

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 25, 2019

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

Absent: Commissioner Duncan

Also Present: City Attorney Huff; Interim City Manager LaFave; Finance Director Mushong, City Clerk Brower; Captain Buikema, Zoning Administrator Mizikar

2019-59. No public comment was received.

2019-60. Commissioner Favale reported the fundraising events for the EGR School Foundation over the weekend were well attended and fun for all. She thanked all those who donated or participated in the events.

Commissioner Hamrick noted she had attended the Michigan Municipal League's Capital Conference in Lansing last week and attended sessions on various municipal and budget-related issues.

2019-61. Request to approve the division of land at 3115 Manhattan Lane.

Zoning Administrator Mizikar explained the request to divide the lot into two separate parcels. He noted the existing detached garage on Parcel A would become nonconforming due to the size of the Parcel A unless the existing attached garage is converted into living space. Mr. Mizikar noted King & Macgregor have issued a preliminary report finding extensive wetlands on Parcel B and recommending further study in the spring. Mr. Mizikar reported there is a storm water system in the area that may not be able to handle increased runoff from the construction of one or more new homes.

Commissioner Zagel questioned whether there was a buildable area on this new lot given the large area of likely wetlands. Mr. Mizikar did not believe there would be sufficient area given the preliminary maps but felt the DEQ would be able to provide further guidance after analyzing the property.

Commissioner Miller asked for clarification on the capacity of the storm water system in this area. Interim City Manager LaFave gave an overview of the drainage situation in the area and noted a drainage outlet was upsized last year to help with existing conditions. He stated that without construction plans for the possible 1 or 2 homes possible from this and another nearby lot split, he could not give an opinion on whether the existing storm sewer capacity in the neighborhood would be affected. Mr. LaFave further noted that the preliminary wetland maps show wetlands on the proposed new lot, but the size and location could change if detailed plans are submitted and a comprehensive study is performed by the DEQ.

Chris Kohler, 3115 Manhattan Lane, stated he did not know who would purchase the land or whether they would choose to preserve the green space or develop the site. He has spoken with neighbors and the only concern seems to be that any new home not have deeded access to the Manhattan Beach area. He agreed the wetlands may be an issue but felt that would be up to the new owner to work out if they decide to build.

Mayor Seibold opened a public hearing on this request. The following people expressed their opinions:

- Aleda Codell, 3145 Manhattan

Stated all water drains down to their property and causes flooding due to inadequate drainage. Felt new home would cause more water. Asked for a hydraulic engineer to issue a statement promising there would be no impact to their property before this is approved.

- Richard Codell, 3145 Manhattan Showed several photos of standing water and the drainage inlet in their back yard that is often clogged. Recommended the city clean out the pipe/ditch immediately and annually. Requested the pipe be enlarged with a catch basin added to help with debris and requested the drain pipe from Manhattan Park be closed to keep water from his property.
- John Stephenson, 3027 Manhattan Lane Asked that drainage continue to flow to the catch basin.

The following communications were received at City Hall concerning this issue:

- Chris Kohler, 3115 Manhattan Lane Shared feedback from neighborhood.

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

2019-061-A. Miller-Favale. That the request of Christopher and Jennifer Kohler of 3115 Manhattan Lane to divide the property into two conforming parcels with the southern parcel (A) containing the existing home measuring 150' wide with 35,009 square feet of area fronting on Manhattan Lane, and creating a new northern parcel (B) of undeveloped land with a width of 151.5' and approximately 22,541 square feet fronting on Reeds Lake Boulevard be approved with the following conditions:

1. The split complies with the surveys and legal descriptions presented in the land division application; and
2. The relevant deed(s) or land contract(s) be recorded with the Kent County Registrar of Deeds within 90 days of approval; and
3. Prior to any property transfer, the applicant is to record with the Kent County Register of Deeds an easement, approved by the Director of Public Works, granting the right for Parcel B to discharge storm water drainage across Parcel A, and the right to access public utilities located in Manhattan Lane via the same easement. Storm water utility rights are not explicitly called out in the easement but can be added and approved by the Director of Public Works before being recorded; and
4. Prior to any property transfer, the applicant must remodel the existing attached garage into "living space" to make the existing detached garage compliant. Once the attached garage has been remodeled and approved by the Director of Public Works or Zoning Administrator, the applicant would then be permitted to record the lot split with the Register of Deeds.

Commissioner Miller stated he had no issue with the lot size but was concerned with the wetlands issue.

Commissioner Favale noted that this lot split met the requirements and was confident that the DEQ would ensure compliance if a buyer decided to develop the new parcel in the future.

Commissioner Walters felt that all standards other than 3c addressing wetlands were met. He suggested waiting for a DEQ wetland delineation report to decide on this issue, otherwise he could not support the request.

Commissioner Hamrick agreed and stated her concerns about the infrastructure not being able to handle the extra water. She felt that getting a DEQ determination will tell us whether the pipes could handle the runoff.

Commissioner Zagel also felt more information was needed as he wasn't sure there was enough room to build a home on this new lot with the noted wetlands.

Mayor Seibold agreed that condition C was not met and noted she was not in favor of approving this lot split without knowing what will happen and how it would impact the wet area.

City Attorney Huff stated that the applicant could resubmit the same request at a later date because the land division ordinance does not require subsequent requests to be substantially different from prior requests.

Commissioner Walters questioned whether the applicant would be willing to request a letter from the DEQ about this property. Mr. Kohler felt he had provided the necessary information and questioned what could be gained from

seeking DEQ approval. Mayor Seibold reiterated that there was no information on the exact area of the wetlands or what impact there would be to the wetlands or drainage from future development. Commissioner Miller added that the DEQ would be able to give the exact size and location of the wetlands to determine if and where a home could be built by a future owner.

Mayor Seibold noted that the impact on storm water and drainage was a primary concern and asked that any future proposal have more information on potential impacts so the commission could make an informed decision.

Yeas: -0-

Nays: Favale, Hamrick, Miller, Walters, Zagel and Seibold – 6

2019-62. Contract for street milling and overlay program.

Interim City Manager LaFave explained the city had included an alternate bid to create a traffic circle at the intersection of Alexander/Cambridge/Rosewood in conjunction with the other resurfacing and maintenance projects proposed for the 2019 construction season. When the bids for a traffic circle were within the city's budget, the city notified the neighbors about the possibility and held an open house to show the plans and answer questions. He stated most neighbors were supportive of a traffic circle due to the odd configuration and safety concerns of this five-way intersection. Mr. LaFave noted that dedicated street millage funding could not be used for the requested irrigation or landscaping but stated the city could look at these requests later if the basic landscaping around the new traffic circle was insufficient.

Chris Sullivan of Progressive AE gave a brief overview of the proposed traffic circle and noted that after the initial period of people getting used to the traffic circle, he felt it would work well in this area.

Mayor Seibold opened this issue for public comment. The following people expressed their opinions:

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| - Dustin Sommer, 975 Rosewood | Felt a traffic circle was overkill for this area and would affect his front yard views with all the signage, pavement markings needed and headlights into his home. Did not like the non-residential feel, the sidewalk corners or the plans for a grass center. Complained he would have 10% more yard to mow and maintain. |
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The following communications were received at City Hall concerning this issue:

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| - 11 comment cards from open house | Ten in favor, some asking for landscaping, irrigation and street lights. One opposed due to lack of irrigation, sidewalk alignments and multiple signs. |
| - Michael Fee, 950 Cambridge | In Favor. |
| - Kathleen Bruinsma, 1748 Alexander | In Favor. |
| - Jim Bruinsma, 1748 Alexander | In Favor. |
| - Frank Griggs, 1738 Alexander | Suggested enforcement of stop signs and speed limit instead. |

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

- 2019-062-A. Miller-Zagel. That a contract be awarded to Lodestar Construction, Inc. of Grand Rapids in the amount of \$687,047.25 for street milling/overlay projects, including alternate #1 for traffic circle at the Alexander/Cambridge/Rosewood intersection.

Mr. Sullivan noted that some of the advance warning signage could be removed after traffic gets used to the traffic circle.

Jared Halverson, civil engineer, noted this project would use the existing curb lines and road base as much as possible to keep costs down. He stated there was a watermain through the center of the intersection that could be used to irrigate later, if needed.

Commissioners Walters and Zagel spoke in support of the traffic circle project and asked staff to not lose sight of the landscaping and signage concerns raised by the neighbors.

Mayor Seibold noted this was a great approach to a unique area of concern and would increase safety, which is one of the primary areas of importance to the city and its residents.

Yeas: Favale, Hamrick, Miller, Walters, Zagel and Seibold – 6
Nays: -0-

2019-63. Zagel-Hamrick. To approve the consent agenda as follows:

- 2019-063-A. Payroll disbursements of \$-0-; county and school disbursements of \$72,548.44, and total remaining disbursements of \$565,356.76.
- 2019-063-B. The reconfiguration of the Parks & Recreation Department to eliminate the Assistant Director position and to add a full-time recreation supervisor.
- 2019-063-C. A three-year lawn maintenance contract with Thornapple Inc for the years 2019 through 2022 in the amount of \$187,203.
- 2019-063-D. A contract with Epic Excavating for the rehabilitation of the Manhattan sanitary sewer lift station in the amount of \$149,895, plus contingencies and engineering for a not-to-exceed cost of \$173,000.
- 2019-063-E. A contract not-to-exceed \$150,000 with Groundhawg Excavating and Landscaping LLC for the 2019-20 sidewalk repair and replacement program.

Yeas: Favale, Hamrick, Miller, Walters, Zagel and Seibold – 6
Nays: -0-

2019-64. City Commission and City staff members discussed goals and objectives for the upcoming fiscal year.

The meeting adjourned at 8:02 p.m., subject to the call of the Mayor until April 16, 2019.

Karen K. Brower, City Clerk