

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held June 5, 2017

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, Hamrick, Miller, Schad, Zagel and Mayor Seibold

Absent: None

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

2017-66. Chuck Bloom, 2211 Wealthy #16, stated that cars exiting the Lakeshore Condo driveway onto Lakeside can't see the southbound traffic when there are cars parked in the no parking zones. He requested the City paint the curbs yellow and turn the no parking signs to face north to better alert people not to park illegally.

Anna Moore Butzner, 2311 Wealthy #34, agreed this exit driveway needs to be addressed.

2017-67. Commissioner Duncan thanked the Public Safety Dept. for stopping traffic and moving a turtle off the roadway near Reeds Lake over the weekend. She noted many residents were touched by this effort.

Commissioner Zagel reported that Kilwin's Fudge is now open in Gaslight Village. He also reported that Duffield Lane will be having a ribbon cutting ceremony on June 15 at 6 pm and invited everyone to attend.

Mayor Seibold thanked the Public Safety Department for the many acts of kindness that they perform every week. She noted that many of their good deeds go unreported to maintain the privacy for the people they help, but she wanted them to know the residents appreciate them.

2017-68. A zoning variance hearing was held regarding the request of J. Peterson Homes, owner of 705-707 Croswell, to allow the construction of a two-family home with the following variances:

- A. A minimum lot width of 50' instead of the required 80,'
- B. A front yard setback of 10' instead of the required 25,'
- C. A combined side yard setback of 13' instead of the required 20,'
- D. A least side yard setback of 4' instead of the required 8.'

Zoning Administrator Faasse explained the applicant has revised his original request to eliminate the lot coverage variance and reduce the front setback, side yard and combined side yard requests. Mr. Faasse noted a letter had been received from Rhoades McKee questioning the effectiveness of the permeable pavers. Mr. Faasse stated the ordinance does not require any type of qualification or monitoring in its allowance of pavers.

Mayor Seibold questioned the concrete square in the center of the driveway. Mr. Faasse stated this was to allow maneuver on a solid surface to avoid damaging pavers.

Joel Peterson, 654 Croswell, confirmed the concrete in the driveway will provide a stable center for the surrounding pavers and also house the drain that connects to the storm sewer. Mr. Peterson played a voicemail from adjacent property owner Barry Miller supporting the revised variance requests.

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

- Tim Dudley, Rhoades McKee

Representing Extrusions Divisions. Did not feel there was enough information to decide whether the pavers would be effective. Opposed to all of the variance requests as his client did not feel there were significant reductions.

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

- 2017- -A. Miller-Duncan. That the request of J. Peterson Homes, owner of 705-707 Croswell, to allow the construction of a two-family home with a minimum lot width of 50' instead of the required 80.'

Commissioner Dills thanked the applicant for addressing the concerns voiced at the prior meeting and for eliminating at least one of the variances.

Commissioner Miller stated he was comfortable with the proposed side yard because the objecting property owner has the driveway as a buffer between the properties.

Commissioner Zagel noted that the commission each request individually and he felt this was a good solution for this property. He stated that compromise is often needed in older neighborhoods or to achieve desired results.

Mayor Seibold noted this street was made up of lots of a similar size and she felt this was a good use of this property in Gaslight Village.

Commissioner Dills noted this was an approval of the overall concept and variance requests and that the building permit process would confirm the measurements and requirements of the ordinance.

Yeas: Dills, Duncan, Hamrick, Miller, Schad, Zagel and Seibold – 7
Nays: -0-

- 2017- -B. Zagel-Hamrick. That the request of J. Peterson Homes, owner of 705-707 Croswell, to allow the construction of a two-family home with a front yard setback of 10' instead of the required 25.'

Yeas: Dills, Duncan, Hamrick, Miller, Schad, Zagel and Seibold – 7
Nays: -0-

- 2017- -C. Duncan-Hamrick. That the request of J. Peterson Homes, owner of 705-707 Croswell, to allow the construction of a two-family home with a combined side yard setback of 13' instead of the required 20,'

Yeas: Dills, Duncan, Hamrick, Miller, Schad, Zagel and Seibold – 7
Nays: -0-

- 2017- -D. Duncan-Miller. That the request of J. Peterson Homes, owner of 705-707 Croswell, to allow the construction of a two-family home with a least side yard setback of 4' instead of the required 8.'

Yeas: Dills, Duncan, Hamrick, Miller, Schad, Zagel and Seibold – 7
Nays: -0-

- 2017-69. A zoning variance hearing was held regarding the request of Joel & Nikki Hartz, owners of 1132 Eastwood to allow the construction of a covered front porch resulting in a front yard setback of 29' instead of the required average of 33.5.'

Zoning Administrator Faasse outlined the request to add a new 8' x 14' covered front porch to the front of the home as part of a project to update the siding and trim.

Joel Hartz, 1132 Eastwood, noted many homes in the area have similar porches. He also stated he had spoken with many of the neighbors and they supported the new front porch.

Mayor Seibold opened a public hearing. The following communications were received at City Hall concerning this variance request:

- Petition of support signed by 12 Eastwood residents

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

- 2017- -A. Dills-Duncan. That the request of Joel & Nikki Haitz, owners of 1132 Eastwood to allow the construction of a covered front porch resulting in a front yard setback of 29' instead of the required average of 33.5' be approved with the condition that the porch remain open on three sides with no screens or windows installed.

Commissioner Miller noted this home sits slightly in front of others on the block and would likely be able to add the front porch without a variance if it were built at the same front setback as the other homes.

Mayor Seibold noted the ordinances set standards for neighborhoods, but cannot address every situation. She stated her support of this project as a good addition to the neighborhood.

Yeas: Dills, Duncan, Hamrick, Miller, Schad, Zagel and Seibold – 7

Nays: -0-

- 2017-70. Recommendation of Parks & Recreation Commission regarding commercial and non-commercial use of John Collins Park.

Parks & Recreation Director Bunn explained the Parks & Recreation Commission had been asked to discuss the possibility of allowing commercial group activities to take place in Collins Park. He stated two public input sessions had been held in April as well as soliciting input by email and through the social media.

Stacey Wykoski, chair of the Parks & Recreation Commission, outlined the input received at the public workshops and the Parks & Recreation's efforts to find a balance between people's quiet enjoyment of the parks and the requests to use the park for group activities. The Parks & Recreation Commission has submitted a proposed policy that allows group activity during off-peak times while addressing a limited use area, noise, number of participants and access by the public while being used by groups. She noted the policy proposes a one-year trial period so that changes can be made or the policy rescinded after the trial period.

Group (Commercial and Non-Commercial) activity to be allowed in John Collins Park by permit only in specified area with the following restrictions:

- 1. Specified area between boathouse and restroom building excluding walkways.*
- 2. Tuesday through Thursday only from 7:00 am to 11:00 am, once a week per permit.*
- 3. Maximum of two events in a day and only one event at a time.*
- 4. No audio equipment allowed and vocal level must be no louder than speaking voice.*
- 5. Max participants 15.*
- 6. Resident/non-resident price structure and registration deadlines to be determined by the Parks and Recreation Director.*
- 7. Additional enforcement is requested by Public Safety.*
- 8. Permit users are required to leave the park the way they found it with minimal impact.*
- 9. A one year trial basis from date of approval.*

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

- Judith Baxter, 3060 Hall

Very surprised the Parks & Recreation Commission voted to recommended group use as everyone who attended the 2nd session was opposed to allowing this. Favored allowing individual residents and families to enjoy the parks without groups and classes. Felt it would be impossible to enforce the rules. Suggested gathering data on current use and enforcement issues and then reviewing for changes.

- Anna Moore Butzner, 2311 Wealthy #34

Most condo and apartment residents do not want park use increase as there were already 25 special events each year and more classes would take away from the quiet enjoyment of the park. Felt businesses have other locations for classes.

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

2017- -A. Miller-Hamrick. That a policy outlining commercial and non-commercial use in John Collins Park be approved as follows:

Group (Commercial and Non-Commercial) activity to be allowed in John Collins Park by permit only in specified area with the following restrictions:

- 1. Specified area between boathouse and restroom building excluding walkways.*
- 2. Tuesday through Thursday only from 7:00 am to 11:00 am, once a week per permit.*
- 3. Maximum of two events in a day and only one event at a time.*
- 4. No audio equipment allowed and vocal level must be no louder than speaking voice.*
- 5. Max participants 15.*
- 6. Resident/non-resident price structure and registration deadlines to be determined by the Parks and Recreation Director.*
- 7. Additional enforcement is requested by Public Safety.*
- 8. Permit users are required to leave the park the way they found it with minimal impact.*
- 9. A one year trial basis from date of approval.*

Commissioner Miller noted outlined the discussion that took place at the Parks & Recreation meeting, including concerns by Parks Commissioner Ren Brander about allowing group use at Collins Park. Commissioner Miller noted that this new policy allowed group use of approximately 20% of Collins Park for four hours on three weekday mornings. He stated that many communities allow commercial use of their public spaces, including our own community center that rents rooms and Wege Plaza to the public. Mr. Miller appreciated the balance of this new policy that allows very limited use on off peak times without closing significant parts of the park. He also liked the trial period that would allow evaluation after one year.

Commissioner Zigel reported hearing many requests through the Grand Valley Business Association about using the park for classes and events. He felt this was an excellent compromise with the limited time, location and rules that allowed more people to use the park while maintaining areas for individuals to use. He stated he would like to see the number of participants allowed expanded to 20.

Commissioner Duncan felt that many in the public would be in favor of this new policy.

Commissioner Schad felt the proposed policy addresses all of the concerns while allowing additional people to use such a wonderful space. She also appreciated the one year trial period.

Commissioner Hamrick felt the one-year trial would be a good opportunity to get feedback and statistics while monitoring parking and noise issues. She felt the policy was a good start.

Commissioner Dills felt the maximum participants should be left at 15 due to parking. He requested periodic updates from the Parks & Recreation Director on how the trial was going and any issues that arise.

Mayor Seibold agreed to start with the 15 participant limit during the trial period. She thanked all who had given input and crafted the proposed policy change.

Yeas: Dills, Duncan, Hamrick, Miller, Schad, Zigel and Seibold – 7
Nays: -0-

2017-71. Adoption of an amendment to the parks rules contained in Section 3.15 of Chapter 31 of Title III of the City Code pertaining to commercial use of John Collins Park.

2017- -A. Zigel-Duncan. That an amendment to the parks rules contained in Section 3.15 of Chapter 31 of Title III of the City Code pertaining to commercial use of John Collins Park be introduced as set forth in Exhibit “A” attached hereto.

Yeas: Dills, Duncan, Hamrick, Miller, Schad, Zigel and Seibold – 7
Nays: -0-

- 2017-72. A public hearing was held pertaining to the General Fund budget and the property tax levy for Fiscal Year 2017-18. No public comment was received. Mayor Seibold closed the public hearing.
- 2017-73. A public hearing was held on the special assessment roll of delinquent accounts for placement on the July 1, 2017 tax roll. No public comment was received. President Dills closed the public hearing
- 2017- -A. Miller-Duncan. That the special assessment roll of delinquent accounts totaling \$55,353.89 be certified and placed on the July 1, 2017 tax roll.
- Yeas: Dills, Duncan, Hamrick, Miller, Schad, Zagel and Seibold – 7
Nays: -0-
- 2017-74. Dills-Hamrick. To approve the consent agenda as follows:
- 2017- -. The minutes of the regular meeting held May 15, 2017.
- 2017- -A. Payroll disbursements of \$228,274.19; county and school disbursements of \$-0-, and total remaining disbursements of \$434,613.38.
- 2017- -B. An updated Street and Sidewalk Funding Policy to account for the additional revenue to be received from the State of Michigan as set forth in Exhibit “B” attached hereto.
- 2017- -C. A resolution authorizing the City Clerk to submit a grant agreement for new voting equipment, including optical scan precinct tabulators, handicap-accessible ballot marking devices, absent voter counting board tabulators and election management software as set forth in Exhibit “C” attached hereto.
- 2017- -D. A contract with Moore & Bruggink of Grand Rapids for an asset management plan at a cost not-to-exceed \$26,000 for the sanitary system and not-to-exceed \$20,000 for the storm sewer system.
- 2017- -E. The Joint Facilities Budget for FY 2017-2018 as recommended by the Joint Facilities Committee.
- 2017- -F. An amendment to the contract with Lodestar Construction in the amount of \$60,878.00 for a street and utility work on Mary Avenue.
- 2017- -G. An agreement for online registration and serving software for the Parks & Recreation Department as outlined in the Parks & Recreation Director’s memo dated May 17, 2017.
- 2017- -H. The Public Safety Departments quarterly report for the period ended March 31, 2017.
- Yeas: Dills, Duncan, Hamrick, Miller, Schad, Zagel and Seibold – 7
Nays: -0-

The meeting adjourned at 7:14 p.m., subject to the call of the Mayor until June 5, 2017.

Karen K. Brower, City Clerk

Attachments: A – Amendment to the Parks Rules Contained in Section 3.15 of Chapter 31
B – Street & Sidewalk Funding Policy
C – Resolution regarding new voting equipment

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