalf of Stankewicz/Landane Opposed.
- Susan McCarthy, 1440 Edgewood Opposed.
- Edna Glaza, 2960 Maplewood Opposed.
- Sue Stoddard, 1427 Woodcliff Opposed.
- Matt Runyon, 1450 Woodcliff Opposed.

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

- 2018-184-A. Walters-Hamrick. That the request of Christopher Wessely of 1447 Woodcliff to allow the construction of an addition to the rear of the home creating a rear yard setback of 15’ instead of the required 25’ be approved.

Mayor Seibold reviewed several of the recent rear yard setback variances and the reasons they were approved or denied by the City Commission.

Commissioner Walters appreciated the desire to have an addition to the home to assist an aging relative and noted the new master plan does discuss looking at this type of mixed-use in the future; however, he could not support this request because the standards currently contained in the zoning ordinance are not met by this request. He also felt it would be a detriment to the next-door neighbor to build a large addition so close to the property line. He encouraged the applicant to explore all the options for building the addition without a variance.

Commissioner Zagel also supported the idea behind the project but hoped it could be done without a variance and without the negative impact on the neighbors.

Mayor Seibold stated the size and location did not seem like the best fit for the area as it reduces the private enjoyment of others in their back yards.

- Yeas: -0-
Nays: Duncan, Favale, Hamrick, Miller, Walters, Zagel and Seibold – 7

- 2018-185. Resolution amending the assessment roll for the Durant Street Special Assessment District.

Assistant City Manager LaFave explained the construction has been completed costs were under the budgeted amount, resulting in reduced assessments for the property owners on this street.

Mayor Seibold opened a public hearing on the updated assessment numbers. No public comment was received. Mayor Seibold closed the public hearing.

- 2018-185-A. Zagel-Miller. That a resolution amending the Durant Street Special Assessment District assessment roll be adopted as attached in Exhibit “A.”

Commissioner Zagel thanked Mr. LaFave and the Public Works Department for working so closely with residents on the assessment process and the construction work.

- Yeas: Duncan, Favale, Hamrick, Miller, Walters, Zagel and Seibold – 7
Nays: -0-

- 2018-186. Discussion of January 21, 2019 City Commission meeting.

- 2018-186-A. Duncan-Hamrick. That the regularly scheduled City Commission meeting of January 21, 2019 be moved to January 22, 2019 due to the Martin Luther King, Jr. Day holiday.

- Yeas: Duncan, Favale, Hamrick, Miller, Walters, Zagel and Seibold – 7

Nays: -0-

2018-187. Duncan-Miller. To approve the consent agenda as follows:

2018-187-A. Minutes of the regular meeting held December 3, 2018.

2018-187-B. Payroll disbursements of \$220,870.87; county and school disbursements of \$48,393.04, and total remaining disbursements of \$1,470,118.30.

Yeas: Duncan, Favale, Hamrick, Miller, Walters, Zigel and Seibold – 7

Nays: -0-

The meeting adjourned at 6:47 p.m., subject to the call of the Mayor until January 7, 2019.

Karen K. Brower, City Clerk

Attachments: A – Resolution amending the Durant Street Special Assessment District

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

Resolution Amending Assessment Roll

RESOLVED that the special assessment roll for the improvement consisting of:

Construction of approximately 425 feet of street/storm sewer improvements on Durant Street from Lakeside Drive to end.

That this City Commission does confirm such special assessment roll as amended to reflect final construction costs and does order that the Clerk endorse the date of confirmation upon such special assessment roll and transmit the same to the Treasurer for collection.

Adopted by the East Grand Rapids City
Commission on December 17, 2018.

Karen K. Brower, City Clerk

Durant Street-Final Assessment Roll

<u>Parcel Number</u>	<u>Address</u>	<u>Assessment</u>
41-14-33-204-012	415 Lakeside Drive	\$20,506.91
41-14-33-204-007	2151 Durant Street	\$10,052.41
41-14-33-204-013	2145 Durant Street	\$28,950.93
41-14-33-204-011	2127 Durant Street	\$10,776.18
41-14-33-205-019	421 Lakeside Drive	\$14,113.58
41-14-33-205-018	2200 Durant Street	\$21,713.20
41-14-33-205-004	2142 Durant Street	\$20,104.81
41-14-33-205-017	2134 Durant Street	\$12,062.89
41-14-33-205-016	2126 Durant Street	\$8,504.34

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Special Meeting Held December 18, 2018

Mayor Seibold called the meeting to order at 1:07 p.m. in the City Commission Chambers at the East Grand Rapids Community Center.

Present: Commissioners Duncan, Favale, Hamrick, Miller, Walters, Zagel and Mayor Seibold

Absent: None

Also Present: City Clerk Brower; MML Consultant Grinzinger

2018-188. No public comment was received.

2018-189. No commission reports were received.

2018-190. Zagel-Miller. Motion to enter into an executive session to review applications for the City Manager’s position in accordance with Section 8(f) of the Open Meetings Act. A roll call vote was taken.

Yeas: Duncan, Favale, Hamrick, Miller, Walters, Zagel and Seibold – 7

Nays: -0-

2018-191. The meeting adjourned at 1:08 p.m. to conduct the executive session. The meeting resumed at 4:59 p.m.

2018-192. Selection of candidates for interviews.

2018-192-A. Miller-Favale. That candidate numbers 9, 11, 19, 22, 27 be invited to interview for the city manager’s position on January 11, 2019.

Yeas: Duncan, Favale, Hamrick, Miller, Walters, Zagel and Seibold – 7

Nays: -0-

2018-193. Mayor Seibold announced the interviews for the city manager position will take place on Friday, January 11, 2019 in the City Commission Chambers and an open house to meet the candidates will be held on Thursday, January 10, 2019 from 5:30 to 7:30 pm in the City Commission Chambers. Both the interviews and the open house will be open to the public.

The meeting adjourned at 5:02 p.m., subject to the call of the Mayor until January 7, 2019.

Karen K. Brower, City Clerk