

PROCEEDINGS OF THE CITY COMMISSION  
CITY OF EAST GRAND RAPIDS

**Regular Meeting Held September 8, 2015**

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 Dills, Duncan, Graham, Miller, Skaggs and Mayor Seibold

Absent: Commissioner Johnson

Also Present: City Attorney Huff; City Manager Donovan; Finance Director Mushong; Assistant City Manager LaFave; Zoning Administrator Faasse; Captain Buikema; City Clerk Brower

2015-88. No public comment was received.

2015-89. Commissioner Dills reminded everyone the Rhoades McKee Reeds Lake Triathlon was Saturday and would be using EGR streets for all of the events.

Commissioner Skaggs commented on the progress made with road resurfacing over the summer months and looked forward to improving streets and sidewalks over the next several years.

Commissioner Graham reported that Reeds Lake Boulevard was again open for traffic, ahead of schedule. Mayor Seibold asked everyone to drive especially carefully over the next several weeks as the new school year gets underway. She also noted the Reeds Lake Triathlon needs volunteers for Saturday morning.

2015-90. A zoning variance hearing was held regarding the request of Jeff Olsen of 1112 Eastwood to allow the construction of a two-stall garage creating lot coverage by pavement and buildings of 44% instead of the allowable 40%.

Zoning Administrator Faasse explained the request to use a stone-filled underground chamber to detain stormwater, a method not addressed by city ordinances. Mr. Faasse noted that a variance for lot coverage by pavement and buildings was necessary only because this lot was a non-conforming parcel by current zoning standards.

Jeff Olsen, 1112 Eastwood, stated the stormwater detention system was a better method of controlling groundwater than pervious pavers. He estimated the system would contain 13 days of rain before allowing it to enter the ground. He stated his intention was to keep the extra rainfall away from home foundations in the area. Mr. Olsen noted he planned to install gutter guards and construct cleanouts in the system to hopefully eliminate any future maintenance issues since the chamber will not be accessible once constructed.

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

2015- -A. Graham-Miller. That the request of Jeff Olsen of 1112 Eastwood to allow the construction of a two-stall garage creating lot coverage by pavement and buildings of 44% instead of the allowable 40% be approved with the installation of a 2,300 gallon underground chamber retention system.

Commissioner Graham felt this solution made sense as a means of keeping water away from the street and other homes. He felt a 4% variance was minimal and would allow a better use of the property.

Commissioner Dills felt the surface water runoff was a separate issue from the lot coverage, but noted the property was already over the percentage allowed and the new garage would not adversely affect the neighbors.



Mimi Ray, 417 Briarwood, spoke about the slop of the front yards from north to south and the resulting drainage issues. She noted there is already a tall retaining wall between her property and 413 Briarwood which blocks her view up and down the street.

Ellen Schendel, 429 Briarwood, stated construction has continued in spite of the city's notices, the wall in constructed of both brick and concrete, and is 19" deep instead of the 16" stated. She objected to the wall because of the drainage and safety aspects, and because it was very tall and massive and not attractive. She felt the drainpipe through the wall was not installed properly and that the wall was uneven and possibly buckling. She also noted many blobs of concrete on the sidewalk have created a trip hazard for pedestrians.

Steve Ratliff, 435 Cambridge, felt snow accumulation would be an issue in the winter as this retaining wall would create a bottleneck.

Elaine Stewart, 413 Briarwood, spoke about the height difference between the property and the resulting drainage issues that they have solved with the two retaining walls. She expressed disappointment in the contractor they have hired, but stated they poured the additional concrete to stop water and weed infiltration.

Leslie Stewart, 413 Briarwood, stated he was told by the contractor that a permit was not needed to erect the wall. He stated that when he became aware of the hydrant issue, he took steps to correct the problem. Reiterated that the contractor did a poor job on the wall and that the recent concrete was added to stabilize the wall, not to flaunt the rules.

- 2015- -A. Miller-Skaggs. That the request to approve a right-of-way permit with Marcus Stewart, owner of 413 Briarwood, to allow a retaining wall along the Briarwood right-of-way be denied.

Commissioner Graham stated he understood the problems, but believed the solutions could have been achieved through the proper procedures.

Commissioner Dills questioned whether the fence ordinance would apply to this structure. Assistant City Manager LaFave stated the code defined a retaining wall as something below ground level which holds back the land, so it applied to this situation. Mr. LaFave stated that the dividing wall between 413 and 417 Briarwood was not subject to any permit requirements because it was less than 4' tall and on private property; however, the retaining wall that was constructed along the sidewalk is in the public right-of-way and is over 4' tall, requiring both a right-of-way permit and a building permit.

Mayor Seibold stated the underground utilities were her main concern and that it would cost the city considerable time and effort to work in this area with the wall in place. She felt it was best for the neighborhood if the illegal wall were removed.

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

- 2015-93. Public Safety Captain Buikema presented the Public Safety Department's quarterly report for the period ended June 30, 2015 and answered questions from the City Commission. Mayor Seibold reminded residents to lock their homes and vehicles and to report any suspicious activity to the Public Safety Department immediately.

- 2015-94. Dills-Miller. To approve the consent agenda as follows:

2015- -A. To approve the minutes of the regular meeting held August 17, 2015.

2015- -B. Report of Finance Committee on disbursement of funds: payroll disbursements of \$431,662.14; county and school disbursements of \$7,448,533.89, and total remaining disbursements of \$783,061.20.

2015- -C. A resolution authorizing the first addendum to the Michigan Mutual Aid Box Alarm System Agreement as set forth in Exhibit "A" attached hereto.

2015- -D. A resolution approving an amendment to the Grand Valley Metro Council's Articles of Incorporation adding Nelson Township and the Village of Sparta to the GVMC as set forth in Exhibit "B" attached hereto.

2015- -E. A contract with Strawser Construction for crack sealing of city streets at a material cost of \$1.48 per pound and an estimated quantity of 11,648 pounds.

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

Nays: -0-

The meeting adjourned at 7:22 p.m., subject to the call of the Mayor until September 21, 2015.

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Karen K. Brower, City Clerk

Attachments: A – Resolution approving the Michigan Mutual Aid Box Alarm System Agreement.  
B – Resolution approving an amendment to the GVMC Articles of Incorporation.

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