

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held January 15, 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: Assistant City Attorney Buchanan; Assistant City Manager LaFave; Finance Director Mushong; City Clerk Brower; Zoning Administrator Urquhart

2018-4. Peter Dimitriou, 2621 Inverness, suggested the city place a climate change questionnaire on their website to gather data from citizens. He invited everyone to an energy presentation at Calvin College later this week.

Ken Fortier, 4441 Canterwood Dr NE, introduced himself as a candidate for the 73rd District House of Representatives seat.

2018-5. Commissioner Walters reminded everyone it was Martin Luther King Day and asked the city to explore setting aside this day to honor the legacy of Dr. King.

Commissioners Hamrick and Zagel welcomed Wok & Morter, a new restaurant, to Gaslight Village.

Mayor Seibold thanked everyone who attended the ribbon cutting for Wok & Morter earlier in the day and wished this new business every success. She also noted the work of the Public Safety Department and the Public Works Department to keep our citizens safe and informed about what's going on with regard to incidents and the myriad of concerns in the world today.

2018-6. A zoning variance hearing was held regarding the request of William Pearl of 2912 Beechwood to allow the construction of an attached garage creating a front yard setback of 4'6" instead of the average established 39.'

Zoning Administrator Urquhart outlined the request the build an attached, side-loading garage with a front yard setback of 4'6" instead of the 39' average setback established by the surrounding properties. He noted that the lot is conforming to the zoning district requirements even though it is an unusual shape. He explained the drainage easement that runs along the west side of the property and the variance granted in 2013 for the addition built on the east side. Mr. Urquhart noted the fence and home next door at 2855 Beechwood were non-conforming.

Mayor Seibold noted there were two other similar shaped lots in the area and that both had built two-car garages without needing variances.

Assistant City Manager LaFave explained the drainage system and easement were put in place by the Kent County Drain Commission in 1992 to drain the back yards of about 10 homes on that block.

Bill Pearl, 2912 Beechwood, apologized for not working to get the full support of all the neighbors but stated his family has nowhere to park their vehicles and cannot place a garage anywhere else on the property without running into other zoning, drainage or parking issues. He stated they went forward with the home addition in 2013 because they were having trouble finding a place for the garage and decided to do it later. After trying multiple options, they have decided to request the current front yard setback variance. Mr. Pearl addressed issues raised by neighbors and stated the height and location of the proposed garage would impact sight distance of those using the street or sidewalk and would not be out of scale with other homes in the area. Mr.

Pearl stated he had considered a two-car garage instead of a three-car version, but wanted to have the additional space for another vehicle without bringing it too close to the home.

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

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| - Richard Stevens, 2926 Beechwood | Did not feel it would fit in and urged the applicants to find another location to build the garage or make it smaller. |
| - Anthony Travis, 2948 Beechwood | Opposed because the garage is a permanent structure three times taller than the fence and 4' from the sidewalk. Would also make the front yard mostly concrete as opposed to grass. Noted other front yard additions have been denied because they didn't fit. |
| - Ron Boynton, 2911 Beechwood | Felt 4.5' was just too close. Suggested looking at a two-car garage instead of three. |

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

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| - Traci Douglas, 2908 Hall | Opposed. |
| - Richard & Mary Stevens, 2920 Beechwood | Opposed. |
| - Timothy Allard, 2931 Oakwood | Opposed. |
| - David Whitehouse, 2942 Beechwood | Opposed. |
| - Amanda Whitehouse, 2942 Beechwood | Opposed. |
| - Jennifer Ranville, 2928 Beechwood | In Favor. |
| - Adam & Kirsten Rice, 2863 Beechwood | In Favor. |

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

- 2018- -A. Miller-Zagel. That the request of William Pearl of 2912 Beechwood to allow the construction of an attached garage creating a front yard setback of 4'6" instead of the average established 39' be approved.

Commissioner Miller stated the zoning laws were meant to help balance the rights of property owners with those of surrounding properties. His concerns about this project were 1) reducing the front yard setback to 4.5' basically makes the requirement obsolete, 2) the fence next door was non-compliant and should not be used in assessing the impact of the addition, and 3) the scale and size of this garage addition would be too much for this particular lot and neighborhood.

Commissioner Duncan agreed this proposal was too much to be so close to the street. She hoped the applicant could find a different plan that would allow a bigger setback.

Commissioner Favale empathized with the need for a larger garage, but felt the structure was too large.

Commissioner Hamrick also agreed and stated the garage would create too small a setback and be out of place in the area.

Mayor Seibold did not feel the situation was unique enough to warrant the variance and the applicant should have planned the home renovations and new garage at the same time so that a better location could be found for the garage. She stated that sometimes the house you want does not fit the lot that you own. She noted she would not be in favor of even allowing a two-car garage in this situation as it would not fit the neighborhood.

Commissioner Walters noted he could not support the request because of the objections of the neighbors. He urged the applicants to talk with their neighbors if considering submitting another proposal.

Yeas: -0-

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

2018-7. Resolution establishing water and sewer rates.

Finance Director Mushong explained the City of Grand Rapids had issued their annual rate study and will be increasing their wholesale sewer fees. After analyzing the new rate structure, the City of East Grand Rapids will need to increase the sewer commodity rate slightly to cover this increase while still allowing enough funding for infrastructure improvement projects. She noted the resolution adopting the new rates also contains a new charge for multiple businesses using the same water meter to match the structure set up for the residential users two years ago.

Commissioner Zagel noted that while raising rates was not his first choice, it was unavoidable because of the age of the infrastructure and the need for maintenance and upgrades of the system. He reported the staff and Finance Committee had reviewed this situation extensively and recommends the new rates be adopted.

2018- -A. Zagel-Walters. That a resolution establishing new water and sewer rates effective immediately be adopted as set forth in Exhibit "A" attached hereto.

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

2018-8. Revised guidelines for fundraising campaign to install artwork at the Community Center.

Mayor Seibold explained the 2016 letter of understanding was being amended to include additional guidelines for the fundraising program to install artwork at the top of the main stairwell. The guidelines outline how the artist and the management company will raise the funds and report to the city and EGR Community Foundation over the next several months. She noted the agreement calls for the fundraising to be completed by June 30, 2018 and donations will be made to the foundation and then passed through to the city.

Commissioner Zagel asked that the materials used be clear about who is raising the funds and that the city and foundation are not participating in the fundraising.

2018- -A. Walters-Hamrick. That six guidelines relating the fundraising campaign to install the Icebreakers artwork at the Community Center be approved as outlined in the City Manager's memo dated January 5, 2018 and incorporated into the letter of understanding approved in 2016.

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

2018-9. Zagel-Miller. To approve the consent agenda as follows:

2018- -. To approve the minutes of the regular meeting held January 2, 2018.

2017- -A. To approve payroll disbursements of \$217,691.91; county and school disbursements of \$1,150,127.95, and total remaining disbursements of \$173,554.72.

2017- -B. The preliminary minutes of the Planning Commission meeting held November 14, 2017.

2017- -C. The preliminary minutes of the Parks & Recreation Commission meeting held December 11, 2017.

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

The meeting adjourned at 7:17 p.m., subject to the call of the Mayor until February 5, 2018.

Karen K. Brower, City Clerk

Attachments: A – Resolution establishing water and sewer rates
Attachments listed above are available for inspection at the office of the City Clerk.