

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held February 5, 2018

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 Duncan, Favale, Hamrick, Miller, Walters, Zagel and Mayor Seibold

Absent: None

Also Present: City Attorney Huff; Assistant City Attorney Tobias; City Manager Donovan; Assistant City Manager LaFave; Finance Director Mushong; Public Safety Director Herald; City Clerk Brower; Communications Specialist Greenleaf

2018-10. Peter Dimitriou, 2621 Inverness SE, GR, spoke about the big differences in drought conditions and temperatures across the country.

Chris Afendoulis, 73rd District State Representative, updated the city commission on several issues, including pension liability legislation, mental health programs, the opioid crisis and the upcoming state budget process.

Lynn Afendoulis, 3333 Falcon Bluff Ct, announced her candidacy for the 73rd District Representative office and talked about her work and community experience.

2018-11. Commissioner Miller asked everyone to use caution when venturing out onto the ice of Reeds Lake or Fisk Lake as the surface may be unsafe with the recent thaw and freeze cycles.

Commissioner Hamrick reported she had recently visited Bill Graham and found him in good spirits and doing well.

Commissioner Zagel announced a new clothing store, Blackbird East, would be opening next to Olive's Restaurant soon.

Commissioner Duncan urged everyone to get out and enjoy the Michigan winter weather.

2018-12. A zoning variance hearing was held regarding the request of Joel Peterson, owner of 705 Croswell, to allow the construction of a single-family home with a front yard setback of 13' instead of the required 25'.

Assistant City Manager LaFave explained a similar variance had been granted for a multi-family home on this lot but the owner now wishes to build a single-family home. All other zoning requirements are met except for the front yard setback, which is requested to be at 13' to match the other homes on this side of the street. He noted the average setback on the street is 12.5,' but that the multi-family zoning district did not require averaging of setbacks as other sections do.

Joel Peterson of J. Peterson Homes, stated that the lot had been sold and the new owner would be building a single-family home on the lot but would prefer the front setback at 13' to avoid looking out of place with the other homes.

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

2018- -A. Miller-Zagel. That the request of Joel Peterson, owner of 705 Croswell, to allow the construction of a single-family home with a front yard setback of 13' instead of the required 25' be approved.

Commissioner Miller supported the variance as it clearly matched the others in the neighborhood.

Commissioner Walters suggested the city review the multi-family zoning district to look at including a requirement for average front yard setbacks.

Commissioner Duncan noted she would have loved to see a multi-family dwelling on this lot, but felt this would also be a great addition to the area.

Mayor Seibold agreed this home will fit in well with the very diverse neighborhood.

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

Nays: -0-

2018-13. Durant Street Special Assessment District.

Assistant City Manager LaFave reported city staff had compiled estimates and solicited feedback from the residents on Durant Street after receiving a request to pave the street. Six property owners are in favor of initiating a special assessment district to improve the street while three property owners are opposed. The City Commission will now begin discussions on the matter and decide whether to go ahead with the paving. Mr. LaFave noted the project did not include installing sidewalks, but there was room for them in the future. He also noted there is a 4” water main under the street that the City will need to replace in conjunction with any paving project.

2018- -. Walters-Duncan. That a resolution directing the City Manager to provide information and recommendations regarding the proposed improvement be adopted as set forth in Exhibit “A” attached hereto.

No public comment was received on this issue.

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

Nays: -0-

2018- -A. Miller-Hamrick. That a Statement of Preliminary Proceedings for the Durant Street Special Assessment District be adopted as set forth in Exhibit “B” attached hereto.

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

Nays: -0-

2018-14. Introduction of an ordinance amendment to Section 9.63 of Chapter 93 of Title IX of the City Code pertaining to begging and soliciting.

Assistant City Attorney Tobias outlined the current ordinance and the recent state legislation that will preempt our local ordinance by allowing charitable organizations to solicit donations in the street. The legislature also reduced violations to civil infractions. He explained the city will have to either revise or repeal its ordinance. Mr. Tobias recommended revising the language of Section 9.63(B)5 to mirror the new state law while leaving all other provisions in place. He felt this would give the Public Safety Department the tools for further action if they encountered a situation that could not be easily resolved.

Mayor Seibold noted that when the current ordinance was adopted, the commission was concerned about the safety of those near or in the street and the potential for distracted driving due to people soliciting at busy intersections.

Mr. Tobias explained that if the city chose not to have its own ordinance prohibiting soliciting, violations could still be written under the state law, but that the city would not have any control over the prosecution and that the county may have more pressing issues that would dictate their priority in prosecuting the cases.

2018-16. Pension and Other Post Employment Benefit (OPEB) liability discussion.

Finance Director Mushong reported the defined benefit plan had been closed to new employees in 1999 and many of the existing employees converted to the new defined contribution plan at that time. There are now six current employees and 46 retirees using the DB plan. She reviewed the unfunded liability charts and the affect the payments may have on the city's budget and capital programs.

Ms. Mushong also reviewed the Other Postemployment Benefits (OPEB) Fund that pays retiree health care expenses until they are eligible for Medicare. At this point the city is able pay the yearly costs directly without spending down the fund balance and plans to continue this approach while reevaluating each year.

The meeting adjourned at 7:33 p.m., subject to the call of the Mayor until February 19, 2018.

Karen K. Brower, City Clerk

Attachments: A – Resolution Directing the City Manager to provide information for Special Assessment District
B – Statement of Preliminary Proceedings for Durant Street Special Assessment District
C – Ordinance amendment to Section 9.63 regarding begging and soliciting

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