

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held March 16, 2015**

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, Graham, Johnson, Miller, Skaggs and Mayor Seibold

Absent: None

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

2015-31. Shawn Gotch, 2053 Wilshire, distributed copies of a recent court decision and suggested the City of East Grand Rapids consider language to add religious exemptions for closely held businesses to a future agenda.

2015-32. Commissioner Miller thanked everyone for attending the meeting to make their opinions known.

Commissioner Skaggs announced City Assessor Vicki Mesik would be retiring in July and thanked her for her years of service to the City and her commitment to fair taxation policies.

Commissioner Graham also thanked City Assessor Mesik for her service and stated she will be missed.

2015-33. A zoning variance hearing was held regarding the request of George Lundskow of 1145 Eastwood to allow the construction of an addition to the rear of the home with a separation distance from the detached garage of 6.7' instead of the required 10.0', and creating lot coverage by pavement and buildings of 51% instead of the allowable 40%.

Zoning Administrator Faasse explained the request for an addition to the rear of the home that would replace an existing patio. He further explained this property was a conforming lot until the zoning ordinance change of November 2013. Mr. Faasse reported the Zoning Ordinance Subcommittee that had been reviewing the lot coverage provisions would be recommending an ordinance amendment to measure lot coverage by lot size rather than zoning district. Under the proposed change, lot coverage by buildings and pavement of 55% would be allowed for the property at 1145 Eastwood because of its size.

George Lundskow, 1145 Eastwood, explain the request for the addition that would provide a mother-in-law suite at their home.

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

2015- -A. Dills-Miller. That the request of George Lundskow of 1145 Eastwood to allow the construction of an addition to the rear of the home with a separation distance from the detached garage of 6.7' instead of the required 10.0', and creating lot coverage by pavement and buildings of 51% instead of the allowable 40% be approved.

Commissioner Dills supported approving the variance request due to pending changes in the regulations and the fact that the addition was replacing existing pavement and not greenspace.

Commissioner Miller noted this variance would not be needed if this property were in the R-3 zone and was actually conforming prior to the new ordinance.

Commissioner Skaggs expressed reluctance to grant variances for current ordinance provisions, regardless of any changes that might be made in the future as not all proposals may be ultimately adopted. He favored waiting to see the outcome of the discussions and then considering this request.

Commissioner Graham stated his support for the variance since the project would not need a variance under the proposed ordinance changes.

Commissioner Duncan also supported the request due to the fact the property had been conforming before the recent changes and the fact the addition was replacing a patio and did not increase the overall lot coverage.

Commissioner Johnson and Mayor Seibold support the request because there was no reduction in the greenspace on this property.

Yeas: Dills, Duncan, Graham, Johnson, Miller and Seibold – 6  
Nays: Skaggs – 1

2015-34. Final Reading of an ordinance amendment to Chapter 10 of Title I of the City Code pertaining to nondiscrimination.

The following people were present to express their opinions on this issue:

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| - Brian Schwartz, 2515 Indian Trail         | Chose to move back to EGR because of the diversity and tolerance.  |
| - Cindy Bartman, 811 Flat (GR)              | Urged adoption of the ordinance to make EGR even more open and inclusive than it is now.   |
| - Drew Stoppels, 2019 Breton                | Stated EGR was known for being open and progressive and this ordinance would make it more so.  |
| - Fred Burkhart, 1435 Woodlawn              | Stated young people were very sensitive to tolerance and were leaving the state unnecessarily. Felt this ordinance was a way to retain residents.  |
| - Collette Seguin Beighley, 987 3 Mile (GR) | Director of LGBT Resource Center at GVSU. Stated new rules were consistent with the Constitution and were good for humanity.   |
| - Brian Merucci, 2101 Gorham                | Appreciated the atmosphere in the area and in the schools which welcomed his family. Has been discriminated against and welcomed the new ordinance.  |
| - Mary Whiting, 1350 Eastlawn               | Appreciated the welcoming acceptance in her neighborhood and felt this ordinance would attract others looking for places to live.  |
| - Kathleen Bruinsma, 1748 Alexander         | Supported the ordinance as a way to eliminate injustice and keep EGR a world class community.  |
| - Diane Griffin, 1909 Argentina             | Proud to live in the City that welcomed her family. Felt the new rules would promote the values of East Grand Rapids.  |
| - Miriam Aukerman, 425 Briarwood            | ACLU Attorney. Stated local ordinances protect where state law fails, religious beliefs do not give people the right to discriminate, and local government has the right to adopt these types of laws. |
| - Sam Jones-Darling, 716 Alpine (GR)        | Feels very welcome in East GR and would love to live here one day. Thanked the City for adopting the ordinance.  |
| - Tommy Allen, _____                        | Stated it was important to make everyone feel welcome.   |

- 2015- -A. Miller-Johnson. That an ordinance amendment to Chapter 10 of Title I of the City Code pertaining to nondiscrimination be adopted as set forth in Exhibit "A" attached hereto.

Commissioner Miller stated this was the right thing to do and would close a gap that has now been identified.

Commissioner Johnson felt privileged to be able to vote on this issue and agreed that local units should act to protect where state laws failed to do so.

Commissioner Graham appreciated the many letters received on this issue. He felt this new ordinance would add to the appeal of East Grand Rapids.

Commissioner Duncan thanked those who shared their stories and strongly supported the provisions of the ordinance amendment.

Commissioner Dills supported the change as an appropriate social justice measure. He suggested staff look at clarifying the language regarding religious objections for consideration at a later date.

Commissioner Skaggs felt this ordinance would tell the region and the state that EGR is welcoming and tolerant.

Mayor Seibold thanked everyone for their positive comments. She hoped this type of local ordinance would give state legislators the courage to act on a statewide level.

Yeas: Dills, Duncan, Graham, Johnson, Miller, Skaggs and Seibold – 7  
Nays: -0-

- 2015-35. Request to adopt a resolution approving an application for Community Development Block Grant funds.

Assistant City Manager LaFave reported the grant application approved last month had to be resubmitted due to confusion over the permitted uses of the funds. The City was now making an application to use CDBG funds for replacement of existing sidewalk ramps.

Mayor Seibold opened a public hearing. No public comment was received. Mayor Seibold closed the public hearing.

- 2015- -A. Skaggs-Miller. That a resolution approving the application for Community Development Block Grant funds to construct an ADA-compliant sidewalk, crosswalk and curb ramps from the Remington restroom building to the Reeds Lake Trail bridge be adopted as set forth in Exhibit "B" attached hereto.

Yeas: Dills, Duncan, Graham, Johnson, Miller, Skaggs and Seibold – 7  
Nays: -0-

- 2015-36. Johnson-Graham. Motion to approve the consent agenda as follows:

2015- -A. To approve the minutes of the regular meeting held March 2, 2015.

2015- -B. To approve payroll disbursements of \$204,614.39; county and school disbursements of \$270,603.37, and total remaining disbursements of \$700,822.62.

2015- -C. The purchase of six self-contained breathing apparatus from West Shore Fire Inc of Allendale in the amount of \$36,316.00.

2015- -D. A policy for assessment of costs for new sidewalks of the city paying 80% of the cost for a new section of sidewalk and the residents paying the remaining 20% if the street and sidewalk millage is approved in May 2015.

2015- -E. A new fee structure for liquor license applications of \$100 for a liquor license transfer and \$300 for an unissued liquor license.

Yeas: Dills, Duncan, Graham, Johnson, Miller, Skaggs and Seibold – 7  
Nays: -0-

Commissioner Duncan departed.

2015-37. City Manager Donovan and the Department Directors presented highlights of the 2015-16 Goals & Objectives booklet and answered questions from the City Commission.

2015-38. Dills-Miller. Motion to enter into an executive session to conduct a periodic personnel evaluation of the City Manager in accordance with Section 8(a) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Graham, Johnson, Miller, Skaggs and Seibold – 6  
Nays: -0-

The meeting adjourned at 7:46 p.m., subject to the call of the Mayor until March 30, 2015.

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Karen K. Brower, City Clerk

Attachments: A – Ordinance amendment to Chapter 10 pertaining to nondiscrimination  
B – Resolution approving an application for Community Development Block Grant funds.

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