

**AGENDA**  
**WYOMING CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**MONDAY, MAY 1, 2023, 7:00 P.M.**

- 1) Call to Order**
- 2) Invocation** – Pastor Matt Yonker, Resurrection Life Church  
*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 April 13, 2023 Special Meeting, the April 15, 2023 Special Meeting and the April 17, 2023 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.*
  - 7:01 p.m.** To Consider the Proposed Wyoming Community Development 2023-2024 One Year Action Plan
  - 7:02 p.m.** To Determine the Necessity of Special Assessment Roll #23-816 for the Cost of Maintaining Roger B. Chaffee Memorial Blvd. Medians
  - 7:03 p.m.** Proposed City of Wyoming Budget for 2023-2024
- 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
    1. Provider Appreciation Day – May 12, 2023
- 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.*

- a) To Appoint Katie Nyenhuis as a Member of the Greater Wyoming Community Resource Alliance for the City of Wyoming

**15) Resolutions**

- b) To Authorize the City Manager to Execute an Employment Agreement with the Human Resources Specialist
- c) To Establish Special Assessment District #23-816 and Determine to Specially Assess Costs of Median Maintenance in the Kent Industrial Center Plats
- d) To Accept Proposed Special Assessment Roll #23-816 and Schedule a Public Hearing on that Proposed Special Assessment Roll to Specially Assess Annual Maintenance Costs for Roger B Chaffee Memorial Blvd Medians (May 15, 2023 at 7:01 p.m.)
- e) To Adopt the Wyoming 2023-2024 Annual Action Plan
- f) To Approve Revisions to the Wyoming Rehabilitation Manual

**16) Award of Bids, Contracts, Purchases, and Renewal of Bids and Contracts**

- g) To Concur with the Purchase of Chairs for the Courtrooms at the 62A District Court
- h) To Authorize the Purchase of Getac Tablets from Midwest Public Safety LLC
- i) For Award of Bid
  - 1. Gas Chromatography/Mass Spectrometry Instrumentation System

**17) Ordinances**

- 7-23 To Amend Section 90-515 of the Code of Ordinances by Adding Subsection (138) to Rezone a 0.96 Acre Portion of 2222 44<sup>th</sup> Street SW Located Just South of 2330 44<sup>th</sup> Street SW from R-1 Residential to B-1 Local Business (Final Reading)
- 8-23 To Amend Chapter 90, Articles 3 and 5, of the Code of Ordinances by Amending Sections 90-320 and 90-508 to Update Language Regulating Outdoor Equipment Storage and Drive Openings at Automobile Service Stations (Final Reading)
- 9-23 To Amend Chapter 90, Articles 4 and 11, of the Code of Ordinances by Amending Sections 90-401B and 90-1406 to Permit Nursery Schools, Day Nurseries, and Child Care Facilities for the Care of Seven or More People by Right in the B-1 District, and as a Special Use in the FBC-CC District (First Reading)

**18) Informational Material**

**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**

**PROCLAMATION**

**PROVIDER APPRECIATION DAY**

**May 12, 2023**

***WHEREAS**, Child Care Aware® of America and other organizations nationwide are recognizing Child Care Providers on this day; and*

***WHEREAS**, child care provides a safe, nurturing place for the enrichment and development of millions of children nationwide, and is a vital force in our economy; and*

***WHEREAS**, the pandemic illuminated how indispensable child care providers are for the well-being and economic security of Michigan's young children, families, and communities; and*

***WHEREAS**, child care programs, which are mostly small businesses, run and staffed predominantly by women, are still recovering from health and financial hardships stemming from the pandemic while they have continued to meet the needs of families; and*

***WHEREAS**, our future depends on the quality of the early childhood experiences provided to young children today; support for high-quality child care represents a worthy commitment to our children's future.*

***NOW, THEREFORE**, I, KENT VANDERWOOD, Mayor of the City of Wyoming, do hereby proclaim May 12, 2023, as*

**PROVIDER APPRECIATION DAY**

*in the City of Wyoming and urge all citizens to recognize Child Care Providers for their important work.*

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**KENT VANDERWOOD, MAYOR**  
**City of Wyoming, Michigan**

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

RESOLUTION TO APPOINT KATIE NYENHUIS AS A MEMBER  
OF THE GREATER WYOMING COMMUNITY RESOURCE ALLIANCE  
FOR THE CITY OF WYOMING

WHEREAS:

1. The By-Laws of the Greater Wyoming Community Resource Alliance stipulate the Executive Board of this commission shall include the City Finance Director, or designee of the Finance Department.
2. A vacancy exists in the Finance Director/Finance Department designee position, which has an open term.
3. The City Council wishes to appoint Katie Nyenhuis as the Finance Department designee on the Greater Wyoming Community Resource Alliance.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council for the City of Wyoming, Michigan, does hereby confirm the appointment of Katie Nyenhuis to the Greater Wyoming Community Resource Alliance to the open term of Finance Director designee.

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 May 1, 2023.

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

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

RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE AN  
EMPLOYMENT AGREEMENT WITH THE HUMAN RESOURCES SPECIALIST

WHEREAS:

1. Section 4.7 of the City Charter allows the City Manager to "...exercise his judgment in the appointment or employment of officers and employees in the administrative service."
2. The Acting/Interim City Manager desires to appoint Kimberly Klaassen as the Human Resources Specialist and recommends City Council approve the employment agreement the Acting/Interim City Manager has negotiated.

NOW, THEREFORE, BE IT RESOLVED:

1. The Acting/Interim City Manager is authorized to sign an employment agreement with the Human Resources Specialist.
2. The Acting/Interim City Manager is authorized to approve future amendments to the agreement that are generally equivalent to the existing City of Wyoming bargaining agreements.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes  
                                  No

I certify that this Resolution was adopted by the City Council for the City of Wyoming, Michigan, at a regular meeting held on May 1, 2023.

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

ATTACHMENT:

Employment Agreement

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

**CITY OF WYOMING**  
**EMPLOYMENT AGREEMENT – HUMAN RESOURCES SPECIALIST**

This Employment Agreement with Kimberly Klaassen is made as of May 2, 2023, was approved by the City Council on May 1, 2023, and is to be effective on May 22, 2023, between the City of Wyoming, a municipal corporation of 1155 28<sup>th</sup> St SW, Wyoming, MI 49509 (**City**), and Kimberly Klaassen, an individual whose current home address is as provided in the employment application (**Employee**).

**1. TERM.** City employs and appoints Employee as its Human Resources Specialist effective on May 22, 2023, though the departmental assignment and position title may change in the discretion of the City Manager. Employee acknowledges that the Human Resources Specialist serves at the pleasure of the City Manager, who may terminate Employee's employment and appointment for any reason at any time.

**2. PERFORMANCE.** Employee shall perform the duties of Human Resources Specialist in a competent and professional manner and as set forth in the City Charter, City Code, established policies and regulations of the City, and the laws of the State of Michigan. A job description has been provided to Employee that the City may periodically revise with notice to Employee. Employee shall report to and be supervised by the Director of Human Resources.

**3. SERVICE DATE.** Employee's date of service with the City shall be effective May 22, 2023. Employee will be credited with all earned benefits from Employee's date of service and shall accumulate benefits uninterrupted after the effective date of this Agreement.

**4. COMPENSATION.** Employee's salary shall be established by the City Manager in accordance with the annual budget authorization, the City Charter, and the City Code, and paid in accordance with City payroll procedures.

**5. BENEFITS.** Employee shall be provided the same health insurance plan (including employee contribution and opt-out option), dental, vision, and life insurance plans, defined contribution plan, post-employment health plan, holidays, vacation, sick leave, sick leave incentive, bereavement leave, educational benefits, longevity pay, and payout of accrued benefits upon separation from employment as provided to regular employees in the Administrative and Supervisory Association unless otherwise stated in this Agreement.

A. Regardless of any other provision of this agreement, Employee shall not be eligible for payout of any accrued benefits upon separation from employment until the Employee has been employed by the City for at least 5 years.

**6. TERMINATION.** This Agreement and Employee's employment pursuant to it may be terminated as follows:

A. By Employee's resignation: Employee shall give written notice of Employee's resignation at least 30 days before its effective date. If Employee fails to do so, regardless of any other provision of this Agreement, City will have no obligation to pay Employee for accumulated sick leave or vacation time or any other accrued benefits, the amount of which City shall be entitled to retain as liquidated damages for the costs it will incur as a result of such sudden resignation.

B. By the City Manager because Employee (i) failed to substantially perform Employee's job duties (ii) committed misfeasance, malfeasance, or nonfeasance in Employee's position, (iii) engaged in criminal misconduct, (iv) is convicted of any felony, (v) is convicted of a misdemeanor involving bodily harm or dishonesty, or (vi) performed a deliberate wrongful act: In such circumstances, regardless of any other provision of this Agreement, City will have no obligation to pay Employee for accumulated sick leave or vacation time or any other accrued benefits.

C. By the City Manager, other than as provided in subsection B of this section: If such action is taken, City shall pay Employee, in addition to any other amounts to which Employee is entitled under this Agreement, an amount equal to 6 months of Employee's base salary. That severance pay will be paid to Employee over a 6-month period by checks issued on regular City paydays and will have appropriate amounts withheld. Employee's insurance (health, dental, vision and life) shall continue to be paid by City for the same period. However, if Employee secures another position of equal or greater pay during the 6-month period, City's obligation to make severance payments and continue insurance will cease. If Employee takes another position at less pay during the 6-month period, City's obligation will be limited to the difference in pay for the balance of the 6-month period. "Another position" includes employment, self-employment, independent contracting, or compensation from any source. This severance pay and benefits will be paid to Employee only if Employee signs a waiver and release of all claims in a form satisfactory to City.

D. Upon termination of Employee's employment, Employee shall arrange for the immediate and orderly transfer of Employee's office and City-owned personal property, records, documents, and other items in

Employee's possession. Employee shall also resign from any other positions to which Employee was assigned or appointed due to Employee's employment by City. Employee agrees that when Employee's employment ends, Employee must pay any expenses or other amounts that Employee may owe to City at that time. Employee authorizes City to deduct any amount owed from any wage or benefit payments that may be due to Employee.

E. Nothing in this Agreement shall prevent, limit, or otherwise interfere with City's right to terminate the services of Employee at any time and for any reason, subject only to the provisions set forth in this section. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of Employee to resign at any time from Employee's position with City, subject only to the provisions in this section.

**7. SCOPE AND AMENDMENTS.** This Agreement is made in accordance with the provisions of the City Charter and City Code and is the sole Agreement of the parties regarding Employee's employment by City. Except as otherwise specifically stated in this Agreement, this Agreement supersedes and replaces all other representations and agreements whether oral or written. By way of illustration and not limitation, any prior agreement or promises, and any collective bargaining agreements, have no application to Employee or to the employment relationship between Employee and City. This Agreement may not be modified orally, but only by an agreement in writing signed by the parties.

**8. SEVERABILITY.** The invalidity or unenforceability of any term in this Agreement shall not affect the validity or enforceability of any other term in this Agreement. If any term in this Agreement is determined to be invalid, unenforceable, or over broad in any respect, that term shall nevertheless be enforceable to the fullest extent permitted by law.

**9. INDEMNIFICATION.** City shall hold Employee harmless from, indemnify Employee for, and defend Employee against any tort, professional liability claim, demand, and/or legal action, lawsuit, or other proceeding, whether groundless or not, arising from Employee's duties as Human Resources Specialist.

**10. BONDS.** City will pay for any fidelity or other bonds required of Employee under applicable laws or ordinance related to any of Employee's duties as Human Resources Specialist.

**11. APPLICABLE LAW.** This Agreement is to be interpreted, enforced, and performed under Michigan law.

**12. ASSIGNMENT.** Neither party may assign its rights, duties, or interests in this Agreement without the prior written consent of the other party.

**13. JURISDICTION AND VENUE.** To the extent permitted by law, jurisdiction and venue for any action brought pursuant to or to enforce this Agreement shall be solely in the state courts in Kent County, Michigan.

**14. BINDING.** This Agreement shall be binding upon the parties and their heirs, subrogates, successors, and assigns.

**15. SHORTENED LIMITATIONS PERIOD.** Employee agrees that any lawsuit or claim against City arising out of Employee's employment or termination of employment (including, but not limited to, claims arising under state, federal or local civil rights laws) must be brought within the following time limits or be forever barred: (a) for lawsuits requiring a Notice of Right to Sue from the Equal Employment Opportunity Commission, within 90 days after the EEOC issues that notice; or (b) for all other lawsuits, within (i) 180 days of the event(s) giving rise to the claim, or (ii) the time limits specified by statute, whichever is shorter. Employee waives any statute of limitations that exceeds this time limit.

**City of Wyoming**

**Kimberly Klaassen**

By: \_\_\_\_\_  
John McCarter, Acting/Interim City Manager

\_\_\_\_\_

Date signed: \_\_\_\_\_, 2023

Date signed: \_\_\_\_\_, 2023

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

RESOLUTION TO ESTABLISH SPECIAL ASSESSMENT DISTRICT #23-816 AND  
DETERMINE TO SPECIALLY ASSESS COSTS OF MEDIAN MAINTENANCE IN THE  
KENT INDUSTRIAL CENTER PLATS

WHEREAS:

1. In 1969, Kent County incorporated the Kent Industrial Association of Property Owners (the **Association**); the members of which were owners of the parcels within the Kent Industrial Center Plat and the Kent Industrial Center Plat No. 2 (the **Plats**).
2. The Association was obligated to maintain the medians on Roger B. Chaffee Memorial Drive and to collect from the owners of property within the Plats the costs of the median maintenance with each property owner paying an apportioned cost based on a formula provided in the Association's articles of incorporation.
3. Those articles of incorporation also provided for a governmental unit to specially assess the apportioned maintenance costs to the owners of parcels in the Plats as an alternative to the Association's billing and collection of the apportioned maintenance costs.
4. The Association requested that the city specially assess the apportioned maintenance costs as provided in the Association's articles of incorporation.
5. At its April 17, 2023, meeting, the City Council adopted resolution number 27669 to schedule a public hearing on the necessity of specially assessing the costs of median maintenance to the owners of property in the Plats and establishing Special Assessment District #23-816.
6. Earlier in this meeting, the City Council held that public hearing and considered all oral and written comments concerning the proposed special assessment and creation of the special assessment district.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council determines to proceed with the special assessment and to defray all costs by special assessment against properties located within Special Assessment District #23-816.
2. Special Assessment District #23-816 is created consisting of the parcels listed on the attached Exhibit B as depicted on map attached as Exhibit A.
3. The City Assessor is directed to prepare a special assessment roll for Special Assessment District #23-816 for 5 years of estimated costs of median maintenance in the total amount of \$102,500.65 for 2023 and \$102,004.65 in each subsequent year, utilizing the following formula established by the Association's articles of incorporation:  
For each parcel fronting on Roger B. Chaffee Drive to a depth from the front lot line of 400 feet – 3 units per acre.  
For other property in the Plats – 1 unit per acre
4. Each annual special assessment against each parcel shall be paid in one installment to be billed on the 2023-2027 summer property tax bill for that parcel so that the single payment will be due and payable on August 31 of each year, and after that, will bear interest and penalties in the same manner and at the same rates and amounts as for late payment of real property taxes.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried      Yes  
                                    No

I certify that this Resolution was adopted by the Wyoming, Michigan City Council at a regular meeting held on May 1, 2023.

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Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

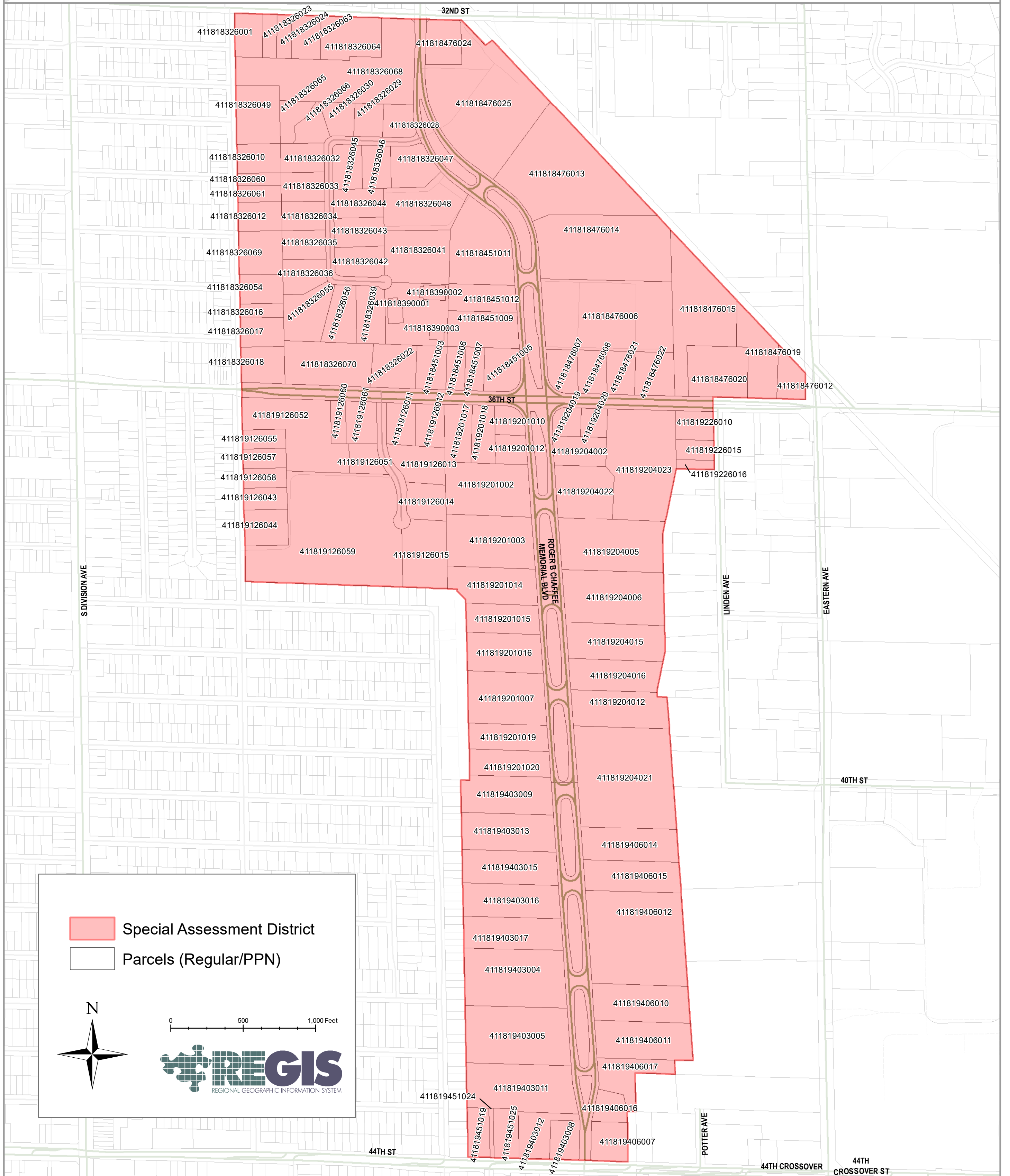
Exhibit A – Map of Parcels

Exhibit B – Address and Parcel List

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



# City of Wyoming Kent Industrial Center Special Assessment District



Legend:

- Special Assessment District
- Parcels (Regular/PPN)

Scale: 0, 500, 1,000 Feet

REGIS  
REGIONAL GEOGRAPHIC INFORMATION SYSTEM

<b>Parcel Number</b>	<b>Street Address</b>
41-18-18-326-001	200 32ND ST SE
41-18-18-326-010	3370 JEFFERSON AVE SE 3380
41-18-18-326-012	3420 JEFFERSON AVE SE
41-18-18-326-016	3540 JEFFERSON AVE SE
41-18-18-326-017	3560 JEFFERSON AVE SE
41-18-18-326-018	201 36TH ST SE
41-18-18-326-022	357 36TH ST SE
41-18-18-326-023	230 32ND ST SE
41-18-18-326-024	240 32ND ST SE
41-18-18-326-028	3303 LOUSMA DR SE
41-18-18-326-029	3313 LOUSMA DR SE
41-18-18-326-030	3323 LOUSMA DR SE
41-18-18-326-032	3343 LOUSMA DR SE
41-18-18-326-033	3353 LOUSMA DR SE
41-18-18-326-034	3403 LOUSMA DR SE
41-18-18-326-035	3413 LOUSMA DR SE
41-18-18-326-036	3423 LOUSMA DR SE
41-18-18-326-039	3513 LOUSMA DR SE
41-18-18-326-041	3522 LOUSMA DR SE
41-18-18-326-042	3422 LOUSMA DR SE
41-18-18-326-043	3412 LOUSMA DR SE
41-18-18-326-044	3417 ROGER B CHAFFEE SE
41-18-18-326-045	3322 LOUSMA DR SE
41-18-18-326-046	3312 LOUSMA DR SE
41-18-18-326-048	3413 ROGER B CHAFFEE SE
41-18-18-326-049	3300 JEFFERSON AVE SE
41-18-18-326-054	3520 JEFFERSON AVE SE
41-18-18-326-055	3433 LOUSMA DR SE
41-18-18-326-056	3503 LOUSMA DR SE
41-18-18-326-060	3400 JEFFERSON AVE SE
41-18-18-326-061	3410 JEFFERSON AVE SE
41-18-18-326-063	250 32ND ST SE
41-18-18-326-064	330 32ND ST SE
41-18-18-326-065	3331 LOUSMA DR SE
41-18-18-326-066	3333 LOUSMA DR SE
41-18-18-326-068	3281 ROGER B CHAFFEE SE
41-18-18-326-069	3480 JEFFERSON AVE SE
41-18-18-326-070	255 36TH ST SE
41-18-18-390-001	3523 LOUSMA DR SE
41-18-18-390-002	3525 LOUSMA DR SE
41-18-18-390-003	3529 LOUSMA DR SE
41-18-18-451-003	405 36TH ST SE 425
41-18-18-451-005	507 36TH ST SE
41-18-18-451-006	459 36TH ST SE
41-18-18-451-007	475 36TH ST SE
41-18-18-451-009	3535 ROGER B CHAFFEE SE

<b>Parcel Number</b>	<b>Street Address</b>
41-18-18-451-011	3457 ROGER B CHAFFEE SE
41-18-18-451-012	3513 ROGER B CHAFFEE SE
41-18-18-476-006	3516 ROGER B CHAFFEE SE 3594
41-18-18-476-007	551 36TH ST SE
41-18-18-476-008	609 36TH ST SE
41-18-18-476-012	799 36TH ST SE
41-18-18-476-013	3400 ROGER B CHAFFEE SE
41-18-18-476-014	3470 ROGER B CHAFFEE SE
41-18-18-476-015	755 36TH ST SE
41-18-18-476-019	795 36TH ST SE
41-18-18-476-020	775 36TH ST SE 781
41-18-18-476-021	653 36TH ST SE
41-18-18-476-022	701 36TH ST SE
41-18-18-476-024	400 32ND ST SE
41-18-18-476-025	3300 ROGER B CHAFFEE SE
41-18-19-126-011	370 36TH ST SE
41-18-19-126-012	400 36TH ST SE
41-18-19-126-013	3680 HAGEN DR SE
41-18-19-126-014	3720 HAGEN DR SE
41-18-19-126-015	3770 HAGEN DR SE
41-18-19-126-043	3714 JEFFERSON AVE SE
41-18-19-126-044	3760 JEFFERSON AVE SE
41-18-19-126-051	3685 HAGEN DR SE 3687
41-18-19-126-052	260 36TH ST SE
41-18-19-126-055	3650 JEFFERSON AVE SE
41-18-19-126-057	3670 JEFFERSON AVE SE
41-18-19-126-058	3690 JEFFERSON AVE SE
41-18-19-126-059	3721 HAGEN DR SE
41-18-19-126-060	290 36TH ST SE
41-18-19-126-061	300 36TH ST SE 0320
41-18-19-201-002	3707 ROGER B CHAFFEE SE
41-18-19-201-003	3741 ROGER B CHAFFEE SE
41-18-19-201-007	3903 ROGER B CHAFFEE SE
41-18-19-201-010	440 36TH ST SE
41-18-19-201-012	3685 ROGER B CHAFFEE SE
41-18-19-201-014	3803 ROGER B CHAFFEE SE
41-18-19-201-015	3829 ROGER B CHAFFEE SE
41-18-19-201-016	3859 ROGER B CHAFFEE SE
41-18-19-201-017	420 36TH ST SE
41-18-19-201-018	424 36TH ST SE
41-18-19-201-019	3961 ROGER B CHAFFEE SE
41-18-19-201-020	3993 ROGER B CHAFFEE SE
41-18-19-204-002	3660 ROGER B CHAFFEE SE
41-18-19-204-005	3750 ROGER B CHAFFEE SE
41-18-19-204-006	3810 ROGER B CHAFFEE SE
41-18-19-204-012	3910 ROGER B CHAFFEE SE

<b>Parcel Number</b>	<b>Street Address</b>
41-18-19-204-015	3860 ROGER B CHAFFEE SE
41-18-19-204-016	3870 ROGER B CHAFFEE SE
41-18-19-204-019	550 36TH ST SE
41-18-19-204-020	574 36TH ST SE
41-18-19-204-021	3970 ROGER B CHAFFEE SE 4010
41-18-19-204-022	3710 ROGER B CHAFFEE SE
41-18-19-204-023	650 36TH ST SE
41-18-19-226-010	700 36TH ST SE
41-18-19-226-015	3627 LINDEN AVE SE
41-18-19-226-016	3631 LINDEN AVE SE
41-18-19-403-004	4203 ROGER B CHAFFEE SE
41-18-19-403-005	4245 ROGER B CHAFFEE SE
41-18-19-403-008	509 44TH ST SE
41-18-19-403-009	4005 ROGER B CHAFFEE SE
41-18-19-403-012	485 44TH ST SE
41-18-19-403-013	4037 ROGER B CHAFFEE SE
41-18-19-403-015	4101 ROGER B CHAFFEE SE
41-18-19-403-016	4131 ROGER B CHAFFEE SE
41-18-19-403-017	4181 ROGER B CHAFFEE SE
41-18-19-406-007	4398 ROGER B CHAFFEE SE
41-18-19-406-010	4220 ROGER B CHAFFEE SE
41-18-19-406-011	4240 ROGER B CHAFFEE SE
41-18-19-406-012	4200 ROGER B CHAFFEE SE
41-18-19-406-014	4050 ROGER B CHAFFEE SE
41-18-19-406-015	4080 ROGER B CHAFFEE SE
41-18-19-406-016	4350 ROGER B CHAFFEE SE
41-18-19-406-017	4310 ROGER B CHAFFEE SE
41-18-19-451-019	441 44TH ST SE
41-18-19-451-024	451 44TH ST SE
41-18-19-451-025	463 44TH ST SE
41-18-19-403-011	4309 ROGER B CHAFFEE SE
41-18-18-326-047	3363 ROGER B CHAFFEE SE

## STAFF REPORT

Date: April 25, 2023  
Subject: Kent Industrial Center Special Assessments  
From: Jennifer Stowell, City Manager's Office  
Scott Smith, City Attorney  
Meeting Date: May 1, 2023 City Council Meeting

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### RECOMMENDATIONS:

Adopt the following resolutions:

Resolution Establishing Special Assessment District #23-816 and Determining to Specially Assess Costs of Roger B. Chaffee Memorial Blvd. Median Maintenance in the Kent Industrial Center Plats

Resolution Accepting Proposed Special Assessment Roll #23-816 and Scheduling a Public Hearing on that Proposed Special Assessment Roll to Specially Assess Annual Maintenance Costs for Roger B Chaffee Memorial Blvd Medians

### COMMUNITY, SAFETY, STEWARDSHIP:

Community – Community is advanced by providing for the maintenance of special amenities in segments of the community, such as the medians in Roger B. Chaffee Memorial Blvd. in a manner consistent with what is has historically been billed and collected by the Kent Industrial Center Association of Property Owners (the “Association”).

Safety – The medians enhance traffic safety, especially with the volume of truck traffic in the Kent Industrial Center.

Stewardship – Those specially benefitting from the maintenance of the medians as declared in plat requirements for each parcel in the Kent Industrial Center Plats should pay for maintenance costs in accordance with the apportionment formula provided in those documents.

### BUDGET IMPACT:

The special assessments will be budget neutral, especially with the costs of providing the special assessment notices being included in the assessed amount.

### DISCUSSION:

What is now Roger B. Chaffee Memorial Blvd. was once the main runway for Kent County's airport that operated from 1919 until the mid-1960's. Beginning in 1966, Kent County platted that property as two Kent Industrial Center Plats. Soil was placed over parts of the runway to form the medians in Roger B. Chaffee Memorial Drive. At some points, holes were excavated and/or drilled in the runway under those islands for planting trees. An irrigation system was installed, and grass and other vegetation was planted. Until recently, the county retained ownership of the medians, entry signage and some buffer strips.

A recorded amendment to the covenants and restrictions covering Kent Industrial Center and Kent Industrial Center No. 2 requires payments by owners of property within the plats to pay costs determined by the Association's board of directors “to be necessary for the maintenance of landscaped buffer strips, medians, and entrances” allocated by a formula based on the number of units assigned each parcel.

As often occurs in such organizations, few persons have carried the organizational load. Dan DeRyke of Bouma Corporation has handled the annual billing and collection. He reports that, despite having 125 parcels (a number that varies with lot splits and combinations), at some annual meetings have only a handful of persons attending. Billing and collection is time consuming and vexatious. A few property owners express surprise or object to the payment obligation even though it is clearly provided for in plat documents.

A few property owners are large corporations that excuse nonpayment by saying the bill didn't get to the right person for payment. So, some annual bills remain unpaid.

Operation of the decades-old irrigation system is time consuming and increasingly difficult. There are 14 well pits with valves that have to be manually turned on and turned off. Parts are no longer made for the system so, from time-to-time, parts are specially fabricated. Therefore, the sprinkling system will soon need replacement.

Consequently, as contemplated in the plats and the Association's articles of incorporation and bylaws, Association leaders asked the city to specially assess the maintenance costs. Because the county owned the medians, city staff was initially reluctant to undertake the special assessments. The city cannot legally assess the county without the county's consent and it seemed possible the board of commissioners may consent to one year's assessment but not to an assessment in a subsequent year.

Therefore, with City Council consent, in 2022, the county conveyed the medians to the city along with \$10,000 and the city reconveyed both the medians and the funds to the Association. City staff along collaborated with Association leaders to initiate the special assessment process. Because the Association now owns the medians, the median owner's share of the costs will be spread among other property owners in accordance with the second two factors in the allocation formula.

City staff members attended a February Association meeting which was attended by dozens of property owners/representatives and at which the special assessments were discussed. Sentiment generally seemed to be understanding and accepting.

At its April 17, 2023, meeting the Council scheduled a public hearing on establishment of the special assessment district and proceeding with the special assessment. That public hearing is on the May 1, 2023, agenda. Following that public hearing there are two resolutions. The first determines to proceed with the special assessment, establishes the special assessment district, and directs the city assessor to prepare a proposed special assessment roll using the same apportionment factors identified in the Association's articles of incorporation and the plat documents. The proposed special assessment roll has been prepared and so the second resolution accepts the proposed special assessment roll and sets the date of May 15 for the public hearing on the special assessment roll.

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

RESOLUTION TO ACCEPT PROPOSED SPECIAL ASSESSMENT ROLL #23-816 AND  
SCHEDULE A PUBLIC HEARING ON THAT PROPOSED SPECIAL ASSESSMENT ROLL  
TO SPECIALLY ASSESS ANNUAL MAINTENANCE COSTS FOR ROGER B CHAFFEE  
MEMORIAL BLVD MEDIANS

WHEREAS:

1. In 1969, Kent County incorporated the Kent Industrial Association of Property Owners (the **Association**) the members of which were owners of the parcels within the Kent Industrial Center Plat and the Kent Industrial Center Plat No. 2 (the **Plats**).
2. The Association's articles of incorporation provided for a governmental unit to special assess the apportioned maintenance costs for medians in Roger B. Chaffee Memorial Blvd. to the owners of parcels in the Plats as an alternative to the Association's billing and collection of the apportioned maintenance costs.
3. The Association requested that the city specially assess the apportioned maintenance costs as provided in its articles of incorporation.
4. By resolution number \_\_\_\_\_, adopted earlier at this meeting, the City Council established Special Assessment District #23-816 consisting of the parcels listed on the attached Exhibit B and depicted on the map attached as Exhibit A and directed the City Assessor to prepare a proposed special assessment roll to specially assess annual maintenance costs for 5 years totaling \$102,500.65 in 2023 and \$102,004.65 in subsequent years to be apportioned using the following formula:
  - For each parcel fronting on Roger B. Chaffee Drive to a depth from the front lot line of 400 feet – 3 units per acre.
  - For other property in the Plats – 1 unit per acre
5. The City Assessor prepared proposed Special Assessment Roll #23-816 as directed and provided it to the City Clerk.
6. That roll shows assessable costs of \$165.00 per unit using the formula provided above.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Proposed Special Assessment Roll #23-816 is accepted and shall be filed in the office of the City Clerk for public examination.
2. The City Council will hold a public hearing during its regular scheduled meeting of Monday, May 15, 2023, at 7:01 p.m. for the purpose of hearing from owners of parcels to be assessed on proposed Special Assessment Roll #23-816.
3. The City Clerk is directed to provide notice of time and place of the hearing in substantially the forms attached as Exhibit C as follows:
  - a. Published once in the Grand Rapids Press, an official newspaper of the City of Wyoming, not less than 5 days prior to the date of the hearing; and
  - b. Sent by first class mail to each property owner subject to the assessment, as shown on the general tax rolls of the City, at least 10 days before the time of the hearing.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried      Yes  
                                    No

I certify that this Resolution was adopted by the Wyoming, Michigan City Council at a regular meeting held on May 1, 2023.

---

Kelli A. VandenBerg, Wyoming City Clerk

**ATTACHMENTS:**

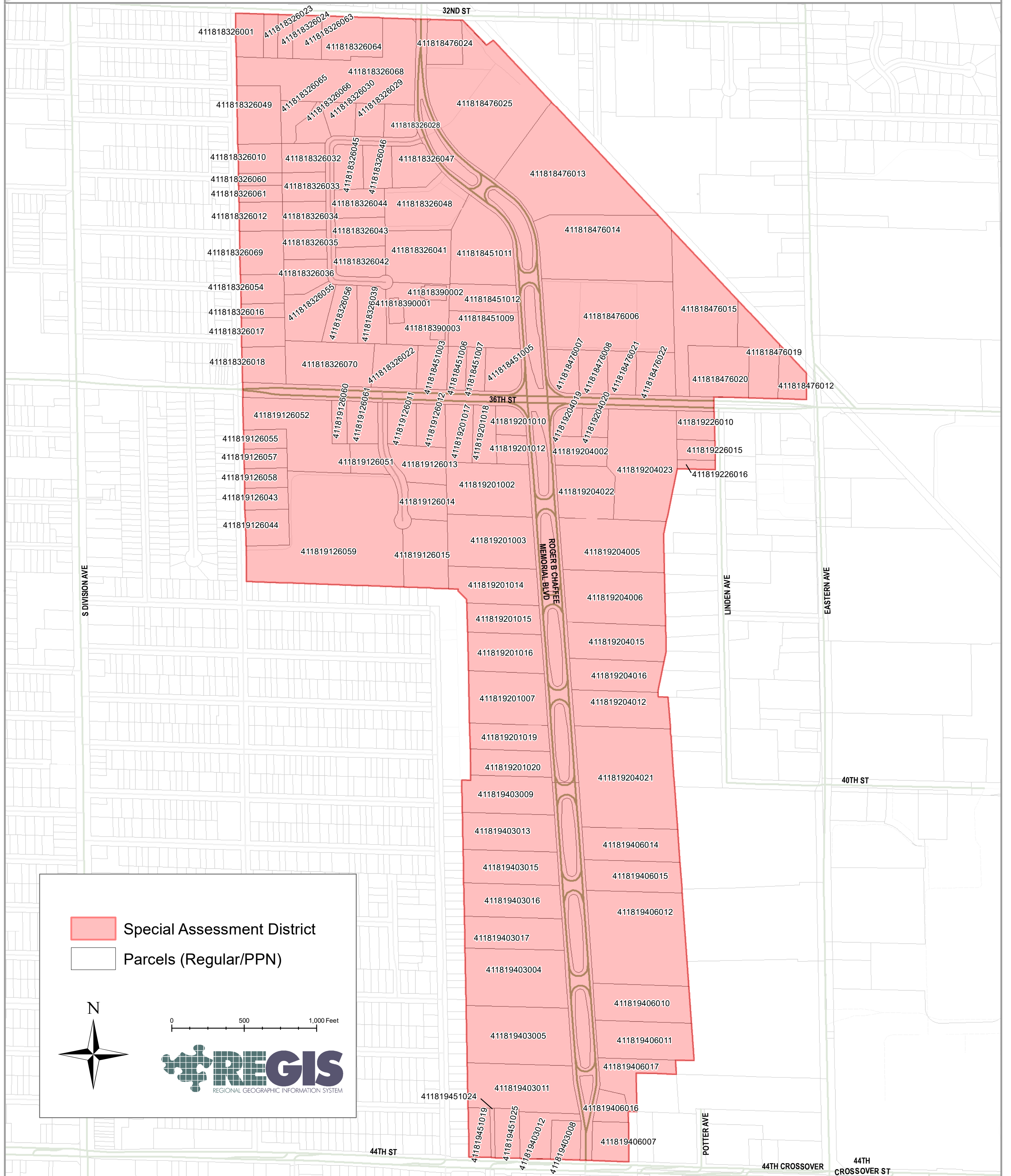
Exhibit A – Parcels Map

Exhibit B – List of Parcels in Proposed Special Assessment District

Exhibit C – Form of Notices of Public Hearing

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

# City of Wyoming Kent Industrial Center Special Assessment District



<b>Parcel Number</b>	<b>Street Address</b>
41-18-18-326-001	200 32ND ST SE
41-18-18-326-010	3370 JEFFERSON AVE SE 3380
41-18-18-326-012	3420 JEFFERSON AVE SE
41-18-18-326-016	3540 JEFFERSON AVE SE
41-18-18-326-017	3560 JEFFERSON AVE SE
41-18-18-326-018	201 36TH ST SE
41-18-18-326-022	357 36TH ST SE
41-18-18-326-023	230 32ND ST SE
41-18-18-326-024	240 32ND ST SE
41-18-18-326-028	3303 LOUSMA DR SE
41-18-18-326-029	3313 LOUSMA DR SE
41-18-18-326-030	3323 LOUSMA DR SE
41-18-18-326-032	3343 LOUSMA DR SE
41-18-18-326-033	3353 LOUSMA DR SE
41-18-18-326-034	3403 LOUSMA DR SE
41-18-18-326-035	3413 LOUSMA DR SE
41-18-18-326-036	3423 LOUSMA DR SE
41-18-18-326-039	3513 LOUSMA DR SE
41-18-18-326-041	3522 LOUSMA DR SE
41-18-18-326-042	3422 LOUSMA DR SE
41-18-18-326-043	3412 LOUSMA DR SE
41-18-18-326-044	3417 ROGER B CHAFFEE SE
41-18-18-326-045	3322 LOUSMA DR SE
41-18-18-326-046	3312 LOUSMA DR SE
41-18-18-326-048	3413 ROGER B CHAFFEE SE
41-18-18-326-049	3300 JEFFERSON AVE SE
41-18-18-326-054	3520 JEFFERSON AVE SE
41-18-18-326-055	3433 LOUSMA DR SE
41-18-18-326-056	3503 LOUSMA DR SE
41-18-18-326-060	3400 JEFFERSON AVE SE
41-18-18-326-061	3410 JEFFERSON AVE SE
41-18-18-326-063	250 32ND ST SE
41-18-18-326-064	330 32ND ST SE
41-18-18-326-065	3331 LOUSMA DR SE
41-18-18-326-066	3333 LOUSMA DR SE
41-18-18-326-068	3281 ROGER B CHAFFEE SE
41-18-18-326-069	3480 JEFFERSON AVE SE
41-18-18-326-070	255 36TH ST SE
41-18-18-390-001	3523 LOUSMA DR SE
41-18-18-390-002	3525 LOUSMA DR SE
41-18-18-390-003	3529 LOUSMA DR SE
41-18-18-451-003	405 36TH ST SE 425
41-18-18-451-005	507 36TH ST SE
41-18-18-451-006	459 36TH ST SE
41-18-18-451-007	475 36TH ST SE
41-18-18-451-009	3535 ROGER B CHAFFEE SE

<b>Parcel Number</b>	<b>Street Address</b>
41-18-18-451-011	3457 ROGER B CHAFFEE SE
41-18-18-451-012	3513 ROGER B CHAFFEE SE
41-18-18-476-006	3516 ROGER B CHAFFEE SE 3594
41-18-18-476-007	551 36TH ST SE
41-18-18-476-008	609 36TH ST SE
41-18-18-476-012	799 36TH ST SE
41-18-18-476-013	3400 ROGER B CHAFFEE SE
41-18-18-476-014	3470 ROGER B CHAFFEE SE
41-18-18-476-015	755 36TH ST SE
41-18-18-476-019	795 36TH ST SE
41-18-18-476-020	775 36TH ST SE 781
41-18-18-476-021	653 36TH ST SE
41-18-18-476-022	701 36TH ST SE
41-18-18-476-024	400 32ND ST SE
41-18-18-476-025	3300 ROGER B CHAFFEE SE
41-18-19-126-011	370 36TH ST SE
41-18-19-126-012	400 36TH ST SE
41-18-19-126-013	3680 HAGEN DR SE
41-18-19-126-014	3720 HAGEN DR SE
41-18-19-126-015	3770 HAGEN DR SE
41-18-19-126-043	3714 JEFFERSON AVE SE
41-18-19-126-044	3760 JEFFERSON AVE SE
41-18-19-126-051	3685 HAGEN DR SE 3687
41-18-19-126-052	260 36TH ST SE
41-18-19-126-055	3650 JEFFERSON AVE SE
41-18-19-126-057	3670 JEFFERSON AVE SE
41-18-19-126-058	3690 JEFFERSON AVE SE
41-18-19-126-059	3721 HAGEN DR SE
41-18-19-126-060	290 36TH ST SE
41-18-19-126-061	300 36TH ST SE 0320
41-18-19-201-002	3707 ROGER B CHAFFEE SE
41-18-19-201-003	3741 ROGER B CHAFFEE SE
41-18-19-201-007	3903 ROGER B CHAFFEE SE
41-18-19-201-010	440 36TH ST SE
41-18-19-201-012	3685 ROGER B CHAFFEE SE
41-18-19-201-014	3803 ROGER B CHAFFEE SE
41-18-19-201-015	3829 ROGER B CHAFFEE SE
41-18-19-201-016	3859 ROGER B CHAFFEE SE
41-18-19-201-017	420 36TH ST SE
41-18-19-201-018	424 36TH ST SE
41-18-19-201-019	3961 ROGER B CHAFFEE SE
41-18-19-201-020	3993 ROGER B CHAFFEE SE
41-18-19-204-002	3660 ROGER B CHAFFEE SE
41-18-19-204-005	3750 ROGER B CHAFFEE SE
41-18-19-204-006	3810 ROGER B CHAFFEE SE
41-18-19-204-012	3910 ROGER B CHAFFEE SE

<b>Parcel Number</b>	<b>Street Address</b>
41-18-19-204-015	3860 ROGER B CHAFFEE SE
41-18-19-204-016	3870 ROGER B CHAFFEE SE
41-18-19-204-019	550 36TH ST SE
41-18-19-204-020	574 36TH ST SE
41-18-19-204-021	3970 ROGER B CHAFFEE SE 4010
41-18-19-204-022	3710 ROGER B CHAFFEE SE
41-18-19-204-023	650 36TH ST SE
41-18-19-226-010	700 36TH ST SE
41-18-19-226-015	3627 LINDEN AVE SE
41-18-19-226-016	3631 LINDEN AVE SE
41-18-19-403-004	4203 ROGER B CHAFFEE SE
41-18-19-403-005	4245 ROGER B CHAFFEE SE
41-18-19-403-008	509 44TH ST SE
41-18-19-403-009	4005 ROGER B CHAFFEE SE
41-18-19-403-012	485 44TH ST SE
41-18-19-403-013	4037 ROGER B CHAFFEE SE
41-18-19-403-015	4101 ROGER B CHAFFEE SE
41-18-19-403-016	4131 ROGER B CHAFFEE SE
41-18-19-403-017	4181 ROGER B CHAFFEE SE
41-18-19-406-007	4398 ROGER B CHAFFEE SE
41-18-19-406-010	4220 ROGER B CHAFFEE SE
41-18-19-406-011	4240 ROGER B CHAFFEE SE
41-18-19-406-012	4200 ROGER B CHAFFEE SE
41-18-19-406-014	4050 ROGER B CHAFFEE SE
41-18-19-406-015	4080 ROGER B CHAFFEE SE
41-18-19-406-016	4350 ROGER B CHAFFEE SE
41-18-19-406-017	4310 ROGER B CHAFFEE SE
41-18-19-451-019	441 44TH ST SE
41-18-19-451-024	451 44TH ST SE
41-18-19-451-025	463 44TH ST SE
41-18-19-403-011	4309 ROGER B CHAFFEE SE
41-18-18-326-047	3363 ROGER B CHAFFEE SE

May 3, 2023

**Re: Notice of Public Hearing Regarding Proposed Special Assessment Roll for Specially Assessing Annual Maintenance Costs for Roger B. Chaffee Memorial Blvd Medians in Kent Industrial Center Plats.**

Dear Owner/Property Taxpayer of Kent Industrial Center Plat Property:

The Wyoming City Council will hold a public hearing on Monday, May 15, 2023, at 7:01 p.m., in the City Council Chambers in City Hall, 1155 28<sup>th</sup> Street SW, Wyoming, Michigan, to consider whether to confirm proposed Special Assessment Roll #23-816 for Roger B. Chaffee Memorial Blvd median maintenance to parcel owners located within the Kent Industrial Center Plats. Your property is within one of those Plats and therefore is within the Special Assessment District No. #23-816. The assessment is made at the request of the Kent Industrial Center Association of Property Owners (the **Association**) in accordance with its articles of incorporation.

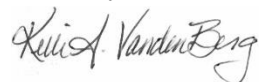
A copy of proposed Special Assessment Roll #23-816 is attached. In accordance with the Association's articles of incorporation for the proposed assessment is based on (i) 3 units per acre for property fronting on Roger B. Chaffee to a depth of 400 feet and (ii) 1 unit per acre for the other property in those Plats. The amount of \$165 per unit would be added on the 2023 summer property tax bill. The special assessment is for 5 years and the total amount to be assessed based on historical maintenance costs with the intention of setting aside amounts to provide for irrigation system replacement and for work to replace landscaping components would be \$102,500.65 in fiscal year 2023-24 and \$102,004.65 per year in the succeeding 4 fiscal years.

Property owners may appeal the special assessment to the Michigan Tax Tribunal (MTT) within 30 days after the confirmation of the assessment roll (which may occur at the same May 15, 2023, meeting). Protest in writing before the public hearing or verbally during the public hearing is required to appeal to the MTT.

Those wishing to comment may send written comments by email to [clerk\\_info@wyomingmi.gov](mailto:clerk_info@wyomingmi.gov) or to the City Clerk at the City Hall by first class mail. All written comments received by 5:00 on the day of the hearing will be part of the hearing record. Comments may also be made in person to the City Council during the public hearing.

If you have any questions regarding this project or this notice, please contact the City Clerk's Office at (616) 530-7296.

Sincerely,



Kelli A. VandenBerg, City Clerk

community • safety • stewardship

CITY COUNCIL

April 11, 2023

**TENTATIVE 2023 ROLL**

**2023 Kent Industrial Center Special Assessment Roll # 23-816**

<b>Parcel Number</b>	<b>Parcel Street Address</b>	<b>Owner Name &amp; Mailing Address</b>	<b>Number of Assessable Units</b>	<b>Rate per Assessable Unit</b>	<b>Special Assessment</b>	<b>City Noticing Charges</b>	<b>Total</b>
41-18-18-326-001	200 32ND ST SE	RJMJ ENTERPRISES LLC 3025 100TH ST SW BYRON CENTER MI 49315	1.31	\$165.00	\$216.15	\$4.00	<b>\$220.15</b>
41-18-18-326-010	3370 JEFFERSON AVE SE 3380	VERHOFF HOLDINGS LLC 3370 JEFFERSON AVE SE WYOMING MI 49548	1.38	\$165.00	\$227.70	\$4.00	<b>\$231.70</b>
41-18-18-326-012	3420 JEFFERSON AVE SE	2002 GONZALEZ FAMILY TRUST 15257 E PROCTOR AVENUE CITY OF INDUSTRY CA 91745	1.38	\$165.00	\$227.70	\$4.00	<b>\$231.70</b>
41-18-18-326-016	3540 JEFFERSON AVE SE	NORTHTOWN CENTER INC 2920 FULLER AVE NE GRAND RAPIDS MI 49505	0.69	\$165.00	\$113.85	\$4.00	<b>\$117.85</b>
41-18-18-326-017	3560 JEFFERSON AVE SE	JND WAREHOUSE LLC 1252 JAKARTA BYRON CENTER MI 49315	1.37	\$165.00	\$226.05	\$4.00	<b>\$230.05</b>
41-18-18-326-018	201 36TH ST SE	WEST MICHIGAN CREDIT UNION 201 36TH ST SE WYOMING MI 49548	1.72	\$165.00	\$283.80	\$4.00	<b>\$287.80</b>
41-18-18-326-022	357 36TH ST SE	MING-YEN PROPERTY LLC 357 36TH ST SE WYOMING MI 49548	2.11	\$165.00	\$348.15	\$4.00	<b>\$352.15</b>
41-18-18-326-023	230 32ND ST SE	GANO ENTERPRISES,LLC 230 32ND ST SE WYOMING MI 49548	0.69	\$165.00	\$113.85	\$4.00	<b>\$117.85</b>
41-18-18-326-024	240 32ND ST SE	KENT COMMERCE CENTER INC 3417 ROGER B CHAFFEE SE WYOMING MI 49548	0.70	\$165.00	\$115.50	\$4.00	<b>\$119.50</b>

41-18-18-326-028	3303 LOUSMA DR SE	GOODALE FAMILY LLC 3281 ROGER B CHAFFEE SE WYOMING MI 49548	3.39	\$165.00	\$559.35	\$4.00	<b>\$563.35</b>
41-18-18-326-029	3313 LOUSMA DR SE	FD LAKE PROPERTIES LLC 3313 LOUSMA DR SE WYOMING MI 49548	1.07	\$165.00	\$176.55	\$4.00	<b>\$180.55</b>
41-18-18-326-030	3323 LOUSMA DR SE	3584 BATH ROAD LLC 2180 COMMONS PKWY OKEMOS MI 48864	1.11	\$165.00	\$183.15	\$4.00	<b>\$187.15</b>
41-18-18-326-032	3343 LOUSMA DR SE	FRAMES UNLIMITED 3343 LOUSMA DR SE WYOMING MI 49548	1.37	\$165.00	\$226.05	\$4.00	<b>\$230.05</b>
41-18-18-326-033	3353 LOUSMA DR SE	3353 LOUSMA DR LLC 23409 INDUSTRIAL PARK CT FARMINGTON HILLS MI 48335	1.37	\$165.00	\$226.05	\$4.00	<b>\$230.05</b>
41-18-18-326-034	3403 LOUSMA DR SE	FISK REEDS RE LLC 3403 LOUSMA DR SE WYOMING MI 49548	1.38	\$165.00	\$227.70	\$4.00	<b>\$231.70</b>
41-18-18-326-035	3413 LOUSMA DR SE	CADILLAC NEW LMTD PRTNRSH %CADILLAC COFFEE CO 7221 INNOVATIVE BLVD FORT WAYNE IN 46818	1.38	\$165.00	\$227.70	\$4.00	<b>\$231.70</b>
41-18-18-326-036	3423 LOUSMA DR SE	3423 LOUSMA LCC 3423 LOUSMA DR SE WYOMING MI 49548	1.50	\$165.00	\$247.50	\$4.00	<b>\$251.50</b>
41-18-18-326-039	3513 LOUSMA DR SE	345-32ND STREET LLC 2225 RADCLIFF CIR SE GRAND RAPIDS MI 49546	1.82	\$165.00	\$300.30	\$4.00	<b>\$304.30</b>
41-18-18-326-041	3522 LOUSMA DR SE	TIGHT LINE LLC 3522 LOUSMA DR SE WYOMING MI 49548	3.70	\$165.00	\$610.50	\$4.00	<b>\$614.50</b>

41-18-18-326-042	3422 LOUSMA DR SE	INSURANCE RESOURCE GROUP BRAD POGGI 1553 FALCONCREST DR NE GRAND RAPIDS MI 49525	1.61	\$165.00	\$265.65	\$4.00	<b>\$269.65</b>
41-18-18-326-043	3412 LOUSMA DR SE	KENT COMMERCE CENTER INC 3417 ROGER B CHAFFEE SE WYOMING MI 49548	1.58	\$165.00	\$260.70	\$4.00	<b>\$264.70</b>
41-18-18-326-044	3417 ROGER B CHAFFEE SE	KENT COMMERCE CENTER INC 3417 ROGER B CHAFFEE SE WYOMING MI 49548	1.59	\$165.00	\$262.35	\$4.00	<b>\$266.35</b>
41-18-18-326-045	3322 LOUSMA DR SE	KENT COMMERCE CENTER INC 3417 ROGER B CHAFFEE SE WYOMING MI 49548	1.40	\$165.00	\$231.00	\$4.00	<b>\$235.00</b>
41-18-18-326-046	3312 LOUSMA DR SE	OAK STREET INVESTMENT GRADE NET LEASE FUND SERIES 2021-1 LLC OAK STREET REAL ESTATE CAPITAL LLC 30 N LA SALLE ST STE 4140 CHICAGO IL 60602	1.35	\$165.00	\$222.75	\$4.00	<b>\$226.75</b>
41-18-18-326-047	3363 ROGER B CHAFFEE SE	GSI GRAND RAPIDS LLC 6805 MORRISON BLVD STE 250 CHARLOTTE NC 28211	5.64	\$165.00	\$930.60	\$4.00	<b>\$934.60</b>
41-18-18-326-048	3413 ROGER B CHAFFEE SE	KENT COMMERCE CENTER INC 3417 ROGER B CHAFFEE SE WYOMING MI 49548	10.23	\$165.00	\$1,687.95	\$4.00	<b>\$1,691.95</b>
41-18-18-326-049	3300 JEFFERSON AVE SE	COFFMAN LIVING TRUST, RICHARD & N 4500 7 MILE RD NE BELMONT MI 49306	2.77	\$165.00	\$457.05	\$4.00	<b>\$461.05</b>
41-18-18-326-054	3520 JEFFERSON AVE SE	QJ PROPERTIES LLC C/O JAMAL QAMOUN 3520 JEFFERSON AVE SE WYOMING MI 49548	1.37	\$165.00	\$226.05	\$4.00	<b>\$230.05</b>

41-18-18-326-055	3433 LOUSMA DR SE	G & K SERVICES CO CINTAS UNIFORM SERVICES 3433 LOUSMA DR SE WYOMING MI 49548	2.44	\$165.00	\$402.60	\$4.00	<b>\$406.60</b>
41-18-18-326-056	3503 LOUSMA DR SE	GOODALE FAMILY LLC 3281 ROGER B CHAFFEE SE WYOMING MI 49548	1.81	\$165.00	\$298.65	\$4.00	<b>\$302.65</b>
41-18-18-326-060	3400 JEFFERSON AVE SE	BLACK'S ENTERPRISES LLC 3400 JEFFERSON AVE SE WYOMING MI 49548	0.59	\$165.00	\$97.35	\$4.00	<b>\$101.35</b>
41-18-18-326-061	3410 JEFFERSON AVE SE	WIKOFF COLOR CORP OF S.C. 1886 MERRETT FORT MILL SC 29715	0.79	\$165.00	\$130.35	\$4.00	<b>\$134.35</b>
41-18-18-326-063	250 32ND ST SE	VANKOEVERING FAMILY LLC 330 32ND STREET SE WYOMING MI 49548	1.38	\$165.00	\$227.70	\$4.00	<b>\$231.70</b>
41-18-18-326-064	330 32ND ST SE	VAN KOEVERING FAMILY LIM 330 32ND ST SE WYOMING MI 49548	2.75	\$165.00	\$453.75	\$4.00	<b>\$457.75</b>
41-18-18-326-065	3331 LOUSMA DR SE	ROOTED INVESTMENTS LLC 3331 LOUSMA DR SE WYOMING MI 49548	1.04	\$165.00	\$171.60	\$4.00	<b>\$175.60</b>
41-18-18-326-066	3333 LOUSMA DR SE	ZIMDAR PROPERTIES INC 3343 LOUSMA DR SE WYOMING MI 49548	1.03	\$165.00	\$169.95	\$4.00	<b>\$173.95</b>
41-18-18-326-068	3281 ROGER B CHAFFEE SE	GOODALE FAMILY LLC 3281 ROGER B CHAFFEE SE WYOMING MI 49548	17.92	\$165.00	\$2,956.80	\$4.00	<b>\$2,960.80</b>
41-18-18-326-069	3480 JEFFERSON AVE SE	PB & JB PROPERTIES LLC 3480 JEFFERSON AVE SE WYOMING MI 49548	2.06	\$165.00	\$339.90	\$4.00	<b>\$343.90</b>

41-18-18-326-070	255 36TH ST SE	255 36TH ST LLC 260 36TH ST SE GRAND RAPIDS MI 49548	4.15	\$165.00	\$684.75	\$4.00	<b>\$688.75</b>
41-18-18-390-001	3523 LOUSMA DR SE	AIRTECH PROPERIES I LLC 3523 LOUSMA DR SE WYOMING MI 49548	1.62	\$165.00	\$267.30	\$4.00	<b>\$271.30</b>
41-18-18-390-002	3525 LOUSMA DR SE	BROWNING PROPERTIES LLC PO BOX 3081 LISLE IL 60532-8081	1.62	\$165.00	\$267.30	\$4.00	<b>\$271.30</b>
41-18-18-390-003	3529 LOUSMA DR SE	CSA PROPERTY HOLDINGS LLC 3529 LOUSMA DR SE WYOMING MI 49548	0.97	\$165.00	\$160.05	\$4.00	<b>\$164.05</b>
41-18-18-451-003	405 36TH ST SE 425	H & M LEASING LLC 425 36TH ST SE WYOMING MI 49548	1.44	\$165.00	\$237.60	\$4.00	<b>\$241.60</b>
41-18-18-451-005	507 36TH ST SE	GREEN CANE PROPERTY LLC PO BOX 6673 GRAND RAPIDS MI 49516	5.01	\$165.00	\$826.65	\$4.00	<b>\$830.65</b>
41-18-18-451-006	459 36TH ST SE	TNT KALAMAZOO ENTERPRISES LLC PO BOX 541 OSHTEMO MI 49077	0.90	\$165.00	\$148.50	\$4.00	<b>\$152.50</b>
41-18-18-451-007	475 36TH ST SE	CORE GRAND RAPIDS OWNER LLC CORE REALTY HOLDINGS MANAGEMENT INC 1600 DOVE STREET STE 450 NEWPORT BEACH CA 92660	0.89	\$165.00	\$146.85	\$4.00	<b>\$150.85</b>
41-18-18-451-009	3535 ROGER B CHAFFEE SE	CORE GRAND RAPIDS OWNER LLC CORE REALTY HOLDINGS MANAGEMENT INC 1600 DOVE STREET STE 450 NEWPORT BEACH CA 92660	7.37	\$165.00	\$1,216.05	\$4.00	<b>\$1,220.05</b>
41-18-18-451-011	3457 ROGER B CHAFFEE SE	ROGER B HOLDINGS LLC 3457 ROGER B CHAFFEE MEMORIAL DR SE WYOMING MI 49548	14.51	\$165.00	\$2,394.15	\$4.00	<b>\$2,398.15</b>

41-18-18-451-012	3513 ROGER B CHAFFEE SE	JFH PROPERTIES LLC 260 36TH ST SE GRAND RAPIDS MI 49548	5.43	\$165.00	\$895.95	\$4.00	<b>\$899.95</b>
41-18-18-476-006	3516 ROGER B CHAFFEE SE 3594	BLUEWATER CORPORATE CENTER LLC 53 MIRY BROOK RD DANBURY CT 06810	19.02	\$165.00	\$3,138.30	\$4.00	<b>\$3,142.30</b>
41-18-18-476-007	551 36TH ST SE	SUSAN SIPHRON TRUST NAI WEST MICHIGAN 100 GRANDVILLE AVE SW SUITE 100 GRAND RAPIDS MI 49503	4.08	\$165.00	\$673.20	\$4.00	<b>\$677.20</b>
41-18-18-476-008	609 36TH ST SE	BAPTIST MID-MISSIONS 609 36TH ST SE GRAND RAPIDS MI 49508	1.37	\$165.00	\$226.05	\$4.00	<b>\$230.05</b>
41-18-18-476-012	799 36TH ST SE	CONSUMERS ENERGY EP10-PROPERTY TAX ONE ENERGY PLAZA JACKSON MI 49201-2357	1.24	\$165.00	\$204.60	\$4.00	<b>\$208.60</b>
41-18-18-476-013	3400 ROGER B CHAFFEE SE	STEPHENS PIPE & STEEL LLC 3400 ROGER B CHAFFEE SE WYOMING MI 49548	20.59	\$165.00	\$3,397.35	\$4.00	<b>\$3,401.35</b>
41-18-18-476-014	3470 ROGER B CHAFFEE SE	TIC INVESTORS CHAFFEE LLC 1600 DOVE ST STE 450 NEWPORT BEACH CA 92660	17.50	\$165.00	\$2,887.50	\$4.00	<b>\$2,891.50</b>
41-18-18-476-015	755 36TH ST SE	HOPE NETWORK WEST MICHIGAN ACCTS PAYABLE DEPT PO BOX 890 GRAND RAPIDS MI 49518	6.42	\$165.00	\$1,059.30	\$4.00	<b>\$1,063.30</b>
41-18-18-476-019	795 36TH ST SE	HOPE NETWORK WEST MICHIGAN ACCTS PAYABLE DEPT PO BOX 890 GRAND RAPIDS MI 49518	2.79	\$165.00	\$460.35	\$4.00	<b>\$464.35</b>
41-18-18-476-020	775 36TH ST SE 781	HOPE NETWORK WEST MICHIGAN ACCTS PAYABLE DEPT PO BOX 890 GRAND RAPIDS MI 49518	3.32	\$165.00	\$547.80	\$4.00	<b>\$551.80</b>

41-18-18-476-021	653 36TH ST SE	MORRISON INDUSTRIAL EQUIP MOR-VALUE PARTS PO BOX 1803 GRAND RAPIDS MI 49501	1.34	\$165.00	\$221.10	\$4.00	<b>\$225.10</b>
41-18-18-476-022	701 36TH ST SE	701 36TH STREET LLC MOR-VALUE PARTS PO BOX 1803 GRAND RAPIDS MI 49501	1.86	\$165.00	\$306.90	\$4.00	<b>\$310.90</b>
41-18-18-476-024	400 32ND ST SE	EKKLENS REAL ESTATE LLC & PENNING PENNING REAL ESTATE LLC 400 32ND ST SE WYOMING MI 49548	5.13	\$165.00	\$846.45	\$4.00	<b>\$850.45</b>
41-18-18-476-025	3300 ROGER B CHAFFEE SE	KEEBLER COMPANY RYAN LLC 311 S WACKER DR STE 4800 CHICAGO IL 60606	27.56	\$165.00	\$4,547.40	\$4.00	<b>\$4,551.40</b>
41-18-19-126-011	370 36TH ST SE	MARTIN NANCY J 47 PORTER HILLS DR SE GRAND RAPIDS MI 49546	1.33	\$165.00	\$219.45	\$4.00	<b>\$223.45</b>
41-18-19-126-012	400 36TH ST SE	FIDLER ENTERPRISES LLC 73 SUMMERWYN DR SE CALEDONIA MI 49316	1.36	\$165.00	\$224.40	\$4.00	<b>\$228.40</b>
41-18-19-126-013	3680 HAGEN DR SE	TEAM RENTAL LLC PO BOX 9381 WYOMING MI 49509	2.04	\$165.00	\$336.60	\$4.00	<b>\$340.60</b>
41-18-19-126-014	3720 HAGEN DR SE	GRAND RAPIDS INVESTMENTS LLC 3720 HAGEN DR SE WYOMING MI 49548	1.55	\$165.00	\$255.75	\$4.00	<b>\$259.75</b>
41-18-19-126-015	3770 HAGEN DR SE	PJR VENTURES LLC STE 204 273 MONTGOMERY AVE BALA CYNWYD PA 19004	3.23	\$165.00	\$532.95	\$4.00	<b>\$536.95</b>
41-18-19-126-043	3714 JEFFERSON AVE SE	KENNEDY'S STORAGE DELIVERY LLC 5750 CLAY AVE SW WYOMING MI 49548	1.03	\$165.00	\$169.95	\$4.00	<b>\$173.95</b>

41-18-19-126-044	3760 JEFFERSON AVE SE	BLAKELY DANIEL B & ROBERT C WILDE TRUST 13891 STEPHENS DR WARREN MI 48089	1.72	\$165.00	\$283.80	\$4.00	<b>\$287.80</b>
41-18-19-126-051	3685 HAGEN DR SE 3687	WOLFPACK PROPERTIES LLC 1975 WALDORF ST NW STE C GRAND RAPIDS MI 49544	1.04	\$165.00	\$171.60	\$4.00	<b>\$175.60</b>
41-18-19-126-052	260 36TH ST SE	260-JFH LLC PO BOX 2246 GRAND RAPIDS MI 49501	5.65	\$165.00	\$932.25	\$4.00	<b>\$936.25</b>
41-18-19-126-055	3650 JEFFERSON AVE SE	LUTZ ALICIA A 4737 22ND STREET DORR MI 49323	0.88	\$165.00	\$145.20	\$4.00	<b>\$149.20</b>
41-18-19-126-057	3670 JEFFERSON AVE SE	CHILDS KATIE 3670 JEFFERSON AVE SE WYOMING MI 49548	0.92	\$165.00	\$151.80	\$4.00	<b>\$155.80</b>
41-18-19-126-058	3690 JEFFERSON AVE SE	HAYSEED PARTNERS LLC 3690 JEFFERSON AVE SE WYOMING MI 49548	0.92	\$165.00	\$151.80	\$4.00	<b>\$155.80</b>
41-18-19-126-059	3721 HAGEN DR SE	BENTELER AUTOMOTIVE CORPORATIOI C/O ACCOUNTING DEPT 3721 HAGEN DR SE WYOMING MI 49548	15.30	\$165.00	\$2,524.50	\$4.00	<b>\$2,528.50</b>
41-18-19-126-060	290 36TH ST SE	260-JFH LLC 260 36TH ST SE GRAND RAPIDS MI 49548	0.70	\$165.00	\$115.50	\$4.00	<b>\$119.50</b>
41-18-19-126-061	300 36TH ST SE 0320	WDM PROPERTIES LLC 300 36TH ST SE WYOMING MI 49548	1.43	\$165.00	\$235.95	\$4.00	<b>\$239.95</b>
41-18-19-201-002	3707 ROGER B CHAFFEE SE	AMASH ATTALLAH & MARIE 3707 ROGER B CHAFFEE SE WYOMING MI 49548	11.38	\$165.00	\$1,877.70	\$4.00	<b>\$1,881.70</b>

41-18-19-201-003	3741 ROGER B CHAFFEE SE	JFH PROPERTIES LLC 260 36TH ST SE GRAND RAPIDS MI 49548	11.57	\$165.00	\$1,909.05	\$4.00	<b>\$1,913.05</b>
41-18-19-201-007	3903 ROGER B CHAFFEE SE	3903 ROGER B CHAFFEE LLC 3903 ROGER B CHAFFEE SE WYOMING MI 49548	11.03	\$165.00	\$1,819.95	\$4.00	<b>\$1,823.95</b>
41-18-19-201-010	440 36TH ST SE	STEINDLER & BECK LLC 440 36TH ST SE WYOMING MI 49548	2.64	\$165.00	\$435.60	\$4.00	<b>\$439.60</b>
41-18-19-201-012	3685 ROGER B CHAFFEE SE	STEINDLER & BECK LLC 440 36TH STREET SE WYOMING MI 49548	2.97	\$165.00	\$490.05	\$4.00	<b>\$494.05</b>
41-18-19-201-014	3803 ROGER B CHAFFEE SE	W W GRAINGER INC PARADIGM TAX GROUP PO BOX 800729 DALLAS TX 75380	7.94	\$165.00	\$1,310.10	\$4.00	<b>\$1,314.10</b>
41-18-19-201-015	3829 ROGER B CHAFFEE SE	3829 ROGER B CHAFFEE LLC 3859 ROGER B CHAFFEE WYOMING MI 49548	5.99	\$165.00	\$988.35	\$4.00	<b>\$992.35</b>
41-18-19-201-016	3859 ROGER B CHAFFEE SE	3859 ROGER B CHAFFEE LLC 3859 ROBER B CHAFFEE SE GRAND RAPIDS MI 49548	8.13	\$165.00	\$1,341.45	\$4.00	<b>\$1,345.45</b>
41-18-19-201-017	420 36TH ST SE	MANUAL BEAR LLC 420 36TH ST SE WYOMING MI 49548	1.73	\$165.00	\$285.45	\$4.00	<b>\$289.45</b>
41-18-19-201-018	424 36TH ST SE	AMASH ATTALLAH & MARIE 3707 ROGER B CHAFFEE MEM BLVD GRAND RAPIDS MI 49548	1.47	\$165.00	\$242.55	\$4.00	<b>\$246.55</b>
41-18-19-201-019	3961 ROGER B CHAFFEE SE	3691 RBC LLC 4100 W PIERSON RD FLINT MI 48504	5.53	\$165.00	\$912.45	\$4.00	<b>\$916.45</b>

41-18-19-201-020	3993 ROGER B CHAFFEE SE	3993 ROGER CHAFFEE LLC GRAND PROPERTY MGMT LLC 100 GRANDVILLE AVE SW STE 110 GRAND RAPIDS MI 49503	5.57	\$165.00	\$919.05	\$4.00	<b>\$923.05</b>
41-18-19-204-002	3660 ROGER B CHAFFEE SE	SCHUPAN HOLDINGS-WYOMING LLC 2619 MILLER ROAD KALAMAZOO MI 49001	5.04	\$165.00	\$831.60	\$4.00	<b>\$835.60</b>
41-18-19-204-005	3750 ROGER B CHAFFEE SE	KEEBLER COMPANY RYAN LLC 311 S WACKER DR STE 4800 CHICAGO IL 60606	12.38	\$165.00	\$2,042.70	\$4.00	<b>\$2,046.70</b>
41-18-19-204-006	3810 ROGER B CHAFFEE SE	DISTRIBUTION PROPERTIES II LLC 4433 STAFFORD AVE SW WYOMING MI 49548	12.41	\$165.00	\$2,047.65	\$4.00	<b>\$2,051.65</b>
41-18-19-204-012	3910 ROGER B CHAFFEE SE	ABIATHAR MANAGEMENT LLC 1550 EAST BELTLINE AVE SE STE 150 GRAND RAPIDS MI 49506	8.41	\$165.00	\$1,387.65	\$4.00	<b>\$1,391.65</b>
41-18-19-204-015	3860 ROGER B CHAFFEE SE	RBC REALTY LLC ALLIED MECHANICAL INC PO BOX 2587 KALAMAZOO MI 49003	8.48	\$165.00	\$1,399.20	\$4.00	<b>\$1,403.20</b>
41-18-19-204-016	3870 ROGER B CHAFFEE SE	MICHIGAN POSTAL HOLDINGS LLC 75 COLUMBIA AVE CEDARHURST NY 11516	6.99	\$165.00	\$1,153.35	\$4.00	<b>\$1,157.35</b>
41-18-19-204-019	550 36TH ST SE	550 36TH ST SE LLC 1715 TRADITIONAL DRIVE COMMERCE CHARTER TWP MI 48382	2.61	\$165.00	\$430.65	\$4.00	<b>\$434.65</b>
41-18-19-204-020	574 36TH ST SE	PAINTERS SUPPLY AND EQUIPMENT CC 25195 BREST RD TAYLOR MI 48180	0.83	\$165.00	\$136.95	\$4.00	<b>\$140.95</b>
41-18-19-204-021	3970 ROGER B CHAFFEE SE 4010	SUSPA INC 3970 ROGER B CHAFFEE BLVD WYOMING MI 49548	23.36	\$165.00	\$3,854.40	\$4.00	<b>\$3,858.40</b>

41-18-19-204-022	3710 ROGER B CHAFFEE SE	SCHUPAN HOLDINGS-WYOMING LLC 2619 MILLER ROAD KALAMAZOO MI 49001	9.72	\$165.00	\$1,603.80	\$4.00	<b>\$1,607.80</b>
41-18-19-204-023	650 36TH ST SE	500 GRANDVILLE LLC 650 36TH ST SE WYOMING MI 49548	7.76	\$165.00	\$1,280.40	\$4.00	<b>\$1,284.40</b>
41-18-19-226-010	700 36TH ST SE	FORTIER PROPERTIES LLC 4441 CANTERWOOD DR NE ADA MI 49301	1.20	\$165.00	\$198.00	\$4.00	<b>\$202.00</b>
41-18-19-226-015	3627 LINDEN AVE SE	CHRISTIANSEN FUNERAL HOME & CREMATION CENTER PLLC 511 SOUTH FRANKLIN ST GREENVILLE MI 48838	0.82	\$165.00	\$135.30	\$4.00	<b>\$139.30</b>
41-18-19-226-016	3631 LINDEN AVE SE	MICHIGAN CREMATION COMPANY 3631 LINDEN AVE SE WYOMING MI 49548	0.38	\$165.00	\$62.70	\$4.00	<b>\$66.70</b>
41-18-19-403-004	4203 ROGER B CHAFFEE SE	JLAN LLC 2295 EIGHT MILE ROAD NW GRAND RAPIDS MI 49544	13.61	\$165.00	\$2,245.65	\$4.00	<b>\$2,249.65</b>
41-18-19-403-005	4245 ROGER B CHAFFEE SE	CHAFFEE INDUSTRIAL LLC ATTN DENNIS R HOPPE PO BOX 526 CANNONSBURG MI 49317	13.86	\$165.00	\$2,286.90	\$4.00	<b>\$2,290.90</b>
41-18-19-403-008	509 44TH ST SE	QUICK TIME 44TH LLC 3793 WILLIAMSON AVE NE GRAND RAPIDS MI 49525	3.75	\$165.00	\$618.75	\$4.00	<b>\$622.75</b>
41-18-19-403-009	4005 ROGER B CHAFFEE SE	C & Z INVESTMENTS I LLC 4005 ROGER B CHAFFEE SE WYOMING MI 49548	8.50	\$165.00	\$1,402.50	\$4.00	<b>\$1,406.50</b>
41-18-19-403-011	4309 ROGER B CHAFFEE SE	SROA 4309 ROGER B CHAFFEE MI LLC 324 DATURA ST SUITE 338 WEST PALM BEACH FL 33401	11.50	\$165.00	\$1,897.50	\$4.00	<b>\$1,901.50</b>

41-18-19-403-012	485 44TH ST SE	ELLIOT MCKONE LLC 1955 FOREST SHORES DR SE GRAND RAPIDS MI 49546	5.25	\$165.00	\$866.25	\$4.00	<b>\$870.25</b>
41-18-19-403-013	4037 ROGER B CHAFFEE SE	POTTER DISTRIBUTING INC 4037 ROGER B CHAFFEE SE WYOMING MI 49548	8.46	\$165.00	\$1,395.90	\$4.00	<b>\$1,399.90</b>
41-18-19-403-015	4101 ROGER B CHAFFEE SE	BOUMA CORPORATION, THE 4101 ROGER B CHAFFEE SE WYOMING MI 49548	7.66	\$165.00	\$1,263.90	\$4.00	<b>\$1,267.90</b>
41-18-19-403-016	4131 ROGER B CHAFFEE SE	4131 PROPERTY LLC 4131 ROGER B CHAFFEE SE WYOMING MI 49548	7.72	\$165.00	\$1,273.80	\$4.00	<b>\$1,277.80</b>
41-18-19-403-017	4181 ROGER B CHAFFEE SE	DEVROU LIMITED LLC 4181 ROGER B CHAFFEE BLVD WYOMING MI 49548	7.50	\$165.00	\$1,237.50	\$4.00	<b>\$1,241.50</b>
41-18-19-406-007	4398 ROGER B CHAFFEE SE	LS MANAGEMENT GROUP LLC 50 COLEMAN ST SE GRAND RAPIDS MI 49548	4.71	\$165.00	\$777.15	\$4.00	<b>\$781.15</b>
41-18-19-406-010	4220 ROGER B CHAFFEE SE	BOUMA GROUP INC 4101 ROGER B CHAFFEE SE WYOMING MI 49548	8.51	\$165.00	\$1,404.15	\$4.00	<b>\$1,408.15</b>
41-18-19-406-011	4240 ROGER B CHAFFEE SE	4240 ROGER B LLC STE 2B 4519 CASCADE RD SE GRAND RAPIDS MI 49546	8.76	\$165.00	\$1,445.40	\$4.00	<b>\$1,449.40</b>
41-18-19-406-012	4200 ROGER B CHAFFEE SE	GOTTLIEB INVESTMENT CO JELD-WEN TAX DEPT 2645 SILVER CRESCENT DR CHARLOTTE NC 28273	21.62	\$165.00	\$3,567.30	\$4.00	<b>\$3,571.30</b>
41-18-19-406-014	4050 ROGER B CHAFFEE SE	4050 ROGER B CHAFFEE MEMORIAL BLVD SE LLC 3890 BUCHANAN AVE SW GRAND RAPIDS MI 49548	7.58	\$165.00	\$1,250.70	\$4.00	<b>\$1,254.70</b>

41-18-19-406-015	4080 ROGER B CHAFFEE SE	JEFRIK PROPERTIES LLC 4080 ROGER B CHAFFEE SE WYOMING MI 49548	7.07	\$165.00	\$1,166.55	\$4.00	<b>\$1,170.55</b>
41-18-19-406-016	4350 ROGER B CHAFFEE SE	BELROSE REAL ESTATE LLC 4350 ROGER B CHAFFEE SE WYOMING MI 49548	3.06	\$165.00	\$504.90	\$4.00	<b>\$508.90</b>
41-18-19-406-017	4310 ROGER B CHAFFEE SE	THE HOME CITY ICE COMPANY PO BOX 111116 CINCINNATI OH 45211	5.99	\$165.00	\$988.35	\$4.00	<b>\$992.35</b>
41-18-19-451-019	441 44TH ST SE	44 MADISON LLC 24 FULTONWOOD DR SE GRAND RAPIDS MI 49503	1.17	\$165.00	\$193.05	\$4.00	<b>\$197.05</b>
41-18-19-451-024	451 44TH ST SE	44 MADISON LLC 24 FULTONWOOD DR SE GRAND RAPIDS MI 49503	0.23	\$165.00	\$37.95	\$4.00	<b>\$41.95</b>
41-18-19-451-025	463 44TH ST SE	44 MADISON LLC 24 FULTONWOOD DR SE GRAND RAPIDS MI 49503	1.34	\$165.00	\$221.10	\$4.00	<b>\$225.10</b>
<b>TOTALS</b>			<b><u>618.21</u></b>	<b>\$165.00</b>	<b><u>\$102,004.65</u></b>	<b><u>\$496.00</u></b>	<b><u>\$102,500.65</u></b>

## STAFF REPORT

Date: April 25, 2023  
Subject: Kent Industrial Center Special Assessments  
From: Jennifer Stowell, City Manager's Office  
Scott Smith, City Attorney  
Meeting Date: May 1, 2023 City Council Meeting

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### RECOMMENDATIONS:

Adopt the following resolutions:

Resolution Establishing Special Assessment District #23-816 and Determining to Specially Assess Costs of Roger B. Chaffee Memorial Blvd. Median Maintenance in the Kent Industrial Center Plats

Resolution Accepting Proposed Special Assessment Roll #23-816 and Scheduling a Public Hearing on that Proposed Special Assessment Roll to Specially Assess Annual Maintenance Costs for Roger B Chaffee Memorial Blvd Medians

### COMMUNITY, SAFETY, STEWARDSHIP:

Community – Community is advanced by providing for the maintenance of special amenities in segments of the community, such as the medians in Roger B. Chaffee Memorial Blvd. in a manner consistent with what is has historically been billed and collected by the Kent Industrial Center Association of Property Owners (the “Association”).

Safety – The medians enhance traffic safety, especially with the volume of truck traffic in the Kent Industrial Center.

Stewardship – Those specially benefitting from the maintenance of the medians as declared in plat requirements for each parcel in the Kent Industrial Center Plats should pay for maintenance costs in accordance with the apportionment formula provided in those documents.

### BUDGET IMPACT:

The special assessments will be budget neutral, especially with the costs of providing the special assessment notices being included in the assessed amount.

### DISCUSSION:

What is now Roger B. Chaffee Memorial Blvd. was once the main runway for Kent County's airport that operated from 1919 until the mid-1960's. Beginning in 1966, Kent County platted that property as two Kent Industrial Center Plats. Soil was placed over parts of the runway to form the medians in Roger B. Chaffee Memorial Drive. At some points, holes were excavated and/or drilled in the runway under those islands for planting trees. An irrigation system was installed, and grass and other vegetation was planted. Until recently, the county retained ownership of the medians, entry signage and some buffer strips.

A recorded amendment to the covenants and restrictions covering Kent Industrial Center and Kent Industrial Center No. 2 requires payments by owners of property within the plats to pay costs determined by the Association's board of directors “to be necessary for the maintenance of landscaped buffer strips, medians, and entrances” allocated by a formula based on the number of units assigned each parcel.

As often occurs in such organizations, few persons have carried the organizational load. Dan DeRyke of Bouma Corporation has handled the annual billing and collection. He reports that, despite having 125 parcels (a number that varies with lot splits and combinations), at some annual meetings have only a handful of persons attending. Billing and collection is time consuming and vexatious. A few property owners express surprise or object to the payment obligation even though it is clearly provided for in plat documents.

A few property owners are large corporations that excuse nonpayment by saying the bill didn't get to the right person for payment. So, some annual bills remain unpaid.

Operation of the decades-old irrigation system is time consuming and increasingly difficult. There are 14 well pits with valves that have to be manually turned on and turned off. Parts are no longer made for the system so, from time-to-time, parts are specially fabricated. Therefore, the sprinkling system will soon need replacement.

Consequently, as contemplated in the plats and the Association's articles of incorporation and bylaws, Association leaders asked the city to specially assess the maintenance costs. Because the county owned the medians, city staff was initially reluctant to undertake the special assessments. The city cannot legally assess the county without the county's consent and it seemed possible the board of commissioners may consent to one year's assessment but not to an assessment in a subsequent year.

Therefore, with City Council consent, in 2022, the county conveyed the medians to the city along with \$10,000 and the city reconveyed both the medians and the funds to the Association. City staff along collaborated with Association leaders to initiate the special assessment process. Because the Association now owns the medians, the median owner's share of the costs will be spread among other property owners in accordance with the second two factors in the allocation formula.

City staff members attended a February Association meeting which was attended by dozens of property owners/representatives and at which the special assessments were discussed. Sentiment generally seemed to be understanding and accepting.

At its April 17, 2023, meeting the Council scheduled a public hearing on establishment of the special assessment district and proceeding with the special assessment. That public hearing is on the May 1, 2023, agenda. Following that public hearing there are two resolutions. The first determines to proceed with the special assessment, establishes the special assessment district, and directs the city assessor to prepare a proposed special assessment roll using the same apportionment factors identified in the Association's articles of incorporation and the plat documents. The proposed special assessment roll has been prepared and so the second resolution accepts the proposed special assessment roll and sets the date of May 15 for the public hearing on the special assessment roll.

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

A RESOLUTION TO ADOPT  
THE WYOMING 2023-2024 ANNUAL ACTION PLAN

WHEREAS:

1. The City of Wyoming has applied for, and obtained, 47 years of Community Development Block Grant (CDBG) funds from the Department of Housing and Urban Development (HUD).
2. It is necessary to submit an Annual Action Plan application for the 48th year program covering the period of July 1, 2023, through June 30, 2024 to be eligible to obtain our HUD entitlement.
3. The Wyoming Community Development Committee has recommended a proposed 2023-2024 Annual Action Plan.
4. The Wyoming Community Development Committee has also recommended that any increase or decrease in funding to match actual allocation amounts will be equitably divided between programs, excluding Public Services and Administrative activities, and adjusted based upon HUD mandated formula caps.
5. Two public hearings were held on March 15, 2023 by the Wyoming Community Development Committee and on May 1, 2023 by the Wyoming City Council on this matter.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby adopt the 2023-2024 Wyoming Annual Action Plan.
2. The Wyoming City Council does hereby affirm that any increase or decrease in funding to match actual allocation amounts will be equitably divided between programs and adjusted based upon HUD mandated formula caps.

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 May 1, 2023.

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

ATTACHMENTS:

Memorandum  
Action Plan

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

## MEMORANDUM

**DATE:** April 26, 2023

**TO:** John McCarter, Interim City Manager

**FROM:** Paul Smith, Assistant Director of Community & Economic Development

**CC:** Nicole Hofert, Director of Community & Economic Development

**RE:** 2023-2024 CDBG Annual Action Plan

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### Summary of Annual Action Plan

The City of Wyoming receives an annual Community Development Block Grant (CDBG) from the US Department of Housing and Urban Development (HUD). Every CDBG expenditure must meet one of the three national objectives for the CDBG program: benefitting low- and moderate-income persons, preventing or eliminating slums or blight, or meeting serious and immediate threats to the health or welfare of the community.

The following is a list of activities to be funded for fiscal year 2023-2024:

**Clearance/Demolition:** 1 homeowner, with low/moderate-income, will have dilapidated structure demolition grants, including garages, porches and fencing, to provide a suitable living environment. \$10,000

**Public Services- Family Promise Re-Housing Financial Assistance:** 10 low-income families moving out of homelessness and into housing will receive short-term rental assistance, to prevent homelessness and provide decent affordable housing. \$15,000

**Public Services – Family Promise Re-Housing Stabilization Services:** 10 low-income families shall receive support services to maintain housing and build assets to support self-sufficiency, prevent homelessness and provide decent affordable housing. \$10,000

**Public Services – Legal Aid of West Michigan:** 112 low-income persons or families pending eviction have the benefit of legal services, provided by Legal Aid of West Michigan, for the purpose of preventing homelessness and providing decent affordable housing. \$60,000

**Public Services - Fair Housing:** 12,196 households, in low and moderate-income areas throughout the City, will have access to fair housing complaint investigations and fair housing training to provide decent affordable housing. \$8,750

**Public Services - ICCF Re-Housing Financial Assistance:** 3 low-income families moving out of homelessness and into housing, will receive short-term rapid rehousing, rental assistance and case management to prevent homelessness and provide decent affordable housing. \$10,000

**Capital Outlay and Public Infrastructure:** 22,616 Wyoming residents in low/moderate-income areas will benefit from enhanced sidewalk crossings and renovations to City parks and other public facilities, leading to increased traffic safety, enjoyment of City parks and other City facilities. \$207,496

**Property Acquisition:** 22,616 Wyoming residents that live within low/moderate-income areas will benefit from property acquisition activities with the intention to remove blight or allow for the possibility of the addition of new housing units. This is a new activity. \$30,000

**Property Disposition:** 22,616 Wyoming residents that live within low/moderate- income areas will benefit from property Disposition activities with the intention to remove blight or allow for the possibility of the addition of new housing units. This is a new activity. \$10,000

**Rehabilitation - Single Unit Residential:** 10 housing units, with low/moderate-income families, will have home repair loans and deferred loans to provide decent affordable housing. \$418,633

**Rehabilitation - Home Repair Services:** 50 low/moderate-income households will have services such as minor home repairs and accessibility modifications, to provide decent affordable housing. \$90,000

**Rehabilitation - Administration:** 11 housing units, with low/moderate-income families, will have affordable administration of housing rehabilitation funding, to provide decent affordable housing. \$66,300

**Code Enforcement:** 12,196 households, in low- and moderate-income areas throughout the City, will have the benefit of CDBG to fund code enforcement activities to provide a suitable living environment. \$64,000

**General Administration:** All 22,616 Wyoming households will have affordable administration of HUD programs for the purpose of providing a suitable living environment. \$140,386

**HUD Continuum of Care - Administration:** All 22,616 Wyoming households will have access to affordable administration through the Heart of West Michigan United Way to support the Coalition to End Homelessness goals for the purpose of preventing homelessness and providing decent affordable housing. \$5,000

### **Recommendation**

It is recommended that the City Council adopt the City of Wyoming's 2023-2024 Annual Action Plan, as recommended by the Wyoming Community Development Committee as described above and affirm that any increase or decrease in funding to match actual allocation amounts will be equitably divided between programs and adjust based upon HUD mandated formula caps.

CITY OF  
**Wyoming**  
MICHIGAN



City of Wyoming

Year Three 2023-2024 Annual Action Plan

Community Development Block Grant  
Wyoming, Michigan

# Executive Summary

## AP-05 Executive Summary - 91.200(c), 91.220(b)

### 1. Introduction

The City of Wyoming, along with the City of Grand Rapids and Kent County, adopted the 2021-2026 Wyoming Regional Consolidated Plan. The City of Wyoming's 2023-2024 Third Program Year Action Plan is based upon the adopted Consolidated Plan's goals, objectives and priority needs. This Action Plan outlines the programs to be initiated in the upcoming fiscal year.

The City of Wyoming has \$1,676,183.08 available for the Community Development Program during this period, inclusive of both CDBG and CDBG-CV funds. This amount consists of \$550,000.00 in an annual CDBG entitlement grant from HUD, \$96,922.91 in CDBG-CV entitlement carryover, \$7,265.00 in carryover funds from 2019-2020, \$24,114.14 in carryover funds from 2020-2021, \$410,282.63 in carryover from 2021-2022, \$410,664.45 in CDBG entitlement carryover from fiscal year 2022-2023, and \$176,933.65 from anticipated program income.

The City is filing a substantial amendment to both the 2021-2026 Consolidated Housing and Community Development Plan and the 2023-2024 Year Three Annual Action Plan in line with its adopted Citizen Participation Plan in order to add Property Acquisition into both Plans.

### 2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The following is a list of activities to be funded for fiscal year 2023-2024:

**Clearance/Demolition:** 1 homeowner, with low/moderate-income, will have dilapidated structure demolition grants, including garages, porches and fencing, to provide a suitable living environment.

**Public Services- Family Promise Re-Housing Financial Assistance:** 10 low-income families moving out of homelessness and into housing will receive short-term rental assistance, to prevent homelessness and provide decent affordable housing.

**Public Services – Family Promise Re-Housing Stabilization Services:** 10 low-income families shall receive support services to maintain housing and build assets to support self-sufficiency, prevent homelessness and provide decent affordable housing.

**Public Services – Legal Aid of West Michigan:** 112 low-income persons or families pending eviction have the benefit of legal services, provided by Legal Aid of West Michigan, for the purpose of preventing homelessness and providing decent affordable housing.

**Public Services - Fair Housing:** 12,196 households, in low and moderate-income areas throughout the City, will have access to fair housing complaint investigations and fair housing training to provide decent affordable housing.

**Capital Outlay and Public Infrastructure:** 22,616 Wyoming residents in low/moderate-income areas will benefit from enhanced sidewalk crossings and renovations to City park and other public facilities, leading to increased traffic safety, enjoyment of City parks and other City facilities.

**Property Acquisition:** 22,616 Wyoming residents that live within low/moderate- income areas will benefit from property acquisition activities with the intention to remove blight or allow for the possibility of the addition of new housing units. This is a new activity.

**Property Disposition:** 22,616 Wyoming residents that live within low/moderate- income areas will benefit from property Disposition activities with the intention to remove blight or allow for the possibility of the addition of new housing units. This is a new activity.

**Rehabilitation - Single Unit Residential:** 10 housing units, with low/moderate-income families, will have home repair loans and deferred loans to provide decent affordable housing.

**Rehabilitation - Home Repair Services:** 50 low/moderate-income households will have services such as minor home repairs and accessibility modifications, to provide decent affordable housing.

**Rehabilitation - Administration:** 11 housing units, with low/moderate-income families, will have affordable administration of housing rehabilitation funding, to provide decent affordable housing.

**Code Enforcement:** 12,196 households, in low- and moderate-income areas throughout the City, will have the benefit of CDBG to fund code enforcement activities to provide a suitable living environment.

**General Administration:** All 22,616 Wyoming households will have affordable administration of HUD programs for the purpose of providing a suitable living environment.

**HUD Continuum of Care - Administration:** All 22,616 Wyoming households will have access to affordable administration through the Heart of West Michigan United Way to support the Coalition to

End Homelessness goals for the purpose of preventing homelessness and providing decent affordable housing.

**Public Services - ICCF Re-Housing Financial Assistance:** 3 low-income families moving out of homelessness and into housing, will receive short-term rapid rehousing, rental assistance and case management to prevent homelessness and provide decent affordable housing.

### 3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City of Wyoming recognizes that the evaluation of past performance plays a critical role in ensuring that effective programs are implemented that align with its long-range goals. The following includes past spending performance of activities from July 1, 2022 through June 30, 2023. A total of \$496,904.60 was spent.

**Rehabilitation-Single Unit Residential:** We spent a total of \$97,804.00 for the rehabilitation of 6 low/mod housing units, issuing 3 housing rehab loans and 3 deferred loans.

**Public Services- Rental Assistance:** We spent a total of \$11,426.00 for short-term rental assistance, administered by The Salvation Army Social Services. A total of 7 low-income persons were assisted.

**Code Enforcement:** We spent a total of \$64,205.34 to provide households in low/moderate-income areas throughout the City with the benefit of CDBG monies to fund code enforcement activities. There were a total of 541 housing units receiving code violations, with 541 of these corrected.

**Clearance/Demolition:** We spent \$0 to assist low/moderate income homeowners with free needed dilapidated structure demolition grants. We spent \$0 in CDBG funds on this activity.

**Public Services–Family Promise Re-Housing Financial Assistance:** We spent a total of \$25,306.93 to assist low-income families moving out of homelessness and into stabilized housing through the benefit of short-term rental assistance. These funds were administered by Family Promise of Grand Rapids. A total of 21 low-income families were assisted.

**Public Services–Family Promise Re-Housing Stabilization Services:** We spent a total of \$20,000.00 to assist low-income families to help maintain permanent housing and support self-sufficiency. These funds were administered by Family Promise of Grand Rapids. A total of 18 low-income families were assisted.

**Public Services–Fair Housing:** We spent a total of \$6,189.40 to assist low/moderate-income area households throughout the city to have access to fair housing complaint investigation services and fair housing training.

**Rehabilitation–Administration:** We spent a total of \$38,151.71 to provide 6 low/moderate-income families with affordable administration of housing rehabilitation funding, issuing 3 home rehab loans and 3 deferred loans.

**Rehabilitation-Home Repair Services:** We spent a total of \$52,171.25 to provide low/moderate-income households with affordable services such as minor home repairs and accessibility modifications. A total of 49 low/moderate-income households were assisted.

**General Administration:** We spent a total of \$71,215.43 to assist all Wyoming residents with affordable administration of HUD programs.

**HUD Continuum of Care–Administration:** We spent a total of \$5,000.00 to assist all Wyoming residents with access to affordable administration through the Heart of West Michigan United Way to support the Coalition to End Homelessness goals.

#### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

The citizen participation process for the 2023-2024 Year Three Annual Action Plan was completed according to the adopted City of Wyoming Citizen Participation Plan, and consisted of the following:

A public hearing notice was published in the Grand Rapids Press newspaper on March 21, 2023, announcing the upcoming meeting and public hearing of the Wyoming Community Development Committee (WCDC) on March 15, 2023.

The WCDC met on March 15, 2023 and discussed needs, funding and possible activities. A public hearing was held, and there was no public comment. The Committee recommended approval of the 2023-2024 Annual Action Plan to the Wyoming City Council.

On March 20, 2023, the Wyoming City Council met and set the date of May 1, 2023 to hold a public hearing for the Annual Action Plan.

On March 21, 2023 the Availability for Public Review of the One Year Action Plan notice and notice of public hearing on the 2023-2024 One Year Action Plan was published in the Grand Rapids Press newspaper. This notice was also posted at the Wyoming Public Library and sent to 111 interested parties, representing public officials, media (including Spanish speaking radio and newspapers), public

service agencies, school districts, subrecipients, minority organizations and other stakeholders, requesting comment and announcing the upcoming public hearing on May 1, 2023 concerning the Annual Action Plan.

On May 1, 2023 a public hearing was held during the City Council meeting. There was no public comment. Accordingly, the City Council approved the 2023-2024 Annual Action Plan on May 1, 2023.

A notice of intent to request release of funds and notice of finding of no significant impact regarding the 2023-2024 Environmental Reviews were published in the Grand Rapids Press newspaper on May 2, 2023, providing the public the opportunity to submit comments regarding the environmental review documentation for 15 days. A notice of the final annual action plan was also published on May 2, 2023, notifying the public that the annual action plan would be submitted no later than 60 days after allocations are released.

No further public comments were obtained.

The citizen participation process for the substantial amendment to the 2023-2024 Year Three Annual Action Plan was completed according to the adopted City of Wyoming Citizen Participation Plan, and consisted of the following:

The Wyoming Community Development Committee approved the proposed amendment at its meeting on November 16<sup>th</sup>, 2022. On December 5, 2022, the Wyoming City Council set the date of January 16, 2023 as the date of the public hearing on the proposed amendment. The amendments were approved on January 16<sup>th</sup>, 2023, both amendments were filed.

## **5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

The citizen participation process for the Annual Action Plan and both amendments were completed according to the adopted City of Wyoming Citizen Participation Plan. A detailed explanation is found in (4) above.

## **6. Summary of comments or views not accepted and the reasons for not accepting them**

No comments were received.

## **7. Summary**

See Summary of public comments above.

DRAFT

**PR-05 Lead & Responsible Agencies - 91.200(b)**

**1. Agency/entity responsible for preparing/administering the Consolidated Plan**

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

<b>Agency Role</b>	<b>Name</b>	<b>Department/Agency</b>
Lead Agency	WYOMING	
CDBG Administrator	WYOMING	Community Development
HOPWA Administrator		
HOME Administrator		
HOPWA-C Administrator		

**Table 1 – Responsible Agencies**

**Narrative**

The Lead Agency is the City of Wyoming. The daily CDBG activities will be handled by the Community Services Department’s - Community Development staff. Like typical municipal governments, the City Council acts as the legislative and policy-making voice of the city. As part of its activities, the City Council adopts the Five-Year Regional Consolidated Plan and approves the annual submittal of City Annual Action Plans for CDBG funding. As the chief administrator, the City Manager is responsible for the day-to-day operations of the city, including the implementing of the policies and programs of the City Council.

Community Services Department:

The Director of Community and Economic Development and Community Development Specialist serve as staff to the Wyoming Community Development Committee (WCDC). The Director of Community and Economic Development directs and supervises programs and activities related to the Annual Action Plan and CDBG expenditures. The Community Development Specialist acts as Secretary to the WCDC, advises the Director of Community and Economic Development of, and implements as required, Community Development Block Grant (CDBG) regulations,

recommended best practices, and other regulatory requirements to ensure program compliance with necessary local, state, and federal administrative and statutory law. The Community

Development Specialist and Building Inspector (assigned as the Building Rehabilitation Specialist) work to process cases for Housing Rehabilitation programs. A Rehabilitation Committee, made up of the Community Services Director, Building Inspections Supervisor and City Planner, approve all housing rehabilitation applications and clearance/demolition applications.

Community Development Committee:

Relative specifically to this Annual Action Plan and CDBG funding, the Wyoming Community Development Committee (WCDC), a Council-appointed group made up of Wyoming residents, serves as an advisory body to the Director of Community and Economic Development, the City Manager and the City Council. This group also recommends the approval of the Five-Year Regional Consolidated Plan and recommends the Annual Action Plan and its related annual CDBG budget to the City Council. During the budgeting process, this group interviews sub-recipient applicants and recommends priorities for funding.

Other City Groups:

There is an Interdepartmental Agreement with the City's Inspections office relative to funding Code Enforcement. Relative to other city groups potentially involved with the Annual Action Plan, the list includes the Wyoming Housing Commission, the Downtown Development Authority, the Parks and Recreation Commission, the Public Works Department and Parks and Recreation staff.

Kent County

The City will continue its consortium agreement with Kent County allowing them to receive and administer Wyoming's federal entitlement of HOME dollars.

**Consolidated Plan Public Contact Information**

Nicole Hofert, Director of Community and Economic Development



## **AP-10 Consultation - 91.100, 91.200(b), 91.215(l)**

### **1. Introduction**

During the Consolidated Plan process, there was engagement with residents and community organizations in the identification of housing and community development needs and priorities. This process included stakeholder interviews, surveys and stakeholder focus groups. The City of Wyoming continues to reach out and consult with public and private agencies during the Annual Action Plan process. Our Subrecipients of CDBG funds are non-profit agencies, including the Fair Housing Center of West Michigan who provides fair housing testing and complaint investigative services; Home Repair Services who provides minor home repairs and accessibility modifications; The Heart of West Michigan United Way who provides affordable HUD Continuum of Care administration to support the Coalition to End Homelessness; Legal Aid of West Michigan, who provides legal advice for eviction proceedings and landlord-tenant issues; Family Promise of Grand Rapids who provides re-housing financial assistance and stabilization services for low-income families moving out of homelessness; and the Inner-City Christian Federation (ICCF) who provides re-housing financial assistance for low-income families. Two new activities were added this year. The first is Legal Aid of West Michigan as discussed above. The second addition is property disposition for the purposes of blight remediation and to allow for development of new housing units in a low/moderate income area.

#### **Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).**

The City will continue to work with other City departments, neighboring cities, Kent County and area housing non-profits, such as the Fair Housing Center of West Michigan, Home Repair Services, The Heart of West Michigan United Way, Legal Aid of West Michigan, Family Promise of Grand Rapids and ICCF. The City also works with the Disability Advocates of Kent County. In addition, the Director of Community and Economic Development is active with the Grand Rapids Area Coalition to End Homelessness/HUD Continuum of Care to address issues of homelessness and affordable housing and the Kent County Essential Needs Task Force.

#### **Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

See comments above regarding funding HUD Continuum of Care administration, Family Promise of Grand Rapids and ICCF. The City of Wyoming does not receive ESG funds.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

The City of Wyoming does not receive ESG funding.

**2. Agencies, groups, organizations and others who participated in the process and consultations**

**Table 2 – Agencies, groups, organizations who participated**

1	<b>Agency/Group/Organization</b>	Fair Housing Center of West Michigan
	<b>Agency/Group/Organization Type</b>	Service-Fair Housing Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Fair Housing
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Fair Housing Center of West Michigan will provide fair housing complaint investigation services and fair housing training. This organization was previously consulted as part of our updated Regional Consolidated Plan. They also report to the Wyoming Community Development Committee annually and discuss goals and outcomes.
2	<b>Agency/Group/Organization</b>	Home Repair Services of Kent County Inc.
	<b>Agency/Group/Organization Type</b>	Housing Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Rehabilitation
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Home Repair Services provides minor home repairs and accessibility modifications. This organization was previously consulted as part of our Consolidated Housing and Community Development Plan. They also make a presentation to the Community Development Committee annually and discuss goals and outcomes.
3	<b>Agency/Group/Organization</b>	Legal Aid of West Michigan
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Regional organization

	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Funding will be provided to Legal Aid of West Michigan, who will provide legal assistance to low-income persons pending eviction for the purpose of preventing homelessness. This organization reports to the Community Development Committee and discussed its goals and projected outcomes.
4	<b>Agency/Group/Organization</b>	Heart of West Michigan United Way
	<b>Agency/Group/Organization Type</b>	Housing Services-homeless Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Heart of West Michigan United Way provides affordable HUD Continuum of Care administration to support the Coalition to End Homelessness goals. The Director of Community and Economic Development is active with the Grand Rapids Area Coalition to End Homelessness/HUD Continuum of Care. They report annually to the Community Development Committee and discuss goals and outcomes.

5	<b>Agency/Group/Organization</b>	Grand Rapids Area Coalition to End Homelessness
	<b>Agency/Group/Organization Type</b>	Housing Services-homeless Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Director of Community and Economic Development is active with this organization. The City of Wyoming supports the Coalition to End Homelessness goals.
6	<b>Agency/Group/Organization</b>	Family Promise of Grand Rapids
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-homeless
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Funding will be provided for low-income families moving out of homelessness and into stabilized housing.
7	<b>Agency/Group/Organization</b>	ICCF NONPROFIT HOUSING CORP
	<b>Agency/Group/Organization Type</b>	Housing Services-homeless Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Funding has been provided to ICCF in previous fiscal years as well as this one. This organization reports to the Community Development Committee and discussed its goals and projected outcomes.

**Identify any Agency Types not consulted and provide rationale for not consulting**

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	The Heart of West Michigan United Way	Affordable HUD Continuum of Care administration to support the Coalition to End Homelessness goals.

**Table 3 - Other local / regional / federal planning efforts**

**Narrative**

Agencies seeking to become Subrecipients made presentations to the Wyoming Community Development Committee during the 2023-2024 Letter of Intent Application process. This process guided the development of the Annual Action Plan and the allocation of funds. In reviewing these applications, the Committee also reviewed the results and outcomes from prior years and the priority needs of the Consolidated Plan. With this information, the Committee and staff developed a preliminary plan and list of projects for public review. A public hearing was conducted by the Wyoming Community Development Committee who made a recommendation to the City Council, who also held a public hearing to accept the Plan and receive additional comments. The City continues to expand its public outreach opportunities to Subrecipients in order to provide greater access to available funding. The request for Letters of Intent was distributed to over 50 local organizations.

## **AP-12 Participation - 91.401, 91.105, 91.200(c)**

### **1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

The citizen participation process for the Annual Action Plan was completed according to the adopted City of Wyoming Citizen Participation Plan. The Citizen Participation Plan was recently amended and includes the implementation of the Assessment of Fair Housing final rule.

The citizen participation process consisted of:

A public hearing notice was published in the Grand Rapids Press newspaper on February 23, 2022, announcing the upcoming meeting and public hearing of the Wyoming Community Development Committee (WCDC) on March 15, 2023.

The WCDC met on March 15, 2023 and discussed needs, funding and possible activities. A public hearing was held, and there was no public comment. The Committee recommended approval of the Annual Plan to the Wyoming City Council.

On March 20, 2023, the Wyoming City Council met and set the date of May 1, 2023 to hold a public hearing for the Annual Plan.

On March 21, 2023 the Availability for Public Review of the One Year Action Plan notice was published in the Grand Rapids Press newspaper. This notice was also posted at the Wyoming Public Library and sent to over 100 interested parties, representing public officials, media (including Spanish speaking radio and newspapers), public service agencies, school districts, subrecipients, minority organizations and other stakeholders, requesting comment and announcing the upcoming public hearing on May 1, 2023 concerning the Annual Action Plan.

A public hearing notice was published in the Grand Rapids Press newspaper on March 21, 2023, which announced that the Annual Plan would be discussed by the Wyoming City Council at the public hearing on May 1, 2023.

On May 1, 2023 a public hearing was held. There was no public comment. Also, on May 1, 2023 the City Council approved the 2023-2024 Annual Action Plan.

On April 18, 2022, the Notice of Finding of No Significant Impact and Intent to Request Release of Funds was published in the Grand Rapids Press, along with instructions on how to provide comment on the Environmental Reviews for fifteen days following this date. No public comment was received.

On April 18, 2022, a notice was published in the Grand Rapids Press newspaper that announced approval of the plan by the City Council and that the plan would be submitted to HUD within 60 days after the date allocations are announced.

A notice of intent to request release of funds and notice of finding of no significant impact regarding the 2023-2024 Environmental Reviews were published in the Grand Rapids Press newspaper on May 30, 2023, providing the public the opportunity to submit comments regarding the environmental review documentation for 15 days. A notice of the final annual action plan was also published on May 30, 2023, notifying the public that the annual action plan would be submitted no later than 60 days after allocations are released.

No further public comments were obtained.

The citizen participation process for the substantial amendment to the 2022-2023 Year Three Annual Action Plan was as follows:

The Wyoming Community Development Committee approved the proposed amendment at its meeting on November 16th 2022. On December 5, 2022, the Wyoming City Council set the date of January 16, 2023 as the date of the public hearing on the proposed amendment. A notice of hearing and notice of availability of the draft amendments was published on December 6, 2022.

The public hearing on the amendment was held at the Council meeting on January 16, 2023, no public comment was received. Council approved the proposed amendment.

**Citizen Participation Outreach**

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Public Hearing	Non-English Speaking - Specify other language: Spanish  Persons with disabilities  Non-targeted/broad community	None	None	None	
2	Newspaper Ad	Non-targeted/broad community	None	None	None	
3	Internet Outreach	Non-targeted/broad community	None	None	None	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
4	Letters to Interested Parties	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	None	None	None	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
5	Public Meeting	Non-English Speaking - Specify other language: Spanish  Persons with disabilities  Non-targeted/broad community  Residents of Public and Assisted Housing	None	None	None	

**Table 4 – Citizen Participation Outreach**

## Expected Resources

### AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

#### Introduction

The City of Wyoming expects to have \$1,676,183.08 available for the Community Development Program during this period, inclusive of both CDBG and CDBG-CV funds. This amount consists of \$550,000.00 in an annual CDBG entitlement grant from HUD, \$96,922.91 in CDBG-CV entitlement carryover, \$7,265.00 in carryover funds from 2019-2020, \$24,114.14 in carryover funds from 2020-2021, \$410,282.63 in carryover from 2021-2022, \$410,664.45 in CDBG entitlement carryover from fiscal year 2022-2023, and \$176,933.65 from anticipated program income.

**Anticipated Resources**

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	550,000	176,933	949,249.13	1,676,183	2,799,250	Block grant from U.S. Department of Housing and Urban Development to address housing, community development and economic development needs.

**Table 5 - Expected Resources – Priority Table**

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

The City of Wyoming has a consortium agreement with the County of Kent allowing them to receive and administer Wyoming's federal entitlement of HOME dollars as part of the Kent County-Wyoming HOME Consortium. The City of Wyoming has input on its share of the funds and its related applications from area developers. All data related to City of Wyoming HOME funds will be reported by Kent County staff and is not included in this Action Plan in order to avoid duplicate reporting of data to HUD. The County of Kent is responsible, by executed agreement, to obtain all necessary match funds for HOME. The City of Wyoming does provide documentation of match related to public infrastructure investments directly attributed to HOME projects within the City of Wyoming.

**If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

Not applicable.

**Discussion**

The City of Wyoming expects to have \$1,676,183.08 available for the Community Development Program during this period, inclusive of both CDBG and CDBG-CV funds. This amount consists of \$550,000.00 in an annual CDBG entitlement grant from HUD, \$96,922.91 in CDBG-CV entitlement carryover, \$7,265.00 in carryover funds from 2019-2020, \$24,114.14 in carryover funds from 2020-2021, \$410,282.63 in carryover from 2021-2022, \$410,664.45 in CDBG entitlement carryover from fiscal year 2022-2023, and \$176,933.65 from anticipated program income.

## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Increase Access to Affordable Housing Options	2021	Nb 22026	Affordable Housing	City-Wide Low/Mod Income Families	Maintain Housing Stock and Housing Rehabilitation Homelessness Access to Affordable Owner Housing Access to Affordable Rental Housing Fair Housing and Consumer Legal Services Supportive and Community Services Clearance of Blighted Structures Community Health and Safety	CDBG: \$143,750	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 12196 Households Assisted Tenant-based rental assistance / Rapid Rehousing: 45 Households Assisted Homelessness Prevention: 75839 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
2	Provide Suitable Living Environments	2021	2026	Affordable Housing Non-Housing Community Development	City-Wide Low/Mod Income Families	Maintain Housing Stock and Housing Rehabilitation Supportive and Community Services Clearance of Blighted Structures Community Health and Safety	CDBG: \$612,633	Homeowner Housing Rehabilitated: 71 Household Housing Unit Buildings Demolished: 3 Buildings
3	Enhance Infrastructure and Public Facilities	2021	2026	Non-Housing Community Development	All Low/Moderate-Income Areas	Community Health and Safety Public Infrastructure and Facility Improvements	CDBG: \$207,496	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 22196 Persons Assisted

**Table 6 – Goals Summary**

### Goal Descriptions

1	<b>Goal Name</b>	Increase Access to Affordable Housing Options
	<b>Goal Description</b>	One of the primary goals of the City is to create, rehabilitate and preserve owner- and renter-occupied housing. This will be accomplished through tenant based rental assistance, rapid rehousing activities, fair housing enforcement, property acquisition, and homelessness prevention.  Matrix Codes: 1, 05J, 05Q, 14A, 14F, 14H,
2	<b>Goal Name</b>	Provide Suitable Living Environments
	<b>Goal Description</b>	The City of Wyoming will utilize Code Enforcement, Clearance/Demolition, and home rehabilitation and access modification activities to accomplish this goal. There will be improved public health and safety, reduced blighting influences, and improved property values through code enforcement and clearance of blighted structures along with home rehabilitation.  Matrix Codes: 15, 04
3	<b>Goal Name</b>	Enhance Infrastructure and Public Facilities
	<b>Goal Description</b>	Enhance publicly owned facilities and infrastructure that improves the community and neighborhoods, such as parks, streets, sidewalks, streetscapes and other public infrastructure and facilities, including improving accessibility to meet American with Disabilities Act (ADA) standards.  Matrix Codes:
4	<b>Goal Name</b>	Increase Access to Vital Public Services
	<b>Goal Description</b>	Enhance access to public services by funding activities that support special needs and low-to-moderate income households in the community.



## AP-35 Projects - 91.420, 91.220(d)

### Introduction

The City of Wyoming plans to use CDBG funds to accomplish projects in the areas of Housing Rehabilitation, Code Enforcement, Clearance/Demolition, Capital Outlay, and Public Services. Affordable housing and homeless needs have been given high priority.

#	Project Name
1	Clearance/Demolition
2	Public Services-Family Promise Re-Housing Financial Assistance
3	Public Services-Family Promise Re-Housing Stabilization Services
4	Public Services – Legal Aid of West Michigan
5	Public Services - Fair Housing
6	Capital Outlay and Public Infrastructure
7	Rehabilitation-Single Unit Residential
8	Rehabilitation-Home Repair Services
9	Rehabilitation-Administration
10	Code Enforcement
11	General Administration
12	HUD Continuum of Care - Administration
13	Public Services-ICCF Re-Housing Financial Assistance
14	2023-2024 Property Disposition
15	2023-2024 Property Acquisition

**Table 7 – Project Information**

### **Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

Funding priorities have been outlined in the 2021-2026 City of Wyoming Consolidated Housing and Community Development Plan. All projects to be funded in this Action Plan are ranked as high priority need for the City of Wyoming in the Consolidated Plan. Staff capacity, regulatory requirements and funding limitations are the obstacles to addressing underserved needs.

**AP-38 Project Summary**  
**Project Summary Information**

<b>1</b>	<b>Project Name</b>	Clearance/Demolition
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Provide Suitable Living Environments
	<b>Needs Addressed</b>	Clearance of Blighted Structures Community Health and Safety
	<b>Funding</b>	CDBG: \$10,000
	<b>Description</b>	1 homeowner with low/moderate-income families, would have free needed dilapidated structure demolition grants, including, but not limited to, garages, porches and fencing, for the purpose of providing a suitable living environment.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1 homeowner with low/moderate income
	<b>Location Description</b>	The City of Wyoming - households with low or moderate income
<b>Planned Activities</b>	1 homeowner, with low/moderate-income families, would have free needed dilapidated structure demolition grants, including, but not limited to, garages, porches and fencing, for the purpose of providing a suitable living environment.	
<b>2</b>	<b>Project Name</b>	Public Services-Family Promise Re-Housing Financial Assistance
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Increase Access to Affordable Housing Options
	<b>Needs Addressed</b>	Homelessness Access to Affordable Rental Housing
	<b>Funding</b>	CDBG: \$15,000
	<b>Description</b>	10 low-income families moving out of homelessness and into stabilized housing receive the benefit of short-term rental assistance, administered by Family Promise of Grand Rapids, for the purpose of preventing homelessness and providing decent affordable housing.
	<b>Target Date</b>	6/30/2024

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	10 families with low/moderate income
	<b>Location Description</b>	The City of Wyoming - households with low or moderate income.
	<b>Planned Activities</b>	10 low-income families moving out of homelessness and into stabilized housing receive the benefit of short-term rental assistance, administered by Family Promise of Grand Rapids, for the purpose of preventing homelessness and providing decent affordable housing.
<b>3</b>	<b>Project Name</b>	Public Services-Family Promise Re-Housing Stabilization Services
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Increase Access to Affordable Housing Options
	<b>Needs Addressed</b>	Homelessness Access to Affordable Rental Housing
	<b>Funding</b>	CDBG: \$10,000
	<b>Description</b>	10 low-income families receive support services to help maintain permanent housing and build assets to support self-sufficiency, administered by Family Promise of Grand Rapids, for the purpose of preventing homelessness and providing decent affordable housing.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	10 families with low/moderate income
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	10 low-income families receive support services to help maintain permanent housing and build assets to support self-sufficiency, administered by Family Promise of Grand Rapids, for the purpose of preventing homelessness and providing decent affordable housing.
<b>4</b>	<b>Project Name</b>	Public Services – Legal Aid
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Increase Access to Affordable Housing Options
	<b>Needs Addressed</b>	Homelessness Access to Affordable Rental Housing

	<b>Funding</b>	CDBG: \$60,000
	<b>Description</b>	112 low-income persons or families pending eviction have the benefit of legal services, provided by Legal Aid of West Michigan, for the purpose of preventing homelessness and providing decent affordable housing.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	112 families with low/moderate income
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	112 low-income persons or families pending eviction have the benefit of legal services, provided by Legal Aid of West Michigan, for the purpose of preventing homelessness and providing decent affordable housing.
5	<b>Project Name</b>	Public Services - Fair Housing
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Increase Access to Affordable Housing Options
	<b>Needs Addressed</b>	Fair Housing and Consumer Legal Services
	<b>Funding</b>	CDBG: \$8,750
	<b>Description</b>	12,196 households, in low/moderate-income areas throughout the City, have the benefit of access to fair housing complaint investigation services and fair housing training for the purpose of providing decent affordable housing.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	12,196 households with low/moderate income
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	12,196 households, in low/moderate-income areas throughout the City, have the benefit of access to fair housing complaint investigation services and fair housing training for the purpose of providing decent affordable housing.

<b>6</b>	<b>Project Name</b>	Capital Outlay and Public Infrastructure
	<b>Target Area</b>	All Low/Moderate-Income Areas
	<b>Goals Supported</b>	Enhance Infrastructure and Public Facilities
	<b>Needs Addressed</b>	Community Health and Safety Public Infrastructure and Facility Improvements
	<b>Funding</b>	CDBG: \$207,496
	<b>Description</b>	22,616 Wyoming residents that live within low/moderate-income areas have the benefit of enhanced sidewalk crossings and updates and renovations to City park and other public facilities, leading to increased traffic safety, public enjoyment of City parks and other City facilities.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	22,616 families with low/moderate income
	<b>Location Description</b>	City of Wyoming low/moderate income areas.
<b>Planned Activities</b>	22,616 Wyoming residents that live within low/moderate-income areas have the benefit of enhanced sidewalk crossings and updates and renovations to City park and other public facilities, leading to increased traffic safety, public enjoyment of City parks and other City facilities.	
<b>7</b>	<b>Project Name</b>	Rehabilitation-Single Unit Residential
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Provide Suitable Living Environments
	<b>Needs Addressed</b>	Maintain Housing Stock and Housing Rehabilitation
	<b>Funding</b>	CDBG: \$418,633
	<b>Description</b>	10 housing units, with low/moderate-income families, will have affordable needed housing repair loans and deferred loans for the purpose of providing decent affordable housing
	<b>Target Date</b>	6/30/2024

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	10 families with low/moderate income
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	10 housing units, with low/moderate-income families, will have affordable needed housing repair loans and deferred loans for the purpose of providing decent affordable housing.
8	<b>Project Name</b>	Rehabilitation-Home Repair Services
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Provide Suitable Living Environments
	<b>Needs Addressed</b>	Maintain Housing Stock and Housing Rehabilitation
	<b>Funding</b>	CDBG: \$90,000
	<b>Description</b>	50 low/moderate-income families, have affordable services such as minor home repairs and accessibility modifications, for the purpose of providing decent affordable housing.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	50 families with low/moderate income
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	50 low/moderate-income families, have affordable services such as minor home repairs and accessibility modifications, for the purpose of providing decent affordable housing.
9	<b>Project Name</b>	Rehabilitation-Administration
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Provide Suitable Living Environments
	<b>Needs Addressed</b>	Maintain Housing Stock and Housing Rehabilitation
	<b>Funding</b>	CDBG: \$66,300
	<b>Description</b>	10 housing units, with low/moderate-income families, have affordable administration of housing rehabilitation funding for the purpose of providing decent affordable housing.

	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	10 families with low/moderate income
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	10 housing units, with low/moderate-income families, have affordable administration of housing rehabilitation funding for the purpose of providing decent affordable housing.
<b>10</b>	<b>Project Name</b>	Code Enforcement
	<b>Target Area</b>	All Low/Moderate-Income Areas
	<b>Goals Supported</b>	Provide Suitable Living Environments
	<b>Needs Addressed</b>	Clearance of Blighted Structures Community Health and Safety
	<b>Funding</b>	CDBG: \$64,000
	<b>Description</b>	12,196 households, in low and moderate income areas throughout the City, have the benefit of CDBG monies to fund code enforcement activities for the purpose of providing a suitable living environment.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	12,196 families with low/moderate income
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	12,196 households, in low and moderate income areas throughout the City, have the benefit of CDBG monies to fund code enforcement activities for the purpose of providing a suitable living environment.
<b>11</b>	<b>Project Name</b>	General Administration
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Increase Access to Affordable Housing Options
	<b>Needs Addressed</b>	Clearance of Blighted Structures Community Health and Safety
	<b>Funding</b>	CDBG: \$140,386

	<b>Description</b>	All (28,527) Wyoming households have access to affordable administration of HUD programs for the purpose of providing a suitable living environment.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	28,527
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	All (28,527) Wyoming households have access to affordable administration of HUD programs for the purpose of providing a suitable living environment.
<b>12</b>	<b>Project Name</b>	HUD Continuum of Care - Administration
	<b>Target Area</b>	City-Wide Low/Mod Income Families
	<b>Goals Supported</b>	Increase Access to Affordable Housing Options
	<b>Needs Addressed</b>	Homelessness Supportive and Community Services
	<b>Funding</b>	CDBG: \$5,000
	<b>Description</b>	All (28,527) Wyoming households have access to affordable administration through the Heart of West Michigan United Way to support the Coalition to End Homelessness goals for the purpose of preventing homelessness and providing decent affordable housing.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	28,527
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	All (28,527) Wyoming households have access to affordable administration through the Heart of West Michigan United Way to support the Coalition to End Homelessness goals for the purpose of preventing homelessness and providing decent affordable housing.
<b>13</b>	<b>Project Name</b>	Public Services-ICCF Re-Housing Financial Assistance
	<b>Target Area</b>	City-Wide Low/Mod Income Families

	<b>Goals Supported</b>	Increase Access to Affordable Housing Options
	<b>Needs Addressed</b>	Access to Affordable Rental Housing
	<b>Funding</b>	CDBG: \$10,000
	<b>Description</b>	3 low-income families moving out of homelessness and into stabilized housing receive the benefit of short-term rapid rehousing and rental assistance and case management, administered by the Inner City Christian Federation, for the purpose of preventing homelessness and providing decent affordable housing.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	3 families with low/moderate income
	<b>Location Description</b>	City of Wyoming
	<b>Planned Activities</b>	3 low-income families moving out of homelessness and into stabilized housing receive the benefit of short-term rapid rehousing and rental assistance and case management, administered by the Inner City Christian Federation, for the purpose of preventing homelessness and providing decent affordable housing.
<b>14</b>	<b>Project Name</b>	2023-2024 Property Disposition
	<b>Target Area</b>	All Low/Moderate-Income Areas
	<b>Goals Supported</b>	Increase Access to Affordable Housing Options
	<b>Needs Addressed</b>	Access to Affordable Owner Housing Access to Affordable Rental Housing
	<b>Funding</b>	CDBG: \$10,000
	<b>Description</b>	Real property in low/moderate income areas purchased with CDBG funds will be conveyed to a non-profit for the purposes of allowing for the creation of additional housing units and remediate blight in the LMA.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	28,527

	<b>Location Description</b>	1038 and 1042 Burton Street, Wyoming, MI, 49509
	<b>Planned Activities</b>	Real property in low/moderate income areas purchased with CDBG funds will be conveyed to a non-profit for the purposes of allowing for the creation of additional housing units and remediate blight in the LMA.
<b>15</b>	<b>Project Name</b>	2023-2024 Property Acquisition
	<b>Target Area</b>	All Low/Moderate-Income Areas
	<b>Goals Supported</b>	Increase Access to Affordable Housing Options
	<b>Needs Addressed</b>	Access to Affordable Owner Housing Access to Affordable Rental Housing
	<b>Funding</b>	CDBG: \$30,000
	<b>Description</b>	Real property in low/moderate income areas will be purchased for the purposes of allowing for the creation of additional housing units and remediate blight in the LMA.
	<b>Target Date</b>	6/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	28,527
	<b>Location Description</b>	City of Wyoming low/moderate income areas. Actual parcel addresses are not known at this time.
<b>Planned Activities</b>	Real property in low/moderate income areas will be purchased for the purposes of allowing for the creation of additional housing units and remediate blight in the LMA.	

## **AP-50 Geographic Distribution - 91.420, 91.220(f)**

### **Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

As stated in the Consolidated Plan, the City of Wyoming has a lower median income than the balance of Kent County. Nearly 65% of all Wyoming households have incomes between 0-80% AMI. Of the households that are between 0-80% AMI, 24% are extremely low-income, 26% are low-income, and 48% are moderate-income.

In reference to minority concentration, the Consolidated Plan also states that the concentration of Non-White population is in the downtown and northern areas of the city. 22.8% of Wyoming's population is Hispanic/Latino according to the 2018 Five-Year ACS data, which is a 3.4% increase over the 2000 level.

The northern and eastern areas of the city contain the oldest housing units, and housing rehabilitation does regularly occur in both areas based on need and demand.

### **Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
All Low/Moderate-Income Areas	60
City-Wide Low/Mod Income Families	40
City-Wide	

**Table 8 - Geographic Distribution**

### **Rationale for the priorities for allocating investments geographically**

Basis of allocating funds in geographic areas:

- Our CDBG housing activities are available only to eligible low/moderate income households throughout the City.
- Clearance of dilapidated structures, including, but not limited to, garages, porches and fencing, are available only to eligible low/moderate income households throughout the City.
- Code Enforcement and Fair Housing activities are only eligible in low/moderate income areas.
- Rental Assistance is available city-wide to low/moderate income persons pending eviction.
- Rapid Re-Housing Financial Assistance and Stabilization Services are available city-wide to low/moderate income families moving out of homelessness and into stabilized housing.
- Other Services - Domestic Violence Counseling is available city-wide to low/moderate income

persons

- Property Acquisition is available only in low/moderate income areas of the City.

### **Discussion**

Geographic distributions of funding are in line with the intended activities' eligibility requirements.



## **AP-75 Barriers to affordable housing -91.420, 91.220(j)**

### **Introduction**

The 2020 Stakeholder Housing and Community Development Survey found that the most highly recognized barriers to the development of affordable housing include the Not In My Back Yard (NIMBY) mentality, the cost of land or lot, the cost of labor, and the cost of materials. This was followed by the lack of affordable housing development incentives.

The City's 2020 Analysis of Impediments (AI) and Housing Needs Assessment (HNA) identified the following Impediments to Fair Housing.

In the context of an AI, an impediment to fair housing can be an action or a lack of action that restricts housing choice, or that has the effect of restricting housing choice. This study has identified the impediments as follows.

- The high cost of rental housing and extreme burden those costs place on tenants present a barrier to fair housing choice. While housing costs for homeowners have decreased slightly since 2014, the increase in cost burden for renters is significant and indicates a need to focus specifically on actions that can be taken to assist renter households.
- Negative perceptions toward the term “affordable housing” exist and can undermine public support of housing development and interfere with efforts to increase housing options aligned with household incomes and affordability.
- The Wyoming Housing Commission’s lack of contemporary information about local concentrations of poverty and minority residents prevents the Commission from carrying out its strategy of assisting residents in effective housing searches and may inadvertently exacerbate the growth or persistence of those housing patterns.
- Successful fair housing complaint outcomes, particularly concerning reasonable accommodations for persons with disabilities, may indicate a lack of awareness regarding fair housing issues and compliance that acts as an impediment to housing choice for those with disabilities.
- Geographic boundaries applied to fair housing services due to HUD grant-related requirements and local financial support may limit anti-discrimination enforcement options for residents and would-be residents.
- Unfavorable outcomes in loan originations and denials for loan applications from Hispanic applicants presents an impediment to homeownership for Wyoming’s largest minority population, whether residents or would-be residents.
- Homelessness affecting Wyoming residents indicates the existence of short-term or chronic impediments to housing choice, and an

inability to resolve housing issues for oneself or one's household due to limitations of capacity or circumstances.

- The lack of information regarding racial, ethnic, and geographic characteristics of Boards, Commissions and Committees charged with leadership responsibilities is a barrier to ensuring that the diversity of the Wyoming community is represented at desired levels.

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

The City's 2020 AI contained the following recommendations:

**Recommendation #1: Data**

Establish Information and data protocols for the City of Wyoming, and the Wyoming Housing Commission to support fair housing goals and strategies.

**Recommendation #2: Development**

Work with private and community-based entities to align interests and facilitate contemporary housing and mixed-use development in those areas most appropriate for affordability.

**Recommendation #3: Renter Households**

Support services that focus on Wyoming's rental population to increase access to and maintenance of safe housing as a means of promoting stability and high quality of life.

**Recommendation #4: Homelessness**

Develop a community-driven framework to guide local actions of City officials, agencies, law enforcement and community groups to address

homelessness.

#### **Recommendation #5: Fair Housing Complaints**

Continue to work to ensure support of fair housing services to the entire Wyoming community.

#### **Recommendation #6: Residential Lending**

Analyze current individual Home Mortgage Disclosure Act (HMDA) records to inform the understanding of lending patterns and engage area lending institutions in a partnership to formulate steps to eliminate racial or national origin disparities.

#### **Discussion**

The City will continue to communicate and collaborate with area stakeholders to establish city and county-wide approaches to developing affordable housing and addressing special needs in the community. The City has partnered with Habitat for Humanity of Kent County and Next Step of West Michigan to leverage public and private resources for neighborhood improvements and the stabilization of property values, while expanding affordable housing opportunities.

City Staff representation will continue on the West Michigan Regional Planning Commission, the Grand Valley Metro Council Technical Committee, the Interurban Transit Partnership, the Division Avenue Business Association, the Grand Rapids Home Builders Association, and the Grand Rapids Rental Property Owners Association. The Director of Community and Economic Development serves as the City's representative to the Kent County Essential Needs Task Force and the HUD Continuum of Care/Grand Rapids Coalition to End Homelessness.

## **AP-85 Other Actions - 91.420, 91.220(k)**

### **Introduction**

See other actions and processes to be carried out in the narrative below.

### **Actions planned to address obstacles to meeting underserved needs**

The City's strategy to reduce poverty relies on promoting current and future programs, which assist low-income families, the elderly, the disabled, and those at risk of becoming homeless.

### **Actions planned to foster and maintain affordable housing**

The 2020 Analysis of Impediments to Fair Housing Choice and Housing Needs Assessment (AI) recommendations and outlined actions to reduce barriers to affordable housing have been described in Section AP-75.

### **Actions planned to reduce lead-based paint hazards**

The City integrates lead hazard evaluation and reduction activities into all CDBG housing rehabilitation programs. The City's Building Rehabilitation Specialist is a State of Michigan licensed lead inspector and lead risk assessor. For each housing rehabilitation project, the Building Rehabilitation Specialist identifies the potential lead hazard, develops a plan for remediation and executes the plan for remediation, in compliance with federal standards. The City will provide CDBG housing rehabilitation applicants with applicable information on the hazards of lead-based poisoning.

### **Actions planned to reduce the number of poverty-level families**

The City's strategy to reduce poverty relies on promoting current and future programs, which assist low-income families and senior citizens. The following programs, administered by the City, assist households in poverty by reducing their expenses for such services and/or obligations:

- Community Development Block Grant -Loans at 3% annual interest are offered to households with incomes between 50% and 80% of the area median. Deferred Loans, at zero interest, repaid at a reduced amount, at the time of sale of the property, are offered to households with incomes below 50% of the area median.
- Senior Center - Free tax preparation services, free low cost recreation and leisure education programs, free legal consultation services and free medical and blood pressure screenings along with other public assistance.
- Poverty Exemptions of Property Taxes -The City allows for an exemption of all or a part of real and personal property taxes to those persons, as determined by the Board of Review, to be in

poverty. Wyoming averages about 50 exemptions each year.

- The City's Public Housing and rent certificates programs provide assistance to low-income families.
- Support of The Salvation Army Social Services in administering subsistence payments for short-term rental assistance for low-income persons pending eviction.
- Support of Family Promise of Grand Rapids in assisting low-income families moving out of homelessness and into stabilized housing. The families receive the benefit of short-term rental assistance and support services to help maintain permanent housing and build assets to support self-sufficiency.
- Support of the Inner City Christian Federation (ICCF) in assisting low- and moderate- income families with rapid rehousing funding and case management.

### **Actions planned to develop institutional structure**

The City continues to work with Kent County and the City of Grand Rapids in the development of regional plans in the HOME Consortium. These efforts are on-going.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

The City has renewed its annual memorandum of understanding with the Kent County Essential Needs Task Force Governance, which is a collective effort of governmental agencies, non-profits, faith-based organizations, funders and community volunteers who seek to enhance the structure of services and develop and support a sustainable model for the emergency response network for residents throughout Kent County.

### **Discussion**

N/A

## Program Specific Requirements

### AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

#### Introduction

The City of Wyoming expects to have \$1,488,643.53 available for the Community Development Program during this period, inclusive of both CDBG and CDBG-CV funds. This amount consists of \$550,000.00 in an estimated annual CDBG entitlement grant from HUD, \$384,628.67 in CDBG entitlement carryover funds from fiscal year 2023, \$340,837.63 in CDBG entitlement carryover from fiscal year 2022, \$116,254.32 in CDBG entitlement carryover from fiscal year 2020, \$ 96,922.91 in carryover CDBG-CV funding and \$176,933.65 from anticipated program income

The amount listed in Prior Year Resources is rounded up to the nearest dollar. The 2019-2020 CDBG-CV application for the City will be amended as well to allow for programmatic changes as a response to shifting community needs. \$96,922.91 in CDBG-CV funding will be reallocated in 2023-2024.

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	176,933
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>176,933</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	0
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2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.

100.00%

## Discussion

## Attachments

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

A RESOLUTION TO APPROVE REVISIONS TO  
THE WYOMING REHABILITATION MANUAL

WHEREAS:

1. The Wyoming Rehabilitation Manual outlines the policies and procedures for the City's Housing Rehabilitation Program, which is in need of revisions related to specific policy items.
2. The proposed revisions were reviewed and recommended by the Wyoming Community Development Committee.
3. The Wyoming Community Development Committee has recommended that the City Council approve these proposed revisions to the Wyoming Rehabilitation Manual.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby adopt the attached revised Wyoming Rehabilitation Manual, with the proposed changes to the Rehabilitation Manual effective on May 1, 2023.

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 May 1, 2023.

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

ATTACHMENTS:

Memorandum  
Rehabilitation Manual

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

## MEMORANDUM

**DATE:** April 5, 2023

**TO:** John McCarter, Interim City Manager

**FROM:** Paul Smith, Assistant Director of Community & Economic Development

**CC:** Nicole Hofert, Director of Community & Economic Development

**RE:** Revisions to the CDBG Rehabilitation Program Manual

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### Introduction

The City of Wyoming receives an annual Community Development Block Grant (CDBG) from the US Department of Housing and Urban Development (HUD). Every CDBG expenditure must meet one of the three national objectives for the CDBG program: benefitting low- and moderate-income persons, preventing or eliminating slums or blight, or meeting serious and immediate threats to the health or welfare of the community. Many grantees, including the City of Wyoming, choose to use a portion of these funds to administer a rehabilitation program that offers low-interest or deferred loans to low- or moderate-income property owners. Like any federally-funded program, this rehabilitation program has detailed compliance and reporting requirements.

For this reason, Community Development staff maintains and routinely reviews a manual for the City's Community Development Rehabilitation Program. This manual contains the policies that govern this program and the procedures that staff use to administer the program. Proper use of this manual provides for consistent and equitable treatment of all applicants. From time-to-time, updates are required to ensure that procedures match best practices and to update terminology to match HUD guidance.

### Previous Update

The rehab manual was last updated in 2018. At that time, some small procedural changes were made to contractor eligibility requirements and the rehab loan limit was raised from \$20,000 to \$23,000. The contractor eligibility requirements were relaxed to allow more contractors to qualify, and the hope was that this would lead to more competitive bids. The loan limit was increased to address increased construction labor and materials costs that required the Wyoming Rehabilitation Committee to routinely waive the loan maximum.

### Summary of Proposed Updates

The majority of the updates were to outdated terminology and technology. Community Development staff changed loan administration software in recent years and there were several references to the obsolete software. Likewise, there were several references to Census terminologies that have not been in use since the 1980s.

The most substantive update is to the loan limit. Much like in 2018, the Wyoming Rehabilitation Committee sees a pattern of bids exceeding the loan limits for even modest rehabilitations of single-

family homes. Supply chain issues, labor shortages, and booming real estate development have driven up prices. The Wyoming Rehabilitation and Community Development committees both recommend that the loan limit be raised to \$40,000, which brings the program's loan limit into alignment with Kent County's program. While the Wyoming Rehabilitation Committee does have the authority to waive the loan limit on a project-by-project basis, waivers can lead to concerns that policies are not being applied consistently and should be reserved for extraordinary circumstances. Raising the loan limit will allow the Wyoming Rehabilitation Committee to process applications more efficiently and more consistently.

## SECTION I

### INTRODUCTION

#### A. DESCRIPTION OF THE COMMUNITY DEVELOPMENT REHABILITATION PROGRAM:

##### 1. Administration:

Since 1975, the Department of Housing and Urban Development (HUD) has annually made available grants to communities for various community improvements under HUD's Community Development Block Grant Program (CDBG). HUD has set national objectives for use of the grant monies, but the individual communities may design their own programs and activities within those national objectives. In Wyoming, the CDBG Program has been guided by the five-year Consolidated Housing and Community Development Plan (CHCDP) that sets goals and priorities for the use of CDBG funding. The City also submits a one-year Annual Action Plan (AAP) each year to apply for CDBG funding within the parameters set forth in the CHCDP.

The Wyoming City Council adopts both the CHCDP and the AAP. These plans are both adopted at the recommendation of the Community Development Committee. City Council appoints a citizens advisory committee known as the Community Development Committee to collect public input and make recommendations to City Council covering the overall CDBG Program and the five-year Plan.

While not involved with recommendations for the CHCDP or AAP, the Rehabilitation Committee reviews and approves site-specific single-family and commercial rehabilitation and demolition projects funded by CDBG. The Rehabilitation Committee is made up of three Community and Economic Development staff members.

Housed within the City of Wyoming's Community and Economic Development Department, the Community Development Office is responsible for the day-to-day administration of the CDBG Program and serves as staff advisor to the City Council, Community Development Committee and Rehabilitation Committee.

The Community Development Office submits both the CHCDP and AAP, manages all CDBG projects, and submits HUD reporting on accomplishments throughout the grant year. Planning Office assist in the identification of blighted areas, land use planning, and housing needs; the Building Inspections Department provides expertise in specialized building rehabilitation; the Engineering Department supervises major construction and capital outlay projects; the Finance Department manages CDBG-related transactions and HUD financial reporting; and the Treasurer's Office acts as the collection agent for loan payments. Other City departments provide periodic assistance as needed.

For a more detailed description of the key committees and Community Development Office staff involved in the CDBG Program, refer to Section VII.

2. Objectives:

Beginning in 1974 and periodically thereafter, studies of the City have been conducted by Community and Economic Development Department staff to determine City and citizen needs within the framework of HUD's national objectives. These studies include a review of demographic data for Wyoming as well as extensive solicitation of resident input into what the overall needs of the community are. This data is translated into a needs assessment and then a list of overall goals and priorities for the funding. This process takes place during the development of both the CHCDP and the AAP. Goals are set for both low/moderate income residents as well as low/moderate income areas within the City. Based on resident input and this data analysis, the following CDBG Program objectives approved by City Council in the most recent CHCDP are:

- a. Increasing access to affordable housing options
- b. Providing suitable living environments
- c. Enhancing infrastructure and public facilities
- d. Increase access to vital public services
- e. Increase economic opportunities

The CHCDP and AAP and subsequent projects reflect these objectives.

B. USE OF THE REHABILITATION MANUAL:

This manual describes those adopted City policies, programs and administrative processes related to the structural rehabilitation portion of the overall CDBG program. This manual does not describe any policies or processes for new construction, capital outlay, public services activities, administration, or other non-rehabilitation activities. An outline of the Manual follows:

I-II:	Introductory Materials
III-VI:	Programs
VII-VIII:	General Administration
IX-XII:	Program Administration
Appendix A:	Classification of Eligible Work Items

C. EFFECTIVE DATE:

This manual supersedes all prior City of Wyoming Rehabilitation Manuals and is effective as of the date of Wyoming City Council adoption as noted on the title page.

## SECTION II

### DEFINITIONS

The definitions listed here are included to provide full understanding of the guidelines set forth in this Manual. Whenever possible, the definitions of terms are those set forth in the Municipal Codes and Ordinances of City of Wyoming, Michigan. None of the terms listed here are intended to nullify the provisions of any local code or ordinance.

Applicant: A family, person, or other household who is applying for rehabilitation or demolition assistance. HUD income qualification guidelines require all occupants of a home to be included in the household income calculations.

Assessed Value: The value of a piece of property for tax purposes, as determined by the Wyoming City Assessor. Assumed to be one-half of market value.

Code Violations: Those conditions that are not in conformance with applicable Federal, State, County, and City codes, including: health codes, housing codes, building codes, fire codes, housing maintenance codes, zoning codes, and other public standards.

Contract: A written, signed agreement to perform housing improvement or demolition work.

Contractor: Any general contractor, subcontractor, worker, or supplier who performs rehabilitation work for applicants under this program.

Community Development Office: An office of the City of Wyoming's Community and Economic Development Department that is responsible for administering the Community Development Program.

Deferred Loan: An award of Community Development funds to an eligible applicant to be used for home repairs. The required amount of repayment of the funds is decreased by 10 percent each year for the first five years after the execution of the mortgage.

General Improvement Items: Those rehabilitation improvement work items that increase the general value of a residence, such as carpeting, cabinets, interior painting or wall coverings, air conditioning, refrigerator, stove, or oven, but are not code violations.

Annual Gross Household Income: All income according to the HUD definition of "Annual Income", except that past and future overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services shall not be considered if deemed to be nonrecurring according to HUD standards.

Housing Improvement Area: A portion of the City, designated by the Community Development Committee and the City Council, in which funds may be expended for Community Development Program activities.

H.U.D.: An office of the federal government known as the Department of Housing and Urban

Development.

Inspector: A city employee who is responsible for the enforcement of Michigan construction and property maintenance codes and City ordinances.

Incipient Code Violations: Those conditions, in the judgment of the Code Enforcement Inspector, Building Inspector, or Building Rehabilitation Specialist that are likely to deteriorate into actual code violations in the near future.

Liquid Assets: All assets of an applicant, which shall include, but are not limited to, cash, checking and savings accounts, stocks, bonds, mutual funds, IRA's and real estate other than the principal residence.

3 percent Loan: An award of Community Development funds to an eligible applicant to rehabilitate property, which must be repaid in monthly installment payments to the City.

Mortgage: A security document, in favor of the City, placed against the property of a 3 percent loan or deferred loan recipient, which states the repayment terms of the rehabilitation loan or deferred loan listed in the Promissory Note for the loan.

Owner (Legally Authorized Agent): Persons or families who are the fee owners or contract for deed purchasers of eligible properties.

Promissory Note: A security document, in favor of the City, that outlines the repayment, total loan amount, interest rate, and penalties for non-payment of a Wyoming home rehab loan.

Rehabilitation: A repair, replacement, or renewal treatment used to restore or revitalize deteriorating properties.

Severe Code Violations: Those code violations that directly and immediately endanger the public health, safety and welfare.

Target Area: Same as Housing Improvement Area.

## SECTION III

### SINGLE-FAMILY REHABILITATION PROGRAM

#### A. PURPOSE:

As a means of maintaining and improving the structural condition of neighborhoods, and to provide housing assistance to low- and moderate-income homeowners, deferred loans and 3 percent loans are available to low- and moderate-income homeowners in the City of Wyoming

#### B. ELIGIBILITY REQUIREMENTS:

##### 1. Property:

- a. Type/Location: The property shall be an owner-occupied, single-family residence located anywhere in the city.
- b. Zoning: The property must be residentially zoned, according to the Wyoming Zoning Ordinance.
- c. Limit: Only one deferred loan or 3 percent loan may be given per property in any 20-year period.

##### 2. Applicant:

- a. Ownership: The applicant must be an owner-occupant or purchaser-occupant of the residence. A title search will be obtained for the property to verify ownership.
- b. Limit: The applicant may receive no more than one deferred loan or 3% loan in any 20 year period.
- c. Income: For deferred loans, the annual gross household income of applicants shall not exceed 50% of the most current applicable Area Median Income (AMI) figures supplied by HUD for the Grand Rapids-Kentwood Metropolitan Statistical Area (MSA). For 3 percent loans, the gross household income limit shall be 80% of the AMI figure. These figures shall be calculated based on household size limits found in the CDBG Income Limits database released by HUD's Office of Community Planning and Development (CPD) each year.

Income calculations for both deferred and 3% loans shall be based on averaging the total previous tax year's income with the current projected year's income, based on a normal week's salary. However, if the current projected year's income exceeds the program's income standards, the applicant is ineligible for funds.

d. Ability to Repay (3 percent Loans Only): The City must verify the applicant's ability to repay a 3 percent loan. The following documents shall be submitted:

1. IRS Personal Income Tax Report for previous year.
2. Current Income Verification form from employer(s), three most current payroll stubs and/or other verification of non-wages income.
3. Personal Credit Report (Ordered and reviewed by the Community Development Office).
4. Title Report (Ordered and reviewed by the Community Development Office) verifying proof of home ownership and clear title.
5. Personal Financial Statement/Monthly Budget (The ability to pay index on the PFS must be greater than \$100 a month per household member to qualify for approval of the loan.)

e. Assets: For deferred loan applicants, liquid assets cannot exceed \$15,000. For loan applicants, there are no asset limits.

C. FUNDING LIMITATIONS:

1. Maximum: The actual amount of all eligible work item costs and closing costs shall be the amount of funding to a limit of \$40,000.
2. Contingency: Up to an additional 10 percent of the funding amount of the initial contract may be authorized by the City and the applicant to cover unforeseen expenditures during construction. The amount may be used to cover legitimate repair costs associated with the original bid items or work specified in the contract. If the added repair costs exceed the 10 percent amount, the owner may escrow the additional monies or the Rehabilitation Committee may approve the added costs, provided that the total costs remain within the maximum funding limits.
3. Overages: Any work completed that was not previously authorized by the City, that exceeds the maximum funding limitations shall be at the discretion and financial obligation of the owner. Overages will be subject to an agreement between the owner and contractor, excluding the City.
4. Existing Debt: Funds shall not be available to refinance existing debt on the property.
5. Change Orders: Change orders may be made to substitute for contract items to comply with the limits set forth in III(C)(1) and III(C)(2), with the written approval of the Director of Community and Economic Development, owner(s) and contractor.

D. MORTGAGE REQUIREMENTS:

1. Mortgage Recording: The city must record a mortgage in the name of the City

against any property for which a deferred loan or loan has been approved. In cases where an applicant will not agree to a mortgage, the Rehabilitation Committee must disapprove the application. For a property under land contract, the contract seller must also sign the mortgage.

2. Transfer of Title: If the title of the property is transferred by the recipient to any party other than his or her spouse, then the outstanding balance of the mortgage shall become due and payable on the closing date of the title transfer.
3. Pre-Payment: There shall be no penalty for prepayment of loans.
4. Term: The term for a deferred loan shall continue indefinitely until the outstanding loan amount is repaid. The applicant may choose to repay the loan or portions thereof at any time. The repayment shall be due upon transfer of title under the conditions of III(D)(2). The portion of the deferred loan to be repaid (with the remainder deemed a grant) shall be according to the following schedule:

<u>Length of Time from the Mortgage Date</u>	<u>Repayment Rate</u>
0-1 Year	100%
1-2 Years	90%
2-3 Years	80%
3-4 Years	70%
4-5 Years	60%
5 or More Years	50%

The maximum term for a 3 percent loan is 15 years, except that the Rehabilitation Committee may require a shorter term. The minimum monthly loan payment is \$25.00.

5. Interest Rate: No interest shall be charged for deferred loans. The annual interest rate for 3 percent loans shall be 3 percent.

E. ELIGIBLE IMPROVEMENTS:

(See Appendix A, "Classification of Eligible Work Items" for a detailed description of Code Violations versus General Improvement Items.)

1. Code Violations: All code violations shall be repaired within the maximum limitations. If costs for these corrections exceed the limits, deletions may be made on certain repairs at the discretion of the Rehabilitation Committee. The committee may require the applicant to escrow additional monies to cover those items, which exceed the limitations prior to the approval of assistance. Garage repairs are also eligible.
2. Incipient Code Violations: The application may include incipient code violation repairs.

3. General Improvement Items: General Improvement Items, as defined in this Manual, not to exceed \$5,000 in total costs, may be included in a 3 percent loan, but not in a deferred loan. All code violations shall be included for correction before approval of any general improvement items as determined by the Rehabilitation Committee.

4. Self-Help: Deferred loans or 3 percent loans shall not be used to finance work performed by the recipient or any unlicensed contractor. All work shall be on a contractual basis between the loan recipient and a contractor approved by the City.

F. DEFERRED LOAN OR LOAN APPROVAL AUTHORITY:

Sole approval of a deferred loan or loan shall rest with the City, through the Rehabilitation Committee. A majority vote of the Rehabilitation Committee is required for the final approval of a deferred loan or loan.

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## SECTION IV

### COMMERCIAL REHABILITATION PROGRAM

#### A. PURPOSE:

A deteriorating neighborhood commercial sector is a blighting influence on the nearby residential neighborhood. Inadequate business parking also underserves residents. To maintain a strong neighborhood commercial sector and safeguard the adjoining neighborhood, loans are available to property owners of businesses for property improvement. Policies and rules pertaining to the Commercial Rehabilitation Program follow.

#### B. LOAN ELIGIBILITY REQUIREMENTS:

##### 1. Property:

- a. Location: The business shall be located in a qualified target area designated as part of the Wyoming Community Development Block Grant Program.
- b. Zoning: The property must be eligible for commercial uses according to the Wyoming zoning codes.
- c. Type of Structure: The structure must be at least 50 percent commercial in structural design and use.
- d. Limit: Only one loan may be given per structure per 20 year period.

##### 2. Applicant:

- a. Ownership/Unit Eligibility: The applicant must be the owner/purchaser of the structure or unit. A title search will be obtained for the property.
- b. Ability to Repay: The applicant must verify to the City the ability to repay the rehabilitation loan. The following documents shall be submitted:
  1. Title Report (Ordered and reviewed by the Community Development Office) verifying proof of home ownership and clear title.
  2. Personal Financial Statement/Monthly Budget (The ability to pay index on the PFS must be greater than \$100 per month to qualify for approval of the loan).
  3. Profit and loss statement (for loans over \$10,000).
  4. Personal Income Tax forms (for loans over \$10,000).
  5. Personal credit report (Ordered and reviewed by the Community Development Office)

C. FUNDING LIMITATIONS:

1. Maximum: The applicant shall be eligible for a loan up to \$10,000 with no matching private funds required. For project costs exceeding \$10,000, a dollar for dollar applicant match is required of that amount over \$10,000. No Commercial Rehabilitation loan shall exceed \$25,000. Also, no loan may be given if the debt on the property exceeds two times the current City assessed value of the property, except that other types of loan guarantees may be provided, according to Section IV(D).
2. Contingency: Up to an additional 10 percent of the funding amount of the initial contract may be authorized by the City and the applicant to cover unforeseen expenditures during construction. The amount may be used to cover legitimate repair costs associated with original bid items or work specified in the contract. If the added repair costs exceed the 10% amount, the owner must escrow the additional funding, or the Rehabilitation Committee may approve the added costs provided that the total costs remain within the maximum funding limits.
3. Overages: Any work completed that was not previously authorized by the City, that exceeds the maximum funding limitations shall be at the discretion and financial obligation of the owner. Overages will be subject to an agreement between the owner and contractor, excluding the City.
4. Existing Debt: Funds shall not be available to refinance existing debt on the property.
5. Change Orders: Change orders may be made to substitute for contract items to comply with the limits set forth in IV(C)(1) and IV(C)(2), with the written approval of the Director of Community and Economic Development, inspections staff, owner(s) and contractor.

D. MORTGAGE REQUIREMENTS:

1. Mortgage Recording: The City will record a mortgage in the name of the City against any property for which a rehabilitation loan has been approved. However, the Rehabilitation Committee may accept a mortgage on an alternate property of the applicant, providing that it satisfies the requirements of Section IV(C)(1). In cases where the applicant will not agree to a mortgage, the Rehabilitation Committee must disapprove the loan.
2. Transfer of Title: If the title to the property is transferred by the recipient to any party, other than his or her spouse, then the outstanding balance of the mortgage shall become due and payable on the closing date of the title transfer.
3. Pre-Payment: There shall be no penalty for total prepayment of the loan.

4. Term: The maximum term of a loan is fifteen years. The Rehabilitation Committee may require a shorter term loan. Minimum monthly loan payment shall be \$25.00.
5. Interest Rate: The annual interest rate shall be three percent.

E. ELIGIBLE IMPROVEMENTS:

1. Priority and Types of Improvements: The following types of eligible improvements are listed in order of priority:
  - a. Correction of severe code violations (See Appendix A) items.
    - b. Facade improvements.
    - c. Correction of other code or maintenance items. Items a and b above must be completed first.
    - d. Repaving of existing parking allowed only when any of the above items are also being done, with a maximum of 50 percent of a loan for repaving.
    - e. Fencing and landscaping improvements when auxiliary to any of the other above improvements.
2. Self-Help: Loans shall not be used to finance work performed by the recipient. All work shall be on a contractual basis between the loan recipient and a licensed contractor approved by the City.

F. FEDERAL REGULATIONS:

All Federal Regulations shall apply as required by HUD, periodically amended. The following federal requirements, as well as any required updates, shall be adhered to in commercial loan cases:

1. Davis-Bacon Prevailing Wage Rates
2. Copeland "Anti-Kickback" Act
3. Contract Work Hours and Safety Standards Act
4. Section 3 of the Housing and Development Act of 1968
5. Equal Employment Opportunity Statement
6. Affirmative Action Plan (for loans over \$10,000)

7. Open bidding requirements for loans over \$7,500.00 according to the City's purchasing requirements

G. LOAN APPROVAL AUTHORITY:

Sole approval of a loan shall rest with the City, through the Rehabilitation Committee. A majority vote of the Rehabilitation Committee is necessary for the final approval of the loan.

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## SECTION V

### DEMOLITION PROGRAM

#### A. PURPOSE:

Certain structures in the City exhibit physical deterioration or obsolescence such that restoration is no longer economically feasible for the owner. Such structures have a blighting influence on the neighborhood. Therefore, non-repayable grants are made available for the demolition of such structures. Policies and rules related to the Demolition Program follow.

#### B. ELIGIBILITY REQUIREMENTS:

##### 1. Property:

- a. Type/Location: Grants may be given to demolish structures on residential or commercial properties that are deemed by the Rehabilitation Committee to be physically decayed and a blighting influence on the neighborhood. For commercial projects only, obsolescence may also be considered for an improvement project under Section IV of this manual.
- b. Limit: Only one grant may be given per property.

##### 2. Applicant:

- a. Ownership: The applicant must be the owner of the structure to be demolished and the related land area. A title search will be obtained for the property.
- b. Income: For demolition grants, the gross household income of applicants shall not exceed 80% of AMI for the Grand Rapids-Kentwood MSA. These figures shall be calculated based on household size limits found in the CDBG Income Limits database released by HUD's Office of Community Planning and Development (CPD) each year. Income calculations shall be based on averaging the total previous tax year's income with the current projected year's income, based on a normal week's salary. However, if the current projected year's income exceeds the program's income standards, the applicant is ineligible for funds.
- c. Authorization and Release of Liability: All persons and/or organizations with an interest in the property must sign an "Authorization and Release of Liability" form which releases the City from any possible liability resulting from the demolition.
- d. Limit: Only one grant may be given per property owner.

#### C. FUNDING LIMITATIONS:

1. Maximum: The amount of the grant shall not exceed the costs of demolition of the structure plus related eligible work as defined in Section V D.
2. Contingency: Up to an additional 10 percent of the funding amount of the initial contract may be authorized by the city and the applicant as a contingency to cover unforeseen expenditures during the work. The amount shall be used to cover legitimate repair costs associated with original bid items or work specified in the contract.
3. Overages: Any work completed that was not previously authorized by the City, that exceeds the maximum funding limitations shall be at the discretion and financial obligation of the owner. Overages will be subject to an agreement between the owner and contractor, excluding the City.
4. Change Order: Change orders may be made to substitute for contracted items, with the written approval of the Director of Community and Economic Development, inspections staff, owner(s) and contractor.

D. ELIGIBLE WORK:

1. Eligible Items: The following items may be removed from the site, subject to the approval of the Rehabilitation Committee:
  - a. Building structures, including decks, fences, garages, or other blighted structures.
  - b. Concrete foundations, pads, floors, driveways, sidewalks, etc.
  - c. Trees, stumps, bushes, fencing, etc., located on public property.
2. Self-Help: The grant shall not be used to finance work performed by the recipient. All work shall be on a contractual basis between the recipient and a licensed contractor approved by the City.

E. DEMOLITION APPROVAL AUTHORITY:

Sole approval of a demolition grant shall rest with the City. The Rehabilitation Committee shall have approval authority, by majority vote. For grants of \$8,500 or more, the Wyoming City Council must also approve the demolition.

## SECTION VI

### HOMEOWNER HOUSING EMERGENCY REPAIR PROGRAM

#### A. PURPOSE:

The Homeowner Housing Emergency Repair Program allows for the expediting of repair to those housing code violations creating a severe and immediate threat to the homeowner's health and safety while waiting for processing to correct housing code violations in the dwelling under the normal housing rehabilitation process as described in Section III.

#### B. ELIGIBILITY REQUIREMENTS:

1. Property: The property must satisfy the requirements of Section III(B)(1).
2. Applicant: The applicant must satisfy the requirements of Section III(B)(2), except that household income verification will be based on a preliminary, reduced investigation to allow for a faster decision on the request.
3. Security Requirements: Eligible applicants must sign a mortgage or an assignment of land contract as security.
4. Limit: Emergency repair funds may not be awarded for structures previously repaired within the past 20 years through the Homeowners Housing Rehabilitation Program (Section III).

#### C. FUNDING LIMITATIONS:

1. Emergency Determination: An emergency repair item shall include but not be limited to the following: Replacement of a roof, replacement of a furnace, electrical failures, foundation failures, and Severe Code Violations as described in Appendix A at B(5)(a).

The Building Rehabilitation Specialist and Community Development Coordinator shall conduct an initial investigation into the conditions of the home and obtain financial eligibility documentation and make a recommendation to the Rehabilitation Committee on the consideration of an emergency case for any other repairs.

2. Other Improvements: Applicants receiving emergency repair funds will be placed at the front of the Community Development Office's waitlist and all other eligible home improvements may be addressed at that time to be included in the home rehabilitation deferred loan or 3 percent loan, according to Section III. The number of emergency cases per year shall be monitored to review any noticeable increases in requests.
3. Disqualification: In cases where formal income verification indicates that the applicant is ineligible for funds, the emergency repair costs shall be deemed as a debt of the applicant to the City and shall become due and payable within 30 days from the date of

disqualification of the application.

D. APPROVAL:

The Rehabilitation Committee shall determine and approve any emergency repair items and the amount of funding.

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## SECTION VII

### GENERAL ADMINISTRATIVE RESPONSIBILITIES

#### A. COMMUNITY DEVELOPMENT COMMITTEE:

1. Purpose:

This Committee is formed to provide citizen representation to advise staff and the City Council relative to the overall Community Development Program, including the CHCDP and the AAP.

2. Members:

This Committee shall have nine members, appointed by the City Council and members shall serve for two years. For any City Official appointment (e.g., City Council, Planning Commission), if that City Official is not reelected or reappointed to the respective City Council or Commission, then there shall automatically be a like vacancy on the Community Development Committee, with the City Council charged with appointing a replacement to complete the member's term. Each appointed member shall sign a Conflict of Interest Attestation, stating they will agree and will comply with the Conflict of Interest Clause, as required by 24 CFR 570.611.

When making appointments to the Committee, the Council shall strive to maintain a broadly representative Committee, but with emphasis on the inclusion of such groups as current LMI area residents and businesses, low- and moderate- income families, people of color, elderly residents, women, City Council members, and members of other City commissions related to developmental activities. The Chair of the Committee shall be elected annually by the members, at the first meeting occurring after January 1st. The Director of Community and Economic Development Department shall be an ex-officio member of the Committee. The Community Development Coordinator shall serve as Recording Secretary for this Committee.

3. Duties:

The Community Development Committee shall review and make recommendations to the City Council relative to the following items:

- a. Consolidated Housing and Community Development Plan (CHCDP): Every five years, or sooner if necessitated by changing developmental conditions, a new CHCDP is prepared by the Community Development Office staff. The Committee shall review said Plan, relative to such content as determination of neighborhood needs, general improvements for funding and priorities of funding.
- b. Annual Action Plan: Annually, the City must submit an application for the

coming fiscal year's CDBG funding. The Committee shall work with the Community Development Office staff in the preparation of said application, considering its appropriateness to the priorities contained within the CHCDP. Members also make funding recommendations for all applicants to the City for subrecipient public services activities.

c. Rehabilitation Manual: The Rehabilitation Manual represents City policy, responsibilities, and regulations relative to various Community Development rehabilitation programs. The Committee shall review the Manual, as prepared by the Community Development staff, for its appropriate relationship to items VII A-3, a-b above, overall HUD and City program objectives, and sound administrative practices.

d. Miscellaneous Assistance: The Committee shall provide additional assistance related to the Community Development Program as requested by the City Council or the Community Development Office staff.

4. Meetings:

The Committee shall meet as needed to accomplish Committee business. Minutes shall be kept.

B. THE REHABILITATION COMMITTEE

1. Purpose:

This Committee serves the purpose of reviewing and approving CDBG-funded single family rehab loans, single family housing emergency and corrective repair, and demolition applications. Review responsibilities shall include applicant eligibility, work items, costs and contractor eligibility. The Committee also makes determinations, when requested by the Director of Community and Economic Development, concerning actions to be taken relative to late loan payment cases.

2. Members:

The appointed members of this Committee shall be the Chief Building Official, City Planning staff, and the Director of Community and Economic Development. Each appointed member may authorize a substitute member to attend those meetings when the appointed member will be absent. The substitute member shall have the same voting privileges as the appointed member. There shall be a minimum of two appointed members and three total members at each meeting. The Director of Community and Economic Development shall serve as an ex officio member of the Committee.

3. Duties:

The Rehabilitation Committee shall have, but not be limited to the following duties:

- a. Committee Review: The Committee shall review all CDBG single-family home rehab loans, commercial loan, and demolition applications and make appropriate modifications to contracts where necessary to promote the best interests of the program. Before the Committee shall approve a loan, a minimum of two bids from qualified contractors must be received.
- b. Lowest Bidder: The Committee shall approve the lowest bidder, if qualified, to complete the work in cases of a deferred loan. In loan cases, the Committee shall approve the lowest bidder, if qualified, unless the applicant requests to select a qualified contractor with a higher bid. This higher bid shall be approved by the Committee, provided the applicant escrows with the City prior to the execution of the contract, the difference between the low bid and the higher bid. No bid shall be awarded to any contractor that does not have an active registry with the System for Award Management.
- c. Rebidding: Rebidding to all general contractors shall be conducted when any of the following occurs after formal bidding and prior to contract signing:
1. The applicant requests to include additional work items.
  2. The applicant requests to delete work items, which reduces the low bid by more than 20%.
  3. The applicant and City agree that there is an error in the bid specifications.
  4. If there are only two bidders on a job, and the low bidder withdraws, the applicant may request a rebid.
- d. Costs Exceeding Limits: The Committee shall have the discretion to approve a bid amount that is in excess of the maximum limits set forth in this manual, provided that the applicant escrows with the City, prior to the execution of the contract, the difference between the maximum limits and the selected bid amount.
- e. Late Loan Payments: The Committee shall make determinations, if requested by the Director of Community and Economic Development, concerning actions to be taken in late loan payment cases.
- f. Waiver of Code Violations: The Committee shall have the discretion to waive code violations from being corrected in cases where the repair costs exceed the maximum limits for either a loan or grant, provided all serious code deficiencies are rectified and the applicant is financially unable to sustain the additional financial burden.
- g. Dilapidated Structures: The Committee shall have the discretion to determine whether any highly dilapidated structure shall be provided financial assistance. The Committee may recommend that the structure be acquired for

demolition under the Community Development program or condemned by the City when it becomes vacant.

h. Emergency Repair: The Committee shall have the authority to expend repair monies for Homeowner Housing Emergency Repairs. See Section VI.

i. Corrective Repairs: In instances related to the Homeowner Housing Rehabilitation Program (Section III) where construction problems may arise after closeout of the construction contract that relate either to: 1) incorrect original bid specifications to solve a specific rehabilitation problem, or 2) a contracted improvement proves faulty and the homeowner is unsuccessful in getting the contractor to rectify it, the Rehabilitation Committee may grant up to \$1,000 in Corrective Repair Funds to rectify the construction problem. However, the homeowner must make a written request for such funds within one year of the City Staff's final approval of the work from the original construction contract.

j. Overcrowding: The Committee may approve the renovation of interior habitable space of a dwelling where there is evidence of overcrowding, and a habitation violation will be rectified.

k. Limiting Contractor Work: The Committee shall have the authority to remove a contractor from the bidders list if a contractor is exhibiting poor job performance or other violations of the Rehabilitation Manual. The Committee may limit contractors to no more than five rehabilitation contracts for the City of Wyoming at one time. If a contractor submits bids such that they will have more than five contracts in progress at once, the Committee shall have the discretion to award subsequent bids to the next-lowest bidder.

l. Waiver Clause: The Committee shall have the authority, based on unanimous decision, to waive any standards and requirements in any of the housing and commercial rehabilitation programs in instances where it determines that an emergency repair is needed or where the waivers are of a type determined by the Committee to be within the overall intent of the programs. For any waiver granted, the specific description of the waiver and the reasons for it shall be indicated in the minutes of the Committee.

C. COMMUNITY DEVELOPMENT OFFICE STAFF:

1. Director of Community and Economic Development:

a. Function: The Director is charged with the overall management of the Department, including staffing and performance of the Community Development program.

b. Sample Duties:

1. Liaison with HUD, City Council, Community Development Committee, Rehabilitation Committee, other City Departments and Committees, and citizens.
2. Overall planning, administration, and implementation of all Community Development activities.
3. Chairperson of the Rehabilitation Committee.

2. Community Development Coordinator:

a. Function: This position serves the Director of Community and Economic Development in various administrative aspects of the program, particularly relative to satisfying HUD administrative and reporting requirements. This position processes applications for all rehabilitation and demolition loan programs (Sections III - VI).

b. Sample Duties:

1. Maintains current knowledge of HUD Community Development requirements.
2. Assists in satisfying HUD administrative and reporting requirements.
3. Assists applicants in preparing the necessary forms for CDBG-funded loans.
4. Verifies the correctness of the applicant information, including financial qualifications and performs other required verifications.
5. Prepares the documentation and assists the Rehabilitation Committee in its determination relative to the qualifications of the applicant for funding.
6. Monitors repayment of loan monies, giving special attention to delinquent accounts.
7. Verifies contractors' registrations in the System for Award Management website.
8. Acts as the Recording Secretary of the Community Development Committee.

3. Building Rehabilitation Specialist:

a. Function: The primary function of this position is to operate the structural

inspection and rehabilitation aspects of the Department's Rehabilitation Programs (Sections III- VI).

b. Sample Duties:

1. Performs code inspections for the Community Development Program.
2. Qualifies contractors.
3. Prepares construction specifications and other documents related to job bidding and the structural rehabilitation aspects of the Residential Rehabilitation Program.
4. Monitors contractor performance through job completion.
5. Works with the general contractor and property owner to resolve construction problems.

D. REHABILITATION LOAN RECIPIENT:

1. Responsibilities:

The property owner who receives a loan has a responsibility to ensure that the repair work performed under the rehabilitation program (Sections III-VI) is successful and is undertaken with the full consent and satisfaction of the owner. These duties and responsibilities include:

- a. Asking questions to gain a complete understanding of the program and its eligibility requirements, maximum fund limitations, and eligible repairs.
- b. Assisting the Community Development Coordinator in confirming income, assets, and other required verification by providing employer, wage, dependent, bank, tax, and other information.
- c. Carefully reviewing the work write-up prior to the bidding process and at the time of the preconstruction meeting, so that the scope of items to be repaired is fully understood.
- d. Working with the contractor and Community Development staff in resolving any disagreements in a timely and equitable manner.
- e. Repaying loans according to the contract agreement.

E. REHABILITATION CONTRACTOR:

1. Responsibilities:

Any contractor who participates in the City's single family rehab, demolition, commercial rehab or commercial demolition programs is performing a vital role in improving the appearance, quality, and longevity of structures in Wyoming. Each participating contractor must perform their expected function conscientiously and in a responsible manner so that unnecessary costs, construction delays, poor workmanship and other complications can be avoided. Contractor responsibilities may be amended from time to time in response to City of Wyoming and HUD requirements. At a minimum, the contractor should realize the significance of their contribution and accept the following duties and responsibilities:

- a. Inspecting the property for necessary repairs prior to submitting a bid proposal to minimize change orders whenever possible. Proposed repairs which the contractor is not technically familiar with should be inspected by the appropriate subcontractor.
- b. Ensuring that all workers and sub-contractors have the proper training, skills, and certification.
- c. Supervising subcontractor staff to ensure that work is completed on time and in accordance with acceptable construction standards and procedures.
- d. Contacting the Community Development Office regarding any necessary contract revisions, change orders, or overages. The contractor must receive written permission before providing any additional work or materials.
- e. Taking pride in the job, regardless of the social or economic conditions of the property owner, or that governmental assistance is involved.
- f. Making sure the job site is kept as neat as possible while work is in progress, disposing of unused or discarded materials and cleaning the work site when the job is completed.
- g. Cooperating with the property owner and Community Development Office in resolving problems or complaints.
- h. If a contractor submits the lowest bid on a project, the contractor shall accept the job, unless the contractor provides a written bid withdrawal to the Rehabilitation Committee. If the job is rebid, the contractor may not submit a rebid. If the Rehabilitation Committee feels that a contractor has been misusing this privilege, it may disqualify the contractor from the program.

## 2. Minimal Qualifications for Selection

- a. Possession of a current Michigan Residential Builders License, with experience in more than one type of residential construction.

- b. At least \$25,000 in annual gross personal income for each of the last two years from residential repair or construction work.
- c. Within the last two years, have completed at least 10 home repair jobs costing a total of at least \$100,000.
- d. As a general contractor, have utilized at least 10 subcontractor contracts.
- e. Possession an active registry in the System for Award Management website.

3. Application Materials:

- a. A copy of the organization's IRS profit and loss statements from the last two years. (Signed form 1040 – Schedule C or Form 1065.)
- b. A proper insurance certificate showing minimum coverage of workman's compensation protection of \$500,000 per occurrence, bodily injury of \$1,000,000 per person and per occurrence and property damage in the full amount of the project. An Indemnification Agreement must also be signed.
- c. A detailed two-year work and training history.
- d. Information concerning any pending lawsuits concerning construction work.
- e. Consent to have the City perform a personal credit review.
- f. Five residential construction references.
- g. Two business or supplier references.
- h. A list of subcontractors intended to be used for electrical, heating, and plumbing work.
- i. Proof of a Unique Entity Identifier and active registry with the System for Award Management.
- j. A City of Wyoming Business License must be obtained, if applicable, and a State of Michigan Builders License.

4. Staff Investigation:

- a. Michigan Department of Licensing and Regulatory Affairs (LARA)
- b. Better Business Bureau
- c. Area Rehabilitation/Inspection Departments

- d. Wyoming Building Inspections Department
- e. Credit Bureau
- f. System for Award Management registry and debarment check

5. Conditions for Continued Contracting:

- a. The contractor will be on probation status until three jobs are satisfactorily completed. No more than three jobs may be undertaken during this probation period.
- b. The contractor must follow all rules as stated in the Rehabilitation Manual.
- c. A contractor may be disqualified from the Program for poor performance, as determined by the Rehabilitation Committee.
- d. If disqualified from the housing rehabilitation program, the contractor may not reapply for 6 months.
- e. A contractor may be disqualified for failure to bid on at least 25% of all rehabilitation jobs bid each fiscal year.

## SECTION VIII

### APPEALS PROCEDURE

#### A. PURPOSE:

This Section describes an appeals procedure for anyone not satisfied with decisions made by the Rehabilitation Committee or the Community Development Office Staff involving a Community Development Block Grant-funded program.

#### B. BASIC RIGHTS AND RULES:

##### 1. Right to Appeal:

A person may file an appeal in any case in which he/she believes that any person or group involved with a Community Development Program has made an unsatisfactory decision.

##### 2. Right to Representation:

The appellant has the right to be represented by legal counsel and to be accompanied by an advisor, attorney, or other representative in any personal appearance in connection with the appeal, but solely at the appellant's own expense.

##### 3. Order of Appeal:

The appellant's request for an appeal must be in writing. It should be presented to the person or group who made the decision (see "Tier Chart"). The appellant may appeal a decision up the tiers, one tier at a time, to the level deemed necessary.

##### 4. Timing of Appeal:

Appeals of decisions made in the Community Development Program should be made within 30 days of the decision, except that complaints about completed rehabilitation work may be submitted to the City at any time within one year from the final inspection date of the rehabilitation project.

##### 5. Content of Appeal:

The appeal request should be in letter form. It should include, at a minimum, the name of the appellant, the nature of the appeal and all applicable details, such as dates and names of all persons or organizations involved.

##### 6. Review of Files:

The Community Development office shall permit the person making a complaint or

appeal to inspect and copy all files and records pertinent to his/her case, except materials deemed by the Director to be confidential. A Freedom of Information Act request must be made through the City Clerk's Office for copies of materials. The Community Development office shall send copies of pertinent information to higher tier persons or groups.

C. REVIEW, DETERMINATION AND NOTIFICATION:

1. Scope of Review:

All persons or groups in the appeal process shall review an appellant's request based on the following considerations:

- a. All applicable rules and regulations.
- b. All materials submitted.
- c. Any other materials not submitted upon which the appeal is based.
- d. Any other available information needed to ensure a fair and full review.

2. Scope of Determination:

A written determination by the persons or groups in the appeal process shall include, but not be limited to, the following:

- a. The person's or group's decision.
- b. The basis upon which the decision was made.
- c. A statement on how any relief will be provided, if applicable.

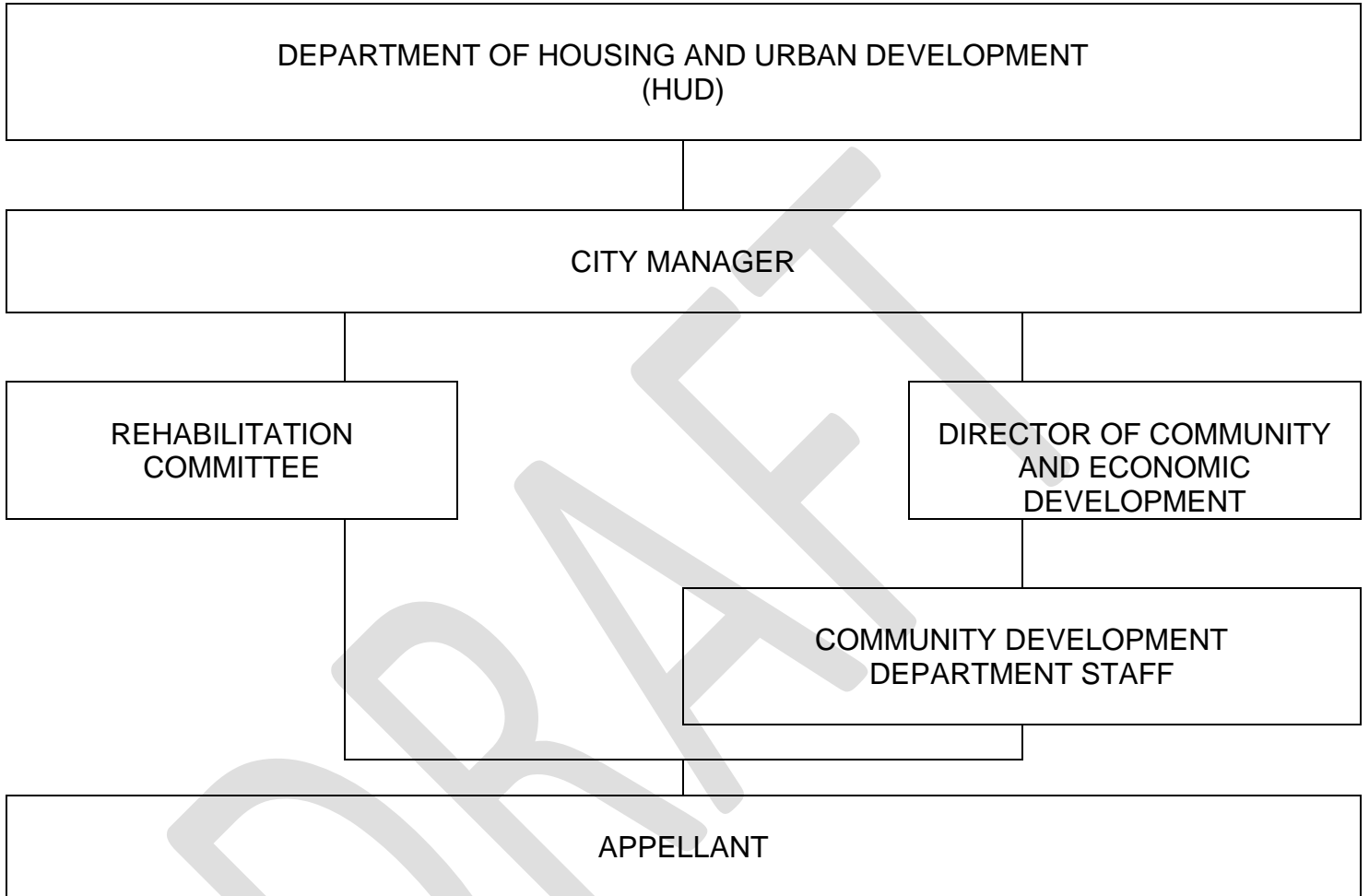
3. Timing and Notification:

The person or group involved in the appeal process shall make a written determination on each appeal within 30 days after receipt of the appeal request and shall furnish the appellant a copy of the decision.

D. JUDICIAL REVIEW:

Nothing in this section shall in any way preclude or limit an appellant from seeking judicial review of an appeal after exhaustion of such administrative remedies as are available under this Section.

COMPLAINT AND APPEALS TIER CHART



## SECTION IX

### HOMEOWNER HOUSING REHABILITATION PROGRAM ADMINISTRATION

#### A. INTRODUCTION:

This section is an overview of the administrative aspects of the Homeowner Housing Rehabilitation Program (Section III).

#### B. APPLICATION PROCESS:

1. Potential Applicants:

Potential applicants shall periodically be notified of the opportunity to participate in the program using mass-mailing of pamphlets, meetings, newspapers, and other community outreach measures.

2. CDBG Rehab Waiting List:

Wyoming residents who contact the Community Development Coordinator regarding the home rehabilitation program will be added to the CDBG Rehab Waiting List. Residents' name, address, telephone number and date of contact will be recorded after first confirming that the caller meets ownership and financial eligibility requirements.

3. Selection of Applicants:

Applicants will be prioritized from the CDBG Rehab Waiting List by date of inquiry, except that cases might be prioritized based on severity of need (e.g., emergency repairs such as those outlined in Section VI).

4. Eligibility Verification:

The Community Development Coordinator shall verify the applicant's eligibility for assistance. The following checks will be performed:

- a. Title Search - Verification of property ownership
- b. Financial Eligibility Check - Verification of all sources of household income. All persons with income that reside in the home shall have their income included in the eligibility check. Exclusions for certain forms of income, active duty military personnel, and live-in aide may be applicable, and the Community Development Coordinator will review HUD regulations for the most updated income and household exclusions.
- c. Asset Check - Verification of savings and other assets.

- d. Credit Report - Confirmation of credit history of the applicant (only for 3 percent loan applicants).
- e. Assessed Valuation Check - Determination of the current value of the property, property taxes owed, age of property and zoning classification.
- f. Employment Verification – Confirmation of employment status, history and current wage rate using the Request for Verification of Employment form and submitting it to each employer for each member of the household.
- g. U.S. Citizenship Verification – Signed confirmation by all household members of U.S. citizenship and/or legal residency. CDBG funds may not be used to assist Wyoming residents who do not have proof of their lawful presence in the United States.

5. Inspection:

A detailed inspection shall be done by the Building Rehabilitation Specialist.

6. Write-Up:

The Building Rehabilitation Specialist shall develop a work write-up which identifies the work required to be done for code violations as well as for general improvements.

7. Applicant Approval of Write-Up:

The applicant may then decide whether to continue with the application by approving the write-up.

8. Work Write-Up Review:

The work write-up may have to be changed due to program funding limitations. The Building Rehabilitation Specialist will review and revise the work write-up if necessary.

9. Applicant's Approval of Final Work Write-Up:

The applicant shall review, approve, and sign the Final Work Write-Up prior to the project's bidding.

C. **BIDDING AND APPROVAL PROCESS:**

1. Prequalified Bidders:

The Community Development Coordinator shall develop and maintain a prequalified contractors list which requires the approval of the Rehabilitation Committee.

The following research is done to approve and qualify contractors:

- a. Credit status
- b. Better Business Bureau Records
- c. Other municipalities' records
- d. City Building Department Inspectors
- e. State Residential Builder's License
- f. Business performance
- g. Client references
- h. System for Award Management registration and debarment check

2. Outreach:

Contractor application packets will be sent annually to the Small Business Administration, the West Michigan Minority Contractors Association and Section 3 Certified Contractors to assure that minority firms, women's business enterprise, and labor surplus area firms are provided the opportunity to bid on and perform work whenever possible.

3. Bid Mailing:

Bid requests shall be sent to those contractors who have been prequalified.

4. Bid Openings:

The sealed bids will be received, publicly opened and read by the City Clerk's Office, using standard City bidding procedure.

5. Contractor and Subcontractor Verification:

The Community Development Coordinator shall check HUD's System for Award Management to verify an active registry and lack of debarment or excluded status prior to contract award.

6. Application Approval by Rehab Committee:

The Community Development Coordinator shall prepare and present the final application and supporting materials to the Rehabilitation Committee for review. The Rehabilitation Committee shall review the application based on the applicant's eligibility, the work items to be done, the cost of the work and the eligibility of the contractor.

D. FINANCIAL SETTLEMENT:

1. Required Documents:

After obtaining Rehabilitation Committee approval, a financial settlement is held. The following documents shall be prepared by the Community Development Coordinator and then received and signed as applicable, during the financial settlement meeting:

- a. Approved Application by Rehabilitation Committee
- b. Order to Proceed
- c. Truth in Lending
- d. Promissory Note
- e. Opportunity to Rescind
- f. Mortgage
- g. Contract
- h. Work Write-up including client decisions on materials if available

2. Contractor's Signature:

If the contractor cannot attend the financial settlement, the Building Rehabilitation Specialist shall obtain the signature of the contractor on the construction contract.

E. CONTRACT MANAGEMENT:

1. Agreement and Order to Proceed:

The Community Development Coordinator shall forward the signed Agreement, Final Work Write-Up, and Order to Proceed to the contractor and applicant.

3. Permits and Final Permit Inspections:

The Building Rehabilitation Specialist shall confirm that the contractor has obtained all required permits prior to commencement of the project.

3. Periodic Inspections:

The Building Rehabilitation Specialist shall make as many periodic inspections as may be required to ensure the quality of the work.

4. Lead-Based Paint Poisoning Prevention in Certain Residential Structures:

The Building Rehabilitation Specialist shall perform a lead inspection prior to the bidding stage and include lead remediation work that is required in the bid. A second lead inspection will be completed after all the appropriate lead remediation work is done at

the home to ensure lead has been encapsulated or removed.

The Building Rehabilitation Specialist will also verify that contractors use the most current lead-safe work practices and that occupancy protections are properly carried out.

5. Final Inspection:

After notification from the contractor that all work has been completed, the Building Rehabilitation Specialist will conduct a final inspection.

6. Applicant's Approval Statement:

Upon approval of the work, the Building Rehabilitation Specialist will obtain the applicant's approval of the completed work.

7. Contractor's Payment Request:

The Community Development Coordinator submit the Contractor's invoice for payment only after obtaining the following documents:

- a. The contractor's invoice
- b. Final Inspection Report
- c. Owner's Completion Report
- d. Loan Adjustment reflecting any additions or subtractions from the final contract amount (only if needed)
- e. Contractor's Affidavit of Completion
- f. Unconditional Waivers of Lien from the general contractor and all subcontractors

F. CASE CLOSE OUT AND REQUIRED RECORDS:

1. Invoice Submittal:

The Community Development Coordinator shall submit the invoice for payment.

2. Loan Adjustment:

If there are increases or decreases in the total amount of the contract due to unforeseen circumstances, or if the contingency amount of the loan agreement is not used (10% of construction costs), a loan adjustment is prepared by the Community Development Coordinator, removing this amount from the mortgage balance. The signed original of the loan adjustment will be filed with the Clerk and shall supersede the mortgage and promissory note amount. A copy of the loan adjustment shall be sent to the Treasurer's

Office, which shall receive the monthly loan payments.

4. Master Servicing File:

The recorded mortgage, promissory note and loan adjustment (if needed) shall be sent to the City Clerk's office for filing in their Master Servicing File.

5. Close Out Documents:

The Community Development Coordinator shall close out the file by preparing a file cover sheet and checking that the following documents are in the file for HUD auditing purposes:

- a. Finalized Rehabilitation Application
- b. Draft Work Write-up and letter, signed only by homeowner
- c. Final Work Write-up
- d. Invoices, Purchase Orders and Change Orders (if any)
- e. Owners Completion
- f. Inspection Report
- g. Loan Adjustment (if applicable)
- h. Recorded Mortgage
- i. Promissory Note
- j. Title Search
- k. Assessor's Card
- l. Legal Documents (if any)
- m. Bid Tab
- n. Approved Bid
- o. Order to Proceed
- p. Contract Agreement
- q. General Agreement
- r. Truth in Lending
- s. Racial /Ethnic/Woman Contract & Subcontract Activity
- t. Affidavit of Contractor
- u. Original Application/Screening Questionnaire/Citizenship Verification
- v. Lead Based Paint/Environmental Protection Act Forms

- w. Income Verification/Financial Eligibility Information
- x. Warranty Information
- y. Historic Form
- z. Statistical Questionnaire
- aa. Lead Based Paint Report
- bb. Contractor Verifications
- cc. Environmental Review

G. MONTHLY LOAN PAYMENTS:

The Community Development Coordinator shall send monthly billing statements the 15<sup>th</sup> day of each month to borrowers with outstanding loan balances. Payments are received by the Treasurer's Office and the payment records are forwarded to the Community Development Coordinator for posting in the Neighborly database, which is the master database for the Housing Rehabilitation Program. The Community Development Coordinator is responsible for the maintenance of this master database which contains all loans and deferred loans/grants information.

H. LATE LOAN PAYMENTS:

The actions described below will be taken when a loan recipient is delinquent with loan payments:

1. Routine Actions:

- a. Borrowers with outstanding loan balances are notified of past due amounts on a monthly basis on their billing statement.
- b. A report of loan delinquencies will be drafted by the Community Development Coordinator and presented to the Committee on an annual basis. Following review of the report, the Committee may require collection actions to be taken.

2. Other Actions:

- a. Collection: The Committee may initiate any legal action, other than foreclosure, which is deemed necessary to affect collection (eg., temporarily reduce the payments, defer payments, extend the loan, small claims court, wage garnishment, calling the note).
- b. Foreclosure: If foreclosure procedures are deemed necessary, the Committee may recommend such action to the City Council for their approval.

I. SUBORDINATION:

A borrower may receive one subordination of the City's mortgage to a new or refinanced mortgage from a financial institution for any reason, provided that the "cash out" amount does not exceed \$7,000 and the new debt-to-value is no more than 90%. A second subordination will only be considered if there is no cash out and there is an interest rate reduction of at least 1.0%. A charge of \$50 will be assessed to defer the city's costs for the subordination processing.

DRAFT

## SECTION X

### COMMERCIAL REHABILITATION PROGRAM ADMINISTRATION

#### A. INTRODUCTION:

This Section is an overview of the administrative aspects of the Commercial Rehabilitation Program (Section IV).

#### B. APPLICATION PROCESS:

##### 1. Potential Applicants:

Potential applicants shall be notified of the opportunity to participate in the program through newspapers, meetings, door-to-door outreach and other advertising measures.

##### 2. Applicants:

Interested applicants shall notify the Community Development Coordinator.

##### 3. Work Write-Up:

The applicant shall submit a proposal along with a work write-up listing the necessary improvements for their commercial building. The Community Development Coordinator shall verify the loan eligibility of the improvement items.

##### 4. Final Work Write-Up:

The Building Rehabilitation Specialist will assist in drafting plans and writing specifications if requested, but only in instances where an architect is not required to submit plans for obtaining a building permit. Plans must be approved by the applicant.

##### 5. Eligibility Verification:

The Community Development Coordinator shall verify the applicant's eligibility. The following checks will be performed:

- a. Credit Report
- b. Financial Report
- c. Profit and Loss Report (for loans over \$10,000)
- d. Income Tax Report (for loans over \$10,000)

##### 6. Pre-Application Approval by Applicant:

The applicant shall approve the pre-application. The Rehabilitation Committee shall review the pre-application, based on the applicant's eligibility and the work to be done.

C. BIDDING AND APPROVAL PROCESS:

1. Bid Packages:

A bid package will be prepared by the Community Development Coordinator. The bid package shall contain:

- a. Plans or Work Write-Up
- b. Sample contract
- c. Applicable federal regulations
- d. Requirements for System for Award Management registry
- d. Required Davis-Bacon wage rates
- e. Required City specifications
- f. Bid Proposal form

2. Applicant Receipt of Bids:

The applicant shall send out and receive bids from contractors of his choice. Two or more bids shall be obtained. The applicant shall select a contractor and submit the selection to the Community Development Coordinator along with bid information from at least one other bidder.

3. Applicant Approval of Final Application:

The applicant shall approve the final application form.

4. Final Application Approval by City:

The Rehabilitation Committee shall review the final application, considering in particular any changed work items, the final cost of the work and the selected contractor.

D. FINANCIAL SETTLEMENT:

1. Required Documents:

The following documents shall be received and signed, as applicable, during the financial settlement meeting:

- a. Order to Proceed

- b. Truth in Lending
- c. Promissory Note
- d. Opportunity to Rescind
- e. Mortgage
- f. Contract

2. Contractor's Signature:

The Building Rehabilitation Specialist shall obtain the signature of the contractor on the contract.

E. CONTRACT MANAGEMENT:

1. Proceed Order:

The proceed order shall be sent to the contractor.

2. Building Permits:

The Building Rehabilitation Specialist shall obtain a copy of any required building permits.

3. Non-Permit Items - Final Inspection:

Upon notification from the contractor that all non-permit items are completed, the Building Rehabilitation Specialist will make a final inspection of those items.

4. Permit Items - Final Inspection:

Upon notification from the contractor that all permit items are completed, the Building Inspections Office will make a final inspection of those items.

5. Applicant's Approval Statement:

The Building Rehabilitation Specialist will obtain the applicant's approval and Owners Completion Reports.

6. Contractor's Payment Request:

The following shall be received prior to processing the contractor's payment request:

- a. Invoice
- b. Final Inspection and Owners Completion Reports

c. Loan Adjustment (if needed)

F. CASE CLOSE OUT AND REQUIRED RECORDS:

The Community Development Coordinator shall be responsible for the case close out and required records according to the guidelines mentioned in Homeowner Housing Rehabilitation Program Administration (Section IX).

G. LATE LOAN PAYMENTS:

The same procedure concerning late loans will be used as stated in Homeowner Housing Rehabilitation Program Administration (Section IX).

H. SUBORDINATION:

A borrower may receive one subordination of the City's mortgage to a new or refinanced mortgage from a financial institution for any reason, provided that "cash out" does not exceed \$7,000 and the new debt-to-value is no more than 90%. A second subordination will only be considered if there is no cash out and there is an interest rate reduction of at least 1.0%. A charge of \$50 will be assessed to defer the city's costs for the subordination processing.

## SECTION XI

### DEMOLITION PROGRAM ADMINISTRATION

#### A. INTRODUCTION:

This Section is an overview of the administrative responsibilities of the Demolition Program (Section V).

#### B. APPLICATION PROCESS:

##### 1. Potential Applicants:

Interested applicants should notify the Community Development Coordinator, who shall determine financial eligibility and ownership of the property, a field inspection by the Building Rehabilitation Specialist, and review of the program requirements.

##### 2. Demolition Work Write-Up:

The Building Rehabilitation Specialist shall develop a detailed demolition work write up which identifies the required demolition work to be done, including the structures, foundations, trees and other items to be removed.

##### 3. Applicant Approval of Work Write-Up:

The applicant shall approve and sign the demolition work write-up.

#### C. BIDDING AND APPROVAL PROCESS:

##### 1. Pre-Qualified Bidders:

The Building Rehabilitation Specialist shall pre-qualify contractors and maintain a demolition contractors list. However, contractors may be removed from the list, by action of the Rehabilitation Committee, based on poor performance. A State license is required for residential demolitions. The experience of the contractor shall determine qualifications for commercial demolition.

##### 2. Bid Mailings:

Bid requests are sent to contractors in accordance with the City's purchasing department requirements based upon the estimated cost of the project and to contractors on the demolition contractors list.

##### 3. Bid Openings:

The sealed bids will be received, publicly opened and read by the City Clerk's Office,

using standard City bidding procedure.

4. Applicant Approval of Final Application:

The Building Rehabilitation Specialist shall obtain final approval of the applicant on the final demolition application form.

5. Application Approval by City:

The Rehabilitation Committee shall review the application, the work items, the cost of the work and the contractor prior to approving the demolition project.

D. SETTLEMENT DOCUMENTS:

1. Required Documents:

The following documents must be executed by the applicant if the demolition project is not part of a commercial improvement project:

- a. Waiver of Claim to Personal Property
- b. Authorization and Release for the Removal of Real Property
- c. Proceed Order
- d. Contract

2. Contractor's Signature:

The Community Development Coordinator shall obtain the signature of the contractor, City Manager, and City Attorney on the demolition contract after City Council approval of the expense if applicable.

E. CONTRACT MANAGEMENT:

1. Utilities:

The Building Rehabilitation Specialist shall verify appropriate utility displacement. However, full responsibility for utility shut off or removal, as appropriate, shall rest with the owner and contractor prior to work being started.

2. Proceed Order:

The Community Development Coordinator shall forward the demolition contract and Order to Proceed to the contractor and applicant.

3. Demolition Permit:

The contractor shall obtain the proper permit from the Building Inspections Office.

4. Project Management:

Any problems during the demolition work are to be worked out with the Building Rehabilitation Specialist, and/or the Building Inspections Office, as appropriate.

5. Final Inspection:

After notification from the contractor that all work has been completed, the Building Rehabilitation Specialist shall do a final inspection.

6. Applicant's Approval Statement:

Upon doing the final inspection and the approval report, the Building Rehabilitation Specialist shall obtain the applicant's written approval of the demolition work.

7. Contractor's Payment:

A request for payment will not be processed until the following executed documents are received:

- a. Contractor's invoice
- b. Final Inspection Completion form
- c. Owners Completion Report

F. CASE CLOSE OUT AND REQUIRED RECORDS:

1. Submittal of Invoice:

The Community Development Coordinator shall submit the invoice for payment.

2. Master Demolition File:

A record shall be posted to the file of the completed demolition work.

3. Close Out Documents:

The Community Development Coordinator shall close out the case file by preparing a file cover sheet and checking that the following documents are in the file:

- a. Owner's request letter

- b. Inspection's "Dangerous Building" form, if applicable
- c. Approved application
- d. Contract
- e. Demolition Work Write-Up
- f. Invoices, Purchase Orders and Change Orders (if applicable)
- g. Proceed Order
- h. Inspections Report
- i. Applicant's Approval Statement
- j. Environmental Review

DRAFT

## SECTION XII

### HOMEOWNER HOUSING EMERGENCY REPAIR PROGRAM ADMINISTRATION

#### A. INTRODUCTION:

This Section is an overview of the administrative aspects of the Single Family Emergency Rehabilitation Loan Program (Section VI). The same administrative guidelines as discussed in Section IX (Homeowner Rehabilitation Administration) of this Manual shall apply for this Program, except for the additional waiver allowances listed below.

#### B. WAIVER ALLOWANCES:

Under emergency conditions, the Rehabilitation Committee may waive formal eligibility procedures and the formal bidding process. The work may be assigned by the Building Rehabilitation Specialist to a qualified contractor who can accomplish the job in a timely manner. Additional non-emergency repairs must meet the administrative guidelines as discussed in Section IX (Homeowner Rehabilitation Administration).

DRAFT

APPENDIX A

CLASSIFICATION OF ELIGIBLE WORK ITEMS

REHABILITATION PROGRAMS III, IV, VI

A. INTRODUCTION:

For a rehabilitation project, the Building Rehabilitation Specialist will make a determination on a final list of eligible work items using this classification system. In the event that all items on the list cannot be repaired due to maximum loan limits, deletions will be made based on the following described criteria. Severe code violations will not be deleted. Deletions of other items and/or violations shall be made in the following order:

1. General Improvement Items
2. Garage Repairs
3. Incipient Code Items
4. Code Violations

B. WORK ITEM CLASSIFICATIONS:

1. General Improvement Items:

These are improvements to residential property, other than code or incipient code items, that relate to the primary dwelling. Final approval of all general improvement items will be made by the Rehabilitation Committee.

Ineligible general improvement items include, but are not limited to:

- |                         |   |
|-------------------------|---|
| Barbecue Pit            | Kennels   |
| Bath House              | Tree Surgery (Other than a hazardous condition) |
| Burglar Alarms and Bars | Swimming Pools                                  |
| Dishwashers             | T.V. Antenna                                    |
| Flower Boxes            |   |
| Green Houses            |   |

2. Garage Repairs:

These are any item qualified under the Homeowner Housing Rehabilitation Program (Section III, Part E), except for general improvement items. Any new siding or roofing materials must match those on the house where feasible.

3. Incipient Code Items:

These are code items that, in the opinion of the Building Rehabilitation Specialist, will likely deteriorate into actual code violations in the near future.

4. Code Violations:

These are City Property Maintenance Code Violations not covered under the "Severe Code Violations" classification.

Included in this category shall be items required under the Michigan Building Code (MBC) and Michigan Residential Code (MRC), and Michigan State Energy Code to ensure the adequate and efficient conservation of energy.

5. Severe Code Violations Listing:

These are City Housing Code violations that directly and immediately endanger the public health, safety and welfare. The following sections explain those situations considered to be extreme. These repairs must be done prior to that of any other repairs or improvements.

a. ELECTRICAL: An electrical deficiency shall be deemed severe if it contributes to any of the following:

1. Severe over-loading.
2. Non-insulated wiring in close proximity to heat runs, plumbing systems or appliances.
3. Completely failed system.
4. Failed system connected to electrically operated heating plants.
5. Unprotected (not fused or no breaker) circuits.
6. Ungrounded or improperly grounded circuits or systems.
7. Outlets, switches or fixtures that contribute to immediate shorts, shocks, sparks or possible fire.
8. The accumulation of water near electrical equipment appliances or fixtures.

b. PLUMBING: A plumbing system deficiency shall be deemed severe if it contributes to any of the following:

1. Severely leaking supply lines.

2. Severely leaking or obstructed waste lines, vents or traps.
  3. Lack of an operable flush toilet.
  4. Lack of operable washing and/or bathing facilities.
  5. Cross connection of supply and waste lines.
  6. Failed septic tanks and dry wells.
  7. Water heaters that are unsafe due to: a leaking heat exchanger or tank, lack of proper or obstructed venting, connection to an unsafe fuel supply, inoperable or lack of proper safety valves, switches or other safety controls.
  8. Any plumbing system deficiency causing a sewer gas leak into the interior of the structure.
- b. HEATING: A heating system deficiency shall be deemed severe if it contributes to any of the following:
1. Burned or rusted out heat exchanger.
  2. Obstructed or lack of proper venting.
  3. Connection to an unsafe fuel supply.
  4. Inoperable or lack of proper safety valves, switches and other safety controls.
  5. Incapable of adequately heating the living space.
- d. STRUCTURAL: A structural deficiency shall be deemed severe if it contributes to any of the following:
1. The structural system (walls, chimney, roof, foundation, ceilings and floors) not safely carrying design imposed loads- or exhibiting extensive sagging due to material decay, fracturing or improper design.
  2. The structural system in potential danger of collapse
  3. The structural materials being excessively deteriorated or damaged allowing animals or excessive amounts of water to enter the interior of the structure, excluding open porches or steps.
  4. Water drainage causing significant damage or seepage into the structure.

e. SANITATION: A sanitation deficiency shall be deemed severe if it contributes to any of the following:

1. The presence of sewage above ground level from a failed or improperly maintained septic or other waste system.
2. Dangerous infestation of the structure or exterior from insects or rodents.
3. The dangerous accumulation of litter, garbage, debris or abandoned vehicles, endangering the occupants of the dwelling unit or other structures.

DRAFT

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

RESOLUTION TO CONCUR WITH THE PURCHASE OF CHAIRS  
FOR THE COURTROOMS AT THE 62A DISTRICT COURT

WHEREAS:

1. As detailed in the attached staff report, the Court Administrator is requesting City Council concur with the purchase of chairs from Kentwood Office Furniture in the total amount of \$8,075.00.
2. Funds are budgeted in account number 101-136-13600-801.000.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council concurs with the purchase of chairs from Kentwood Office Furniture.
2. The City Council waives 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 certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on May 1, 2023.

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

ATTACHMENT:  
Staff Report

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

## STAFF REPORT

Date: April 24, 2023

Subject: Courtroom Chairs – Judge/Jurors/Prosecutors/Attorneys/Defendants

From: Christopher Kittmann, Court Administrator

Meeting Date: May 1, 2023

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### **RECOMMENDATION:**

It is recommended City Council concur with the purchase of 40 chairs that will be utilized for courtroom proceedings. The total amount for the 40 chairs is \$8075.00.

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

The replacement chairs for the courtroom will be utilized by the Judge, jurors, prosecutors, attorneys, defendants as well as other community stakeholders. The new chairs provide an esthetically pleasing environment, are more ergonomic, and in general are much safer. The chairs that are currently in the courtroom are nearly 20-year-old and are falling apart.

### **DISCUSSION:**

The courthouse was remodeled in 2001 [over 22 years ago]. At the time of the remodel the court purchased new chairs and office equipment. Over the last 20 years the chairs in the courtrooms have incurred a fair amount of wear and tear. As such, the chairs are no longer viable.

A salesperson from Kentwood Office reached out to the court with an opportunity to purchase a batch of replacement Steelcase chairs for a greatly reduced price. [List price was \$1600 per chair while purchase price would be \$200 per chair]. In short, the court was able to quickly secure 40 chairs at a substantial savings to the City of Wyoming.

### **BUDGET IMPACT:**

Funds are budgeted in account number 101.136.13600.801.000.

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

RESOLUTION TO AUTHORIZE THE PURCHASE  
OF GETAC TABLETS FROM MIDWEST PUBLIC SAFETY LLC

WHEREAS:

1. As detailed in the attached staff report, it is recommended City Council authorize the purchase of Getac tablets for six new patrol cruisers from Midwest Public Safety LLC in the total estimated amount of \$24,799.74.
2. Funds for the purchase are budgeted in account numbers 101-258-25800-740.200 and 101-305-31500-980.094.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council authorizes the purchase of six Getac tablets from Midwest Public Safety LLC.
2. The City Council authorizes the Mayor and City Clerk to execute the contract.
3. The City Council waives the provisions of Sections 2-252, 2-253, 2-254, and 2-256 of the City Code regarding the 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 certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on May 1, 2023.

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

ATTACHMENTS:

- Staff Report
- Contract/Quote

## STAFF REPORT

Date: April 20, 2023  
Subject: Getac Tablets for Patrol Vehicles  
From: Captain Timothy Pols  
Meeting Date: May 1, 2023

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### RECOMMENDATION:

It is recommended the City Council approve the purchase of six (6) Getac A140 ruggedized tablets, keyboards, and accompanying mounting accessories from Midwest Public Safety. These tablets and keyboards will serve as the mobile computer terminal (MCT) in the six (6) new patrol vehicles that have been approved for purchase. The Information Technology Department has previously been approved to purchase Dell Laptop computers to serve as the MCT, however, the Department of Public Safety is requesting to upgrade to the Getac A140 for reasons listed below in the discussion section. Upgrading to the Getac A140 for six new patrol vehicles would be approximately \$1,400 more than the amount previously requested.

### COMMUNITY, SAFETY, STEWARDSHIP:

A critical piece of equipment in each patrol vehicle is the mobile computer terminal (MCT). Officers rely on the MCT to stay connected to dispatch, write incident reports, search LEIN for persons and vehicles, review in-car and body camera footage, and perform a myriad of other daily tasks requiring computer access. Although the Getac A140 is more expensive than the current MCT configuration, there are increased safety benefits, as discussed below. The Department of Public Safety will begin by installing the Getac in six patrol vehicles which are on order. It is anticipated that we replace the MCTs in the remaining patrol vehicles as each vehicle is replaced at the end of its serviceable life. Replacements beyond the six proposed in this report, will be subject of a future staff report.

### DISCUSSION:

#### Current MCTs:

The current MCTs are mounted between the driver's and front passenger's seats. The current location and setup of the MCT's adversely affects visibility for officers through the windshield and side windows. The standard MCTs which have been in police cars for decades force personnel to twist in the driver's seat in order to type on the keyboard. As mentioned, the MCT is usually mounted between the two front seats of the patrol vehicles, and the officer must consistently twist to the right in order to type (if they are a passenger officer, they would have to twist to the left). This is not only an awkward position, but it is uncomfortable and can contribute to back and lumbar issues for personnel. It is not unusual for officers to spend multiple hours each shift typing in this awkward position. They type as they write reports, enter comments, send emails, or run LEIN during investigations. These multiple hours per shift in this position can have a cumulative effect on their lumbar health. If a crash were to occur with the current MCTs, it poses additional risk to a passenger officer based on the position and mounting.

#### Benefits of Proposed MCTs:

Police staff researched alternatives and identified the Getac A140 tablets as a possible solution. The Getac A140 provides the following benefits:

- It would allow an officer to detach the keyboard, place it on their lap or directly in front of them, and type without having to twist in order to reach it. They would also be able to hang the MCT screen directly in front of them while typing.

- It also has a lower profile through its setup and mounting location which optimizes visibility. This has obvious implications while driving. Improved visibility also improves officer safety by having fewer blind spots while an officer is stationary and/or typing.
- It minimizes risk of injury (especially to a passenger officer) in the event of a crash based on the set-up and location of hardware.

#### Information Technology Approval:

The Information Technology Department has approved the utilization of these Getac A140 MCTs. This staff report is being submitted due to the fact that this purchase diverges from a previous IT request to purchase different MCTs (Dell Computers) and there is also a slight increase in price. Getac, Midwest Public Safety, and Sourcewell have each been checked in Sam.gov for debarment with negative results.

The mounting equipment listed on the quote from Midwest Public Safety has also been approved by the Information Technology Department, and any other mounting parts have already been approved for purchase by Fleet Services.

#### Purchase Rationale and Process:

The research done by staff explains the rationale for recommending Midwest Public Safety as the vendor for this purchase as follows:

- There is a cooperative purchase agreement for the Getac A140 MCTs through Sourcewell.
- Sourcewell's cooperative bid contract #090122-GET indicates that Sourcewell's pricing is 10 percent below MSRP for rugged tablets.
- Staff spoke to the manufacturer (Getac) and learned that MSRP on the Getac A140 MCTs is \$3,505.00 per unit.
- The Getac representative identified Midwest Public Safety as the Sourcewell vendor for the Getac 140 MCTs.
- Midwest Public Safety provided a quote of \$2,905.00 per unit (which is over 17 percent below MSRP and better pricing than the Sourcewell contract).
- Thus, it is recommended that the purchase be made from Midwest Public Safety.

#### **BUDGET IMPACT:**

The total purchase price of six (6) Getac A140 tablets, keyboards, and mounting equipment is \$24,799.74. An expenditure of \$23,418.00 has previously been approved by City Council for the Dell MCTs and mounting equipment subsequent to a staff report from the Information Technology Department. The increase from the previously approved amount is \$1,381.74. The difference would come from the Public Safety – Police budget.

Funds for the entire purchase are available in the following accounts:

101-258-25800740.200 (Information Technology - Operating Supplies Computer Equipment) and  
101-305-31500-980.094 (Public Safety - Patrol Capital Outlay Video Camera)

Thank you for considering.

Enclosure:  
Midwest Public Safety Quote

CITY OF  
**Wyoming**  
MICHIGAN

**CITY STANDARD CONTRACT**  
CITY OF WYOMING, MICHIGAN  
(MORE THAN \$8,500)

This Contract is made as of the Effective Date between City and Contractor.

City means the City of Wyoming, a Michigan municipal corporation, of 1155 28<sup>th</sup> St SW, Wyoming, MI 49509.

Contractor means: Midwest Public Safety LLC  
[Name of contracting entity]  
A Illinois LLC  
[State and type of entity, e.g., corporation, limited liability company, etc.]  
2665 Harryland  
[Contractor's street address]  
Decatur, Illinois 62521  
[Contractor's city, state & zip]

Contractor's personnel means Contractor's directors, members, partners, officers, employees, subcontractors, agents and representatives and any other individuals or entities Contractor engages to provide services under the Contract.

Effective Date means: 4/25, 2023

Goods means any parts, equipment, supplies, materials, or other items or services the City is acquiring from Contractor as itemized or stated in the Proposal.

Proposal means Contractor's proposal attached as Exhibit B.

Services means the services described and specified in the Proposal.

Standard Terms means the attached 2-page Exhibit A entitled "City Contract Standard Terms and Conditions."

TERMS AND CONDITIONS

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

1. Contractor will supply the Goods and Services and items as detailed in the Proposal.
2. City will pay the Contractor in accordance with the Proposal.
3. Contractor represents and warrants, except for those specifically waived or modified in this paragraph, Contractor is complying with and will comply with the Standard Terms. Waived or modified conditions are as follows:

none

[Identify those the City Attorney has agreed may be waived or the City attorney approved modifications or write "None."]

4. If this Contract is for a public improvement project costing \$50,000 or more, performance and payment bonds in an amount equal to the Contract amount are required and must be provide before starting any of the Services.

5. This is the only agreement between the parties regarding City's acquisition of the Goods from Contractor and/or engagement of Contractor to perform the Services. There are no other agreements, representations, or warranties except as stated in the Proposal. 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: \_\_\_\_\_  
Kent Vanderwood, Mayor

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

Date signed: \_\_\_\_\_, 20\_\_

Approved as to form:

\_\_\_\_\_  
Scott G. Smith, City Attorney

**Company**

By: JL Oost  
[Signature officer, director or principal of Contractor]  
Jeffrey Oost  
[Typed/Printed Name & Title of Person Signing for Contractor]

Date signed: 4/25, 2023

**EXHIBIT A**

**CITY CONTRACT STANDARD TERMS AND CONDITIONS**

1. **Applicability.** These Standard Terms and Conditions apply to the Contract unless expressly modified in writing signed by the Mayor and City Clerk or the City Manager.

2. **Legal Compliance.** Contractor will comply with applicable (i) laws, rules, regulations, codes, and ordinances, (ii) license and permit requirements, and (iii) orders of governmental agencies, officials, or courts including, for example, OSHA and MIOSHA rules and regulations.

3. **Permits and Inspections.** Unless the Contract or Proposal states otherwise, Contractor will, without expense to City, (i) obtain all licenses and permits required to lawfully perform Services under the Contract, (ii) upon City request, furnish City copies of those licenses and permits, and (iii) ensure all inspections required by local, state, and federal agencies and codes are performed.

4. **Grant Compliance.** Contractor represents and promises that, if state or federal grant funds are identified a source of payment for any part of the project, Contractor has reviewed and will comply with all applicable grant agreement terms and conditions.

5. **Qualifications.** Contractor represents and promises that:

A. Contractor has and will maintain, and Contractor's personnel have and will maintain, any needed licenses, registrations, certifications, memberships, or other approvals needed to perform the Services in Michigan.

B. Neither Contractor nor any of Contractor's personnel: (i) are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency; (ii) have within 3-years preceding this Contract been convicted of or have a judgment against them for fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction or contract with a government agency; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; (iii) are presently criminally charged with committing any of the offenses enumerated in this certification; and (iv) have within 3-years preceding this Contract had one or more public transactions terminated for cause or default.

C. If the Contract is for a community development block grant, U.S. Department of Housing and Urban Development (**HUD**), federal and/or state funded project, Contractor and Contractor's personnel are not listed on HUD's list of debarred and suspended participants.

D. Unless otherwise approved by the City Purchasing Director or City Attorney, Contractor and its subcontractors must register on the federal System for Award Management (**SAM**) list and be in good standing.

E. Neither Contractor nor Contractor's personnel is an "Iran linked business" under Michigan's Iran Economic Sanctions Act.

6. **Nondiscrimination and Respect.** City is committed to equity, fairness, impartiality, courtesy, respect, and nondiscrimination in all City programs, benefits, and actions, including City contracts and activities that contractors or others engage in for or on behalf of City. Accordingly:

A. Contractor in (i) employment actions, (ii) soliciting, bidding or contracting with subcontractors, or (iii) soliciting, bidding or contracting for materials will not discriminate based on race,

color, religion, national origin, age, sex, height, weight, marital status, familial status, mental or physical disability, genetic information, or other reason prohibited by law that is unrelated to the ability to perform the duties of a job or position. "Sex" means sex and gender, sex or gender stereotypes, sexual orientation, gender identity (including transgender status) or expression, and pregnancy, childbirth, or a condition related to pregnancy or childbirth.

B. Contractor will comply with applicable state and federal laws, rules, regulations, and other requirements regarding discrimination and inclusion, including, without limitation, Title VI of the federal Civil Rights Act of 1964, Michigan's Elliott-Larsen civil rights act, Michigan's persons with disabilities civil rights act, the federal Age Discrimination Act of 1975, and §504 of the federal Rehabilitation Act of 1973, together with all rules, regulations, orders, and guidance issued pursuant to those statutes.

C. If Contractor will engage with others on City's behalf, Contractor must (i) ensure all persons are treated with fairness, equity, impartiality, courtesy and respect, and in a manner that does not discriminate based on race, color, religion, national origin, age, sex, height, weight, marital status, familial status, mental or physical disability, genetic information, or any other reason prohibited by law, and (ii) if any engaged individuals have limited English proficiency (*i.e.*, they speak English less than very well), Contractor must use language assistance services in communications. Language assistance services complying with City's Limited English Proficiency (LEP) Plan comply with this requirement.

D. Contractor must include these requirements in subcontracts and supply contracts and reasonably enforce compliance with them.

E. Noncompliance with this provision is a material breach of this Contract that can result in (i) withholding payments to Contractor, (ii) Contract cancellation, termination, or suspension, in whole or in part, and (iii) Contractor's ineligibility for future City contracts.

F. Contractor must retain and, upon request, provide City access to and copies of all information and reports required by the requirements referred to in this provision that City or a state or federal agency determine are pertinent to ascertain compliance. If information required of Contractor is in the sole possession of another who fails or refuses to furnish it, Contractor must so certify to City.

7. **Ethical Standards.** Contractor and Contractor's personnel have not engaged in and will refrain from: (i) holding or acquiring an interest conflicting with this Contract; (ii) engaging in any act creating an appearance of impropriety with respect to the award or performance of this Contract; (iii) attempting or appearing to influence a City elected or appointed officer or employee by a direct or indirect offer of anything of value; or (iv) paying or agreeing to pay any person, other than Contractor's personnel, any consideration contingent upon the award of this Contract. None of Contractor's personnel is a spouse, parent, child, grandchild, or sibling of the mayor, city council member, or other City officer or City board/commission member of the City except as already disclosed in writing to City. Contractor will promptly inform City of any change in this circumstance.

8. Media Releases. Media releases (including promotional literature and commercial ads) pertaining to this Contract or the project to which it relates must not be made without the City Manager's prior written approval and only in accordance with the written terms provided in that approval.

9. W-9. Before beginning work, Contractor and subcontractors will e-mail to [accountspayable@wyomingmi.gov](mailto:accountspayable@wyomingmi.gov) a completed an IRS W-9 form.

10. Intellectual Property. Contractor guarantees the sale or use of the Goods or the articles, software, copies, records, or other intellectual property provided or used to perform the Services will not infringe any copyright, patent, trademark or other intellectual property rights. Contractor will, without expense to City, defend all actions against City or City's officers or employees for any alleged infringement of any intellectual property rights by reason of their sale or use as in conjunction with this Contract and will pay all costs, damages, and profits recoverable in any such action.

11. Quality. Unless otherwise stated in the Proposal, all Goods supplied under this Contract will be new, the best of their respective kind, and free from defects.

12. Taxes. City is generally exempt from federal and state taxes and a copy of supporting documents can be requested by contacting City's Finance Department.

13. Disposal. Unless this Contract or Proposal states otherwise, Contractor will remove and dispose of materials, equipment and other items demolished, removed or replaced during as part of the Services and cleanup and remove of all debris resulting from the Services in a manner complying with applicable law. Contractor must retain and, upon request, provide City copies of any required manifest and other disposal documentation.

14. Restoration. Without expense to City, Contractor will restore, property damaged while providing the Services to a condition equal to that existing before that damage. If Contractor fails to make such repairs or restoration, City may, after 48-hours' notice to Contractor, make such repairs or restoration, and deduct costs incurred from amounts due Contractor.

15. Manufacturer Information and Warranties. Contractor will provide City all manufacturer parts lists, assembly and maintenance information, and other documents provided by manufacturers of the Goods and ensure warranties for them are held by or assigned to City.

16. Risk Allocation. Contractor is solely responsible for (i) means and methods of the Services, (ii) the conduct of Contractor's personnel, and (iii) injuries or property damage occurring as a result of the Services. Contractor will hold City and City's officers and employees harmless from, indemnify them for, and defend them (with legal counsel reasonably acceptable to City) against all claims made by persons other than City as a result of the Services. Contractor will reimburse City for or pay in City's stead costs City may incur as a result of claims, demands, judgments, administrative actions, or any order to pay any amounts made or entered against City or City's officers or employees as a result of the Services.

17. Insurance. Contractor must obtain and maintain the following insurance:

<p><b>COMMERCIAL GENERAL LIABILITY</b></p> <p>Minimal Limits: \$2,000,000 Each Occurrence, \$2,000,000 Personal &amp; Advertising Injury, \$2,000,000 General Aggregate, and \$2,000,000 Products/Completed Operations</p> <p>Coverage must include the following: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors; (D) Broad Form General Liability Extensions or equivalent, if not already included; (E) Deletion of all Explosion, Collapse, and Underground (EXU) Exclusions, if applicable.</p>
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<p><b>AUTOMOBILE LIABILITY INSURANCE</b></p> <p>Minimal Limits (hired and non-owned automobile coverage): \$2,000,000 per person \$2,000,000 per occurrence</p>
<p><b>WORKERS' DISABILITY COMPENSATION</b></p> <p>Minimal Limits: \$500,000 per occurrence Coverage shall be in accordance with Michigan statutes. Waiver of subrogation, except where waiver is prohibited by law.</p>
<p><b>EXCESS/UMBRELLA INSURANCE</b></p> <p>Required liability limits may be obtained using an Excess-Umbrella Liability policy in addition to primary liability policy(ies). If Excess and/or Umbrella policy to satisfy coverage limits, coverage must follow the form of the primary liability policy(ies).</p>
<p><b>ADDITIONAL INSURED</b></p> <p>If this Contract is for more than \$5,000, General Commercial Liability, Automobile Liability and Excess/Umbrella Liability insurance shall include an endorsement stating the following are Additional Insureds: City and City's officers, employees, volunteers, agents, boards, and commissions. Coverage is to be primary and any City insurance will be secondary and/or excess.</p>

Upon City request, Contractor will provide to City's Purchasing Department copies of certificates of insurance, policies and endorsements.

18. Records. City must retain, be able to obtain, and/or audit records related to City contracts. Contractor will retain copies of all records related to this Contract and the Services for at least 7 years after completion of this Contract. Contractor will, upon City's request, allow inspection, auditing, and copying of all retained records.

19. Assignment/Beneficiaries. Unless this Contract states otherwise, (i) none of Contractor's rights or duties may be assigned or delegated without City's prior written consent and (ii) no other individuals or entities are intended to be beneficiaries of this Contract.

20. Independent Contractor. Contractor is wholly independent of City. None of Contractor's personnel shall be or be represented to be City officers or employees. Contractor is solely responsible for acts, omissions, and statements of Contractor's personnel. Contractor is solely responsible for any compensation and benefits to be provided Contractor's personnel for the Services. City has no responsibility to supervise, compensate or insure Contractor or Contractor's personnel.

## EXHIBIT B



# QUOTE

Remit Check to: **Midwest Public Safety**  
C/O US Bank N.A.  
TFM P.O. Box 860573  
Minneapolis, Minnesota 55486-0573  
United States

2178550082  
midwestpublicsafetygroup.org

**BILL TO**  
**Wyoming Police Department**  
Todd Curran  
2300 Dehoop Ave SW  
Wyoming, Michigan 49509  
United States

616-530-7221  
todd.curran@wyomingmi.gov

**Estimate Number:** 04442043

**Estimate Date:** April 17, 2023

**Expires On:** May 17, 2023

**Grand Total (USD): \$24,799.74**

Products	Quantity	Unit Price	Extended Price
<b>AM2064QA5DBX</b> A140 G2 - Intel Core i5-10210U, Webcam, Win11+16GB, 256GB PCIe SSD, SR(FHD IPS+TS+stylus), US Power Cord, 8M Rear Camera, WIFI+BT, Hard Handle	6	\$2,905.00	\$17,430.00
<b>GAD2X8</b> GETAC : Getac 120W 11-16V, 22-32V DC Vehicle adapter (Bare Wire), 3 year warranty	6	\$99.00	\$594.00
<b>OHHGTC801</b> A140 - Havis, PKG-DS-GTC-801, Vehicle Dock with Bracket (ex. vehicle adapter)	6	\$657.00	\$3,942.00
<b>PKG-KB-208</b> HAVIS, INC. : PKG,KBM,DEVMT,KYBRD,UNVMT,	6	\$472.29	\$2,833.74

**Total:** \$24,799.74

**Grand Total (USD): \$24,799.74**

### Notes / Terms

Midwest Public Safety  
2665 Harryland Rd.  
Decatur, IL 62521  
www.midwestpublicsafetygroup.org  
217-855-0082

Accepted by: \_\_\_\_\_



# QUOTE

**Remit Check to: Midwest Public Safety**  
C/O US Bank N.A.  
TFM P.O. Box 860573  
Minneapolis, Minnesota 55486-0573  
United States

2178550082  
midwestpublicsafetygroup.org

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## Notes / Terms

Accepted Date: \_\_\_\_\_

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

RESOLUTION FOR AWARD OF BID

WHEREAS:

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

NOW, THEREFORE, BE IT RESOLVED:

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

Item	Recommended Bidder	Cost
Gas Chromatography/Mass Spectrometry Instrumentation System	Perkin Elmer U.S. LLC	\$85,550.79

2. The City Council authorizes the Mayor and City Clerk to sign the contract.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried      Yes  
                                    No

I certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on May 1, 2023.

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

ATTACHMENTS:

Staff Report

Contract

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

## STAFF REPORT

Date: April 18, 2023

Subject: Purchase of Gas Chromatography/Mass Spectrometry Instrumentation System with Installation and Training

From: Jaime Fleming - Laboratory Services Manager

CC: Myron Erickson, P.E. - Director of Public Works

Meeting Date: May 1, 2023

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### **RECOMMENDATION:**

It is recommended City Council authorize the purchase of a gas chromatography/mass spectrometry (GC/MS) instrumentation system with installation and training, from the low bidder, Perkin Elmer U.S. LLC, in the amount of \$85,550.79.

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

The Water Treatment Plant is actively engaged in the protection of the public health of Wyoming's citizens. A large part of this work is conducting laboratory analysis to quantifiably document our treatment success and compliance with regulatory requirements.

### **DISCUSSION:**

To demonstrate our ongoing success in meeting regulatory requirements, finished drinking water must be analyzed for certain volatile organic compounds (VOC's) and disinfection by-products (THM's). These compounds may be present in our source water or may be formed during the disinfection process. This testing is conducted in our Water Treatment Plant laboratory – which is one of a small number of municipal laboratories in Michigan certified to do this type of analysis in-house. The Water Treatment Plant laboratory analyzes samples from Wyoming's system and our wholesale customer community systems.

The allowed EPA testing methods for VOC's and THM's require specific instrumentation configurations, procedures, and quality control measures. The laboratory's current GC/MS instrument is more than fifteen years old, which is beyond the recommended in-service years and needs to be replaced to ensure consistent and proper function in accordance with the EPA methods.

On Tuesday, April 4, 2023, the City received four bids for a GC/MS instrumentation system with installation and training. Forty-one invitations to bid were sent to and/or downloaded by prospective bidders. A mandatory pre-bid meeting was held on April 16, 2023. The four companies that submitted bids attended the meeting.

The bid amounts are comprised of four components: the GC/MS itself, a concentrator, an autosampler, and installation & training. The bid proposal from the low bidder, Perkin Elmer U.S., LLC meets the EPA method requirements, as well as all other items included in the bid specifications. The City Attorney's Office has reviewed and approved the contract associated with the bid.

**TABULATION:**

<b>Vendor</b>	<b>Total Bid Price*</b>
Perkin Elmer US LLC	\$85,550.79
Shimadzu Scientific Instruments	\$90,040.54
Agilent Technologies	\$105,412.42
Thermo Electron North America LLC	\$128,072.47

\* All-included price as stated by bidder

**BUDGET IMPACT:**

Funds for the purchase are budgeted in account number 591-591-57300-986.444.



GC/MS Instrumentation System

**FURNISHING AND INSTALLATION OF GC/MS INSTRUMENTATION SYSTEM 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 **FURNISHING AND INSTALLATION OF GC/MS INSTRUMENTATION SYSTEM** 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 April 4, 2023 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.

PerkinElmer U.S. LLC

"Contractor" means:

<hr/>		
<small>LEGAL NAME OF COMPANY</small>		
<hr/>		
<small>BUSINESS NAME / D.B.A., IF DIFFERENT FROM ABOVE</small>		
Limited Liability Company		
<hr/>		
<small>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</small>		
710 Bridgeport Avenue		
<hr/>		
<small>STREET ADDRESS</small>		
Shelton	CT	06484
<small>CITY</small>	<small>STATE</small>	<small>ZIP CODE</small>

"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**

**Contractor**

By: \_\_\_\_\_  
Kent Vanderwood, Mayor

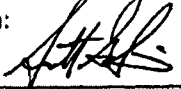
By: Benjamin Trachtenberg  
Signature for Contractor

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

Benjamin Trachtenberg/Chief Financial Officer  
Printed Name & Title of Person Signing

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

Date signed: April 18, 2023

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



► PerkinElmer U.S. LLC  
710 Bridgeport Avenue  
Shelton, CT 06484 USA  
Phone: (855) 726-9377  
Fax: (203) 266-1072  
[www.perkinelmer.com](http://www.perkinelmer.com)

March 28, 2023

City of Wyoming Michigan  
Wyoming City Clerk's Office  
1155 28<sup>th</sup> Street SW  
Wyoming, MI 49509

Attention: Jaime Fleming

Subject: Exceptions to Bid for Furnishing and Installation of GC/MS Instrumentation System

Dear Jaime,

PerkinElmer U.S. LLC respectfully takes exception to the following City Standard Terms and Conditions items and offer modified provisions as requested:

**City Contract Standard Terms and Conditions:**

Item 9.

Intellectual Property:

“Contractor guarantees the sale or use of articles, software, copies, records or other intellectual property provided under or used to perform the contract will not infringe any copyright, patent, trademark or other intellectual property rights. Contractor will, without expense to the City, indemnify and defend from and against every action brought against the City or the City’s officers or employees by a third party to the extent it is based on that a product directly infringes of any intellectual property rights by reason of their use as part of the contract and will at the Contractor’s expense and option either (1) obtain for the City or City’s officers or employees the right to continue using the infringing product, (2) replace the infringing product with a functionally equivalent non-infringing product, (3) modify the infringing product so that it is non-infringing, or (4) accept the return of the infringing product and refund the purchase price paid for the infringing product, pro-rated over a sixty (60) month period from the date of initial delivery of such product and less a reasonable amount for use, damages, or obsolescence.”

PerkinElmer offer includes indemnifying the City for Intellectual Property infringement, but we cannot offer the City a warranty/guarantee for Intellectual Property.

Item 10 F.

Materials and Equipment Information, Quality, Disposal, and Related Requirements.

“Contractor shall use reasonable efforts to meet dates specified for the delivery of products; however, all such dates are estimates only and subject to Contractor’s availability. .”

PerkinElmer will make reasonable efforts to meet delivery dates quoted, however we will not be liable for failure to meet the quoted delivery dates or for any delay in performance hereunder due to unforeseen circumstances or shortages, due to causes beyond our control. PerkinElmer will pay such replacement costs to the extent awarded by a court of competent jurisdiction. See revisions noted.

Item 11.

Restoration.

“Unless the plans and specifications state otherwise, Contractor shall restore, without expense to the City, any property verified to be damaged by Contractor during or as a result of any Work to a condition similar and equal to that existing before such damage as determined by a court of competent jurisdiction. If Contractor fails to make such restoration, the City may, after 48-hours’ notice to Contractor, make such restoration.”

Should actions taken by PerkinElmer U.S. LLC result in damages to the City of Wyoming, such damages are recoverable by the State using the courts or arbitration.

Item 17a.

Disputes/Remedies:

“In case of default by the bidder or contractor, the City may procure the articles or services from other sources.”

Should actions taken by PerkinElmer U.S. LLC result in damages to the City of Wyoming, such damages are recoverable by the State using the courts or arbitration.

**Risk Allocation and Insurance**

Item 1 A

Risk Allocation.

“Contractor is solely responsible for (i) the means and methods of the work and services provided under the contract, (ii) the conduct of its officers, employees, subcontractors and consultants, and (iii) for any third party claims for injuries or tangible property damage to the extent caused by Contractor’s negligence or willful misconduct, in performance of its Work under the contract, except, in each case, to the extent that any of the foregoing arise from the City and the City’s officers and employees gross negligence or willful misconduct.”

PerkinElmer’s responsibility for third party tangible property damages or any injuries is to the extent caused by PerkinElmer’s negligence or willful misconduct, and except to the extent the of the City, and the City’s officers and employees’ negligence.

Item 1 B

Risk Allocation.

“Contractor shall hold the City and the City’s officers and employees harmless from, indemnify for, and defend them against any claims made by persons by a third party other than the City related to personal injury, death, or tangible property damage to the extent caused by Contractor’s negligence or willful misconduct under performance of the contract, except, in each case, to the extent that any of the foregoing arise from the City and the City’s officers and employees gross negligence or willful misconduct. Contractor shall reimburse the City for or pay in the City’s stead any costs the City incurs as a result of third party claims, demands, judgments, administrative actions, or any order to pay any amounts made or entered against the City or City officers or employees as determined by a court of competent jurisdiction.”

PerkinElmer agrees to indemnify the City of third-party claims made for personal injury, death, and damage to tangible property to the extent caused by the negligence or willful misconduct of PerkinElmer.

Please review these exceptions and consider these as part of our response to the subject bid. Please let me know of any issues or questions.

Thank you,

*Julia Hamilton*

Julia Hamilton

Manager Contracts Administration

ORDINANCE NO. 7-23

ORDINANCE TO AMEND SECTION 90-515 OF THE CODE OF ORDINANCES  
BY ADDING SUBSECTION (138) TO REZONE A 0.96 ACRE PORTION OF  
2222 44<sup>TH</sup> STREET SW LOCATED JUST SOUTH OF 2330 44<sup>TH</sup> STREET SW  
FROM R-1 RESIDENTIAL TO B-1 LOCAL BUSINESS

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-515 of the Code of the City of Wyoming is amended by adding subsection (138) to read as follows:

- (138) (a) To rezone the following described property at 2222 44<sup>th</sup> Street SW (parcel number 41-17-10-307-016) from R-1 Residential District to B-1 Local Business:

**PARCEL NUMBER 41-17-27-101-027, AS SURVEYED:**

PART OF THE NW 1/4 OF SECTION 27, T6N, R12W, CITY OF WYOMING, KENT COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NW CORNER OF SECTION 27; THENCE S87°57'21"E 462.65 FEET ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 27; THENCE S01°38'06"E 220.00 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION: THENCE S87°57'21"E 200.00 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE NW 1/4 OF SAID SECTION 27; THENCE S01°38'06"E 186.19 FEET ALONG SAID WEST LINE; THENCE N87°57'21"W 225.00 FEET; THENCE N01°38'00"W 186.19 FEET; THENCE S87°57'21"E 25.00 FEET TO THE PLACE OF BEGINNING.

Section 2. That this ordinance shall take effect on \_\_\_\_\_, 2023.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on \_\_\_\_\_, 2023.

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

March 28, 2023

Ms. Kelli A. VandenBerg  
City Clerk  
Wyoming, MI

Subject: Request to Rezone a 0.96 acre portion of 2222 44<sup>th</sup> Street SW located just south of 2330 44<sup>th</sup> Street SW from R-1 Residential to B-1 Local Business (Section 27) (GR First Assembly of God and Leven Investments, LLC)

Planning Commission Recommendation: To approve the subject rezoning request.

Dear Ms. VandenBerg,

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on February 21, 2023. At the meeting, a motion was made by Zapata, supported by Hall, to recommend that City Council approve the proposed rezoning. The motion to approve 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.

Grand Rapids First, located at 2222 44<sup>th</sup> Street SW, has an underutilized youth soccer field located in the northwest corner of their property. The owner of the Animal Medical Center of Wyoming, located at 2330 44<sup>th</sup> Street SW just north of the soccer field, has an agreement in place to purchase 0.96 acres of this field from the church. The additional property would be added to the veterinary clinic site to be used for additional parking. The additional property is also being considered for a future building addition to the animal medical center.

The church's soccer field is currently zoned R-1 Residential, and the veterinary clinic is zoned B-1 Local Business. Before the 0.96 acre field can be combined with the veterinary clinic parcel and used for additional clinic parking, it must first be rezoned to B-1 Local Business to match the clinic's existing zoning.

During the public hearing, one resident spoke with general questions regarding the request.

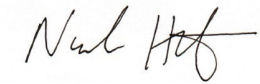
If approved for the proposed rezoning, the property owner would need to complete a formal land transfer application with the City Assessor's Office. A copy of the proposed rezoning survey is attached to this letter.

community • safety • stewardship

CITY COUNCIL

Robert Arnoys   Tommy Brann   Sheldon DeKryger   Renee Hill   Marissa Postler   Robert Postema  
**Kent Vanderwood, 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 Community and Economic Development  
Community and Economic Development Department

Cc: John McCarter, Interim City Manager

access to the property.

Vicki Briggs, 2545 DeLaat Ave SW, said she is part of the Historical Commission and said that part of the house was built in the 1830's. Briggs explained some history of the home to the commissioners. Briggs said that Wyoming doesn't have a museum and the house is very important from a historical perspective. She asked the Commissioners to think about what is best for the property and the house to preserve the City's legacy.

A motion was made by Randall, supported by Micele, to grant the FBC-Corridor Neighborhood rezoning request and recommend the same to the City Council.

Zapata asked if the house has any kind of historical significance that would preserve the house.

Hofert stated that the City of Wyoming does not have an ordinance that protects historic structures.

Randall asked if the adjacent elementary is being utilized.

Smith stated that the school is being used for education as well as a church.

Micele asked if there has been conversation about turning Colrain into a through street.

Hofert said that it would be too premature to speculate. Hofert said that a change like that would take study and it wouldn't be a decision that would be taken lightly. She said that there have been no questions asked and no conversation among staff about opening the street up.

A vote on the motion to grant the FBC-Corridor Neighborhood rezoning request and recommend the same to the City Council passed with the vote count being 4 of the commissioners voting yes and 1 against. Hall, Micele, Randall, and Zapata voted in favor. Gilreath-Watts voted against.

### AGENDA ITEM NO. 3

Request for a rezoning from R-1 Single-Family Residential to B-1 Local Business at a 0.96 acre section of 2222 44th Street SW located directly south of 2330 44th Street SW (Section 27) (Leven Investments, LLC and GR First Assembly of God)

Meagher explained that the site is located on a 0.96 acre portion of 2222 44th Street SW located just south of 2330 44th Street SW and is currently zoned R-1 Residential. He outlined the various uses of the surrounding land.

Meagher said that Grand Rapids First, located at 2222 44th Street SW, has an underutilized youth soccer field located in the northwest corner of their property. The owner of the Animal Medical Center of Wyoming, located at 2330 44th Street SW just north of the soccer field, has

an agreement in place to purchase 0.96 acres of this field from the church. The additional property would be added to the veterinary clinic site to be used for additional parking. The additional property is also being considered for a future building addition to the animal medical center.

The church's soccer field is currently zoned R-1 Residential, and the veterinary clinic is zoned B-1 Local Business. Before the 0.96 acre field can be combined with the veterinary clinic parcel and used for additional clinic parking, it must first be rezoned to B-1 Local Business to match the clinic's existing zoning.

Section 90-516(6) establishes general review standards for rezonings:

*(A) Consistency with the adopted master plan;*

The City's Master Plan, Wyoming [re] Imagined was adopted in 2021. The future land use map identifies the veterinary clinic site and many other sites along the 44th Street corridor near Byron Center Avenue as "Neighborhood Commercial Center" usage. Rezoning 0.96 acres of the adjacent church soccer field to be combined with the vet clinic site would remain consistent with this neighborhood commercial vision.

*(B) Compatibility of the allowed uses with existing and future land uses;*

The proposed rezoning to B-1 Local Business is compatible with existing and future land uses in the general area. The veterinary clinic site is already zoned B-1, and many parcels located across the street from the site along 44th Street are also zoned for B-1 usage. The proposed zoning is not likely to impact the adjacent church uses to the south, east, and west.

*(C) Capability of the property to be served by public services;*

The property can be served by public utilities.

*(D) Ability of the property to be used as currently zoned;*

The land proposed for rezoning cannot be used by the veterinary clinic under the site's existing residential zoning designation, because veterinary clinics and their accessory uses are not permitted in residential districts. Rezoning the section of the church soccer field to to B-1 would allow this land to be used by the existing animal medical center for parking or a future building addition.

*(E) Appropriateness of all uses allowed within the proposed district at the property location.*

The intersection of 44th Street and Byron Center Avenue is mostly commercialized with numerous parcels within close proximity already being zoned B-1 Local Business. The B-1 district is also intended to allow commercial uses that would serve nearby residential neighborhoods, so it is unlikely that the proposed rezoning would have an adverse impact upon nearby commercial or residential areas.

Meagher explained the following staff comments:

*(A) Process*

At this point, Planning Commission is only considering the rezoning of the proposed piece of property. If approved, the rezoning will receive two readings at City Council. After that, the property owner would need to apply for site plan approval prior to any future development occurring at the site. This includes the potential expansion of a parking lot or building addition.

*(B) Permitted Uses*

Veterinary hospitals and clinics are permitted by right in the B-1 Local Business district. However, this excludes the use of the property for exercise yards, pens, and other similar uses. An expanded exercise yard, pen, or similar use is not being proposed with this project.

*(C) Location*

The Animal Medical Center of Wyoming would be readapting a youth soccer field that is currently underutilized by the Grand Rapids First Church. The southern edge of this property is more than 200 feet away from any single-family residential property line.

Meagher explained that the proposed project supports reinvestment in the community and contributes to the City's economic strength. The proposed rezoning has an opportunity to make better use of an underutilized soccer field while also advancing the economic opportunity for an existing Wyoming business. Overall, the proposed rezoning conforms with the City of Wyoming Sustainability Principles.

Meagher said staff has amended the conditions of approval adding a second condition that requires an updated survey be provided.

Meagher said that the Development Review Team recommends the Planning Commission grant the proposed rezone request from R-1 Residential to B-1 Local Business at the proposed 0.96 acre section of 2222 44th Street SW located south of 2330 44th Street SW and recommends the same to the City Council subject to condition 1-2 below:

- 1.) A land division application will need to be completed by GR First Assembly of God to transfer land to Animal Medical Center of Wyoming following the approval of the rezoning.
- 2.) An updated survey must be provided with existing buildings. All proposed lot lines must meet required building setbacks on survey.

Micele opened the public hearing at 7:59 PM

Margaret Worst, 2362 Knollview St. SW, asked if Animal Medical Center was purchasing the piece of land in question.

Micele closed the public hearing at 8:00 PM.

A motion was made by Zapata, supported by Hall, to grant the proposed rezone request from R-1 Residential to B-1 Local Business at the proposed 0.96 acre section of 2222 44th Street SW located south of 2330 44th Street SW and recommends the same to the City Council.

Randall asked staff if there was a grade change and if it is reasonable to expect it to be a parking lot.

Meagher stated that the Development Review Team reviewed the site and did not have any concerns regarding the potential for a parking lot at the site.

Micele asked staff if the site is for Animal Medical Center.

Meagher confirmed that Animal Medical Center has a purchase agreement in place to purchase the site from Grand Rapids First.

A vote on the motion carried unanimously.

#### OLD BUSINESS

#### NEW BUSINESS

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

Meagher shared that the purpose of the Annual Report is to report on actions taken by the Planning Commission during 2022 as a requirement of the Michigan Zoning Enabling Act of 2008. The Commissioners all received a copy of the full report prior to the meeting.

Meagher explained 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 Rezonings. The report also includes annual comparisons from past years.

A motion was entered by Gilreath-Watts, supported by Zapata, to accept the 2022 Planning Commission Annual Report and forward to City Council.

A vote on the motion passed unanimously.



ORDINANCE NO. 8-23

ORDINANCE TO AMEND CHAPTER 90, ARTICLES 3 AND 5, OF THE CODE  
OF ORDINANCES BY AMENDING SECTIONS 90-320 AND 90-508 TO UPDATE  
LANGUAGE REGULATING OUTDOOR EQUIPMENT STORAGE AND DRIVE OPENINGS  
AT AUTOMOBILE SERVICE STATIONS

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 90, Article 3 of the Code of Ordinances, City of Wyoming, Michigan is amended by amending section 90-320 to read as follows:

**Sec. 90-320 Automobile Service Stations and Public Garages**

- (1) An automobile service station shall be located on a lot having a frontage along the principal street of not less than 140 feet, and having a minimum area of not less than 14,000 square feet.
- (2) An automobile service station building housing an office, facilities for servicing, greasing or washing motor vehicles shall be located at least 40 feet from any street lot line. All gasoline pumps shall be a minimum of 15 feet from all property lines.
- (3) Except for gas pumps, vacuums, and air compressors for vehicle tires, all equipment shall be enclosed entirely within a building.
- (4) An automobile service station located on a lot having an area of 14,000 square feet shall include not more than eight gasoline pumps and two enclosed stalls for servicing, lubricating, greasing or washing motor vehicles. An additional two gasoline pumps or one enclosed stall may be included with each additional 2,000 square feet of lot area.
- (5) Where an automobile service station adjoins property located in any residential zone, a masonry or concrete wall five feet in height shall be erected and maintained along the service station property line. All masonry or concrete walls shall be protected by a fixed curb or barrier to prevent vehicles from damaging the wall.
- (6) All exterior lighting, including illuminated signs, shall be erected and hooded or shielded so as to be deflected away from neighboring properties.
- (7) When a structure designed and used for automobile service station or filling station purposes ceases to operate on a continuing basis for a period of 180 consecutive days or more, the owner of the premises shall be served written notice by the building inspector of the requirement to, within 60 days of the date of such notice, either lawfully convert such structure to another permitted use in that district or board all windows, doors and openings of the structure and maintain the premises in the manner which shall not become detrimental to the general health, safety and welfare of the surrounding community.
- (8) Abandoned automobile service or filling stations may be converted to the use allowed in the district provided the applicable provisions of this chapter are met, the pumps and signs are removed and the underground storage tanks are abandoned according to city and state regulations.

Section 2. That Chapter 90, Article 5, Section 90-508 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

**Sec. 90-508 REQUIREMENTS FOR PERMITTED USES AFTER SPECIAL APPROVAL**

Use	Zoning Districts Permitted	Minimum Lot Area	Special Minimum Yard Special Requirements	Special Screening Requirements	Other Requirements
Adult business	B-2	—	—	—	Not permitted in locations within 500 feet of a church, synagogue or other regular place of religious worship, public or private elementary, preschool or secondary school, public park, childcare center, entertainment business that is oriented primarily toward children or family entertainment; boundary of any residentially zoned district or any legal residential use not located within a residentially zoned district. Not permitted within 1,000 feet of any other adult business. The distance shall be measured from the location of the building or structure housing the adult business to the nearest point of the other building, structure or use or from the nearest lot line of properties in a residentially zoned district or residentially used property.
Amusement machine parlors and pool parlors	B-2	—	—	—	Not permitted within 500 feet of any church.

Use	Zoning Districts Permitted	Minimum Lot Area	Special Minimum Yard Special Requirements	Special Screening Requirements	Other Requirements
Automobile car wash establishments	B-2	—	Minimum front yard setback of 40 feet for all structures.	—	Required off-street storage space for at least 4 automobiles per stall for manual or self-service establishments, 10 automobiles per stall for unattended and automatically attended establishments.
Automobile service stations	B-2	14,000 square feet	Minimum lot width of 140 feet	—	Site must be a corner lot abutting at least one major thoroughfare. No drive or curb opening may be located nearer than 20 feet to any residential interior lot line. See Sec. 90-320 for additional requirements.
Breweries, distilleries, canning and chemical plants	I-1, I-2	—	—	—	Special consideration of accessory dining and potential odor or pollution nuisances.
Cemeteries	R-1, R-2, R-3, ER, R-7	40 acres	All structures to be minimum of 100 feet from any lot line.	—	
Cocktail lounges, night clubs, taverns	B-2, B-3	—	—	—	Not permitted within 500 feet of any church or school.
Commercial greenhouses exceeding 1,000 square feet (see "Commercial greenhouses" & "of less than 1000 sq. ft.")	R-1, R-2, R-3, ER, R-7, B-2, B-3	1 acre	All structures to be minimum of 40 feet from all lot lines.	—	—

Use	Zoning Districts Permitted	Minimum Lot Area	Special Minimum Yard Special Requirements	Special Screening Requirements	Other Requirements
Community centers	ER, R-1, R-2, R-3, R-4, R-7, B-2, B-3	—	—	—	Must be located on a major thoroughfare or collector street.
Emergency Shelter	R-4, B-2	—	—	—	See Sec. 90-333  Must be located within 0.25 mile of a dedicated transit stop, medical clinic, or hospital.
Kennels	I-2	5 acres	—	—	All outdoor runs or breeding areas to be enclosed on all sides by an obscuring wall or fence not less than 4 feet in height and located at least 50 feet from any property line.
Mineral extraction, borrow pit, topsoil removal	I-2	—	All structures to be minimum of 100 feet from all property lines.	Submission of screening plan required except for topsoil.	—
Motor vehicles sales and rental, outdoors	B-2	15,000 square feet	Minimum 7 feet wide greenbelt in front and secondary front yards in Instances where existing buildings on the same lot are devoted to the business and are not expanded. Bumper blocks must be positioned in the adjoining vehicle display area so as to allow no more than 2 feet of vehicle overhang into the greenbelt.	—	—

Use	Zoning Districts Permitted	Minimum Lot Area	Special Minimum Yard Special Requirements	Special Screening Requirements	Other Requirements
Nursery schools, day nurseries and child care centers	R-1, R-2, R-3, ER, R-7, B-3, PUD-1	15,000 square feet	Outdoor play of 100 square feet per child for which the facility is designed to care for with a minimum yard area of 1,500 square feet.	Fence at least 4 feet in height to enclose the rear yard.	Lot must front upon a major thoroughfare with drive access directly thereto.
Open air business uses	B-2	10,000 square feet	—	—	—
Outdoor Cookers	B-1, B-2, B-3	—	See Sec. 90-332	See Sec. 90-332	See Sec. 90-332
Pawnshops	B-2	—	—	—	Not permitted in locations within 500 feet of an existing pawnshop or secondhand dealer, as measured between property lines.
Permanent Supportive Housing	R-4, B-1, B-2, B-3	—	—	—	See Sec. 90-333
Private parks, country clubs, golf courses, and golf driving ranges	R-1, R-2, R-3, ER, R-7, PUD-1	5 acres	All structures to be minimum of 100 feet from any lot lines of adjacent residentially zoned districts.	—	—
Public, parochial or private elementary, intermediate or high schools	R-1, R-2, R-3, R-7, ER	5 acres elementary or K-8, 10 acres intermediate or high schools	Structure to be minimum of 50 feet from all property lines except for additions to existing school buildings having a setback of less than 50ft, the existing building may be extended along the current setback line	—	Site must abut and have all ingress and egress directly to major thoroughfares. Student drop off areas required away from street right-of-way. Site location sizing and design to minimize impact on adjacent residential uses to degree feasible.

Use	Zoning Districts Permitted	Minimum Lot Area	Special Minimum Yard Special Requirements	Special Screening Requirements	Other Requirements
Public utility buildings, telephone exchange buildings, former stations electric trans- and sub-stations, gas regulator stations	All districts	—	—	—	Application must provide evidence of necessity of proposed location.
Radio, television, microwave or wireless communication towers	B-1, B-2, B-3, I-1, I-2 and I-3	—	See sections 90-304 and 90-329	See sections 90-304 and 90-329	See sections 90-304 and 90-329
Recreation vehicle storage	I-1	5 acres	—	—	Storage area to be enclosed by a solid fence 5 feet in height. Additional height may be permitted for barbed wire cardling.
Secondhand dealers	B-1, B-2, B-3, PUD-1, PUD-2, PUD-3	—	—	—	Business location must be a minimum of 250 feet from another use in this category.
Sanitary landfill sites	I-2	30 acres	—	Submission of screening plan required.	—
Transitional Housing	R-4, B-1, B-2, B-3	—	—	—	See Sec. 90-333

**Note**—The requirements noted in this section are in addition to, or, where in conflict, supersede those general requirements for each zoning district. For all permitted uses after special approval, the planning commission shall conduct a public hearing. Following such hearing, the planning commission may grant approval for such application, provided it shall find the proposal is essential and desirable.

The planning commission may impose such requirements and conditions as may be necessary to protect neighboring property, promote public convenience, health, safety and welfare, or make the use conform

more closely with the spirit, purpose and intent of this chapter. In determining other requirements and whether the proposed use is essential and desirable the following information shall be considered by the planning commission:

- (1) The possible substantial and permanent effect on neighboring property.
- (2) The consistency with the spirit, purpose and intent of this chapter.
- (3) The possible effect upon traffic as related to the streets, churches, schools and any buildings within the immediate area.
- (4) The tendency of the proposed use to create any type of blight within the immediate area.
- (5) The economic feasibility for the area.
- (6) Any other factor as may relate to the public health, safety and welfare for persons and property.

Section 3. That, if codified by MuniCode, MuniCode shall incorporate this ordinance into the Code of Ordinances, City of Wyoming, Michigan in exactly the format provided without changing any section numbering or other provisions.

Section 4. That this ordinance shall take effect upon the later of 15 days after its adoption or upon publication as required by applicable law.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on \_\_\_\_\_, 2023.

---

Kelli A. Vandenberg  
Wyoming City Clerk

Ordinance No. 8-23

March 28, 2023

Ms. Kelli A. VandenBerg  
City Clerk  
Wyoming, MI

Subject: Proposed text amendments to Zoning Code Sections 90-320 “Automobile Service Stations and Public Garages” and 90-508 “Requirements for Permitted Uses After Special Use Approval”.

Planning Commission Recommendation: To approve the subject Zoning Ordinance amendments.

Dear Ms. VandenBerg,

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on March 21, 2023. At the meeting, a motion was made by Hall, supported by Zapata, to recommend that City Council approve the proposed text amendments. The motion to approve 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 past year, City staff has received several inquiries regarding the current standards used to regulate automobile service stations. Staff have found that the code is silent and inadvertently restrictive in two specific sections pertaining to this use.

Section 90-320 of the Zoning Code states that all equipment, except gas pumps, must be enclosed entirely within a building. The code, however, fails to mention self-service air compressors or vacuum cleaners for vehicles utilizing the service station. This equipment is commonly available at gas station sites, including many existing gas stations in Wyoming. The equipment also accessory to gas station usage and is not out of character in the few commercial and industrial districts where gas stations are permitted. Staff is recommending that self-service air compressors and vacuums are listed as equipment permitted to be installed and utilized outdoors on gas station sites. The inclusion of this language will help acknowledge this accessory usage in the future and provide clarity for both City staff and business owners.

The other section proposed for amendment is Section 90-508, which tables out additional standards for special uses. The section currently states that no drive or curb opening to a gas station site may be located nearer than 20 feet to any interior lot line. Staff believes this language may have been

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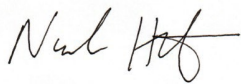
CITY COUNCIL

Robert Arnoys   Tommy Brann   Sheldon DeKryger   Renee Hill   Marissa Postler   Robert Postema  
**Kent Vanderwood, Mayor**

included in the past to create driveway separation between gas stations and adjacent residential districts. However, this regulation has restricted the establishment of gas stations within most commercial districts in the City where gas station usage is most acceptable. Most existing gas stations in the City of Wyoming do not adhere to this code language. Amending the code to require the 20-foot separation between gas station driveways and interior lot lines only when adjacent to residential districts would allow gas stations to develop in locations that are most feasible for this usage, while also protecting residential properties.

No comments were made during the public hearing. The proposed zoning code text amendments are attached.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicole Hofert". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

Cc: John McCarter, Interim City Manager

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING  
PLANNING COMMISSION AT ITS REGULAR MEETING OF APRIL 18, 2023

PLANNING COMMISSION  
MEETING MINUTES OF MARCH 21, 2023  
CITY COUNCIL CHAMBERS  
CITY OF WYOMING, MICHIGAN

MEMBERS PRESENT: Gilreath-Watts, Hall, Lamer, Micele, Randall, Smart, Zapata

MEMBERS ABSENT: VanDuren, Weller

STAFF PRESENT: Smith, Asst. Director of Community & Economic Development  
Meagher, Planner II  
Dent, Recording Secretary

CALL TO ORDER

Chair Micele called the meeting to order at 7:00 PM.

A motion was made by Gilreath-Watts, seconded by Randall, to excuse VanDuren and Weller.

A vote on the motion carried unanimously.

Micele welcomed new Commissioners Lamer and Smart.

APPROVAL OF MINUTES

The minutes of February 21, 2023 were approved to stand as read.

APPROVAL OF AGENDA

The agenda was approved to stand as read.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

Micele opened the public comment period for non-public hearing agenda items at 7:01 PM.  
There was no public comment and the public hearing was closed.

AGENDA ITEM NO. 1

Request to amend Zoning Code Sections 90-320 “Automobile Service Stations and Public Garages” and 90-508 “Requirements for Permitted Uses After Special Use

Approval” (Wyoming Planning Staff).

Meagher said that since its adoption, staff has been working to better align the City’s Zoning Code with current practices and terminology to make the Zoning Code easier to understand and implement. He said that through this review process, staff has identified that the current language used to regulate automobile service stations (gas stations) is outdated and could be further clarified to better capture existing practices.

Meagher explained that in the past year, City staff has received several inquiries regarding the current standards used to regulate automobile service stations. He said staff has found that the code is silent and inadvertently restrictive in two specific sections pertaining to this use.

Meagher shared that section 90-320 of the Zoning Code states that all equipment, except gas pumps, must be enclosed entirely within a building. The code, however, fails to mention self-service air compressors or vacuum cleaners for vehicles utilizing the service station. He said this equipment is commonly available at gas station sites, including many existing gas stations in Wyoming. Meagher also said that the equipment is also accessory to gas station usage and is not out of character in the commercial and industrial districts where gas stations are permitted. Staff is recommending that self-service air compressors and vacuums are listed as equipment permitted to be installed and utilized outdoors on gas station sites. Meagher stated that the inclusion of this language will help acknowledge this accessory usage in the future and provide clarity for both City staff and business owners.

Meagher shared that the other section proposed for amendment is Section 90-508, which lays out additional standards for special uses. The section currently states that no drive or curb opening to a gas station site may be located nearer than 20 feet to any interior lot line. He said staff believes this language may have been included in the past to create driveway separation between gas stations and potentially adjacent residential districts. However, this regulation has restricted the establishment of gas stations within most commercial districts in the City where gas station usage is most acceptable. Meagher explained that most existing gas stations in the City of Wyoming also do not adhere to this code language. Amending the code to require the 20-foot separation between gas station driveways and interior lot lines only when adjacent to residential districts would allow gas stations to develop in locations that are most feasible for this usage, while also protecting residential properties.

Meagher said that the Development Review Team recommends that Planning Commission adopt the recommended text amendment to Zoning Code *Sections 90-320 and 90-508* and recommends the same to City Council.

Micile opened the public hearing at 7:06 PM. There was no public comment and the public hearing was closed.

A motion was made by Hall, supported by Zapata, to adopt the recommended text amendment to Zoning Code Sections 90-320 and 90-508 and recommend the same to City Council.

A vote on the motion carried unanimously.

## AGENDA ITEM NO. 2

Request to approve condominium documents for 765 and 747 44<sup>th</sup> Street SW (Section 24) (V&W Horiuchi, LLC).

Smith said that the property is located at 765 and 747 44<sup>th</sup> Street SW. This 1.5-acre B-2 commercial parcel contains an Arby's fast-food restaurant and a vacant small office building. Smith noted that the intention is to create a two-unit site condominium, where the owner of each unit would pay their own property taxes and maintain their own units. He said that the property owner is not proposing any changes to building size, site layout, parking arrangements, site access, or site uses.

Smith explained that site condominium plans require Planning Commission approval and are typically approved at the time of site plan approval. However, at the time that each of the existing buildings received site plan approval, the property owner had no intention to create them as site condominiums. Smith said because of this further Planning Commission action is required for this request.

Smith said that the Development Review Team recommends that the Planning Commission grant site condominium approval to V&W Horiuchi, LLC at 765 and 747 44<sup>th</sup> Street SW, subject to conditions 1 through 3 below:

1. Provide documentation identifying permanent rights for storm water controls.
2. Provide documentation identifying permanent rights for any fire protection system.
3. The proposed development requires the determination of new parcel numbers. New parcel numbers will be issued by the county after the Master Deed has been recorded.

A motion was made by Zapata, supported by Randall, to grant site condominium approval to V&W Horiuchi, LLC at 765 and 747 44<sup>th</sup> Street SW, subject to conditions 1 through 3. The developer spoke during the public hearing and stated that the two engineering conditions were resolved and that he planned to pursue the assessing requirement after Planning Commission approval.

A vote on the motion carried unanimously.

ORDINANCE NO. 9-23

ORDINANCE TO AMEND CHAPTER 90, ARTICLES 4 AND 11, OF THE CODE OF ORDINANCES BY AMENDING SECTIONS 90-401B AND 90-1406 TO PERMIT NURSERY SCHOOLS, DAY NURSERIES, AND CHILD CARE FACILITIES FOR THE CARE OF SEVEN OR MORE PEOPLE BY RIGHT IN THE B-1 DISTRICT, AND AS A SPECIAL USE IN THE FBC-CC DISTRICT

THE CITY OF WYOMING ORDAINS:

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

**Sec. 90-401B Principal Permitted Uses**

- (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.
- (16) Nursery schools, day nurseries, and child care facilities for the care of seven or more people.

Section 2. That Chapter 90, Article 11, Section 90-1406 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

**Sec. 90-1406 Corridor Center Area**

The following standards apply to the Corridor Urban Area:

1.0 Permitted Building Types

Refer to Division 6 for Building Type requirements.

- A. Mixed-Use Building
- B. Zero Lot Line Retail Building
- C. Civic Building

2.0 Permitted Uses

- A. Refer to Table 90-1406 for Land Uses permitted in this Area for each Building Type that is permitted in the Area that are as follows:
  - Permitted by right (P)
  - Permitted by right, on floors two and above (P\$)
  - Permitted by right and only allowed on first floor (P#)
  - Permitted by Special Land Use Permit (S)
  - Uses indicated with a blank cell are not permitted in this Area.

3.0 Building Height by Context Area

- A. Number of stories for buildings is regulated by Context Area.
- B. Each Building Type has requirements for the height (in feet) of building stories. Refer to Division 6 for Building Type Standards.
- C. Building Height for all buildings except Zero Lot Line Retail Building
  - Minimum: None
  - Maximum, within 28th Street Corridor: Four (4) stories, 60 feet
  - Maximum, within Burton Street Corridor: Two (2) stories, 35 feet
  - Zero Lot Line Retail Building: One (1 ) story building required

4.0 Special Land Uses

The following are specific standards for Special Land Uses in the CC Area. See Division 2 for Special Land Use general review and approval procedures and Section 90-508 of the City of Wyoming Zoning Ordinance for specific standards for Special Land Uses.

- A. Parking structures. Parking structure entries shall take access from a Street, and not an Avenue, per Division 8, Thoroughfare Standards.
- B. Secondhand businesses.
- C. Nursery schools, day nurseries, and dependent care facilities for seven or more people

**TABLE 90-1406 CORRIDOR CENTER AREA (CC)**

Specific Use	Mixed Use Building	Zero Lot Line Building	Retail Building	Live/Work Building	Apartment	Rowhouse	Two-Family House	Single-Family House	Civic Building
Accessory uses	P	P							P
Any use in retail sales of 20,000 square feet or more	P								
Apparel shop	P	P							
Art, including art work, art supplies and framing materials	P	P							
Automobile gasoline/convenience store									
Automobile repair and service entirely within an enclosed building, except body shops, painting and refinishing, automobile washes, automobile gasoline and automobile service stations									
Automobile sales									
Automobile, motorcycle, trailer, recreational vehicle or boat showrooms									
Baked goods	P	P							
Bank and financial institution	P								
Barbershop	P								
Beauty shop	P								
Bowling alley									
Bus transfer station									P
Business office	P								
Business service establishments	P								
Car wash									
College or university									
Commercial greenhouse									
Community center									
Convalescent or nursing homes									
Dance hall/nightclub									
Delicatessen	P	P							
Drive-through establishments									
Drugstore	P	P							
Dry cleaning establishment (per 90-401B (5) (c))	P								
Eating and drinking establishments (without drive-through service)	P	P							
Flower shop	P	P							

**TABLE 90-1406 CORRIDOR CENTER AREA (CC) (CONTINUED)**

Specific Use	Mixed Use Building	Zero Lot Line Building	Retail Building	Live/Work Building	Apartment	Rowhouse	Two-Family House	Single-Family House	Civic Building
Funeral homes or mortuaries									
General merchandise store	P	P							
Grocery	P	P							
Hardware store, paint and wallpaper	P	P							
Health and fitness	P								
Hotel	P\$								
Indoor skating rink									
Indoor theater									
Medical office	P								
Microbrewery, small distiller	P	P							
Multiple family dwellings	P\$								
Municipal uses									P
Nursery schools, day nurseries, and dependent care facilities for seven or more people	S	S							
Open air business									
Outdoor eating and drinking establishments having table service when part of an indoor eating and drinking establishment	P	P							
Parking structures	S								
Photographic studio	P								
Pool hall/billiards									
Printing and publishing									
Professional office	P								
Religious or social service assembly									
Secondhand business	S	S							
Self-service laundry and dry cleaning	P <sup>B</sup>	P <sup>B</sup>							
Single-family detached dwelling									
State licensed residential facility									
Two-family dwellings/rowhouses									
Veterinary hospitals and clinics, excluding outdoor use of property for exercise yards or pens									

P = Permitted use. P\$ = Permitted use on floors two and above. P# = Permitted use on first floor only. S = Special Land Use. Blank cell = Use not permitted

Section 3. That, if codified by MuniCode, MuniCode shall incorporate this ordinance into the Code of Ordinances, City of Wyoming, Michigan in exactly the format provided without changing any section numbering or other provisions.

Section 4. That this ordinance shall take effect upon the later of 15 days after its adoption or upon publication as required by applicable law.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on May 1, 2023.

---

Kelli A. Vandenberg  
Wyoming City Clerk

Ordinance No. 9-23

April 26, 2023

Ms. Kelli A. VandenBerg  
City Clerk  
Wyoming, MI

**Subject:** Proposed text amendments to Form Based Code Section 90-1406 “Context Area and Use Standards for the Corridor Center Area (CC)” and Zoning Code Section 90-401B “Principal Permitted Uses in the B-1 Local Business District”.

**Planning Commission Recommendation:** To approve the subject Zoning Ordinance amendments.

Dear Ms. VandenBerg,

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on April 18, 2023. At the meeting, a motion was made by Randall, supported by Gilreath-Watts, to recommend that City Council approve the proposed text amendments. The motion to approve 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.

Nursery Schools, Day Nurseries, and Childcare Centers are currently not permitted in the City’s B-1 Local Business District and Form Based Code-Corridor Center (FBC-CC) District. When caring for 7 or more children, these facilities are currently permitted in the City’s R-4, R-5, B-2, and RO-1 zoning districts by right, and R-1, R-2, R-3, R-7, B-3, and PUD-1 districts as a special use. They are also permitted in each of the Form Based Code’s context areas, except the Corridor Center Area.

Staff recently received an inquiry to develop a childcare center within a vacant building located in the FBC-CC district. The site served as a former Family Video store and has remained vacant for a number of years. Since childcare facilities are not currently permitted in this district, the site currently cannot be utilized as proposed. Upon further review of the site, staff found that the parcel could be suitable for a day care facility, due to its proximity to both commercial and residential districts, as well as the site’s building size and ample yard space.

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CITY COUNCIL

Robert Arnoys   Tommy Brann   Sheldon DeKryger   Renee Hill   Marissa Postler   Robert Postema  
**Kent Vanderwood, Mayor**

This led staff to further evaluate the remainder of the City's FBC-CC districts to determine if childcare facilities could also be appropriate in these locations. Following further review, staff found that childcare facilities could be included as a special use in the FBC-CC district. The FBC-CC district is a mixed-use district that allows for a combination of commercial and residential uses, and Daycare centers are compatible within both contexts.

Through further investigation, staff also found that the B-1 Local Business District could also be eligible for daycare centers as a permitted use. Daycare centers are already permitted by right in two of the City's main commercial districts: the RO-1 Restricted Office District and the B-2 General Business District. Like the FBC-CC district, the B-1 Local Business District is zoned for commercial uses but is often located within close proximity of residential districts. Daycare center permittance in this district could also serve as beneficial for both parents that work within these districts, as well as residents that live nearby.

The addition of daycare facilities within both the FBC-CC and B-1 districts may help achieve the Master Plan's theme of equity and inclusion by promoting greater access to childcare services for working parents and nearby residents in areas of the community that are not currently served.

No comments were made during the public hearing. The proposed zoning code text amendments are attached.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicole Hofert". The signature is fluid and cursive, with a long horizontal stroke at the end.

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

Cc: John McCarter, Interim City Manager

Davis said that someone won't be living on site. A staff member will work on-site 24/7 for a first, second, and third shift. There is a potential five-person staff cycle that will rotate shifts.

Weller asked if Family Promise purchased the church.

Davis said that Family Promise holds a purchase agreement with Wyoming Methodist Church.

Weller asked if there are plans to turn the rest of the building into housing if the church vacates.

Davis said that the intent is to keep the church on site as they continue to be the heartbeat of the space. He said he can't imagine the church vacating as that space is envisioned to be unchanged.

Weller asked if the church is sponsoring any of the families.

Davis said that there are two spaces on site, the assembly use and the residential use. He said the building has been designed so that the church and shelter can function autonomously. Davis said they see this project as a partnership, but the church members won't intersect or interact with the families directly.

Weller asked how long they anticipate families to stay in the shelter.

Davis said that the current average stay is 63 nights.

Weller asked staff about condition #7 and what would happen if any problems were to arise.

Smith said that the good neighbor plan would give cause to address the issue.

A vote on the motion passed unanimously.

A motion was made by VanDuren, supported by Zapata, to grant site plan approval, subject to conditions 1-7.

A vote on the motion carried unanimously.

## AGENDA ITEM NO. 2

Request to amend Form Based Code Section 90-1406 "Context Area and Use Standards for Corridor Center Area (CC)" and Zoning Code Section 90-401B "Principal Permitted Uses in the B-1 Local Business District" (Wyoming Planning Staff).

Meagher said that the City's Zoning Code defines Nursery Schools, Day Nurseries, and Childcare Centers as facilities that receive children under the age of 18 for group care periods of less than 24 hours a day when the parents or guardians of the child are not immediately available. These facilities are currently not permitted in the City's B-1 Local Business District and Form Based Code-Corridor Center (FBC-CC) District. When caring for 7 or more children, these facilities are currently permitted in the City's R-4, R-5, B-2, and RO-1 zoning districts by right, and R-1, R-2, R-3, R-7, B-3, and PUD-1 districts as a special use.

Meagher stated that in the Form Based Code Districts, daycare centers are permitted in association with specific building types in the Corridor Urban, Corridor Suburban, Corridor General, and Corridor Edge districts, as well as the Corridor Neighborhood district with special use approval.

Meagher explained that in addition to the provisions of the zoning code, childcare facilities must also obtain licensure and meet a series of standards provided by the State of Michigan's Public Act 116 of 1973 and the Michigan Department of Health and Human Services to operate. Review and enforcement of these standards are performed by the State of Michigan

Meagher said that staff recently received an inquiry to develop a childcare center within a vacant building located in the FBC-CC district. The site served as a former Family Video store and has remained vacant for a number of years. Since childcare facilities are not currently permitted in this district, the site currently cannot be utilized as proposed. Upon further review of the site, staff found that the parcel could be suitable for a day care facility, due to its proximity to both commercial and residential districts, as well as the site's building size and ample yard space.

Meagher said that this led staff to further evaluate the remainder of the City's FBC-CC districts to determine if childcare facilities could also be appropriate in these locations. Following further review, staff found that childcare facilities could be included as a special use in the FBC-CC district. The FBCCC district is a mixed-use district that allows for a combination of commercial and residential uses, and Daycare centers are compatible within both contexts.

Meagher explained that through further investigation, staff also found that the B-1 Local Business District could also be eligible for daycare centers as a permitted use. Daycare centers are already permitted by right in two of the City's main commercial districts: the RO-1 Restricted Office District and the B-2 General Business District. Like the FBC-CC district, the B-1 Local Business District is zoned for commercial uses but is often located within close proximity of residential districts. Daycare center permittance in this district could also serve as beneficial for both parents that work within these districts, as well as residents that live nearby.

Meagher said that the addition of daycare facilities within both the FBC-CC and B-1 districts may help achieve the Master Plan's theme of equity and inclusion by promoting greater access to childcare services for working parents and nearby residents in areas of the community that are not currently served.

Meagher said that the Development Review Team recommends that Planning Commission adopt the recommended text amendments to Sections 90-1406 and 90-401B and recommends the same to City Council.

A motion was made by Randall, supported by Gilwreath-Watts, to adopt the recommended text amendments to Sections 90-1406 and 90-401B and recommends the same to City Council.

Weller asked what dependent care was and if it referred to aging care.

Meagher said that it didn't apply to aging care; it refers to dependant care as in children.

Randall asked if hours of operation would be restricted in any way with this language.

Meagher said it would not restrict hours of operation, but the Commissioners would have the authority to place conditions on the special use approval.

Smart asked for clarification on what districts would allow the daycare facilities.

Meagher clarified that RO-1, B-1, and B-2 would allow the daycare use.

Randall commented on the need for childcare.

Micele also commented about the need for childcare.

A vote on the motion carried unanimously.

### AGENDA ITEM NO. 3

Request to approve a Childcare Center special use at 1263 Burton Street SW (Section 02) (Family Video Movie Club, Inc and Joslyn Ward) (Includes site plan approval).

Meagher explained that the site is zoned FBC-CC; the site is the old Family Video store.

The applicant is proposing to establish FLOWER Learning Center, a new childcare center to be located at 1263 Burton Street SW. The site was formerly used as a Family Video, but has sat