

**AGENDA**  
**WYOMING CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**MONDAY, MARCH 7, 2022, 7:00 P.M.**

- 1) Call to Order**
- 2) Invocation** – Pastor Rick South, Abundant Life Church of God  
*If you wish and are able, please stand for the invocation. The Pledge of Allegiance will immediately follow the invocation.*
- 3) Pledge of Allegiance**
- 4) Roll Call**
- 5) Student Recognition**
- 6) Approval of Minutes**  
From the February 21, 2022 Regular Meeting
- 7) Approval of Agenda**
- 8) Public Hearings**  
*If you wish to speak to an item during a public hearing you are welcome to do so. It is important to note this is not an opportunity for dialog or debate; this is an opportunity to provide comment to the City Council. Comments made during a public hearing may become part of the meeting’s permanent record. Upon approaching the podium, please begin by providing your name and address. There is a 3 minute limit per person.*
- 9) Public Comment on Agenda Items**  
*This public comment period is reserved for comment on agenda items only. If you wish to speak about an item that is not on the agenda, please hold your comments until the acknowledgement of visitors at the end of the meeting. It is important to note this is not an opportunity for dialog or debate; this is an opportunity to provide comment to the City Council. Upon approaching the podium, please begin by providing your name and address. There is a 3 minute limit per person.*
- 10) Presentations and Proclamations**
  - a) Presentations
  - b) Proclamations
- 11) Petitions and Communications**
  - a) Petitions
  - b) Communications
- 12) Reports from City Officers**
  - a) From City Council
  - b) From City Manager
- 13) Budget Amendments**
- 14) Consent Agenda**  
*All items under this section are considered to be routine and will be enacted by one motion with no discussion. If discussion is desired by a Councilmember, that member may request removal from the Consent Agenda.*
- 15) Resolutions**
  - a) To Accept the Bulletproof Vest Partnership (BVP) Grant (Budget Amendment No. 58)
- 16) Award of Bids, Contracts, Purchases, and Renewal of Bids and Contracts**
  - b) To Authorize the Sale of Property

- c) To Authorize the Mayor and City Clerk to Execute an Agreement with the Michigan Department of Transportation for the Resurfacing of Chicago Drive from Burlingame Avenue to Clyde Park Avenue (Budget Amendment 59)
- d) To Accept a Quote from ETNA Supply – Grand Rapids for Plumbing Supplies
- e) For the Purchase and Installation of One 42” Butterfly Valve at the Water Treatment Plant and to Authorize the Mayor and City Clerk to Execute the Contract
- f) For Award of Bid and to Authorize the Mayor and City Clerk to Execute the Contract
  - 1. Fertilizer

**17) Ordinances**

- 4-22 To Amend Chapter 90 of the Code of Ordinances by Amending Section 90-401B in Article 4B (Final Reading)
- 5-22 To Amend Chapter 90 of the Code of Ordinances by Amending Section 90-424B in Article 4B (Final Reading)
- 6-22 To Amend Chapter 90 of the Code of Ordinances by Amending Section 90-1305 in Article 11, Division 3 (Final Reading)

**18) Informational Material**

- a) Planning Commission 2021 Annual Report

**19) Acknowledgment of Visitors**

*This public comment period is an opportunity to share concerns or present topics to the City Council that were not part of this meeting’s agenda. This is not an opportunity for dialog with Council, but Council may make referrals or request staff to follow up. Please provide your name and address when approaching the podium. There is a 3 minute limit per person.*

**20) Closed Session** (as necessary)

**21) Adjournment**

March 7, 2022  
Police/TEP

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO ACCEPT THE BULLETPROOF VEST PARTNERSHIP (BVP) GRANT

WHEREAS:

1. The City of Wyoming Department of Public Safety applies annually for the federal Office of Justice Programs Bulletproof Vest Partnership (BVP) Grant to reduce the expense related to police body armor.
2. The Department was awarded \$7,200 through the BVP Grant for the federal fiscal year of 2021.
3. It is recommended the City Council accept \$7,200 in grant funds and apply those dollars toward the cost of personal body armor to be purchased in the next 12 to 24 months.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City of Wyoming accepts the fiscal year 2021 Bulletproof Vest Partnership Grant in the amount of \$7,200.
2. That Police Captain Timothy Pols serve as the Grant Administrator responsible for the programmatic grant reporting requirements.
3. That Amy Berridge serve as the Financial Manager responsible for financial reporting.
4. That the attached budget amendment is approved.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried            Yes  
   No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on March 7, 2022.

\_\_\_\_\_  
Kelli A. VandenBerg, Wyoming City Clerk

Attachments:

Budget Amendment

Resolution No. \_\_\_\_\_



RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO AUTHORIZE THE SALE OF PROPERTY

WHEREAS:

1. As detailed in the attached staff report, the City has received an offer from Radwell to purchase sixteen motor protection relays in the total estimated amount of \$10,489.50.
2. Staff has reviewed the offer and found it to be acceptable and recommends the City Council accept the offer.
3. The net proceeds from the sale will be deposited in the Water Treatment Plant account number 591-673.002.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby authorize the sale of sixteen motor protection relays to Radwell in the total estimated amount of \$10,489.50.
2. The Wyoming City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes  
                                  No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on March 7, 2022.

\_\_\_\_\_  
Kelli A. Vandenberg, Wyoming City Clerk

ATTACHMENTS:

Staff Report

Offer to Purchase

Resolution No. \_\_\_\_\_

## STAFF REPORT

Date: February 23, 2022  
Subject: Sale of Motor Protection Relays  
From: Dan Kleinheksel, Utility Maintenance Manager  
Date of Meeting: March 7, 2022

---

### **RECOMMENDATION:**

It is recommended the City Council approve the sale of 16 used motor protection relays to Radwell International in the estimated total amount of \$10,489.50.

### **COMMUNITY, SAFETY, STEWARDSHIP:**

The motor protection relays are no longer in use at the Water Treatment Plant but they have retained value in the surplus market and, therefore, it is prudent to sell this equipment at fair market value so they can be reused. Doing so meets the City's core value of stewardship from both an economic and environmental perspective.

### **DISCUSSION:**

The Water Treatment Plant utilizes transfer pumps and high service pumps with large, 4160-volt motors to fill ground storage reservoirs and provide clean, fresh potable water to the City of Wyoming and neighboring communities. Due to the motor size, motor protection relays are required for protection, control, and monitoring of voltage, amperage, temperature, and vibration. Should unsafe motor running conditions exist, the motor protection relay will instantly shut down the motor to avoid a potentially catastrophic breakdown.

In 2020, the Water Treatment Plant began upgrading the motor protection relays which had been in service for approximately 20 years and had become prone to failure and increased repair costs. The obsolete equipment was placed into inventory for storage but since they still hold market value, it is prudent to sell the used motor protection relays.

Two asset recovery companies that sell used and surplus motor protection relays were contacted and provided with the make, model, and serial numbers of the used equipment. Radwell International offered \$10,489.50 for 16 motor protection relays and National Switchgear did not offer a proposal. Radwell's proposal includes shipping and testing of the equipment to ensure proper operation before issuing the final payment. Considering Radwell International is a reputable company from which the City has made past purchases, it is prudent to sell the 16 motor protection relays to Radwell International in the estimated total amount of \$10,489.50.

### **BUDGET IMPACT:**

Final payment will be deposited in the Water Treatment Plant account # 591-673.002.



Phone: 609.288.9393 Fax: 609.288.9414

# Offer to Purchase

Offer Date: 2/1/2022

Vendor Id: 1383924

Vendor Name: CITY OF WYOMING (Holland, MI)

Bid ID: 546987

**Offer Presented To:**

**CITY OF WYOMING (Holland, MI)  
16700 NEW HOLLAD ST  
HOLLAND  
MI  
49424  
US**

**Offer Created By Matthew Shoppas Ext: 1271**

**Radwell International LLC  
1 Millennium Drive  
Willingboro  
NJ  
08046  
US**

Dan Kleinheksel  
Phone: 616-738-4957  
Fax:  
Kleinhekseld@wyomingmi.gov

*Please note: Radwell will pay the shipping cost. We would prefer that you ship using our UPS account number, which we can provide should you accept this offer. If truck freight is required due to the size of the shipment, please contact us to arrange pick up.*

Qty	Part Number Manufacturer Description	U of M	
<b>Item Condition and Item Notes</b>			
7  <b>RQAUS1</b>	469-P5-HI-A20 GENERAL ELECTRIC DISCONTINUED BY MANUFACTURER, MOTOR MANAGEMENT RELAY, PHASE CT SECONDARY - 5 AMP, 90-300 V DC, 70-265 V AC, 48/62 HZ, 4-20 MA ANALOG OUTPUTS	Each	
Used in working condition, item is in resalable condition, without severe cosmetic damage, some OEM supplied accessory items may be missing. Lines 2 and 3 were combined.   Lines 2 and 9 were combined.   Lines 2 and 11 were combined.   Lines 2 and 13 were combined.   Lines 2 and 14 were combined.   Lines 2 and 15 were combined.			
5  <b>RQAUS1</b>	469-P5-HI-A20-D-H GENERAL ELECTRIC DISCONTINUED BY MANUFACTURER, MOTOR MANAGEMENT RELAY, BASE UNIT 469, CURRENT TRANSFORMER INPUTS - 5 AMP, 90-300 V DC, 70-265 V AC, 48/62 HZ, 4-20 MA ANALOG OUTPUTS, DEVICENET, HARSH CONFORMAL COATING	Each	
Used in working condition, item is in resalable condition, without severe cosmetic damage, some OEM supplied accessory items may be missing. Lines 1 and 5 were combined.   Lines 1 and 8 were combined.   Lines 1 and 10 were combined.   Lines 1 and 16 were combined.			
4  <b>RQAUS1</b>	469-P5-HI-A20-E GENERAL ELECTRIC DISCONTINUED BY MANUFACTURER, MOTOR MANAGEMENT RELAY, PHASE CT SECONDARY - 5 AMP, 90-300 V DC, 70-265 V AC, 48/62 HZ, 4-20 MA ANALOG OUTPUTS, ENHANCED FRONT PANEL	Each	
Used in working condition, item is in resalable condition, without severe cosmetic damage, some OEM supplied accessory items may be missing. Lines 4 and 6 were combined.   Lines 4 and 7 were combined.   Lines 4 and 12 were combined.			

<b>16</b> : Total Items	<b>If accepted offer will be paid in US Dollars (\$).</b>	<b>Total</b>	<b>\$ 10,489.50</b>
-------------------------	---	--------------	---------------------

*This offer is made for equipment matching the descriptive information supplied by your company, prior to this offer. If this offer is accepted Radwell reserves the right to reject and return for full credit any item that is not in the condition stated on this offer. See; "Item Condition and Item Notes". Radwell also reserves the right to return the full credit items that are not the same as the items listed on this offer, such as a different manufacturer or part number then those included on this offer.*

\_\_\_\_\_  
*Bid Accepted (Your Signature)*

\_\_\_\_\_  
*Date*

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK  
TO EXECUTE AN AGREEMENT WITH THE MICHIGAN DEPARTMENT OF  
TRANSPORTATION FOR THE RESURFACING OF  
CHICAGO DRIVE FROM BURLINGAME AVENUE TO CLYDE PARK AVENUE

WHEREAS:

1. The Michigan Department of Transportation (MDOT), in cooperation with the City of Wyoming, proposes to resurface Chicago Drive (Highway I-196 BS) in Wyoming, from Burlingame Avenue to Clyde Park Avenue.
2. Proposed improvements include milling the existing asphalt surface and replacing with new hot mix asphalt, along with repairing curb and gutter, sidewalk, and sidewalk ramps.
3. The Michigan Department of Transportation has submitted the attached City-State Agreement outlining the rights and obligations for the parties.
4. The anticipated cost for Wyoming's share, based upon the engineer's estimate, is approximately \$53,600, which can be financed out of the Major Streets Fund Account No. 202-441-46300-972.502, but a budget amendment is needed.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby authorize the Mayor and City Clerk to execute the attached Agreement with MDOT for the resurfacing of Chicago Drive in Wyoming from Burlingame Avenue to Clyde Park Avenue.
2. The City Council does hereby approve the attached budget amendment.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes  
                                  No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on March 7, 2022.

\_\_\_\_\_  
Kelli A. VandenBerg, Wyoming City Clerk

Attachment: Staff Report  
                  Budget Amendment  
                  Agreement

Resolution No. \_\_\_\_\_

**CITY OF WYOMING BUDGET AMENDMENT**

**Date: March 7, 2022**

**Budget Amendment No. 059**

To the Wyoming City Council:

A budget amendment is requested to appropriate necessary funds for the milling and resurfacing of Chicago Drive from Burlingame to Clyde Park to satisfy the obligations set for the in the City's agreement with the State of Michigan.

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
<b><u>Major Streets Fund</u></b>				
Public Works - Street Maintenance - Capital Outlay Major Street Construction				
202-441-46300-972.502	1,337,029.98	53,600.00		1,390,629.98
Fund Balance/Working Capital (Fund 202)		<u>0.00</u>	<u>53,600.00</u>	

Recommended:

Jodi Venchar  
Finance Director

CD 1/Ph  
City Manager

Motion by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_ that the General Appropriations Act for Fiscal Year 2021-2022 be amended by adoption of the foregoing budget amendment.

Motion carried: Yes \_\_\_\_\_, No \_\_\_\_\_

I hereby certify that at a \_\_\_\_\_ meeting of the Wyoming City Council duly held on \_\_\_\_\_ the foregoing budget amendment was approved.

\_\_\_\_\_  
City Clerk

## STAFF REPORT

Date: February 24, 2022

Subject: MDOT Chicago Drive Resurfacing – City/State Agreement

From: Russ Henckel, Assistant Director of Public Works - Engineering

Date of Meeting: March 7, 2022

---

### **RECOMMENDATION:**

It is recommended City Council authorize the Mayor and Clerk execute an Agreement with the Michigan Department of Transportation (MDOT) outlining the rights and obligations of each party for the resurfacing of Chicago Drive in Wyoming from Burlingame Avenue to Clyde Park Avenue. The City of Wyoming's estimated share of the project is \$53,600.

### **COMMUNITY, SAFETY, STEWARDSHIP:**

Chicago Drive is a state highway under the maintenance of the Michigan Department of Transportation (MDOT). MDOT maintains its freeways, highways and business routes to promote safe and efficient vehicular travel for all users. The project includes milling the asphalt surface, replacing damaged concrete curb and gutter, fixing and upgrading sidewalk ADA ramps and repaving with new asphalt surface. The project will add to the economic strength of our community.

### **DISCUSSION:**

Attached is a City–State Agreement between the Michigan Department of Transportation (MDOT) and the City of Wyoming outlining the rights and obligations associated with the resurfacing of Chicago Drive from Burlingame Avenue to Clyde Park Avenue in Wyoming. The Agreement is based upon anticipated costs from the engineer's estimate and participating amounts of the project. Wyoming's share of the \$2.36 million-dollar project is \$53,600.

### **BUDGET IMPACT:**

Funds can be financed out of the Major Streets Fund Account No. 202-441-46300-972.502, but a budget amendment is necessary.

FEDERAL AID PROGRESS PAYMENT

DA

Control Section NH 41042  
Job Number 210817CON; 210817PE  
Federal Project 22A0307; 21A0068  
Contract 21-5328

THIS CONTRACT is made by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF WYOMING, a Michigan municipal corporation, hereinafter referred to as the "CITY"; for the purpose of fixing the rights and obligations of the parties in agreeing to construction improvements located within the corporate limits of the CITY.

WITNESSETH:

WHEREAS, the parties hereto anticipate that payments by them and contributions by agencies of the Federal Government or other sources will be sufficient to pay the cost of construction or reconstruction of that which is hereinafter referred to as the "PROJECT" and which is located and described as follows:

Hot mix asphalt cold milling and resurfacing work along the northside of Highway I-196BS (Chicago Drive) from Burlingame Avenue to the west side of Plaster Creek and Van Raalte Drive to Clyde Park Avenue and along the southside of Highway I-196BS (Chicago Drive) from Burlingame Avenue to Clyde Park Avenue, including curb and gutter, sidewalk, sidewalk ramp, excavation, subbase, and aggregate base work; together with necessary related work, located within the corporate limits of the CITY; and

WHEREAS, the DEPARTMENT presently estimates the PROJECT COST as hereinafter defined in Section 1 to be: \$2,361,900

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The CITY hereby consents to the designation of the PROJECT as a state trunkline highway. The parties shall undertake and complete the construction of the PROJECT as a state trunkline highway in accordance with this contract. The term "PROJECT COST", as herein used, is hereby defined as the cost of construction or reconstruction of the PROJECT including the costs of preliminary engineering (PE), plans and specifications; acquisition costs of the

property for rights of way, including interest on awards, attorney fees and court costs; physical construction necessary for the completion of the PROJECT as determined by the DEPARTMENT; and construction engineering (CE), legal, appraisal, financing, and any and all other expenses in connection with any of the above.

2. The cost of alteration, reconstruction and relocation, including plans thereof, of certain publicly owned facilities and utilities which may be required for the construction of the PROJECT, shall be included in the PROJECT COST; provided, however, that any part of such cost determined by the DEPARTMENT, prior to the commencement of the work, to constitute a betterment to such facility or utility, shall be borne wholly by the owner thereof.

3. The CITY shall make available to the PROJECT, at no cost, all lands required thereof, now owned by it or under its control for purpose of completing said PROJECT. The CITY shall approve all plans and specifications to be used on that portion of this PROJECT that are within the right of way which is owned or controlled by the CITY. That portion of the PROJECT which lies within the right of way under the control or ownership by the CITY shall become part of the CITY facility upon completion and acceptance of the PROJECT and shall be maintained by the CITY in accordance with standard practice at no cost to the DEPARTMENT. The DEPARTMENT assumes no jurisdiction of CITY right of way before, during or after completion and acceptance of the PROJECT.

4. The parties will continue to make available, without cost, their sewer and drainage structures and facilities for the drainage of the PROJECT.

5. The PROJECT COST shall be met in part by contributions from agencies of the Federal Government. The balance of the PROJECT COST shall be charged to and paid by the DEPARTMENT and the CITY in the following proportions and in the manner and at the times hereinafter set forth:

DEPARTMENT -	87.5%
CITY -	12.5%

The PROJECT COST and the respective shares of the parties, after Federal-aid, is estimated to be as follows:

	TOTAL ESTIMATED COST	FEDERAL AID	BALANCE AFTER FED AID	DEPT'S SHARE	CITY'S SHARE
Constr. & CE	\$2,089,400	\$1,710,200	\$379,200	\$331,800	\$47,400
PE	\$ 272,500	\$ 223,000	\$ 49,500	\$ 43,300	\$ 6,200
TOTAL	\$2,361,900	\$1,933,200	\$428,700	\$375,100	\$53,600

The PE costs will be apportioned in the same ratio as the actual construction award and the CE costs will be apportioned in the same ratio as the actual direct construction costs.

Participation, if any, by the CITY in the acquisition of trunkline right-of-way shall be in accordance with 1951 P.A. 51 Subsection 1d, MCL 247.651d. An amount equivalent to the federal highway funds for acquisition of right-of-way, as would have been available if application had been made thereof and approved by the Federal government, shall be deducted from the total PROJECT COST prior to determining the CITY'S share. Such deduction will be established from the applicable Federal-Aid matching ratio current at the time of acquisition.

6. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT. The DEPARTMENT may submit progress billings to the CITY on a monthly basis for the CITY'S share of the cost of work performed to date, less all payments previously made by the CITY. No monthly billings of a lesser amount than \$1,000 shall be made unless it is a final or end of fiscal year billing. All billings will be labeled either "Progress Bill Number \_\_\_\_\_", or "Final Billing". Payment is due within 30 days of receipt of invoice. Upon completion of the PROJECT, payment of all items of PROJECT COST and receipt of all Federal Aid, the DEPARTMENT shall make a final billing and accounting to the CITY.

7. In order to fulfill the obligations assumed by the CITY under the provisions of this contract, the CITY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. The CITY shall be billed for their share of the preliminary engineering costs upon award of the PROJECT. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the CITY will be based upon the CITY'S share of the actual costs incurred less Federal Aid earned as the work on the PROJECT progresses.

8. Pursuant to the authority granted by law, the CITY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified herein. If the CITY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the CITY of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, the DEPARTMENT is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the CITY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the CITY with payment thereof, and to notify the CITY in writing of such fact.

9. The DEPARTMENT shall secure from the Federal Government approval of plans, specifications, and such cost estimates as may be required for the completion of the PROJECT; and shall take all necessary steps to qualify for Federal Aid such costs of acquisition of rights of way, construction, and reconstruction, including cost of surveys, design, construction engineering, and inspection for the PROJECT as deemed appropriate. The DEPARTMENT may elect not to apply for Federal Aid for portions of the PROJECT COST.

10. Upon completion of the sidewalk and sidewalk ramp portions of the PROJECT, the CITY shall accept the sidewalk and sidewalk ramp facilities constructed as built to

specifications within the construction contract documents. It is understood that the CITY shall own the sidewalk and sidewalk ramp facilities and shall operate and maintain the sidewalk and sidewalk ramp facilities in accordance with applicable law at no cost to the DEPARTMENT.

11. This contract is not intended to increase or decrease either party's liability, or immunity from, tort claims.

12. All of the PROJECT work shall be done by the DEPARTMENT.

13. In connection with the performance of the PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

14. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the CITY and for the DEPARTMENT; upon the adoption of a resolution approving said contract and authorizing the signatures thereto of the respective officials of the CITY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed as written below.

CITY OF WYOMING

MICHIGAN DEPARTMENT  
OF TRANSPORTATION

By \_\_\_\_\_  
Title:

By \_\_\_\_\_  
Department Director MDOT

By \_\_\_\_\_  
Title:



RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO ACCEPT A QUOTE FROM  
ETNA SUPPLY – GRAND RAPIDS FOR PLUMBING SUPPLIES

WHEREAS:

1. As detailed in the attached staff report, it is recommended the City Council accept a quote from ETNA Supply – Grand Rapids for plumbing supplies.
2. Funds are available in various departmental accounts and will be charged to the appropriate account at the time of purchase.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby accept a quote from ETNA Supply – Grand Rapids for plumbing supplies.
2. The City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes  
                                  No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on March 7, 2022.

\_\_\_\_\_  
Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Staff Report

Tabulation Sheet

Resolution No. \_\_\_\_\_

## STAFF REPORT

Date: February 21, 2022  
Subject: Plumbing Supplies  
From: Dan Kleinheksel, Utility Maintenance Manager  
Date of Meeting: March 7, 2022

---

### RECOMMENDATION:

It is recommended the City Council authorize the purchase of plumbing supplies from ETNA Supply-Grand Rapids for an estimated total of \$25,000.00 for the utility plants.

### COMMUNITY, SAFETY, STEWARDSHIP:

Regular and proper upkeep of the utility plants contributes to the efficiency of the equipment and to the prevention of untimely and costly repairs that could potentially interrupt the day-to-day operations of the Clean Water Plant and the Water Treatment Plant. Maintaining both utility plants with quality parts from a reputable supplier keeps costs low while increasing the life of the equipment.

### DISCUSSION:

The Clean Water Plant and the Water Treatment Plant use a considerable amount of consumable plumbing and pipe supplies to perform in-house pump replacements, repair leaks, and replacement of common items such as pipes, valves, and fittings. The installation of new plumbing parts is an essential aspect of maintenance responsibilities at both plants. Therefore, quotes for over 60 typical plumbing and pipe parts commonly used at both plants were requested from four local suppliers to ensure a fair and competitive opportunity.

Upon review of the four quotes received, ETNA Supply-Grand Rapids and Ferguson Enterprises LLC (DBA Ferguson Waterworks) were the only companies to provide pricing for all of the items listed. Overall, ETNA Supply-Grand Rapids offered the best pricing and has locations in both Wyoming and Holland, providing ease of access and parts availability for emergency purchases. ETNA Supply-Grand Rapids is a reputable company that has provided the City with excellent service.

Supplier	Total Amount
Ferguson Enterprises LLC (DBA Ferguson Waterworks)	\$11,703.23
ETNA Supply-Grand Rapids	\$10,116.37
The Macomb Group	\$2,527.36
B.J.W. Berghorst & Sons Inc.	\$163.13

**BUDGET IMPACT:**

Annual expenditures for plumbing supplies at the Clean Water Plant and Water Treatment Plant is an estimated total of \$25,000.00. Adequate funds exist and have been budgeted for in various Clean Water Plant and Water Treatment Plant accounts.

City of **Wyoming** Michigan  
**Plumbing Supplies**

ITEM DESCRIPTION	FERGUSON	ETNA	BJW	MACOMB
<b>CPVC SCHEDULE 40</b>	<b>UNIT PRICE</b>	<b>UNIT PRICE</b>	<b>UNIT PRICE</b>	<b>UNIT PRICE</b>
10' - 3/4"	\$5.62	\$6.40	\$6.84	\$18.62
10' - 1"	\$13.64	\$12.98	\$13.41	\$27.35
10' - 1 1/2"	\$33.01	\$30.16		\$46.19
10' - 2"	\$51.67	\$51.55		\$63.81
1" COUPLING	\$1.58	\$1.55	\$2.36	\$3.60
1" 90 ELBOW	\$1.57	\$1.55	\$2.69	\$3.66
1" UNION	\$16.79	\$8.00		\$10.28
1" TEE	\$3.89	\$3.85	\$2.57	\$5.29
3/4" BALL VALVE TRUE UNION	\$36.72	\$43.00		\$40.80
1" BALL VALVE TRUE UNION	\$42.46	\$51.15		\$50.91
Y STRAINER 3/4"	\$27.00	\$27.50		\$168.61
Y STRAINER 1"	\$39.00	\$38.70		\$294.75
Y STRAINER 3"	\$131.71	\$93.75		\$746.95
WELD-ON 724 SOLVENT CEMENT	\$21.16	\$34.50	\$15.47	\$29.17
WELD-ON P-70 PRIMER	\$11.72	\$26.00	\$15.75	\$16.17
<b>CPVC TRUE UNION DIAPHRAGM VALVE</b>				
3/4"	\$256.00	\$300.80		\$190.32
1"	\$295.47	\$350.00		\$244.08
2"	\$486.69	\$571.00		\$367.20
<b>PVC SCHEDULE 40</b>				
10' - 3/4"	\$6.72	\$6.69	\$6.85	\$6.72
10' - 1"	\$10.50	\$10.44		\$10.56
10' - 1 1/2"	\$15.48	\$15.38	\$12.56	\$16.68
10' - 2"	\$20.88	\$20.75	\$19.26	\$21.72
3/4" COUPLING	\$0.60	\$0.25	\$0.13	\$0.31
3/4" 90 ELBOW	\$0.60	\$0.30	\$0.16	\$0.39
3/4" UNION	\$3.09	\$3.00	\$2.72	\$0.25
3/4" TEE	\$0.83	\$0.40	\$0.33	\$3.07
3/4" BALL VALVE TRUE UNION	\$13.04	\$30.55		\$26.64
<b>BLACK STEEL NIPPLE</b>				
1/2" X 2"	\$2.00	\$0.70	\$0.72	\$1.44
1/2" X 4"	\$3.00	\$1.00	\$1.19	\$2.08
1/2" X 6"	\$3.50	\$1.25	\$1.29	\$2.67
<b>GALVANIZED STEEL NIPPLE</b>				
1/2" X 2"	\$2.20	\$0.85	\$0.61	\$1.74
1/2" X 4"	\$3.00	\$1.20	\$0.89	\$2.54
1/2" X 6"	\$4.00	\$1.65	\$1.23	\$3.49
<b>LEAD FREE BRASS BALL VALVE</b>				
3/4" PRESS	\$24.18	\$19.20	\$13.76	\$25.71

ITEM DESCRIPTION	FERGUSON	ETNA	BJW	MACOMB
CPVC SCHEDULE 40	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
1" PRESS	\$33.85	\$25.80	\$20.61	\$42.50
3/4" THREADED	\$9.00	\$15.00	\$10.99	\$14.17
3/4" SWEAT	\$12.65	\$12.80	\$10.74	\$16.94
<b>STAINLESS STEEL PIPE REPAIR CLAMP</b>				
4"	\$99.00	\$154.50		
6"	\$118.00	\$185.75		
8"	\$139.00	\$218.40		
10"	\$189.00	\$294.65		
<b>MEGALUG SERIES 1100 JOINT RESTRAINT</b>				
6"	\$42.26	\$29.75		
8"	\$56.83	\$45.40		
10"	\$81.72	\$67.20		
<b>MEGAFLANGE SERIES 2100 FLANGE ADAPTER</b>				
6"	\$131.00	\$139.40		
8"	\$205.00	\$220.30		
10"	\$323.00	\$343.70		
<b>VICTAULIC 341 FLANGE ADAPTER</b>				
4"	\$296.14	\$338.10		
6"	\$374.81	\$443.40		
<b>VICTAULIC STYLE 31 COUPLING</b>				
4"	\$92.51	\$193.40		
6"	\$137.21	\$286.85		
<b>VICTAULIC GROOVED PIPE</b>				
4" X 4'	\$268.81			
4" X 8'	\$452.98			
6" X 4'	\$334.33			
6" X 8'	\$567.02			
4" - 21'		\$353.85		
6" - 21'		\$622.02		
<b>FLANGED DUCTILE IRON PIPE</b>				
4" X 4'	\$375.52	\$292.10		
4" X 8'	\$559.69	\$480.65		
6" X 4'	\$486.90	\$324.80		
6" X 8'	\$719.58	\$499.85		
8" X 4'	\$683.79	\$450.55		
8" X 8'	\$1,009.98	\$751.40		
10" X 4'	\$944.31	\$596.00		
10" X 8'	\$1,370.02	\$964.70		
<b>TOTAL</b>	<b>\$11,703.23</b>	<b>\$10,116.37</b>	<b>\$163.13</b>	<b>\$2,527.36</b>

RESOLUTION NO. \_\_\_\_\_

RESOLUTION FOR THE PURCHASE AND INSTALLATION OF ONE  
42" BUTTERFLY VALVE AT THE WATER TREATMENT PLANT  
AND TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT

WHEREAS:

1. As detailed in the attached staff report, bids were received for the purchase and installation of one 42" butterfly valve at the Water Treatment Plant.
2. It is recommended City Council accept the bid from Franklin Holwerda Company in the total amount of \$36,999.00.
3. Funds for the purchase are available in account number 591-591-57300-986.444.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby accept the bid from Franklin Holwerda Company for the purchase and installation of one 42" butterfly valve at the Water Treatment Plant in the amount of \$36,999.00.
2. The City Council does hereby authorize the Mayor and City Clerk to execute the contract.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes  
                                  No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on March 7, 2022.

\_\_\_\_\_  
Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Staff Report

Contract

Resolution No. \_\_\_\_\_

## STAFF REPORT

Date: February 22, 2022  
Subject: 42" Butterfly Valve Replacement  
From: Dan Kleinheksel, Utility Maintenance Manager  
Date of Meeting: March 7, 2022

---

### **RECOMMENDATION:**

It is recommended the City Council award the bid as provided by Franklin Holwerda Company in the amount of \$36,999.00 for the purchase and installation of one 42" butterfly valve at the Water Treatment Plant.

### **COMMUNITY, SAFETY, STEWARDSHIP:**

Regular and proper upkeep of utility plant equipment contributes to the efficiency of the equipment, and to the prevention of untimely and costly repairs or replacement that could potentially interrupt the day-to-day operations of the Water Treatment Plant.

### **DISCUSSION:**

The Water Treatment Plant houses ten high service pumps that pump water approximately twenty-six miles through various piping and valving to supply clean, safe drinking water to wholesale customers and the City of Wyoming. A 42" suction header with several valves exists in the high service pipe gallery that supplies these pumps with potable water. One isolation valve in the suction header is a 42" butterfly valve that requires replacement due to water leaking past the valve seat. This 42" butterfly valve is a critical component as it allows for the isolation of pumps or other valves needing repair. When isolation valves do not seal, more valves need to be closed causing additional plant equipment to be shut down to perform repairs. Hence, the need for tight sealing isolation valves is vital to the operation and maintenance of the WTP.

The purchase and installation was competitively bid with specifications sent to twenty requesting companies and made available via the City's website. A pre-bid meeting was held at the Water Treatment Plant on Wednesday, February 2, and three qualified companies made site visits to review the valve replacement project. On Tuesday, February 24, bids from the three companies that made site visits were received and are as follows:

Allied Mechanical Services Inc	\$44,000.00
DHE Plumbing & Mechanical	\$49,994.00
Franklin Holwerda Company	\$36,999.00

Upon review of the bid documents received, Franklin Holwerda Company was found to meet the necessary bid specifications and was also the lowest bid. Therefore, it is recommended the City Council award the bid as provided by Franklin Holwerda Company in the amount of \$36,999.00.

### **BUDGET IMPACT:**

Adequate funds exist in the Water Treatment Plant account #591-591-57300-986.444.

**42" VALVE REPLACEMENT PROJECT CONTRACT**

This Contract is made as of the Effective Date between the City of Wyoming, a Michigan municipal corporation, of 1155 28<sup>th</sup> Street SW, PO Box 905, Wyoming, MI 49509-0905 ("City") and the Contractor identified below.

**Recitals**

City requested bids/proposals for the **42" VALVE REPLACEMENT PROJECT** contract (the "Request for Bids/Proposals" that included the bid/proposal requirements, city contract standard terms and conditions, risk allocation and insurance provisions, bonds and lien provisions, specific requirements, bid/proposal form, plans, and project or technical bid specifications) and Contractor submitted the bid/proposal by the required date of February 22, 2022 and related required materials (the "Bid") that was selected by City

"Contract Documents" means this contract, the Bid, the Request for Bids/Proposals including all materials that are part of it, the approving City Council resolution, insurance information meeting contract requirements (including any requested policies, endorsements and certificates), and any required bonds.

"Contractor" means: Franklin Holwerda Company  
LEGAL NAME OF COMPANY

Same  
BUSINESS NAME (D.B.A. IF DIFFERENT FROM ABOVE)

Corporation - Michigan  
FORM OF BUSINESS AND STATE IN WHICH FORMED - e.g., partnership, corporation, limited liability company, or professional corporation and the state in which it was formed

2509 29th Street SW  
STREET ADDRESS

Wyoming MI 49519  
CITY STATE ZIP CODE

"Effective Date" means the day after the date that (i) the Contract is approved by the City Council and (ii) the City receives all bonds, insurance documents, and other documents required from Contractor.

**Terms and Conditions**

In exchange for the consideration in and referred by this Contract, the parties agree:

- Contractor will provide the materials and services in accordance with the Contract Documents.
- City will pay the Contractor in accordance with the Contract Documents.
- This is the only agreement between the parties regarding its subject matter. There are no other agreements, representations or warranties. **No terms and conditions apply other than those expressly and fully stated in the Contract Documents.** This contract can be amended only in writing signed by both City and Contractor.

City and Contractor have signed this Contract as of the Effective Date.

City of Wyoming  
By: Jack A. Poll, Mayor

By: Kelli A. VandenBerg, City Clerk

Date signed: \_\_\_\_\_

Approved as to form:  
Scott G. Smith  
Scott G. Smith, City Attorney

Contractor  
By: Micah Holt  
Signature for Contractor

Micah Holt, President / Treasurer  
Printed Name & Title of Person Signing

Date signed: 3/1/2022

RESOLUTION NO. \_\_\_\_\_

RESOLUTION FOR AWARD OF BID AND TO  
AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT

WHEREAS:

1. Formal bids have been obtained on the below listed item.
2. The bids received have been reviewed and evaluated as per the attached staff report.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby award the bid for the listed item as recommended in the attached staff report and summarized below.

Item	Recommended Bidder	Cost
Fertilizer	SiteOne Landscape Supply	Bid prices as shown on the attached staff report

2. The City Council does hereby authorize the Mayor and City Clerk to execute the contract.

Moved by Councilmember:  
Seconded by Councilmember:  
Motion Carried      Yes  
                                    No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on March 7, 2022.

\_\_\_\_\_  
Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:  
Staff Report  
Contract

Resolution No. \_\_\_\_\_

## STAFF REPORT

Date: February 17, 2022  
Subject: Fertilizer  
From: Tim Montgomery, Parks Foreman  
Cc: Rebecca Rynbrandt, Director of Community Services

Meeting Date: March 7, 2022

---

### **RECOMMENDATION:**

It is recommended the City Council authorize the purchase of fertilizer from SiteOne Landscape Supply at the bid prices shown on the attached tabulation sheet. It is estimated the annual expenditure for fertilizer will total approximately \$10,000.00.

### **COMMUNITY, SAFETY, STEWARDSHIP:**

The city uses fertilizer to maintain its parks and municipal building properties. It's important that the city set the standard for healthy weed free lawns that add beauty to our landscapes. By having healthy stands of turf, we help to create safe and attractive community public spaces.

Healthy turf reduces water run-off and erosion into our sewer systems. Healthy turf in athletic fields creates safer playing surfaces for recreation programs, reducing or preventing participant injury.

Well maintained properties have a positive direct impact on property values. Parks and recreation services work to ensure families want to live, work, and play in our community – a backbone to economic development. Healthy fertilized turf will serve all City of Wyoming user groups and citizens.

### **DISCUSSION:**

On February 8, 2022, two bids were received to provide fertilizer for the City's parks and facilities. Forty-three (43) invitations to bid were sent to prospective bidders.

The bids received are as shown on the attached tabulation sheet and it is recommended the bid be awarded to SiteOne Landscape Supply based on the type of fertilizer, percentage of active ingredients and an analysis of expected quantities to be used per square foot per bag per application, and timely availability.

**BUDGET IMPACT:**

It is estimated the annual expenditure for fertilizer will total approximately \$10,000.00. Sufficient funds are available in Facilities and Parks accounts:

<b>Operations Budget</b>	<b>Account Numbers</b>
Parks Facilities	208-752-75600-930.000
Parks Facilities	208-752-75600-775.000
Facilities (Fire)	101-337-33800-775.000
Facilities (Police)	101-305-30610-740.000
Facilities (Court)	101-136-13610-740.000
Facilities (City Hall)	101-267-26700-740.000
Library	401-267-26700-740.000

**TABULATION SHEET:**

<b>Product Description</b>	<b>Manufacturer</b>	<b>Weight (pounds)</b>	<b>Coverage (sq. ft.)</b>	<b>Bid Price (per bag)</b>
<b>SiteOne Landscape Supply</b>				
30-0-6 50% PCU (Regular Fertilizer)	Shaws	50	15,000	\$28.38
18-0-4 30% Polyplus w/Lockup (Weed & Feed)	Lesco	50	14,000	\$29.12
18-0-4 25% U-Plus w/.10% Dimension (Pre-Emergent)	Lesco	50	12,000	\$25.87
<b>Advanced Turf Solutions, Inc.*</b>				
30-0-6 50% PSCU + Armament SGN 220*	ATS	50	15,000	\$32.50
16-0-8 1.14% Escalade 258 NS-54 SGN 150*	Anderson	40	10,000	\$31.75
13-0-0 .09% Dimension 20% LSN SGN 220*	Lebanon	50	15,625	\$23.50

\* Substitute

**FERTILIZER CONTRACT**

This Contract is made as of the Effective Date between the City of Wyoming, a Michigan municipal corporation, of 1155 28th Street SW, PO Box 905, Wyoming, MI 49509-0905 ("City") and the Contractor identified below.

**Recitals**

City requested bids/proposals for the Fertilizer contract (the "Request for Bids/Proposals" that included the bid/proposal requirements, city contract standard terms and conditions, risk allocation and insurance provisions, bonds and lien provisions, specific requirements, bid/proposal form, plans, and project or technical bid specifications) and Contractor submitted the bid/proposal by the required date of February 8, 2022 and related required materials (the "Bid") that was selected by City

"Contract Documents" means this contract, the Bid, the Request for Bids/Proposals including all materials that are part of it, the approving City Council resolution, insurance information meeting contract requirements (including any requested policies, endorsements and certificates), and any required bonds.

SiteOne Landscape Supply

"Contractor" means:

LEGAL NAME OF COMPANY \_\_\_\_\_

BUSINESS NAME / D.B.A., IF DIFFERENT FROM ABOVE \_\_\_\_\_

FORM OF BUSINESS and STATE IN WHICH FORMED - e.g. partnership, corporation, limited liability company, or professional corporation and the state in which it was formed  
LLC Corp. Delaware

STREET ADDRESS  
1385 East 36th Street

CITY STATE ZIP CODE  
Cleveland, OH 44114

"Effective Date" means the day after the date that (i) the Contract is approved by the City Council and (ii) the City receives all bonds, insurance documents, and other documents required from Contractor.

**Terms and Conditions**

In exchange for the consideration in and referred by this Contract, the parties agree:

1. Contractor will provide the materials and services in accordance with the Contract Documents.
2. City will pay the Contractor in accordance with the Contract Documents.
3. This is the only agreement between the parties regarding its subject matter. There are no other agreements, representations or warranties. **No terms and conditions apply other than those expressly and fully stated in the Contract Documents.** This contract can be amended only in writing signed by both City and Contractor.


City and Contractor have signed this Contract as of the Effective Date.

**City of Wyoming**

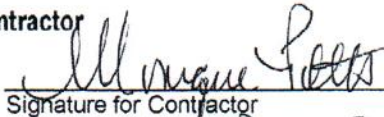
By: \_\_\_\_\_  
Jack A. Poll, Mayor

By: \_\_\_\_\_  
Kelli A. VandenBerg, City Clerk

Date signed: \_\_\_\_\_

Approved as to form:   
\_\_\_\_\_  
Scott G. Smith, City Attorney

**Contractor**

By:   
Signature for Contractor

Monique Potts - Sr. Bid Rep.  
Printed Name & Title of Person Signing

Date signed: 2/3/2022

ORDINANCE NO. 4-22

ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF ORDINANCES  
BY AMENDING SECTION 90-401B IN ARTICLE 4B

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 90, Article 4B, Section 90-401B of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

**Sec. 90-401B PRINCIPAL PERMITTED USES**

In the B-1 business district, the following uses are permitted:

- (1) Banks.
- (2) Savings and loans.
- (3) Mortgage companies.
- (4) Uses similar to the above.
- (5) Clothing services as follows:
  - (a) Laundry agency.
  - (b) Self-service laundry and dry cleaning.
  - (c) Dry cleaning establishment using not more than two clothes cleaning units, neither of which shall have a rated capacity of more than 40 pounds, using cleaning fluid which is nonexplosive and nonflammable.
  - (d) Dressmaking.
  - (e) Millinery.
  - (f) Tailor and pressing shop.
  - (g) Shoe repair shop.
- (6) Equipment services as follows:
  - (a) Radio or television shop.
  - (b) Electric appliance shop.
  - (c) Watch repair shop.
  - (d) Shoe repair shop.
  - (e) Uses similar to the above.
- (7) Food service (excluding drive-in type businesses), the business of which shall be conducted entirely within an enclosed building, except that outdoor seating areas shall be permitted (such seating areas may be located in required yard setbacks, provided that such seating shall not impede pedestrian walkways or parking lots, and shall not include table service; all such seating shall be removed when out of season), as follows:
  - (a) Grocery, baked goods and delicatessen.
  - (b) Restaurant.
  - (c) Ice cream stand or shop.
  - (d) Uses similar to the above.
- (8) Offices as follows:
  - (a) Business.

- (b)Medical.
- (c)Professional.
- (9) Personal services as follows:
  - (a)Barbershop.
  - (b)Beauty shop.
  - (c)Health salon.
  - (d)Photographic studio.
  - (e)Uses similar to the above.
- (10) Retail service and retail stores generally as follows:
  - (a)Drugstore.
  - (b)Hardware store, paint and wallpaper.
  - (c)Stationer.
  - (d)News dealer.
  - (e)Apparel shop.
  - (f)Household appliances.
  - (g)Flower shop.
  - (h)Gift shop.
  - (i)Variety stores.
  - (j)Bookstores, recordings and videos for sale or rental, except those defined as an adult bookstore.
- (11) Accessory buildings and uses customarily incidental to the above uses.
- (12) Off-street parking.
- (13) Municipal buildings and uses.
- (14) Physical Culture Facilities, Gymnasiums, and Reducing Salons
- (15) Veterinary hospitals and clinics, excluding outdoor use of property for exercise yards, pens, and other similar uses.

Section 2. This ordinance shall take effect on \_\_\_\_\_, 2022.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on \_\_\_\_\_, 2022.

---

Kelli A. Vandenberg  
Wyoming City Clerk

January 31, 2022

Ms. Kelli A. VandenBerg  
City Clerk  
Wyoming, MI

Subject: Proposed Zoning Ordinance Text Amendment to Permit Veterinary Clinics and Hospitals, excluding outdoor use of property for exercise yards, pens and other similar uses, as a Permitted Use in the B-1 District (Section 90- 401B)

Recommendation: To approve the subject Zoning Ordinance amendment

Dear Ms. VandenBerg,

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on January 18, 2022. A motion was made by Arnoys, supported by Goodheart, to recommend to the City Council adoption of revised Section 90-401B Principal Permitted Uses Zoning Ordinance text amendment which would permit Veterinary Clinics and Hospitals in B-1 zone districts. The motion passed unanimously.

A detailed review of the request is available in the attached Planning Commission minutes and supportive materials. Following please find some general information.

The City of Wyoming restricts where veterinary clinics are permitted in the city. Currently this use is only permitted in B-2 districts and some areas of the Form Based Code, as well as in the B-3 and PUD-3 Zoning Districts as a special use.

In the past, staff has received inquiries from potential business owners regarding the permitted zoning districts for establishing veterinary clinics in the City. Upon further research, staff found that veterinary clinics are also compatible for usage within the City's B-1 zoning district. These facilities are compatible with the existing B-1 dimensional requirements and will provide greater access to this health and wellness service for residents with pets throughout the community.

During the public hearing no members of the public spoke on the proposed ordinance. The proposed zoning code text amendment is attached.

community • safety • stewardship

CITY COUNCIL

Sheldon DeKryger

John Fitzgerald

Kent Vanderwood

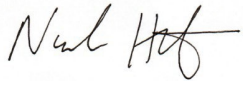
Marissa Postler

Robert Postema

Sam Bolt

**Jack A. Poll, Mayor**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicole Hofert". The signature is written in a cursive style with a horizontal line extending from the end.

Nicole Hofert, Director of Planning and Economic Development  
Planning and Economic Development Department

Cc: Curtis Holt, City Manager

Wilkins commented saying that she would need to speak with their engineer to confirm, however, referring back to the plan it shows the large vehicles entering the site from the west exiting east.

Goodheart asked about the fire maneuverability plan and the fire truck access to the site.

Wilkins stated that she could look into it with engineer and get back to staff.

Goodheart asked about building addresses regarding condition #7.

Meagher stated that the fire department requested that addresses be posted on both buildings on site in case there was an emergency.

Weller asked if the trash dumpster would be located behind the building in the rear.

Wilkins confirmed that the trash dumpster would be located in the rear behind the building.

A vote on the motion carried unanimously.

## AGENDA ITEM NO. 2

### Request to amend Zoning Code Section 90-401B Permitted Uses in the B-1 Zoning District (Wyoming Planning Staff)

Meagher presented some general background information. The Wyoming [re]Imagined Master Plan was adopted by the City in March of 2021. Since its adoption, staff has been working to better align the City's Zoning Code with the vision set forth in this comprehensive plan. Through this review process, staff has identified that Veterinary Clinics and Hospitals may be compatible with the B-1 zoning district as a permitted use.

Meagher explained that in the past, staff has received inquiries from potential business owners regarding the permitted zoning districts for establishing veterinary clinics in the City. Currently, these clinics are permitted in the City's B-2 General Business district and some areas of the Form Based Code District as a permitted use, and the B-3 and PUD-3 Districts as a special use. Upon further research, consideration, and discussion, staff has found that veterinary clinics may also be compatible for permitted usage within the City's B-1 zoning district. B-1 dimensional requirements mirror those of the B-2 zoning district where veterinary clinics are already permitted by right, so it is expected that these facilities would be able to operate within the district's current dimensional framework. Meagher said that B-1 veterinary clinics would also share the B-2 district's definition of the use, where outdoor use of property for exercise yards, pens, and other similar uses is not permitted; making them compatible with adjacent residential districts.

Meagher explained that the B-1 zoning district also already allows Urgent Care Veterinary Clinics as a special use. The proposed text amendment for general practice veterinary clinics in the B-1 district would be less intensive than these urgent care centers, as they tend to operate within general business hours. Urgent care facilities often operate with extended hours and on weekends.

Meagher referenced the Master Plan's Future Land Use Map, stating that a majority of the City's B-1 districts are planned to remain commercial. Veterinary clinic usage would align with this future land use designation. Permitting this usage in neighborhood commercial districts may also help achieve the Master Plan's theme of equity and inclusion by promoting greater access to health and wellness services for residents with pets throughout the community.

Meagher shared that the Development Review Team recommends that Planning Commission adopt the recommended text amendment to Zoning Code *Section 90-401B* and recommends the same to City Council.

Micele opened the public hearing at 7:17 pm. There was no public comment, and the public hearing was closed.

A motion was made Arnoys, seconded by Goodheart, to adopt the recommended text amendment to Zoning Code *Section 90-401B* and recommends the same to City Council

A vote on the motion passed unanimously.

### AGENDA ITEM NO. 3

#### Request to amend Zoning Code Section 90-424B Permitted Uses in the I-1 Zoning District (Wyoming Planning Staff)

Meagher explained that the Wyoming [re]Imagined Master Plan was adopted by the City in March of 2021. Since its adoption, staff has been working to better align the City's Zoning Code with the vision set forth in this comprehensive plan. Through this review process, staff has identified that Distribution Centers may be compatible with the I-1 zoning district as a permitted use.

Meagher said that staff has received a number of inquiries seeking to verify the zoning districts where distribution centers are currently permitted in the City. Distribution Centers are currently defined in the City's Zoning Code as "A use which typically involves both warehouse and office/administration functions, where short and/or long term storage takes place in connection with the distribution operations of a business". However, the term "Distribution Center" is not specifically listed as a permitted use under any zoning district in the code.

Meagher explained that after reviewing the Distribution Center definition and the uses permitted

**B-1 Local Business District**

**Sec. 90-401B PRINCIPAL PERMITTED USES**

In the B-1 business district, the following uses are permitted:

- (1) Banks.
- (2) Savings and loans.
- (3) Mortgage companies.
- (4) Uses similar to the above.
- (5) Clothing services as follows:
  - (a) Laundry agency.
  - (b) Self-service laundry and dry cleaning.
  - (c) Dry cleaning establishment using not more than two clothes cleaning units, neither of which shall have a rated capacity of more than 40 pounds, using cleaning fluid which is nonexplosive and nonflammable.
  - (d) Dressmaking.
  - (e) Millinery.
  - (f) Tailor and pressing shop.
  - (g) Shoe repair shop.
- (6) Equipment services as follows:
  - (a) Radio or television shop.
  - (b) Electric appliance shop.
  - (c) Watch repair shop.
  - (d) Shoe repair shop.

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review	<ul style="list-style-type: none"> <li>• Site Plans</li> <li>• Special Land Uses</li> <li>• Condominiums</li> <li>• PUDs</li> </ul>
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

**Article 4B – B1 Zoning District**  
**CITY OF WYOMING ZONING ORDINANCE**

---

- (e) Uses similar to the above.
- (7) Food service (excluding drive-in type businesses), the business of which shall be conducted entirely within an enclosed building, except that outdoor seating areas shall be permitted (such seating areas may be located in required yard setbacks, provided that such seating shall not impede pedestrian walkways or parking lots, and shall not include table service; all such seating shall be removed when out of season), as follows:
  - (a) Grocery, baked goods and delicatessen.
  - (b) Restaurant.
  - (c) Ice cream stand or shop.
  - (d) Uses similar to the above.
- (8) Offices as follows:
  - (a) Business.
  - (b) Medical.
  - (c) Professional.
- (9) Personal services as follows:
  - (a) Barbershop.
  - (b) Beauty shop.
  - (c) Health salon.
  - (d) Photographic studio.
  - (e) Uses similar to the above.
- (10) Retail service and retail stores generally as follows:
  - (a) Drugstore.
  - (b) Hardware store, paint and wallpaper.

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review	<ul style="list-style-type: none"> <li>• Site Plans</li> <li>• Special Land Uses</li> <li>• Condominiums</li> <li>• PUDs</li> </ul>
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

**Article 4B – B1 Zoning District  
CITY OF WYOMING ZONING ORDINANCE**

- (c) Stationer.
  - (d) News dealer.
  - (e) Apparel shop.
  - (f) Household appliances.
  - (g) Flower shop.
  - (h) Gift shop.
  - (i) Variety stores.
  - (j) Bookstores, recordings and videos for sale or rental, except those defined as an adult bookstore.
- (11) Accessory buildings and uses customarily incidental to the above uses.
- (12) Off-street parking.
- (13) Municipal buildings and uses.
- (14) Physical culture facilities, gymnasiums, and reducing salons
- (15) **Veterinary hospitals and clinics, excluding outdoor use of property for exercise yards, pens, and other similar uses.**

(Code 1983, § 60.52; Ord. No. 2-96, § 1, 2-20-96; Ord. No. 8-00, § 2, 5-15-00; Ord. No. 3-11, § 2, 5-2-11)

**Sec. 90-402B PERMITTED USES AFTER SPECIAL APPROVAL**

The following uses may be permitted in the B-1 business district subject to the approval of the planning commission:

- (1) Public utility buildings, telephone exchange buildings, electric transformers.
- (2) Radio and television towers.
- (3) Secondhand dealer.
- (4) Drive through restaurants.
- (5) Urgent Care Centers

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review <ul style="list-style-type: none"> <li>• Site Plans</li> <li>• Special Land Uses</li> <li>• Condominiums</li> <li>• PUDs</li> </ul>	
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

**Article 4B – B1 Zoning District  
CITY OF WYOMING ZONING ORDINANCE**

(Code 1983, § 60.53; Ord. No. 02-08, § 1, 2-4-08; Ord. No. 02-09, § 1, 4-6-09; Ord. No. 3-11, § 3, 5-2-11; Ord. No. 17-14, § 1, 8-4-14)

**Sec. 90-403B REQUIRED CONDITIONS**

The following conditions are required for all uses in the B-1 business district:

- (1) All business, service, processing or storage shall be conducted wholly within a completely enclosed building. All lighting in connection with permitted business uses shall be so arranged as to reflect away from all adjoining residence buildings or residentially zoned properties.
- (2) All business or service establishments shall be for the purpose of dealing directly with consumers. All goods produced or processed on the premises shall be sold at retail on the premises where produced or processed.

(Code 1983, § 60.54)

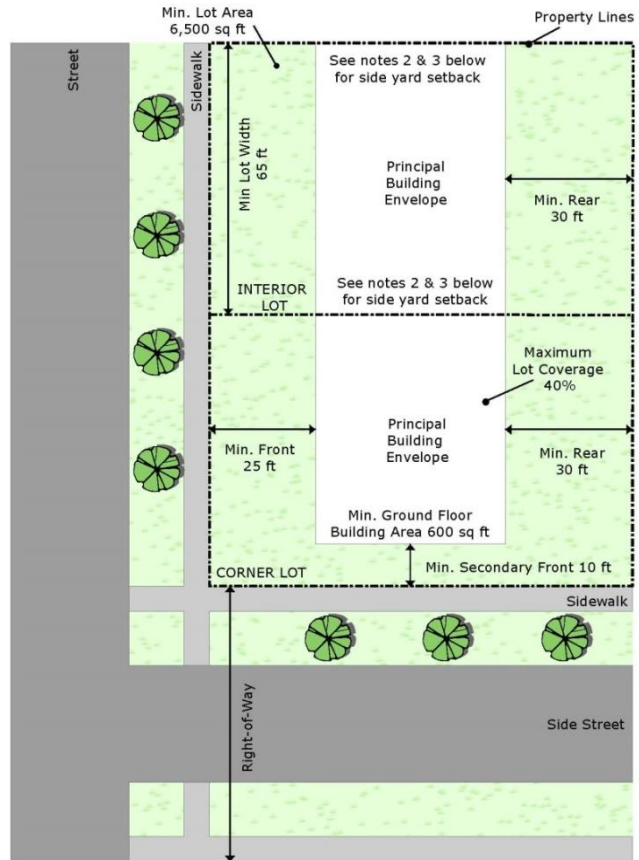
**Sec. 90-404B DEVELOPMENT STANDARDS**

Minimum Lot Area (1)(5)	6,500 sq ft
Minimum Lot Width (1)(5)	65 ft
Minimum Front Yard (4)(5)	25 ft
Minimum Rear Yard (3)	30 ft
Minimum Side Yard (2)(3)	

Minimum Ground Floor Building Area	600 sq ft
Maximum Building Height	35 ft
Maximum Lot Coverage	40%

**Sec. 90-405B SPECIFIC REQUIREMENTS**

- (1) Lots existing prior to June 3, 1991 may be utilized for building purposes provided that they are at least 40 feet in width, 4,000 square feet in area and that minimum required yard setbacks can be met.



<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review <ul style="list-style-type: none"> <li>• Site Plans</li> <li>• Special Land Uses</li> <li>• Condominiums</li> <li>• PUDs</li> </ul>	
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

**Article 4B – B1 Zoning District**  
**CITY OF WYOMING ZONING ORDINANCE**

- (2) Not required unless property abuts a residentially or industrially zoned district, in which case the minimum yard setback shall be 20 feet for that side yard abutting the residentially or industrially zoned district.
- (3) Where a B-1 business district borders a residentially zoned district, excepting where there is a public street or alley located between the districts, there shall be provided along the lot line bordering the residentially zoned district a solid fence or ornamental wall six feet in height above grade constructed of wood, concrete block, brick or comparable material on which there shall be no advertising. However, such fencing shall be reduced to a height of three feet for the nearest 20 feet in length that is perpendicular to a public street right-of-way. Where a public alley is located between the B-1 business district and the residentially zoned district, no fence or wall is required in those locations where a building housing a permitted use is located adjoining the alley or where driveway access is provided to the public alley. Where a public street is located between the B-1 business district and the residentially zoned district, no fence is required.
- (4)
  - (a) For the secondary front yard, there shall be a minimum front yard setback of ten feet except for along major thoroughfares where the minimum setback shall be 25 feet.
  - (b) A landscaped greenbelt, as described in section 90-64, shall be provided in the required front yard and secondary front yard unless parking is otherwise permitted as noted above.

**Sec. 90-406B ADDITIONAL REGULATIONS**

**(1) General Requirements**

- (a) Façade Standards. Section 90-322
- (b) Accessory Buildings. Section 90-311
- (c) Fence Regulations. Section 90-312
- (d) Landscaping for non-residential uses. Section 90-328
- (e) Projections into yards. Section 90-306
- (f) Screening of roof top equipment. Section 90-318
- (g) Signs. Article 7
- (h) Off-street parking. Article 6
- (i) Mechanical Appurtenances. Section 90-310
- (j) Dwellings in non-residential zones. See Section 90-319
- (k) Refuse disposal. Section 90-321

**(2) Development Procedures**

- (a) Special land uses. Section 90-507
- (b) Site Plan. Section 90-500
- (c) Site Condominiums. Section 90-509

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review <ul style="list-style-type: none"> <li>• Site Plans</li> <li>• Special Land Uses</li> <li>• Condominiums</li> <li>• PUDs</li> </ul>	
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

**Article 4B – B1 Zoning District**  
**CITY OF WYOMING ZONING ORDINANCE**

---

- (3) Administration and Enforcement**
- (a) Board of Zoning Appeals. Article 10
  - (b) Permits. Section 90-1008
  - (c) Non-conforming lot and uses. Article 9

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review <ul style="list-style-type: none"><li>• Site Plans</li><li>• Special Land Uses</li><li>• Condominiums</li><li>• PUDs</li></ul>	
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

ORDINANCE NO. 5-22

ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF ORDINANCES  
BY AMENDING SECTION 90-424B IN ARTICLE 4B

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 90, Article 4B, Section 90-424B of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

**Sec. 90-424B PERMITTED USES**

The following uses are permitted in the I-1 light industrial district within an enclosed building:

- (1) The wholesaling, or warehousing of any item except for the sale or leasing of motor vehicles.
- (2) Industrial establishments as follows:
  - (a) The assembly, fabrication, manufacture, packaging or treatment of such products as food products (excluding butchering and animal slaughtering), candy, drugs, cosmetics and toiletries, musical instruments, optical goods, toys, novelties, electrical instruments and appliances, radios and phonographs; pottery and figurines or other ceramic products using only previously pulverized clay.
  - (b) The assembly, fabrication, manufacture or treatment of such products from the following previously prepared materials: Bone, canvas, cellophane, cloth, cork, felt, fibre, glass, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (excluding large stampings such as automobile fenders or bodies), shell, textiles, wax, wire, wood (excluding saw and planing mills) and yarns.
  - (c) Tool and die shops; metal-working machine shops involving the use of grinding or cutting tools, manufacturing of tools, dies, jigs and fixtures; publishing, printing or forming of box, carton and cardboard products.
  - (d) Laboratories, research or testing.
  - (e) Central dry cleaning plants and laundries.
- (3) Public utility buildings, telephone exchange buildings and electric transformers.
- (4) Accessory buildings and uses customarily incidental to the above uses.
- (5) Off-street parking.
- (6) Office type uses.
- (7) Billboards, when abutting a freeway or major thoroughfare.
- (8) Municipal buildings and uses.
- (9) Building and construction contractors with no outside storage.
- (10) Distribution Centers

Section 2. This ordinance shall take effect on \_\_\_\_\_, 2022.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Kelli A. Vandenberg  
Wyoming City Clerk

January 31, 2022

Ms. Kelli A. VandenBerg  
City Clerk  
Wyoming, MI

Subject: Proposed Zoning Ordinance Text Amendment to Permit Distribution Centers as a Permitted Use in the I-1 District (Section 90- 424B)

Recommendation: To approve the subject Zoning Ordinance amendment

Dear Ms. VandenBerg,

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on January 18, 2022. A motion was made by Arnoys, supported by Goodheart, to recommend to the City Council adoption of revised *Section 90-424B Principal Permitted Uses* Zoning Ordinance text amendment which would permit Distribution Centers in I-1 zone districts. The motion passed unanimously.

A detailed review of the request is available in the attached Planning Commission minutes and supportive materials. Following please find some general information.

Staff has received a number of inquiries seeking to verify the zoning districts where distribution centers are currently permitted in the City. Distribution Centers are currently defined in the City's Zoning Code as "A use which typically involves both warehouse and office/administration functions, where short and/or long term storage takes place in connection with the distribution operations of a business." However, the term "Distribution Center" is not specifically listed as a permitted use under any zoning district in the code.

Based on this definition and the permitted uses outlined it was recommended that distribution centers be permitted in the I-1 zone district. Updating the code to include Distribution Centers as a permitted use in I-1 districts will provide greater economic opportunity for future business owners and also give staff needed clarity administering the zoning code moving forward.

During the public hearing no members of the public spoke on the proposed ordinance. The proposed zoning code text amendment is attached.

community • safety • stewardship

CITY COUNCIL

Sheldon DeKryger

John Fitzgerald

Kent Vanderwood

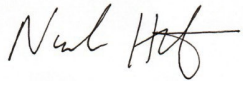
Marissa Postler

Robert Postema

Sam Bolt

**Jack A. Poll, Mayor**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicole Hofert". The signature is written in a cursive style with a horizontal line extending from the end.

Nicole Hofert, Director of Planning and Economic Development  
Planning and Economic Development Department

Cc: Curtis Holt, City Manager

Meagher explained that the B-1 zoning district also already allows Urgent Care Veterinary Clinics as a special use. The proposed text amendment for general practice veterinary clinics in the B-1 district would be less intensive than these urgent care centers, as they tend to operate within general business hours. Urgent care facilities often operate with extended hours and on weekends.

Meagher referenced the Master Plan's Future Land Use Map, stating that a majority of the City's B-1 districts are planned to remain commercial. Veterinary clinic usage would align with this future land use designation. Permitting this usage in neighborhood commercial districts may also help achieve the Master Plan's theme of equity and inclusion by promoting greater access to health and wellness services for residents with pets throughout the community.

Meagher shared that the Development Review Team recommends that Planning Commission adopt the recommended text amendment to Zoning Code *Section 90-401B* and recommends the same to City Council.

Micele opened the public hearing at 7:17 pm. There was no public comment, and the public hearing was closed.

A motion was made Arnoys, seconded by Goodheart, to adopt the recommended text amendment to Zoning Code *Section 90-401B* and recommends the same to City Council

A vote on the motion passed unanimously.

### AGENDA ITEM NO. 3

#### Request to amend Zoning Code Section 90-424B Permitted Uses in the I-1 Zoning District (Wyoming Planning Staff)

Meagher explained that the Wyoming [re]Imagined Master Plan was adopted by the City in March of 2021. Since its adoption, staff has been working to better align the City's Zoning Code with the vision set forth in this comprehensive plan. Through this review process, staff has identified that Distribution Centers may be compatible with the I-1 zoning district as a permitted use.

Meagher said that staff has received a number of inquiries seeking to verify the zoning districts where distribution centers are currently permitted in the City. Distribution Centers are currently defined in the City's Zoning Code as "A use which typically involves both warehouse and office/administration functions, where short and/or long term storage takes place in connection with the distribution operations of a business". However, the term "Distribution Center" is not specifically listed as a permitted use under any zoning district in the code.

Meagher explained that after reviewing the Distribution Center definition and the uses permitted

in other zoning districts, the use appears to best mirror the uses already permitted in the I-1 Light Industrial District. The I-1 District permits warehousing, office uses, and wholesaling operations, all of which reflect the usage components under the Distribution Center definition. Updating the code to include Distribution Centers as a permitted use in I-1 districts could provide more economic opportunity for future business owners looking to start or relocate a business to Wyoming, and could also give staff more clarity in their efforts to administer the zoning code moving forward.

Meagher explained that in reference to the Master Plan, the majority of existing I-1 zoning districts are planned to remain as either “Business Park” or “Industrial” districts. Distribution center usage would align with both of these future land use designations.

Meagher said that the Development Review Team recommends that Planning Commission adopt the recommended text amendments to Zoning Code *Section 90-424B* and recommends the same to City Council.

Micele opened the public hearing at 7:19 pm. There was no public comment and the public hearing was closed.

A motion was made by Arnoys, seconded by Goodheart, to adopt the recommended text amendments to Zoning Code *Section 90-424B* and recommends the same to City Council.

A vote on the motion carried unanimously.

#### AGENDA ITEM NO. 4

##### Request to amend Form Based Code Section 90-1305 Transparency Requirements (Wyoming Planning Staff)

Meagher stated that the Wyoming [re]Imagined Master Plan was adopted by the City in March of 2021. Since its adoption, staff has been working to better align the City’s Form Based Code with the vision set forth in this comprehensive plan. Through this review process, staff has identified a section in the code regarding transparency requirements that could be improved to better meet the Master Plan’s vision for creating vibrant commercial districts.

Meagher explained that in the Form Based Code district, new commercial buildings must meet a specific percentage of window transparency for facades facing public streets. This required transparency is intended to help commercial dining and retail spaces better interact with the public realm, which can help encourage a more walkable and vibrant commercial district. To help ensure that views in and out of commercial spaces are unobstructed, the Form Based Code prohibits the placement of display shelves to obstruct these two-way views along building frontages where transparency is required. Meagher said that staff has recently received a couple

**I-1 Light Industrial District**

**Sec. 90-424B PERMITTED USES**

The following uses are permitted in the I-1 light industrial district within an enclosed building:

- (1) The wholesaling, or warehousing of any item except for the sale or leasing of motor vehicles.
- (2) Industrial establishments as follows:
  - (a) The assembly, fabrication, manufacture, packaging or treatment of such products as food products (excluding butchering and animal slaughtering), candy, drugs, cosmetics and toiletries, musical instruments, optical goods, toys, novelties, electrical instruments and appliances, radios and phonographs; pottery and figurines or other ceramic products using only previously pulverized clay.
  - (b) The assembly, fabrication, manufacture or treatment of such products from the following previously prepared materials: Bone, canvas, cellophane, cloth, cork, felt, fibre, glass, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (excluding large stampings such as automobile fenders or bodies), shell, textiles, wax, wire, wood (excluding saw and planing mills) and yarns.
  - (c) Tool and die shops; metal-working machine shops involving the use of grinding or cutting tools, manufacturing of tools, dies, jigs and fixtures; publishing, printing or forming of box, carton and cardboard products.
  - (d) Laboratories, research or testing.
  - (e) Central dry cleaning plants and laundries.
- (3) Public utility buildings, telephone exchange buildings and electric transformers.
- (4) Accessory buildings and uses customarily incidental to the above uses.
- (5) Off-street parking.
- (6) Office type uses.
- (7) Billboards, when abutting a freeway or major thoroughfare.
- (8) Municipal buildings and uses.
- (9) Building and construction contractors with no outside storage.

(10) **Distribution Centers**

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review <ul style="list-style-type: none"> <li>• Site Plans</li> <li>• Special Land Uses</li> <li>• Condominiums</li> <li>• PUDs</li> </ul>	
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

**Article 4B – I-1 Zoning District**  
**CITY OF WYOMING ZONING ORDINANCE**

---

(Code 1983, § 60.60; Ord. No. 2-96, § 2, 2-20-96; Ord. No. 06-06, § 1, 2-6-06; Ord. No. 03-07, § 3, 2-5-07)

**Sec. 90-425B PERMITTED USES AFTER SPECIAL APPROVAL**

The following uses may be permitted in the I-1 light industrial district subject to the approval of the planning commission.

- (1) Truck terminals.
- (2) Trucks exceeding 5,500 pounds in vehicle weight and truck trailer sales and display, rental and repair.
- (3) Recreational vehicle storage yards.
- (4) Mineral extraction, borrow pit or topsoil removal.
- (5) Radio, television, microwave or wireless communication towers.
- (6) Service stations, including accessory restaurant uses within the building. Drive-through window access may be permitted.
- (7) Athletic training facility.

(Code 1983, § 60.61; Ord. No. 21-98, § 6, 10-5-98; Ord. No. 8-12, § 1, 7-2-12; Ord. No. 12-13, § 2, 9-3-13)

**Sec. 90-426B OPEN STORAGE**

All manufacturing activities in the I-1 light industrial district shall be conducted within an enclosed building, except that external storage of materials shall be permitted, provided that the storage area shall be visibly screened from all streets and adjoining commercial and residential properties with a noncombustible fence or wall, or with a non-deciduous planted screen, at least five feet in height and at least 80 percent solid, and of such design and constructed of such material and maintained in such a manner as shall be in keeping with the character of the area. In instances where the building inspector determines that any wall required by this chapter will satisfy any portion of this open storage screening requirement, the building inspector may waive such applicable portion of this open storage screening requirement.

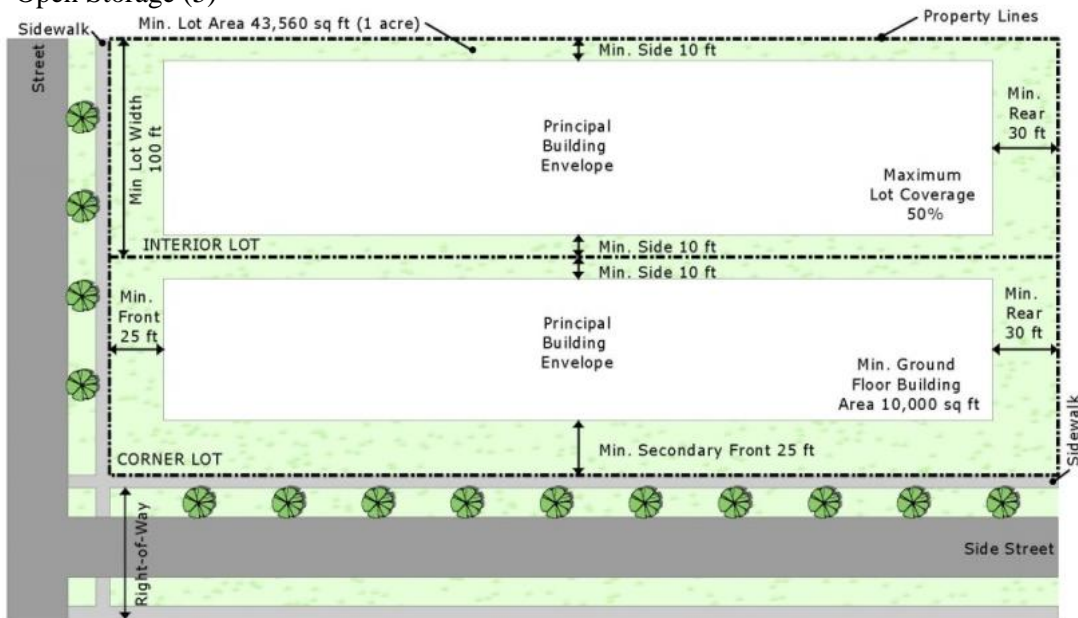
(Code 1983, § 60.62)

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review <ul style="list-style-type: none"><li>• Site Plans</li><li>• Special Land Uses</li><li>• Condominiums</li><li>• PUDs</li></ul>	
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

**Sec. 90-427B DEVELOPMENT STANDARDS**

Minimum Lot Area	43,560 sq ft
Minimum Lot Width (3)	100 ft
Minimum Front Yard (1)(3)	25 ft
Minimum Rear Yard (4)	30 ft
Minimum Side Yard (2)(4)	10 ft

Minimum Ground Floor Building Area	10,000 sq ft
Maximum Building Height	45 ft
Maximum Lot Coverage	50%
Open Storage (5)	



**Sec. 90-428B SPECIFIC REQUIREMENTS**

- (1)
  - (a) For the secondary front yard, there shall be a minimum setback of 25 feet.
  - (b) Parking shall not be permitted in the required front yard and secondary front yard setbacks, except that parking may be permitted in conjunction with site plan approval in that portion of the required front yard located more than 25 feet from the street right-of-way of property which abuts 28th Street.
  - (c) A landscaped greenbelt, as described in Section 90-328, shall be provided in the required front yard and secondary front yard unless parking is otherwise permitted as noted above.

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review <ul style="list-style-type: none"> <li>• Site Plans</li> <li>• Special Land Uses</li> <li>• Condominiums</li> <li>• PUDs</li> </ul>	
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

**Article 4B – I-1 Zoning District**  
**CITY OF WYOMING ZONING ORDINANCE**

- (2) For the side yard property which abuts a residentially zoned district, the minimum side yard setback shall be 25 feet of which a minimum of ten feet shall be landscaped.
- (3) For all properties which border 28th Street, the front lot line shall be deemed as bordering 28<sup>th</sup> Street, the minimum front yard shall be 50 feet, the minimum lot width shall be 100 feet and the minimum lot depth shall be 200 feet.
- (4) Where an I-1 light industrial district borders a residentially zoned district, excepting where there is a public street or alley located between the districts, there shall be provided along the lot line bordering the residentially zoned district a solid fence or ornamental wall six feet in height above grade constructed of wood, concrete block, brick or comparable material on which there shall be no advertising. However, such fencing shall be reduced to a height of three feet for the nearest 20 feet in length that is perpendicular to a public street right-of-way. Where a public alley is located between the I-1 light industrial district and the residentially zoned district, no fence or wall is required in those locations where a building housing a permitted use is located adjoining the alley or where driveway access is provided to the public alley. Where a public street is located between the I-1 light industrial district and the residentially zoned district, no fence is required.
- (5) All manufacturing activities in the I-1 light industrial district shall be conducted within an enclosed building, except that external storage of materials shall be permitted, provided that the storage area shall be visibly screened from all streets and adjoining commercial and residential properties with a noncombustible fence or wall, or with a non-deciduous planted screen, at least five feet in height and at least 80 percent solid, and of such design and constructed of such material and maintained in such a manner as shall be in keeping with the character of the area. In instances where the building inspector determines that any wall required by this chapter will satisfy any portion of this open storage screening requirement, the building inspector may waive such applicable portion of this open storage screening requirement.

**Sec. 90-429B ADDITIONAL REGULATIONS**

**(1) General Requirements**

- (a) Façade Standards. Section 90-322
- (b) Accessory Buildings. Section 90-311
- (c) Fence Regulations. Section 90-312
- (d) Landscaping for non-residential uses. Section 90-328
- (e) Projections into yards. Section 90-306
- (f) Screening of roof top equipment. Section 90-318
- (g) Signs. Article 7
- (h) Off-street parking. Article 6
- (i) Mechanical Appurtenances. Section 90-310
- (j) Dwellings in non-residential zones. See Section 90-319
- (k) Refuse disposal. Section 90-321

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review	<ul style="list-style-type: none"> <li>• Site Plans</li> <li>• Special Land Uses</li> <li>• Condominiums</li> <li>• PUDs</li> </ul>
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

**Article 4B – I-1 Zoning District**  
**CITY OF WYOMING ZONING ORDINANCE**

---

- (2) Development Procedures**
  - (a) Special land uses. Section 90-507
  - (b) Site Plan. Section 90-500
  - (c) Site Condominiums. Section 90-509
  
- (3) Administration and Enforcement**
  - (a) Board of Zoning Appeals. Article 10
  - (b) Permits. Section 90-1008
  - (c) Non-conforming lot and uses. Article 9

<b>1.</b> Purpose, Validity, and Scope	<b>2.</b> Definitions	<b>3.</b> General Requirements	<b>4.</b> Zoning Districts	<b>5.</b> Development Review <ul style="list-style-type: none"><li>• Site Plans</li><li>• Special Land Uses</li><li>• Condominiums</li><li>• PUDs</li></ul>	
<b>6.</b> Off-street Parking	<b>7.</b> Signs	<b>8.</b> Alternative & Renewable Energies	<b>9.</b> Nonconformities	<b>10.</b> Appeals and Administration	<b>11.</b> Form Based Code
Use Table	Zoning Map				

ORDINANCE NO. 6-22

ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF ORDINANCES  
BY AMENDING SECTION 90-1305 IN ARTICLE 11, DIVISION 3

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 90, Article 11, Division 3, Section 90-1305 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

**90-1305 TRANSPARENCY**

Facade Transparency requirements for building elevations facing principal and secondary frontage lines are indicated as a percentage of clear glass to solid wall in Division 6 Building Type Standards and Division 7 Private Frontage Type Standards.

Transparency shall be subject to the following requirements:

- A. Clear Glass. Only clear or lightly tinted glass in windows, doors and display windows shall be considered transparent.
- B. Calculation. The calculation of the percentage of transparency shall include only the glass within the windows, doors and display windows.
- C. Reflective Surfaces. The use of highly reflective surfaces, including reflective glass and mirrors is prohibited on the ground floor.
- D. Security Shutters. Exterior steel barriers, hurricane curtains and other security devices are not permitted on the exterior of the building. If they are located in the interior of the building, they may not be visible from the sidewalk or public right-of- way during business hours.
- E. Obstructions. Interior display shelves, merchandise, corridor walls, or any other objects or structures are not permitted to block or obscure clear views into or out of the building's principal activity floor area at windows, doors or display windows that are included as part of the required transparency.
- F. Stairwells. Where stairwells are introduced to the outer building wall of a building, the exterior of the stairwell and exit door shall be at least seventy (70) percent transparent.

Section 2. This ordinance shall take effect on \_\_\_\_\_, 2022.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on \_\_\_\_\_, 2022.

---

Kelli A. Vandenberg  
Wyoming City Clerk

January 31, 2022

Ms. Kelli A. VandenBerg  
City Clerk  
Wyoming, MI

Subject: Proposed Zoning Ordinance Text Amendment to Transparency Requirements in the Form Based Code District (Section 90-1305)

Recommendation: To approve the subject Zoning Ordinance amendment

Dear Ms. VandenBerg,

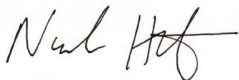
The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on January 18, 2022. A motion was made by Hall, supported by Hegyi, to recommend to the City Council adoption of revised *Section 90-1305 Transparency Zoning Ordinance* text amendment which would further clarify transparency requirements in the Form Based Code District. The motion passed unanimously.

A detailed review of the request is available in the attached Planning Commission minutes and supportive materials. Following please find some general information.

In the Form Based Code district, new commercial buildings must meet a specific percentage of window transparency for facades facing public streets. The intent is to help commercial dining and retail spaces better interact with the public realm, which encourages a more walkable and vibrant commercial district. The proposed amendment will clarify transparency requirements along these commercial frontages, making it easier for staff to administer the code for meeting this commercial vision.

During the public hearing no members of the public spoke on the proposed ordinance. The proposed zoning code text amendment is attached.

Respectfully submitted,



Nicole Hofert, Director of Planning and Economic Development  
Planning and Economic Development Department

Cc: Curtis Holt, City Manager

community • safety • stewardship

CITY COUNCIL

Sheldon DeKryger   John Fitzgerald   Kent Vanderwood   Marissa Postler   Robert Postema   Sam Bolt

**Jack A. Poll, Mayor**

in other zoning districts, the use appears to best mirror the uses already permitted in the I-1 Light Industrial District. The I-1 District permits warehousing, office uses, and wholesaling operations, all of which reflect the usage components under the Distribution Center definition. Updating the code to include Distribution Centers as a permitted use in I-1 districts could provide more economic opportunity for future business owners looking to start or relocate a business to Wyoming, and could also give staff more clarity in their efforts to administer the zoning code moving forward.

Meagher explained that in reference to the Master Plan, the majority of existing I-1 zoning districts are planned to remain as either “Business Park” or “Industrial” districts. Distribution center usage would align with both of these future land use designations.

Meagher said that the Development Review Team recommends that Planning Commission adopt the recommended text amendments to Zoning Code *Section 90-424B* and recommends the same to City Council.

Micele opened the public hearing at 7:19 pm. There was no public comment and the public hearing was closed.

A motion was made by Arnoys, seconded by Goodheart, to adopt the recommended text amendments to Zoning Code *Section 90-424B* and recommends the same to City Council.

A vote on the motion carried unanimously.

#### AGENDA ITEM NO. 4

##### Request to amend Form Based Code Section 90-1305 Transparency Requirements (Wyoming Planning Staff)

Meagher stated that the Wyoming [re]Imagined Master Plan was adopted by the City in March of 2021. Since its adoption, staff has been working to better align the City’s Form Based Code with the vision set forth in this comprehensive plan. Through this review process, staff has identified a section in the code regarding transparency requirements that could be improved to better meet the Master Plan’s vision for creating vibrant commercial districts.

Meagher explained that in the Form Based Code district, new commercial buildings must meet a specific percentage of window transparency for facades facing public streets. This required transparency is intended to help commercial dining and retail spaces better interact with the public realm, which can help encourage a more walkable and vibrant commercial district. To help ensure that views in and out of commercial spaces are unobstructed, the Form Based Code prohibits the placement of display shelves to obstruct these two-way views along building frontages where transparency is required. Meagher said that staff has recently received a couple

of site plan applications that have proposed “false corridors” between facades with transparency requirements and interior retail spaces in order to obscure pedestrian views from in and out of the building. To ensure that the Master Plan’s vision to bolster the economic vitality of commercial corridors is met, staff is proposing an amendment that further clarifies prohibited obstructions where building façade transparency is required.

Meagher said that the Development Review Team recommends that Planning Commission adopt the recommended text amendment to Form Based Code *Section 90-1305* and recommends the same to City Council.

Micele opened the public hearing at 7:22p.m. There was no public comment and the public hearing was closed.

A motion was made by Hall, seconded by Hegyi, to adopt the recommended text amendment to Form Based Code *Section 90-1305* and recommends the same to City Council.

Hall asked if this amendment included signage.

Meagher clarified that signage is not included in this amendment and is covered by a different section of the code.

Hegyi asked for a definition of corridor walls.

Meagher explained that staff has received a number of submittals where developers have proposed a wall between the street frontage and the main floor area which obscures views from in or out of the building which deviates from the intent of the Form Based code.

Weller asked if there would be any exceptions to this amendment in the future.

Meagher explained that the Form Based Code generally only permits pedestrian oriented commercial uses, such as retail stores, restaurants, and office spaces, all of which this amendment would apply to.

## AGENDA ITEM NO. 6

### Learning & Growth

Micele presented background information on learning and growth. Micele stated that the Mayor will make a presentation to the Planning Commission at the February 15, 2022 meeting regarding the two ballot proposals coming up in May. VanDuren and Micele explained the goals and the purpose of learning and growth.

**90-1304 OUTDOOR SEATING**

- A. Outdoor seating shall be permitted with the following building types:
  - 1. Mixed Use Building
  - 2. Retail Building
  - 3. Zero Lot Line Retail Building
  - 4. Live/Work Building
  - 5. Civic Building
- B. Outdoor seating shall require sketch plan review and approval by the City Planner.
- C. A minimum pedestrian clear space of five (5) feet shall be provided at all times.
- D. Trash receptacles related to the outdoor seating area shall be maintained and shall be removed from the public right-of-way during non-business hours.
- E. Outdoor dining areas shall be designed so as to be architecturally compatible with existing structures on the site.
- F. If located on public property or within the public right-of-way, an encroachment permit shall be required. Such permit shall be obtained through the applicable City department(s).

**91-1305 TRANSPARENCY**

Facade Transparency requirements for building elevations facing principal and secondary frontage lines are indicated as a percentage of clear glass to solid wall in Division 6 Building Type Standards and Division 7 Private Frontage Type Standards. Transparency shall be subject to the following requirements:

- A. Clear Glass. Only clear or lightly tinted glass in windows, doors and display windows shall be considered transparent.
- B. Calculation. The calculation of the percentage of transparency shall include only the glass within the windows, doors and display windows.
- C. Reflective Surfaces. The use of highly reflective surfaces, including reflective glass and mirrors is prohibited on the ground floor.
- D. Security Shutters. Exterior steel barriers, hurricane curtains and other security devices are not permitted on the exterior of the building. If they are located in the interior of the building, they may not be visible from the sidewalk or public right-of-way during business hours.
- E. **Obstructions Interior Display.** Interior display shelves, merchandise, **corridor walls, or any other objects or structures** are not permitted to block or obscure clear views into or out of the building's **principal activity floor area** at windows, doors or display windows that are included as part of the required transparency.
- F. Stairwells. Where stairwells are introduced to the outer building wall of a building, the exterior of the stairwell and exit door shall be at least seventy (70) percent transparent.

**92-1306 CIVIC BUILDINGS**

Civic buildings are not required to meet the Building Type Standards or Private Frontage Standards of the City of Wyoming Form Based Code. Civic buildings are structures that contain uses of special public importance including, but not limited to municipal buildings, churches, libraries and schools.

**90-1307 ROOF TOP SCREENING**

All rooftop mechanical, communication, and similar devices shall be screened from view of adjacent properties and streets. Screening shall be so designed as to be an integral part of the building. The screening material shall match the building's material and color or be another material or color that is compatible with the building exterior.

**90-1308 BUILDING SETBACK FROM RESIDENTIAL**

There shall be a minimum twenty-five (25) foot building setback from existing R-2 residential zoning districts as measured from the lot line to any proposed exterior building wall as indicated on Map 90-1309.

**90-1309 BUILDING HEIGHT TRANSITION AREA**

There shall be a building height transition area (Refer to Map 90-1309) for lots located within the Corridor Urban (CU) and Corridor General (CG) Context Areas abutting existing R-2 residential zoning districts and when abutting the Corridor Residential (CR) Context Area. Within the building height transition area, buildings shall be limited to two (2) stories. The building height transition area shall be one hundred forty feet (140') in depth.

**90-1310 NONCONFORMITIES**

Any lawful use of any land or building existing on December 31, 2013 and located in a zoning district in which it would not be permitted as a new use under the regulations of this chapter is hereby declared a nonconforming use and not in violation of this section, subject to the regulations of this Division.

- A. Nonconforming Uses of Buildings and Structures. Nonconforming uses of buildings and structures in the Form Based Code shall adhere to the provisions of Article IX.
- B. Nonconforming Due to Building Type Standards or Frontage Standards. For buildings and structures that do not conform to the building type standards and/or frontage standards of this Form Based Code, but are otherwise conforming to use, certain relief is provided and such buildings and structures shall be deemed conforming. Alterations, repair, maintenance or other activities requiring building permit shall conform to the provisions of this Form Based Code when such actions meet the Applicability provisions contained in Division 2, 90-1200.
- C. Nonconforming Signs. Nonconforming signs shall meet the provisions of Section 90-710.
  - 1. Nonconforming Sign Removal Incentive. In an effort to encourage the eventual elimination of nonconforming signs, protect public health, safety, and welfare, as well as reduce visual clutter and improve the aesthetics of the area, the following incentive is established to encourage conformance with the Division 9. When a non-conforming sign is removed and replaced with a conforming sign per Division 9 of the Form Based Code, the applicant shall be eligible for an increase in total sign area not to exceed twenty percent (20%) of the permitted sign area of the replacement sign.

March 1, 2022

Ms. Kelli A. VandenBerg  
City Clerk  
Wyoming, MI

Subject: Planning Commission 2021 Annual Report

Recommendation: To accept the Planning Commission 2021 Annual Report

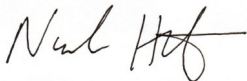
Dear Ms. VandenBerg,

The above referenced report was reviewed by the Wyoming Planning Commission at its regular meeting on February 15, 2022. The report was provided in compliance with the Michigan Planning and Enabling Act (Act 33 of 2008), which stipulates that:

“The Planning Commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.”

A motion was made by Hegyi, supported by Goodheart, to accept the Planning Commission 2021 Annual Report as presented and forward it to City Council. The motion passed unanimously following discussion. A detailed review of the request is available in the attached Planning Commission minutes. The report is attached.

Respectfully submitted,



Nicole Hofert, Director  
Department of Planning and Economic Development

Cc: Curtis Holt, City Manager

community • safety • stewardship

CITY COUNCIL

Sheldon DeKryger   John Fitzgerald   Kent Vanderwood   Marissa Postler   Robert Postema   Sam Bolt

**Jack A. Poll, Mayor**

## NEW BUSINESS

### AGENDA ITEM NO. 1

#### 1. Planning Commission Annual Report (Wyoming Planning)

Meagher shared that the purpose of the Annual Report is to report out on actions taken by the Planning Commission during 2021 as a requirement of the Michigan Zoning Enabling Act of 2008. The Commissioners all received a copy of the full report in their meeting packets.

Meagher explained that in 2021, there were 11 regular meetings held, and a total of 27 public hearings. There was one joint meeting with City Council to discuss the Master Plan and one joint meeting with City Council and the Board of Zoning Appeals which was a joint training of the bodies, a requirement of the city's RRC certification.

COVID-19 restrictions led to 3 of the 11 meetings being held virtually, and three meetings being held in a hybrid manner, with some Commissioners and staff in attendance at City Hall and other Commissioners and the public being able to call into the virtual meeting or attend in person. All meetings were held in accordance with state executive orders and the Open Meetings Act.

Meagher stated that the Wyoming [re]imagined Master Plan was adopted by the Planning Commission on 2/16/2021 and was approved by City Council on 3/1/2021.

Meagher shared that the Annual Report contains information about the various types of reviews that City staff undertake each year. This includes Site Plan Reviews, Special Use Reviews, Plat Approvals and Rezoning. The report also includes annual comparisons from past years.

Meagher shared that the Development Review Team recommend that the Planning Commission accept the 2021 Planning Commission Annual Report and forward on to City Council.

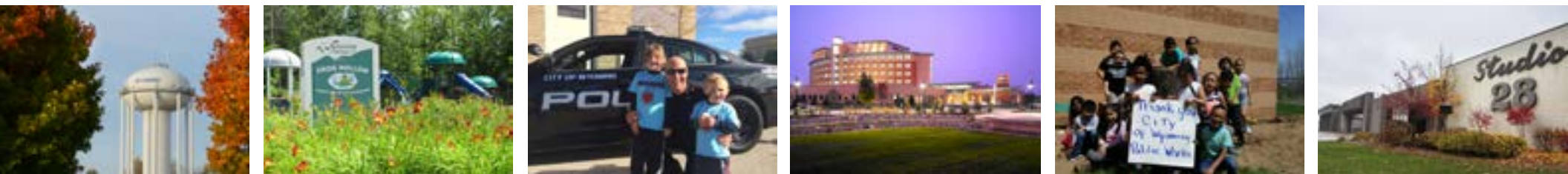
A motion was entered by Hegyi, supported by Goodheart, to accept the 2021 Planning Commission Annual Report and forward to City Council.

A vote on the motion carried unanimously.

### AGENDA ITEM NO. 2

#### 2. Learning & Growth

- May 3, 2022 Ballot Proposal presentation by Mayor Poll



# City of Wyoming Planning Commission Annual Report

---

2021

## 2021 Planning Commission

David Micele, Chairperson

Barbara VanDuren, Vice Chairperson

Audrey Zapata, Secretary

Robert Arnoys

James DeLange

Christopher Hall

William Hegyi

Robert Goodheart

Chris Weller

Previous Members:

Sarah Chatterley

---

Audrey Zapata, Secretary  
Wyoming Planning Commission

## 2021 Annual Report

This report is a summary of City of Wyoming Planning Commission actions taken during 2021, as a requirement of the Michigan Zoning Enabling Act of 2008.

The Planning Commission held 11 regular session meetings in 2021, including 27 public hearings. The Commission additionally held two joint meetings: one in partnership with City Council on 2/8/2021, and a second meeting with both City Council and the Board of Zoning Appeals on 10/18/2021.

Following is a summary of actions taken by Planning Commission in 2021.

### Site Plan Reviews

1/19/2021  
Approved site plan for Rivertown Valley Amenities at 5972 Wilson Ave SW (Section 32) (TMGB Wilson LLC)

**Wyoming [re]Imagined Master Plan**

The City's Master Plan was adopted by Planning Commission on February 16, 2021, and approved by City Council on March 1, 2021. The 15-20 year plan was driven by community members and reflects the visions and goals shared by residents, stakeholders, and business owners alike.

1/19/2021  
Approved site plan for The Flats at the Reserve Phase I at 5972 Wilson Ave SW (Section 32) (Reserve Flats, LLC)

3/16/2021  
Approved site plan for GEM Plastics at 2533 Thornwood St. SW (Section 9) (GEM Plastics).

5/18/2021  
Approved site plan for the Woods of Albright Phase II at 5589 Albright Ave. SW, and 5511, 5551, and 4989 Canal Ave. SW (Section 31) (Albright Estates, LLC)

5/18/2021  
Approved site plan for Phase I Grace Christian University Student Housing at 1010 Locksley Dr. SW, 2541 & 2553 Rogers Lane Ave SW, and 1011 26th St SW (Section 11) (Grace Christian University)

6/15/2021  
Approved site plan for Newco Design Build at 4131 Roger B. Chaffee Memorial Drive SE (Section 19) (Newco Design Build)

7/20/2021  
Approved site plan for the Flats at the Reserve Phases II and III at 5850, 5950, and 5972 Wilson Ave. SW (Section 32) (Reserve Flats, LLC)

8/17/2021  
Approved site plan for the Flats at Metro Health Village at 5975 Metro Way SW, 2304 S Main Street, and 5909 Village Drive SW (Section 34) (MHV Land, LLC)

10/19/2021  
Approved site plan for the Behler-Young Company at 4900 and 5000 Clyde Park Avenue SW (Section 25) (Behler-Young Company)

10/19/2021  
Approved sign plan for Orka Automation at 2630 Remico Street SW (Section 16) (Development Realty)

### Special Use Reviews

3/16/2021  
Approved Special Use and Site Plan for an assembly hall at 705 28th Street SW (Section 12) (Property Leasing)

3/16/2021  
Approved Special Use and Site Plan for an assembly hall and church at 2831 Woodward Ave SW (Section 13) (Kingdom Thinking Generation Ministries)

4/20/2021  
Approved Special Use and Site Plan for an automotive dealership and automobile car wash establishment at 155 28th Street SW (Section 12) (Detroit II Automobiles)

4/20/2021  
Approved Special Use and Site Plan for an automobile car wash establishment at 2200 28th Street SW (Section 15) (Alex Kanaan)



4/20/2021  
Approved Special Use and Site Plan for a truck terminal at 5427, 5445, 5459, and 5499 Crippen Avenue SW (Section 36) (Vela Transport LLC)

5/18/2021  
Approved Special Use and Site Plan for an automotive car wash establishment at 2149 28th Street SW (Section 15) (Quality Auto Detailing)

7/20/2021  
Approved Special Use and Site Plan for a drive-through restaurant establishment at 2333 and 2329 44th Street SW (Section 22) (Douglas J Isenga)

7/20/2021  
Approved Special Use and Site Plan for a drive-through restaurant establishment at 2761 44th Street SW (Section 21) (CWD 2757 44th St. LLC)

8/17/2021  
Approved Special Use and Site Plan for second-hand business at 3530 Division Avenue S (Section 18) (Raeda Karadsheh)

8/17/2021  
Approved Special Use and Site Plan for an athletic training facility at 420 50th Street SW (Section 25) (420 50th Street LLC)

10/19/2021  
Denied Special Use and Site Plan for a drive-through establishment at 3641 Byron Center Avenue SW (Section 21) (BCA Investments LLC)

11/16/2021  
Approved Special Use and Site Plan for a car wash establishment at 5340 Clyde Park Avenue SW (Section 36) (QCW Enterprises, LLC)

### Plat Approvals

4/20/2021  
Recommended to City Council Preliminary Plat-Tentative Approval for Rivertown Valley Phase VI at 5972 Wilson Avenue SW (Section 32) (TMGB Wilson, LLC)

4/16/2020  
Recommended to City Council Preliminary Plat Final Approval for Rivertown Valley Phase V at 5972 Wilson Avenue SW (Section 32) (TMGB Wilson LLC)

6/15/2021  
Recommended to City Council Plat- Final Approval for Rivertown Valley Phase V at 5972 Wilson Avenue SW (Section 32) (TMGB Wilson, LLC)

6/15/2021  
Recommended to City Council Preliminary Plat- Final Approval for Rivertown Valley Phase VI at 5972 Wilson Avenue SW (Section 32) (TMGB Wilson, LLC)

11/16/2021  
Recommended to City Council Preliminary Plat – Tentative Approval for Rivertown Valley (aka, The Reserve at Rivertown) Phases 7-9. The properties are generally located near the southeast corner of Wilson Avenue SW and 56th Street SW (Section 32) (TMGB Wilson, LLC)

### Rezoning

4/20/2021  
Recommended Approval to City Council for a Rezone from R-1 Residential to B-1 Local Business at 2333 and 2329 44th Street SW (Section 22) (Douglas J Isenga)

4/20/2021  
Recommended Approval to City Council for a Rezone from ER Estate Residential to RO-1 Restricted Office at 4050 and 4056 56th Street SW (Section 31) (Patrick Bykerk)

7/20/2021  
Recommended denial to City Council for a Rezone from RO-1 Restricted Office to B-2 General Business at 330 54th Street SW (Section 36) (Sonny Laham)

7/20/2021  
Recommended approval to City Council for a rezone from R-7 Residential to RO-1 Restricted Office at 1091 56th Street SW (Section 35) (Chuck Morgan)

9/21/2021  
Recommended approval to City Council for a rezone from B-1 Local Business to B-2 General Business at 5340 Clyde Park Avenue SW (Section 36) (QCW Enterprises, LLC) and 777 54th Street SW (Section 36) (Wyoming Planning Staff)

11/16/2021  
Recommended approval to City Council for a rezone from B-2 General Business to I-1 Light Industrial at 2777 28th Street SW (Section 09) (Borgman Ford)

**Other**  
1/19/2021  
Request to adopt the Wyoming [re]Imaged Master Plan (Wyoming Planning)

2/8/2021  
Held special joint meeting with City Council to discuss Wyoming [re]Imaged Master Plan

2/16/2021  
Approved the Wyoming [re]Imaged Master Plan and forwarded it to City Council. (Wyoming Planning)

2/16/2021  
Approved the Wyoming Planning Commission 2021 Annual Report and forwarded it to City Council. (Wyoming Planning)

5/18/2021  
Reviewed Division 4 – Planning Commission, of the Code of Ordinances (Wyoming Planning)

5/18/2021  
Reviewed Chapter 74 – Subdivisions, of the Code of Ordinances (Wyoming Planning)

10/19/2021  
Held a joint training with both City Council and the Board of Zoning Appeals. Training was led by Suzanne Schultz of Progressive AE

11/16/2021  
Learning and Growth Kickoff Discussion

**Text Amendments**  
1/19/2021  
Recommended approval to City Council to amend Zoning Code Section 90-418B Principal Permitted Uses (Wyoming Planning).

3/16/2021  
Recommended Approval to City Council to amend Zoning Code Sec. 90-409C Specific Requirements in PUD-2 zone districts. (Wyoming Planning)

3/16/2021  
Recommended Approval to City Council to amend Zoning Code Sec. 90-414C Specific Requirements in PUD-3 zone districts. (Wyoming Planning)

4/20/2021  
Recommended Approval to City Council to amend Zoning Code Sec. 90-412C(4) Special Uses in PUD-3 zone districts (Wyoming Planning)

5/18/2021  
Recommended Approval of Subdivision Design Standards (Wyoming Planning)

5/18/2021  
Recommended Approval to City Council to amend Zoning Code Article 4C, PUD-4 Districts (Wyoming Planning)

7/20/2021  
Recommended Approval to City Council to amend Zoning Code Article 6, Section 90-600(7), Required Off-Street Parking (Wyoming Planning)

7/20/2021  
Recommended Approval to City Council to amend Form Based Code Article 11, Division 4, Context Areas and Uses (Wyoming Planning)

10/19/2021  
Recommended Approval to City Council to amend Article 11, Division 4, Section 90-1410 (4.0) Corridor Edge Area Special Land Uses (Wyoming Planning Staff)

**Election of Officers/Appointments**  
2/16/2021  
Resignation of Commissioner Sarah Chatterley

4/20/2021  
Appointed Commissioner Audrey Zapata

8/17/2021  
Elected Chairperson David Micele, Vice Chairperson Barbara VanDuren, and Secretary Audrey Zapata

**Presentations to Planning Commission**  
2/16/2021  
Planning Commission 2020 Annual Report (Director Hofert)

3/16/2021  
Division United Presentation (Director Hofert)

**PUD Overall Development Plan**  
5/18/2021  
Recommended Approval to City Council to approve a revised Overall Development Plan for Metro Health Village District A (rev. May 2021) (Section 34) (Metro Health Village LLC)

9/21/2021  
Recommended Approval to City Council to approve a revised Overall Development Plan for Metro Health Village Districts B, C, D, and E (rev. September 2021) (Section 34) (Metro Health Village LLC)

**Right-of-Way/Alley Vacation**  
9/21/2021  
Recommended Approval to City Council to vacate the alley south of Farnham Street and west of Division Avenue adjacent to 4445 S. Division Avenue (Section 25) (Wyoming Engineering Staff)

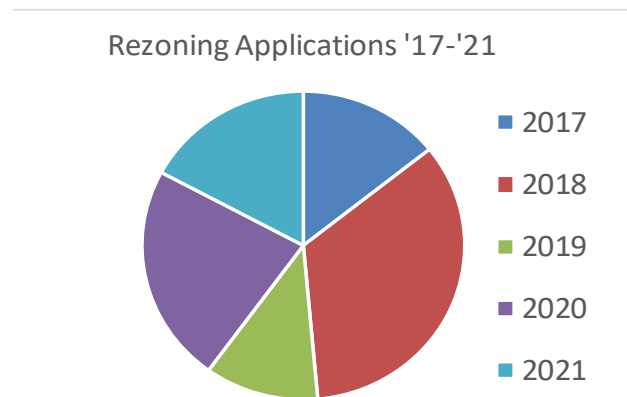
**Planning Commission Joint Training**  
A joint session between the City's Planning Commission, City Council, and Board of Zoning Appeals was held to provide practical review and training of best practices

related to each body's roles and procedures. Training was led by Suzanne Schultz of Progressive AE, and discussion took place regarding best practices and current topics in the planning field, including housing, revitalization tools, and zoning trends.

**Planning Staff**  
Planning staff performed 32 administrative site plan reviews in 2021. Of these reviews, 3 of them were performed in relation to Mayoral Executive Orders permitting temporary outdoor seating. This is an increase in the number of reviews performed by staff annually over the past few years, with staff completing 26 reviews in 2020. A similar number of administrative reviews were performed in the years prior.

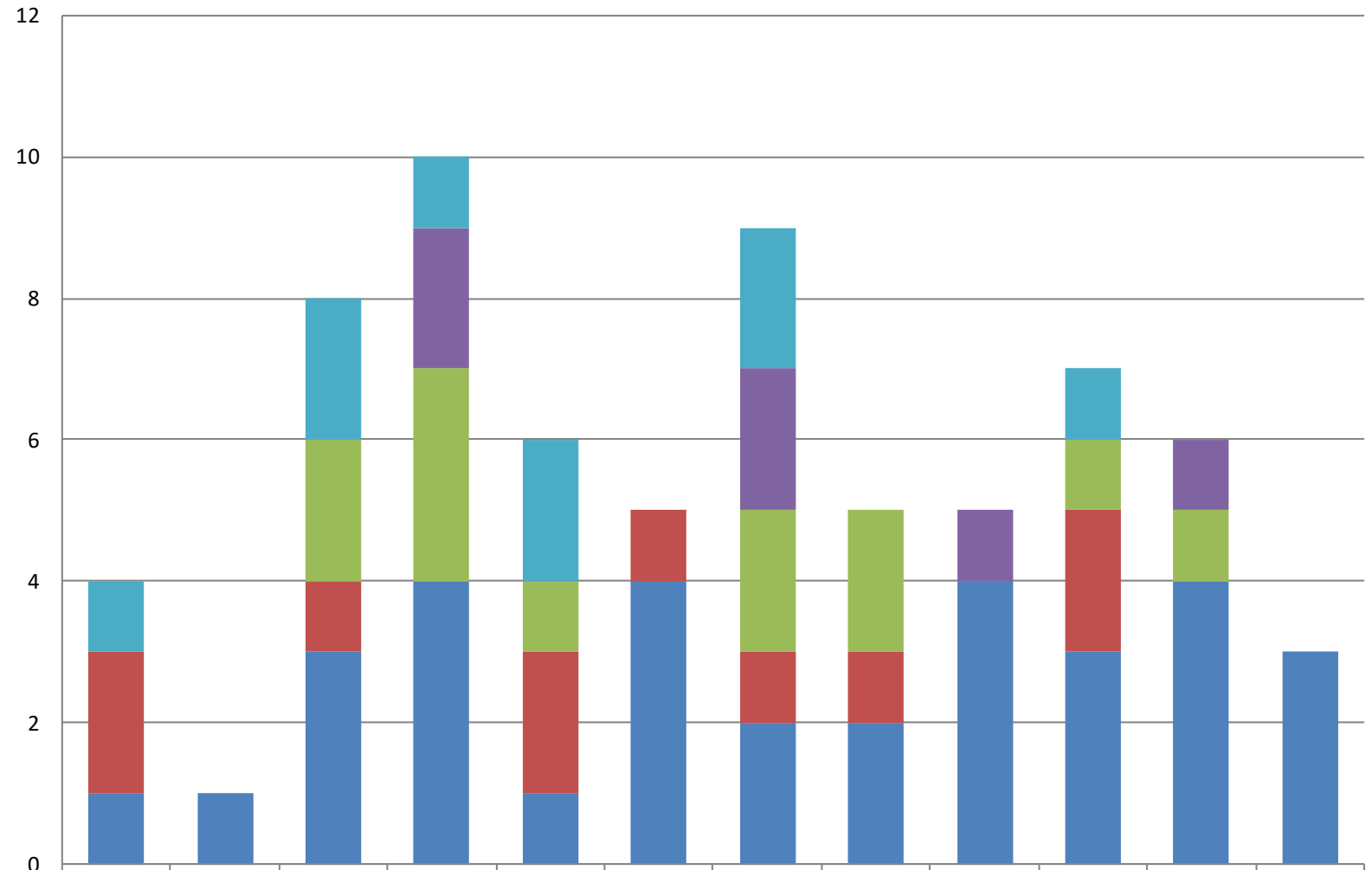
**Impact of Covid-19**  
Due to the Covid-19 pandemic, 3 of the 11 regular meetings were held virtually in accordance with various executive orders, health department orders, and Open Meetings Act requirements. In addition to the regular meetings, 3 meetings were held in a hybrid format with both virtual and in-person attendees.

**Redevelopment Ready Communities**  
On April 22, 2021, the City became RRC certified by the Michigan Economic Development Corporation. The designation promotes further investment and development opportunities while leveraging various tools and resources from the MEDC to meet City economic development goals.



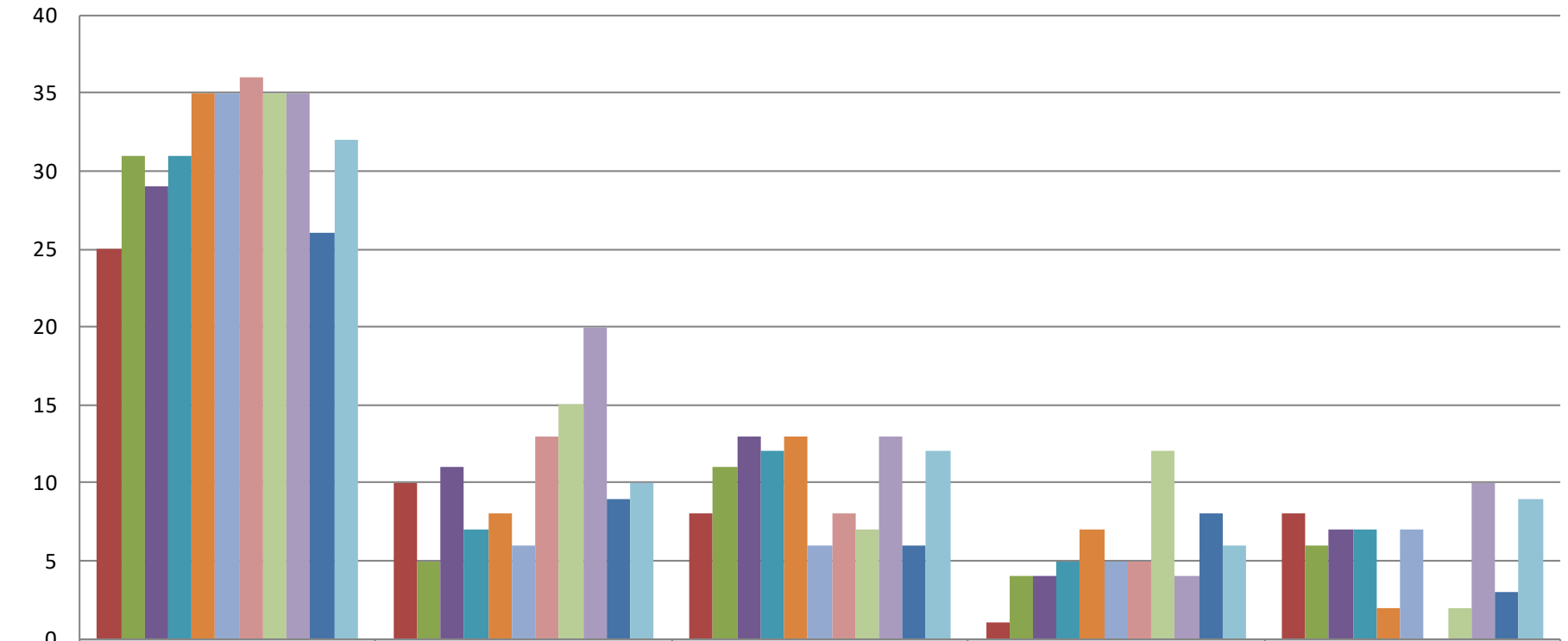
Rezoning Applications 2017-2021: 2021 saw a slight decrease in rezoning applications compared to 2020 (8), and half as many rezoning applications that were reviewed in 2018 (12).

**CY 2021 Planning Activity**



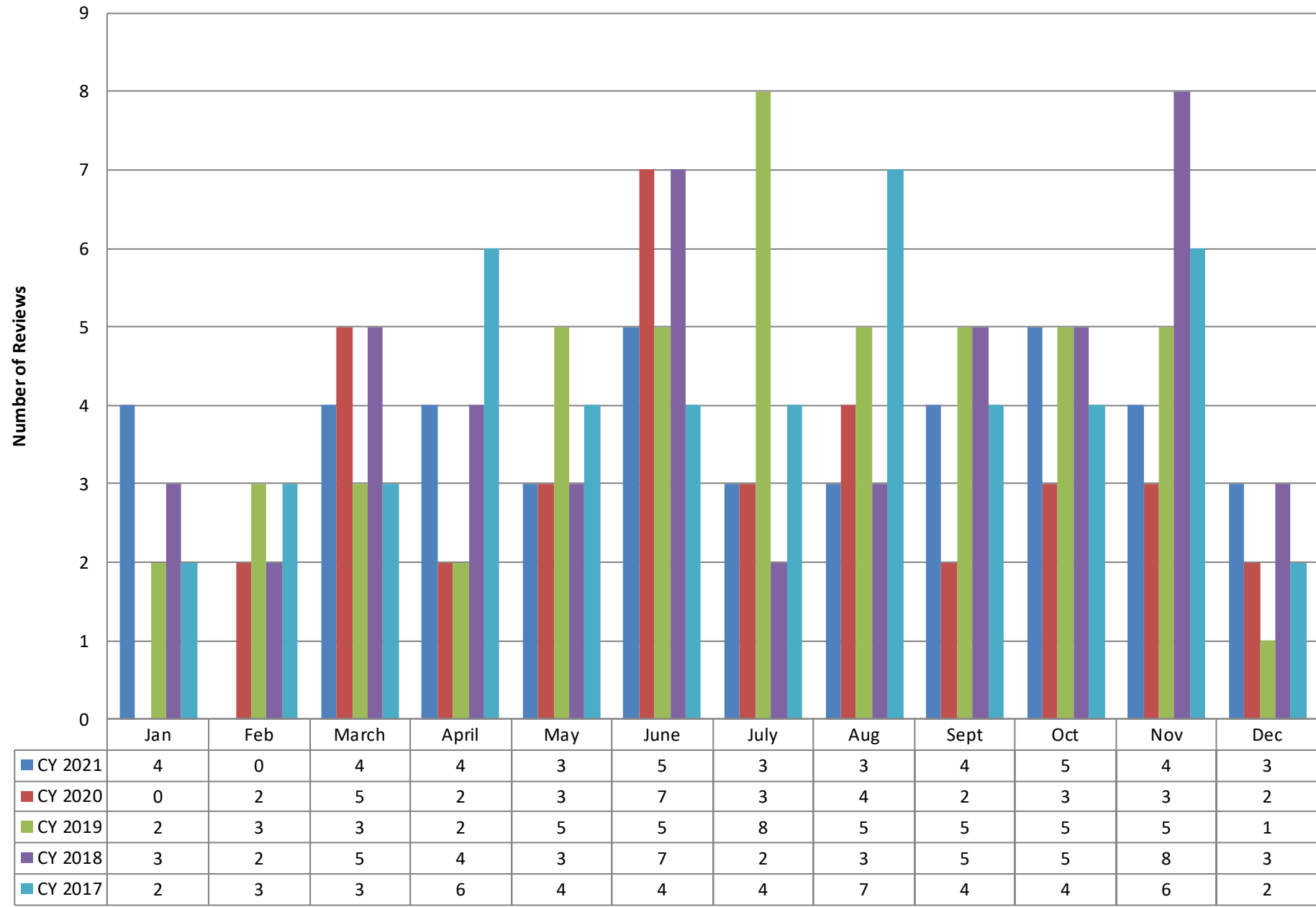
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Zoning Code Text	1		2	1	2		2			1		
Rezoning				2			2		1		1	
Special Use Reviews			2	3	1		2	2		1	1	
Site Plan Reviews - PC	2		1		2	1	1	1		2		
Site Plan Reviews - Staff	1	1	3	4	1	4	2	2	4	3	4	3

**Planning Activity 2011-2021**



	Site Plan Reviews - Staff	Site Plan reviews - PC	Special Use Reviews	Rezoning	Zoning Code Text
2011	25	10	8	1	8
2012	31	5	11	4	6
2013	29	11	13	4	7
2014	31	7	12	5	7
2015	35	8	13	7	2
2016	35	6	6	5	7
2017	36	13	8	5	0
2018	35	15	7	12	2
2019	35	20	13	4	10
2020	26	9	6	8	3
2021	32	10	12	6	9

Site Plan Reviews Staff & PC Combined



For additional information, please contact the  
Planning and Economic Development  
Department at 616-530-7259 or  
[planning\\_info@wyomingmi.gov](mailto:planning_info@wyomingmi.gov).