

CITY OF NORTON SHORES
CITY COUNCIL WORK SESSION
June 23, 2015

A regular work session of the Norton Shores City Council was held on Tuesday, June 23, 2015 at 5:30 p.m. at City Hall, 4814 Henry Street.

Present: Mayor Pro Tem Martines, Council Members Beecham, Dolack, Flanders, Hylland, Jurkas, Moulatsiotis and Ostrom; also Mark Meyers, Carrie Pierce, Mike Huston, Jerry Bartoszek, Jon Gale, Bob Gagnon, Lynne Fuller, and Susan Franklin

Excused: Mayor Nelund

1. Offer to Purchase City-Owned Property

City Administrator Mark Meyers presented a \$35,000 offer from a local builder, Allen Branch, to purchase the property at 517 Porter Road for residential development. The 8.77 acre parcel was purchased by the City for \$25,000 in March of 2012 for the primary purpose of securing thru road right-of-way for the extension of Sternberg Road. The property fronts Porter Road and is also adjacent to the Smitty Vanderplow Field (the former Churchill Athletic Association property). Muskegon County Equalization estimates the true cash value of the property to be \$81,400.

Though the offer is lower than the true cash value, it is \$10,000 more than the City paid for it. The lot would support 14 homes and the purchase agreement would include a clause for reversion back to the City if the property is not developed in a specified amount of time. The City would retain the right of way on the south end of the property and an adjacent outlot to accommodate a thru-street to the Sternberg Road extension. Council members were supportive and staff will proceed with preparing the purchase agreement for consideration at a Council meeting.

2. Sternberg Road Speed Study

Public Works Director Jerry Bartoszek reported on a speed study conducted for Sternberg Road between Grand Haven Road and Martin Road. The study showed that the 85th percentile speed between Grand Haven Road and Martin Road on Sternberg Road was 46-50 mph. According to the American Association of State Highway Organizations design manual, posted speed limits should be established at the 85th percentile speed. This is affirmed by the Michigan Manual of Uniform Traffic Control Services and the Michigan State Police booklet "Establishing Realistic Speed Limits". Michigan Public Act 85 of 2006 does allow speed limits to be established within residential areas based on the number of access points within a half mile section of roadway. The number of access points within the densest ½ mile stretch of road did not exceed 44 which would indicate an appropriate speed limit of 45. Project Engineer Jim Murphy also recommended additional signage for Robert Hunter Drive and adjustment of the passing zone signage on Sternberg Road. Council Member Jurkas expressed concern about the Hile baseball field and the effect of the higher speed limit given the traffic congestion in that area, but it was reiterated that the speed study shows traffic is traveling faster already.

The change would result in consistent speed limit from Martin Road to Harvey Street. Council will consider adopting the appropriate Traffic Control Orders at a future Council meeting.

3. Request to Amend Livestock Ordinance

The City has received a complaint regarding roosters with a request to ban them within the city. Staff has researched the matter and Mr. Bartoszek presented some options if Council chooses to address the issue. Currently a property owner is restricted to 50 fowl animals on a minimum of two acres of land with 50 additional fowl being permitted with each additional acre of land owned. The property which is the subject of the complaint is zoned R-5, contains two acres and is in compliance with the current ordinances. A survey of townships in the area revealed requirements for minimum acreage and agricultural or rural zoning.

To address this matter City Council could choose to ban roosters entirely, limit roosters to only the AG Agriculture and REC Recreation districts or increase the minimum acreage required for fowl animals to five acres or keep the current ordinance as is. The increase in required acreage would solve this current complaint but many five acre parcels are located in the southern third of the city. These lots are narrow and deep which would meet the acreage requirement but not necessarily the noise issue due to the distance between residences.

Mayor Pro Tem Martines asked how many complaints the City receives. Staff has reported that several complaints have been received about the raising of backyard chickens but only a few regarding the noise of roosters. Council Member Hylland suggested that this is similar to kennels with regard to noise complaints and a similar setback requirement could be added for fowl. Council Member Ostrom stated that the rural area of the City has gotten smaller. He would be in favor of banning roosters entirely. Council Member Beecham said many people raise chickens for eggs and chickens are allowed in other urban areas. It was also her opinion that it is not the Council's job to eliminate the rural nature of the City. Council Member Jurkas agreed. Council Member Ostrom reminded Council that roosters are not necessary for eggs.

Mr. Jay Ingersoll of 5650 Davis Road, the subject of the complaint, informed Council that there are rooster collars that are not harmful to the animal but greatly reduce the crowing sound. He also stated that other areas have ordinances that simply ban crowing roosters. Greg Teerman, 1144 Anthony Drive, the complainant in the matter, said it is not his intent to impede a resident's desire to have egg producing fowl but to eliminate roosters crowing in the early morning. The City Council directed staff to research the matter further and consider drafting language to address roosters.

4. PEX Pipe Report

During discussion at the March work session regarding water service charges, Council Members Jurkas and Hylland asked for clarification of fees associated with connection to the water main when using non-copper materials such as PEX. They expressed concern for homeowners and builders who chose these lower priced products only to have installation become cost prohibitive after additional fees required by the City. Currently the City requires a meter service pit when using material other than copper for water service from the property line to the building. Mr. Bartoszek and his staff surveyed surrounding water departments for their practice or policies regarding this issue. Most of the communities surveyed allow the use of any approved plumbing material. One township only approves the use of PEX for a service with the installation of the meter at the property line in a Hot Box which is a heated box placed at ground level. Although no substantial evidence was found to support denying the use of PEX, Mr. Bartoszek recommended that standards be developed for the use of PEX from the property line to the building. Minimum standards should include installation of a tracing wire to locate the line, the requirement that once installed there is no exposure to sunlight, a specification for the connection requirements at the curb stop and the meter, prohibiting the use of PEX in areas of known contamination and specifying connection requirements at the curb stop and the meter. Council Member Jurkas asked if other communities are charging more for the use of such materials. Mr. Bartoszek reported that there are additional costs in other communities such as the Hot Box requirement. Staff will prepare standards for Council consideration.

Comments

Council Member Jurkas reminded Council that a new photo will be taken at the next meeting.

Meeting adjourned at 6:15 p.m.


Lynne A. Fuller, City Clerk