

PROCEEDINGS OF THE CITY COMMISSION
CITY OF EAST GRAND RAPIDS

Regular Meeting Held March 19, 2012

Mayor Seibold called the meeting to order at 6:00 p.m. in the City Commission Chamber at the Community Center and led the audience in the Pledge of Allegiance.

Present: Commissioners Dills, Goebel, Johnson, Skaggs and Mayor Seibold

Absent: Commissioners Graham and Miller

Also Present: City Manager Donovan; City Attorney Huff; Public Works Director Feldt; Finance Director Dood; Public Safety Director Herald; Parks & Recreation Director Bunn; Zoning Administrator Faasse; City Clerk Brower

2012-29. No public comment was received.

2012-30. Commissioner Dills reported the Irish Jig brought thousands of people to the Gaslight Village area on Saturday, March 17th for a well-run event with great weather.

Commissioner Johnson noted she had flown into Grand Rapids that day and felt a great deal of pride looking down from the plane at the wonderful neighborhoods, parks and business district of East Grand Rapids.

City Manager Donovan reported the City has an employee team entered in the Triple Crown Race Series. The team competed in the Irish Jig 5K race and finished 8th in the division II standings out of 28 teams. Next up will be the Diemer 5K in June.

2012-31. Johnson-Dills. Motion to add to the agenda a request to endorse the millage request of the Grand Rapids Community College. A roll call vote was taken.

Yeas: Dills, Goebel, Johnson, Skaggs and Seibold – 5

Nays: -0-

2012-32. Dr. Steven Ender, President of Grand Rapids Community College, was present to explain the GRCC's \$98 million millage request on the May 8, 2012 ballot. He reviewed the buildings that would be renovated and the college's plan for ongoing maintenance of the facilities.

Mayor Seibold and Commissioner Johnson spoke about the role that GRCC plays in the community and the families and students who rely on the education they provide.

A. Johnson-Dills. Motion to endorse the Grand Rapids Community College bond proposal before voters on May 8, 2012.

Commissioner Skaggs announced he would be abstaining from this vote as he is a paid consultant and member of the committee supporting the bond issue.

Yeas: Dills, Goebel, Johnson and Seibold – 4

Nays: -0-

Abstain: Skaggs – 1

2012-33. A zoning variance hearing was held regarding the request of Scott Corliss of 2059 Wealthy, Eric Zanke and Melinda Decker of 2065 Wealthy (owners of 581 Greenwood), and Angela Streba, owner of 609 Greenwood to allow: 1) the continued non-conforming use of the property at 581 Greenwood, 2) the construction of a shared, three-stall detached garage with side yard setbacks of 0' on each side instead of the required 3' on each side, and 3) to allow a rear yard setback of 2' instead of the required 3.'

Zoning Administrator Faasse explained the complex situation involving garage shared by three property owners. He asked the City Commission to include conditions of a written agreement on future maintenance and the continued ownership of 581 Greenwood by the owner of 2065 Wealthy on any variance granted. Andrew Stob, 360 Carlton, was present to explain the request and answer questions. He detailed the plan to

replace a dilapidated structure and the support received from many property owners in the area.

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

- Angela Streba, 609 Greenwood Asked for support of this proposal to replace an unsafe structure with a nice-looking, safe place to park.

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

- Jerry Schaefer, 2807 Pioneer Club In Favor.
- Daniel Cunningham, 612 Greenwood In Favor.
- John Edleman, 2108 Wealthy In Favor.
- Dave Kantor, 1920 Sherman In Favor.
- Andrew Howard, 606 Greenwood In Favor.
- Gladdies & Joel Lathrop, 569 Greenwood In Favor.
- Joel Lathrop, 659 Greenwood In Favor.
- Richard Siersma, 546 Greenwood No Objection.

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

- A. Dills-Skaggs. That the request of Scott Corliss of 2059 Wealthy, Eric Zanke and Melinda Decker of 2065 Wealthy (owners of 581 Greenwood), and Angela Streba, owner of 609 Greenwood to allow: 1) the continued non-conforming use of the property at 581 Greenwood, 2) the construction of a shared, three-stall detached garage with side yard setbacks of 0’ on each side instead of the required 3’ on each side, and 3) to allow a rear yard setback of 2’ instead of the required 3’ be approved with the following conditions:

- A. The continued nonconforming use of 581 Greenwood (the lot under the middle stall) is contingent upon ownership by the same owner as 2065 Wealthy; and
- B. An appropriate easement be recorded before a building permit may be issued but not less than thirty days after variance approval containing the terms of shared maintenance, joint and several financial responsibilities, access rights, communication requirements, notice requirements, and methods of dispute resolution for both the driveway and the building itself.

Commissioner Skaggs commended the neighbors for coming together on this solution.

Commissioner Dills spoke in support of the variance as it was similar to another variance granted and did not ask for excessive roof height.

Commissioner Johnson questioned whether the proposed condition would ensure the lot at 581 Greenwood would never be owned by a separate party who would try to develop it. City Attorney Huff noted that 581 Greenwood and 2065 Wealthy were non-contiguous parcels which could not be combined into a single parcel for property tax purposes; however, the condition of the variance would require common ownership for the non-conforming use to continue unless another variance was granted. Commissioner Johnson also questioned how the property and the new garage would be treated for assessment and tax purposes. Staff will research this issue and report to the Commission at a later time.

Mayor Seibold supported the variance as a great solution to a complicated issue.

Yeas: Dills, Goebel, Johnson, Skaggs and Seibold – 5
 Nays: -0-

- 2012-34. Johnson-Goebel. Motion to approve the consent agenda as follows:

- A. Minutes of the regular meeting held March 5, 2012.
- B. Payroll disbursements of \$204,759.35; county and school disbursements of \$19,777.00, and total remaining disbursements of \$860,704.49.
- C. The purchase of a records management system for the Public Safety Department from Core Technology

Corporation of Lansing, Michigan in the amount of \$43,176.00.

- D. A resolution defining the hours of work per month required to be eligible for MERS retirement purposes as set forth in Exhibit "A" attached hereto.
- E. To authorize staff to proceed with soliciting bids for the refinancing of the 2004 Community Center Complex.

City Manager Donovan noted the City Commission was authorizing the City Manager and the Finance Director to accept bids on its behalf during the sale. He stated the results would be reported back to the Commission after the sale, but that further approval would not be required.
- F. To authorize staff to proceed with soliciting bids for the 2012 Capital Improvement Plan road construction projects.
- G. A temporary construction agreement with Kenneth and Michele Ross for constructing the Wealthy Street/Fisk Lake Stormwater Separator as set forth in Exhibit "B" attached hereto.
- H. A METRO Act permit for Great Lakes Comnet for placement of telecommunications lines in the City's right-of-way as set forth in Exhibit "C" attached hereto.
- I. A three-year contract with Great Lakes Fireworks, LLC for the 4th of July fireworks display in the amount of \$20,000 annually, with the City reserving the right to increase or decrease the dollar amount in 2013 and 2014.
- J. The purchase of glycol for the Community Center cooling system from Enerco Corporation of Grand Ledge, Michigan in the amount of \$7,760.00
- K. The preliminary minutes of the Parks & Recreation Commission meeting held February 13, 2012.
- L. The Public Safety Department Report for January 2012.

Yeas: Dills, Goebel, Johnson, Skaggs and Seibold – 5
Nays: -0-

- M. Dills-Goebel. Motion to enter into an executive session to conduct a personnel evaluation of the City Manager in accordance with Section 8(a) of the Open Meetings Act. A roll call vote was taken.

Yeas: Dills, Goebel, Johnson, Skaggs and Seibold – 5
Nays: -0-

The meeting adjourned at 6:38 p.m., subject to the call of the Mayor until March 26, 2012.

Karen K. Brower, City Clerk

Attachments: A – Resolution defining hours of work for MERS purposes.
B – Temporary Construction Easement with Kenneth & Michele Ross.
C – METRO Act Permit for Great Lakes CommNet

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