

AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, NOVEMBER 4, 2024, 7:00 P.M.

1) Call to Order

2) Invocation – Chris Hall, Buck Creek 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 October 21, 2024, Regular Meeting

7) Approval of Agenda

8) Public Hearings

If you wish to speak to an item during a public hearing, you are welcome to do so. It is important to note this is not an opportunity for dialog or debate; this is an opportunity to provide comment to the City Council. Comments made during a public hearing may become part of the meeting's permanent record. Upon approaching the podium, please begin by providing your name and address. There is a 3 minute limit per person.

9) Public Comment on Agenda Items

This public comment period is reserved for comment on agenda items only. If you wish to speak about an item that is not on the agenda, please hold your comments until the acknowledgement of visitors at the end of the meeting. It is important to note this is not an opportunity for dialog or debate; this is an opportunity to provide comment to the City Council. Upon approaching the podium, please begin by providing your name and address. There is a 3 minute limit per person.

10) Presentations and Proclamations

a) Presentations

1) Wyoming Strategic Plan Quarterly Update

b) Proclamations

11) Petitions and Communications

a) Petitions

b) Communications

12) Reports from City Officers

a) From City Council

b) From City Manager

13) Budget Amendments

a) Budget Amendment No. 18 – To Appropriate an Additional \$7,218 of Budgetary Authority to Provide the Required Local Share Contribution for Indigent Defense Services in Accordance with the Michigan Indigent Defense Commission

14) Consent Agenda

All items under this section are considered to be routine and will be enacted by one motion with no discussion. If discussion is desired by a Councilmember, that member may request removal from the Consent Agenda.

15) Resolutions

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

- a) For Award of Bid
 - 1) The Purchase of Repair Services to Infields in Lemery Park Adult Softball Field and Palmer Park Field
- b) To Accept an Amendment for Parking Lot Resurfacing at 2385 Porter Street (Budget Amendment 17)
- c) To Accept a Quote for PDQ SmartDeploy Pro Software

17) Ordinances

- 12-24 To Amend Zoning Code Sections 90-201, 90-203, 90-216, 90-319, 90-408B, 90-420A, 90-1406, 90-1407, 90-1408, 90-1409, 90-1410, 90-1411, 90-1608, and 90-1902 for Clerical Corrections (Final 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

The City of Wyoming, including the City Council, is committed to ensuring all persons have access to all its programs, services, and activities, including any public meetings. The City Council will coordinate with city staff to ensure the City Council fulfills that commitment for its programs, services, and activities, including public meetings. Accommodations to enable virtual meeting attendance and participation can usually be made if a request is received at least 5 hours before the meeting time. Other accommodations may require more time.

Special Accommodations – Persons with impairments or disabilities needing accommodations to participate in the meeting or persons who need language interpretation services may contact the city clerk at either Clerk_info@wyomingmi.gov or 616.530.7296 at least 36 hours before the meeting to make arrangements for appropriate accommodation.

Acomodaciones Especiales – Personas que deseen asistir a esta reunión y necesitan acomodación para participar, como servicios de interpretación, deben comunicarse con la Oficina del Administrador de la Ciudad al 616.530.7296 o Clerk_info@wyomingmi.gov al menos 36 horas antes de la reunion para hacer arreglos para el alojamiento apropiado.

CITY OF WYOMING BUDGET AMENDMENT

Date: November 4, 2024

Budget Amendment No. 018

To the Wyoming City Council:

A budget amendment is requested to appropriate an additional \$7,218 of budgetary authority to provide the required local share contribution for indigent defense services in accordance with the Michigan Indigent Defense Commission.

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
<u>General Fund</u>				
City Manager - City Manager - Professional Services				
101-172-17200-801.000	\$ -	\$ 7,218.00	\$ -	\$ 7,218.00
Fund Balance/Working Capital (Fund 101)		<u>\$ -</u>	<u>\$ 7,218.00</u>	

Recommended: 
Senior Accountant


City Manager

Motion by Councilmember _____, seconded by Councilmember _____ that the General Appropriations Act for Fiscal Year 2024-2025 be amended by adoption of the foregoing budget amendment.

Motion carried: Yes _____, No _____

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

City Clerk

STAFF REPORT

Date: 10.30.2024
Subject: Wyoming Strategic Plan Quarterly Update – July-October 2024
From: Patrick Waterman, Deputy City Manager
CC: John Shay, City Manager
Meeting Date: 11.4.2024

RECOMMENDATION:

It is recommended that City Council receive and accept as information the attached Wyoming Strategic Plan Quarterly Update for July-October, 2024.

ALIGNMENT WITH STRATEGIC PLAN:

This quarterly update aligns with all aspects of the 2024 Wyoming Strategic Plan.

DISCUSSION:

On behalf of City staff, I am pleased to present the second quarterly update on the City's new Strategic Plan for calendar year 2024. Since the plan's adoption by City Council last March, staff continue to work diligently to further the many Goals, Objectives, Tasks and Steps outlined in the plan. The highlights of their progress, as well as the detailed completion rate metrics, are contained within the attached report, and will be presented orally at the November 4 City Council Meeting. We look forward to answering any questions you may have at that time.

BUDGET IMPACT:

No budget impacts are associated with this item

Attachment(s):

- City of Wyoming Strategic Plan Quarterly Update July-October 2024
- 2024 Strategic Plan Implementation Matrix

CITY OF WYOMING

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Strategic Plan
Quarterly Update

July-October 2024



Introduction

The City of Wyoming Strategic Plan was unanimously adopted by the City Council on March 18, 2024. The Strategic Plan outlines the City Council's long- and short-term priorities for the community and provides a roadmap of clear direction and sense of purpose for City staff. The plan seeks to uphold the three Community Pillars of Community, Safety and Stewardship through the implementation of 9 Goals, 34 Objectives, 92 Tasks, and 219 Steps, all of which are actively tracked in the plan's Implementation Matrix.

This quarterly update is provided to ensure accountability and keep the City Council and our community abreast of the progress made on the Strategic Plan's Goals, Objectives, Tasks and Steps over the past three months. Quarterly updates will continue to be provided every three months until the plan is determined to be substantially complete.

At a glance —

Community



Community - “A diverse, strong and authentic place where all individuals have the opportunity to thrive.”

- 4 Goals
- 14 Objectives
- 42 Tasks
- 95 Steps

Safety



Safety - “Creating a community where people can live, work and play without fear or risk of harm.”

- 1 Goal
- 4 Objectives
- 8 Tasks
- 23 Steps

Stewardship



Stewardship - “The careful and responsible management of City funding and resources to support our community.”

- 4 goals
- 16 Objectives
- 42 Tasks
- 101 Steps

Terms

- **Pillar:** Pillars are the City of Wyoming’s most highly held, core values through which we organize our work. They include Community, Safety, and Stewardship. Each Pillar includes one or more Goals.
- **Goal:** Goals are the buckets in which all of the Council-identified Objectives are categorized. They are broadly-worded and are to be pursued on an ongoing basis through the completion of the Objectives.
- **Objective:** Objectives are derived directly from the City Council’s stated priorities during the retreat. They have been identified and prioritized by the City Council, and therefore serve as primary directives given to City staff. Each Objective includes a council priority level and is assigned to a City staff member. It also provides a target completion year.
- **Task:** Tasks are actions that have been identified by City staff as a means of accomplishing each Objective. They are very specific in nature and often include multiple steps to accomplish. Like Objectives, each Task is assigned to a City staff member and includes a target completion year.

Community



Notable Accomplishments

Goal 1 - Strengthen Community Relations and Wyoming's Identity

- City business door stickers to be sent with business licenses
- Branded city park, facility and street sign replacement planning underway
- Looking at ways to expand branded City sign design to include neighborhood identity signs
- Staff continues to meet monthly with area Chamber reps and attend various stakeholder group meetings

Goal 2 - Implement Placemaking to Enhance Wyoming's Quality of Life

- Secured last remaining utility easement from Roger's Plaza
- Overhead utility line burial is now complete
- Non-motorized pathways and pedestrian bridge currently under construction. Expected completion 6/25
- Met with private development partner and established preliminary redevelopment strategy for phases IV and V of City Center
- Created a draft route map for future planned non-motorized trail connections throughout the City and continues to seek funding opportunities to expand the network. An \$800k grant was obtained from the state for new pathways along 52nd St and 56th St
- All city approvals for Corewell Health have been obtained from CC, PC and WBRA and the new facility is currently under construction
- All remaining property has been sold and development approvals are underway
- Creation of a corridor business list is underway, and staff have begun meeting with business reps
- MEDC and EGLE approved Brownfield Plan for Marketplace, groundbreaking ceremony scheduled for Nov. 19, 2024

Goal 3 - Enhance Community Engagement and Recreational Opportunities

- Staff joined a national event organizers network and attended their conference. Research and analysis underway
- New Pinery Park courts completed and opened to the public 9/25/24
- Staff completed an inventory of existing court facilities and are updating the CIP accordingly
- Bid specs being developed for Lemery Park courts

Community Objectives - 86% nearing completion/underway



Council Priority Level I Community Objectives - 100% nearing completion/underway



2024 Target-Year Community Objectives- 100% underway



Safety



Notable Accomplishments

Goal 1 - Implement and Adopt More Proactive Public Safety Initiatives

- High-visibility patrols are occurring in areas where crime is problematic. The availability of air support from MSP has increased, along with the inception and training of our own UAV/Drone team. These are successful tools used to safely apprehend offenders who might pose a threat to public safety
- On July 25th and August 1st, officers and firefighters participated in an "Active Shooter/Rescue Task Force" training scenario at Wyoming High School. Command staff has been conducting tabletop exercises on active assailant scenarios
- WYPD has a detective on the KNET Team, who continues to enhance their enforcement at the Ford Airport and have seized a significant number of narcotics
- City-wide emergency plan was completed. Staff-wide tabletop exercise held on 10/16/24
- Three Battalion Chief positions have been filled

Safety Objectives - 75% complete/underway



Council Priority Level I Safety Objectives - 100% underway



2024 Target-Year Safety Objectives- 100% complete



Stewardship



Notable Accomplishments

Goal 1 - Strengthen and Maintain the Strong Financial Position of the City

- Staff have completed its evaluation of the city fund balance policy and are beginning to explore long-term sustainable funding options for the City

Goal 2 - Enhance the Efficiency and Effectiveness of City Operations

- IT Department Organizational Assessment complete and recommendations are being implemented
- Finance Department Organizational Assessment under consideration
- Staff have begun tracking departmental efficiencies being made, which will be reported to the City Council at budget time
- Staff have completed updating the 5-year Capital Improvement Plan template and process, and 6-year template is underway.
- City-wide technology inventory and data collection process is now complete
- Process to update ERP now underway with assistance from consultant
- 1st floor City Hall interior renovations are nearing completion
- Public Works building renovations (including Parks Department space needs assessment) are underway

Goal 3 - Improve City Infrastructure and Service Reliability

- Bond sale complete and bids opened for Phase I of 3TM
- Solid waste handling study completed. Study concluded that drying-technology should also be considered

Goal 4 - Attract, Train and Retain a Talented Workforce

- Creation of a hiring plan for Public Safety is nearing completion
- Development of various employee recruitment flyers and videos is underway
- Employee engagement calendar nearing completion
- Comprehensive wage study included in 24-25 budget

Stewardship I Objectives - 69% nearing completion/underway



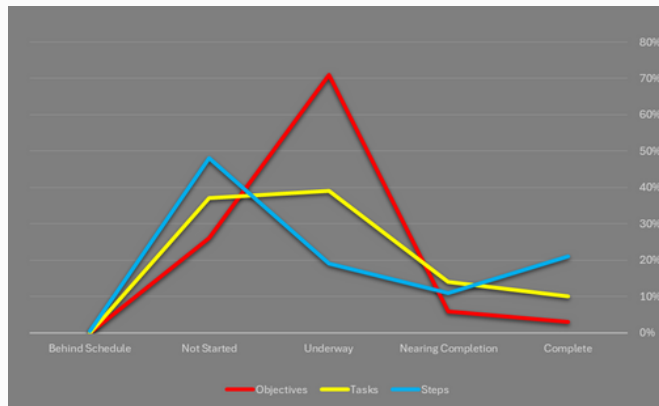
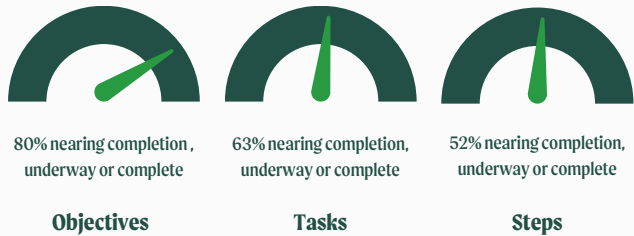
Council Priority Level I Stewardship Objectives - 100% underway



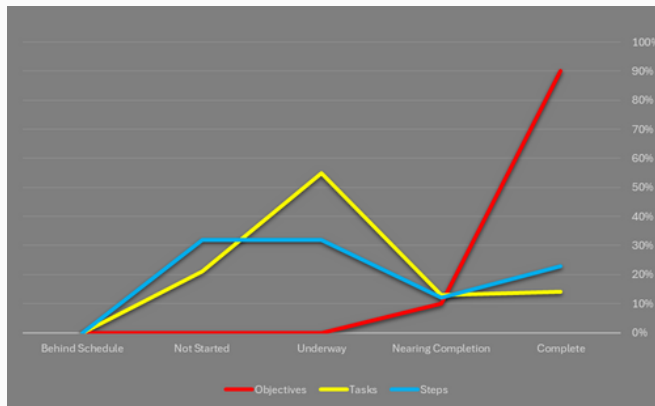
2024 Target-Year Stewardship Objectives - 100% underway



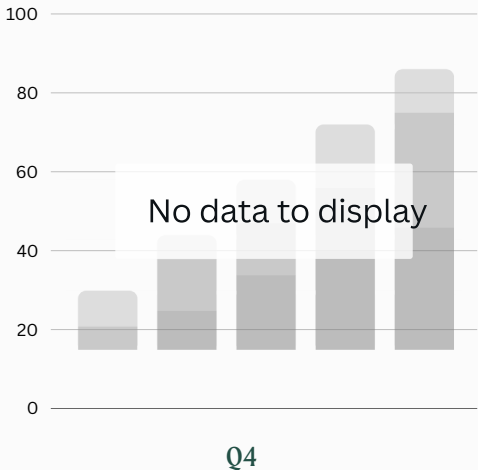
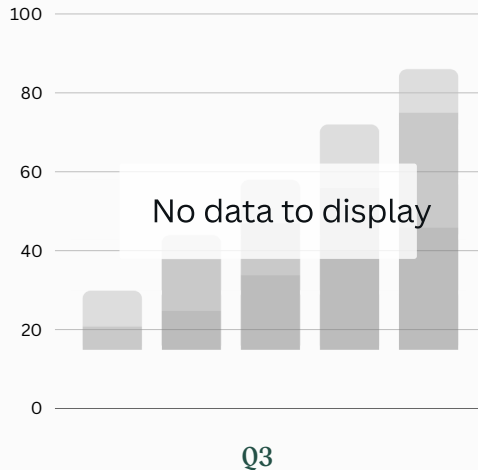
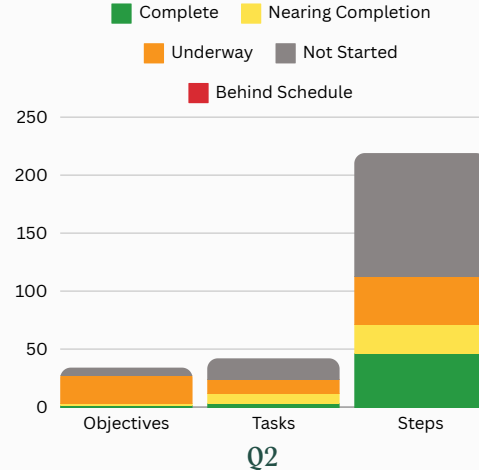
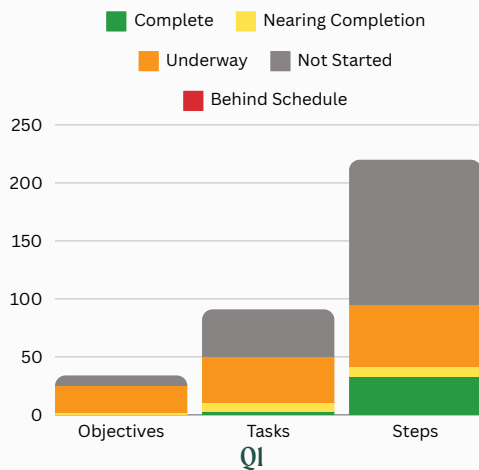
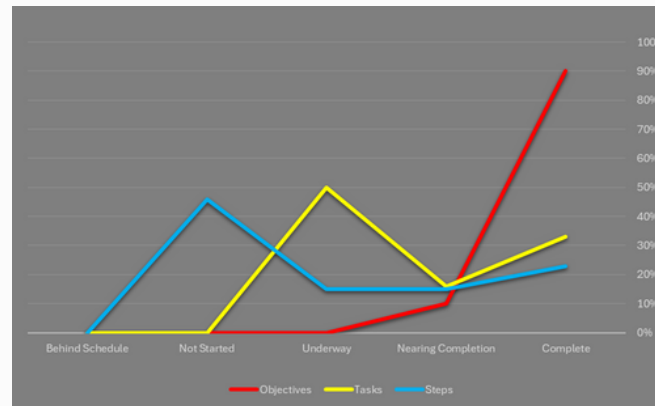
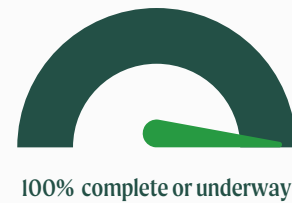
Plan Summary



Council Priority 1 Objectives



2024 Target-Year Objectives



City of Wyoming 2024 Strategic Plan Implementation Matrix

Legend: ● - Behind Schedule ○ - Not Started ● - Underway ● - Nearing Completion ● - Complete

Pillar	Goal	Objective	City Council Priority Level	Objective Lead	Target Completion Year	Objective Status	Task	Task Lead	Target Completion Year	Task Status	Step	Step Assignee (if assigned)	Step Status	Notes	
Community - "A diverse, strong and authentic place where all individuals have the opportunity to thrive"	Goal 1 - Strengthen community relations and Wyoming's sense of identity.	Objective 1 - Implement the new branding initiative.	1st	Peña-Wojtanek	2025 (Phase I)	●	Task 1 - Explore new ways to communicate with the community	Peña-Wojtanek	2025	●	Step 1 - Solicit participation from residents, businesses and community members to learn more about how they engage with the city.		○	Have begun researching different communication methods, newsletters, e news, social media, etc.	
							Task 2 - Develop positive messaging to the community.				Step 1 - Identify which messages we'd like to share with the community by meeting with Department Heads and City Manager.			Have begun developing messaging to describe the value of living in Wyoming - public safety, sidewalk plowing, schools, etc. 9/1/24 Held public open house for new fire station to continue to show value of public safety millage.	
							Task 3 - Create plan to address multi-lingual communications with residents.				Step 1 - Identify which languages should be included in city communications.			Have identified Spanish as primary secondary language. Hired bilingual communications specialist Kaedry Taveras, has begun	
							Task 4 - Explore mobile-friendly communication methods.				Step 1 - Will be accomplished through new website that will be complete by 2025.			Website research, RFP process has begun.	
		Objective 2 - Explore ideas to establish neighborhood identity.	1st	Hofert	2025	●	Task 1 - Community Engagement	Peña-Wojtanek	2025	●	Step 1 - Solicit participation for neighborhood focus groups, meet with school officials, meet with the Wyoming Historical Commission and other stakeholders.		○		3/11/24 meeting with rep from Godfrey Lee neighborhood. Interest in piloting a neighborhood sign/brand project there. 10/1/24 Began researching options for new city signage which could include neighborhood signage.
							Task 2 - Develop a neighborhood map proposal				Step 1 - Meet with stakeholders identified above and confirm/solicit input on proposed maps.				
							Task 3 - Placing Signs				Step 1 - Work with Wyoming Historical Commission to place signs showing locations of identifying neighborhoods.				HC represented at 3/11/24 meeting
		Objective 3 - Develop plan for strengthening community partnerships.	2nd	Hofert	2026	●	Task 1 - Strengthen relationship with Continuum of Care.	Hofert	Ongoing	●	Step 1 - Continue to have regular meetings with Grand Rapids and Kent County representatives to discuss policy and partnerships.		○		PS attends monthly CoC meetings
							Task 2 - Create Art Commission				Step 1 - Identify community partners with interest in art.				NH met with Zero Empty Spaces, an art collaborative looking to activate vacant commercial real estate. Staff waiting on proposal.
							Task 3 - Strengthen relationship with South Kent County Area Chamber of Commerce.				Step 1 - Appoint city staff member to South Kent Chamber board.				John Shay appointed to Board 2/24
							Task 2 - Once identified, invite partners to a kick-off meeting to discuss broad goals for the commission.				Step 2 - Formalize Art Commission membership and formulation of a Commission.				
							Task 3 - Create bylaws and rules for regulation. Concurrently work with staff to amend the zoning code to define and provide guidance on public art allowances.				Step 4 - Formalize Art Commission membership and formulation of a Commission.				
	Task 4 - Identify funding sources for support of community/public art.						Step 5 - Identify funding sources for support of community/public art.								
	Goal 2 - Implement placemaking initiatives that enhance Wyoming's vibrancy and quality of life.	Objective 1 - Complete City Center public improvements	1st	Hofert	2026	●	Task 1 - Develop plan for redevelopment of Rogers Plaza	Hofert	2026	●	Step 1 - Continue to engage with Roger's Plaza ownership to discuss future goals for site.		○		Meeting on 5/29/24; Have had several calls, meetings since kick off meeting on 5/29
							Task 2 - Identify other properties for redevelopment along 28th Street between Clyde Park Avenue and Burlingame.				Step 1 - Work with property owners to determine properties for redevelopment that aligns with master plan vision for City Center.				Continuing discussions with properties and owners/developers
							Task 3 - Complete public infrastructure improvements related to City Center.				Step 1 - Construct Pedestrian Bridge •Bids Letting February 26, 2024 •Bids Due March 26, 2024 •Award at City Council April 15, 2024 •Construction June 2024 - July 2025				Anlaan Construction awarded bid. Construction is underway. Expected completion 6/25
							Task 3 - Complete public infrastructure improvements related to City Center.				Step 2 - Construct Phase 1A Trails •Bids Letting February 26, 2024 •Bids Due March 26, 2024 •Award at City Council April 15, 2024 •Construction June 2024 - November 2025				Under construction.
							Task 3 - Complete public infrastructure improvements related to City Center.				Step 3 - Construct Phase 1B Trails •Bid Letting TBD •Bids Due TBD •Award at Council TBD •Construction Nov 1, 2024 - March 31, 2025 (because of bats)				Under construction.
							Task 3 - Complete public infrastructure improvements related to City Center.				Step 4 - Construct Phase 1C Trails •Bid Letting TBD •Bids Due TBD •Award at Council TBD •Construction Fall 2024 - Spring 2025				Working with AECOM on design
		Objective 2 - Complete the redevelopment of Site 36	1st	Hofert	2027	●	Task 1 - Work with Corewell Health on development of 40 acres on north side of site.	Hofert	2027	●	Step 1 - Obtain required city approvals -PC, CC and WBRA in February and March 2024.		○		All approvals received from PC,CC and WBRA
							Task 2 - Work with Franklin Partners to market site and identify users.				Step 1 - Provide ongoing city services through construction and C of O.				
		Objective 3 - Complete the 36th Street Marketplace project	1st	Hofert	2025	●	Task 1 - Finalize Brownfield Work Plan for adoption by WBRA in March 2024.	Hofert	2024	●	Step 1 - Provide draft plan to EGLE and MEDC for review prior to WBRA action.		○		Draft plan complete but pending updates following design revisions
							Task 2 - Get EGLE and MEDC approval of work plan.				Step 2 - Schedule a WBRA meeting for review and adoption of plan.				MEDC and EGLE approval official 10/14/24
							Task 3 - Manage construction of facility.				Step 1 - Submit work plan to EGLE/MEDC for review and approval following WBRA and Council adoption in March. EGLE/MEDC review of work plan and VI system is estimated at 60 days.				MEDC and EGLE approval official 10/14/24
							Task 4 - Consider hiring a consultant to create a branding and naming strategy for the new market.				Step 1 - Construction expected to start May 2024. Step 2 - Construction expected to be completed January 2025. Hand off facility to Parks and Rec following conclusion of construction.				Groundbreaking now scheduled for 11/19/24. Groundbreaking ceremony planned for 10/19/24 New target completion date of 6/16/25
							Task 5 - Officially open the facility to the public.				Step 3 - Close out all reporting for MEDC RAP grant. Step 1 - If approved and required, award contract to consultant through City Council action				Civic Brand awarded contract 8/24. Completed Branding proposal 10/24 Market Manager hiring process begins 11/1/24. Manager will be tasked w/ steps 1-3
		Objective 4 - Create corridor improvement authority (CIA) district(s)	2nd	Hofert	2027	●	Task 1 - Confirm that Division and Burton meet eligibility criteria for creation of Corridor Improvement Authority (CIA).	Edouard	2026	○	Step 1 - Confirm Division and Burton meet eligibility requirements. Multiple corridor authorities are allowed for a single municipality.		○		Initial work has begun. JE has met with a GR CIA to learn from their experiences.
							Task 2 - Complete public engagement process				Step 1 - Meet with business owners and residents along the targeted corridors to discuss CIA benefits of activation and solicit their feedback.				
Task 3 - Formally establish corridor improvement authority district(s)							Step 2 - Identify community recommendations for corridor improvements.								
Task 3 - Formally establish corridor improvement authority district(s)	Step 1 - The governing body passes resolution declaring it is necessary in the best interests of the public to develop its commercial corridors and promote economic growth, and its intent to do so. Step 2 - The governing body sets a public hearing, based upon its resolution of intent, to create a CIA. Step 3 - 20-40 days before the hearing, notice must be given of a public hearing by public posting, publication, and mail to taxpayers within a proposed district and to the governing body of each taxing jurisdiction levying taxes that would be subject to capture of tax increment revenues. Step 4 - Hold public hearing. Step 5 - No less than 60 days following the public hearing, the governing body may adapt by resolution the creation of the CIA and designate the boundaries of the development area. Step 6 - Publish resolution at least once in the local newspaper and filed with the Secretary of State.														
Objective 5 - Create plan to attract and retain businesses	3rd	Hofert	2025	●	Task 1 - Create database of major Wyoming employers.	Edouard	2024	●	Step 1 - Query business licenses and Google to create a preliminary list.		○		Lists created for all primary commercial corridors		
					Task 2 - Create an annual retention visit schedule.				Step 2 - Schedule meetings with top identified businesses to confirm contact information, basic facts, and make preliminary introduction.				JE has started having meetings		
					Task 3 - Create a small business survey.				Step 1 - Annually review and identify 50 businesses to have retention visits with. Step 2 - Review The Right Place's retention visit and attraction annual interactions. Perform annual review of The Right Place. Step 3 - Post-visit provide business with a survey to gauge Wyoming business climate.						
					Task 4 - Formalize plan to create an annual informational report on Wyoming's small business.				Step 1 - Create an annual survey to send to businesses in collaboration with the South Kent Chamber. Step 2 - Review results for trends and action items.				JE created a draft business survey for DABA; this will serve as base for broader survey. Chamber involved in review of DABA survey.		
Objective 6 - Explore the feasibility of a new community center	6th	Martin	2026	○	Task 1 - Retain a consultant to conduct a feasibility study	Martin	2026	○	Step 1 - Develop proposal for RFQ.		○				
					Task 2 - Develop proposal for RFQ.				Step 2 - Work with selected consultant and complete study.						
Objective 7 - Review DDA footprint	8th	Hofert	2027	○	Task 1 - Verify tax capture and tax capture history.	Edouard	2025	○	Step 1 - Work with City Assessor to model this data.		○				
					Task 2 - Open dialogue with County about revisions to DDA and tax capture status.										
					Task 3 - Explore new footprints for the DDA.				Step 1 - Map possible revisions and perform preliminary tax capture estimates.						
					Task 4 - Elected officials and public engagement.				Step 2 - Review maps with the DDA and make a recommendation.						
					Task 5 - DDA and Council Adoption.				Step 1 - Set up meetings with County Commissioners to get buy in for new proposed boundary, if warranted. Step 2 - Solicit feedback and gain consensus from businesses along 28th Street impact by revised boundary.						
ent and idents.	Objective 1 - Cultivate signature community events	1st	Martin	2026	●	Task 1 - Conduct regional special event gap analysis.	Stickler	2025	●	Step 1 - Review current and external city and regional festivals and events.		○		Regional event analysis underway	
						Task 1 - Conduct regional special event gap analysis.				Step 2 - Research special events nationally and connect with other event organizers through IFEA.				Stickler attended IFEA conference and connected with national event organizers and is now a member of the network	
						Task 1 - Conduct regional special event gap analysis.				Step 3 - Cultivate community partner relationships.					

Safety –“Creating a community where people can live, work and play without fear or risk of harm.”

Goal 3 – Enhance community engagement recreational opportunities for our residents	Objective 2 – Construct additional pickleball courts where feasible	2nd	Martin	2025	●	Task 2 - Recommend two additional signature community events for FY26 budget.	Stickler	2025	○	Step 1 - Establish community partner relationships.	Martin/Clarke	○		
						Step 2 - Engage Parks and Recreation Commission to launch events.	Martin/Clarke	○						
	Objective 3 – Update non-motorized trail and wayfinding signage plan	4th	Hofert	2024	●	Task 1 - Inventory and assess current non-motorized trail infrastructure.	P. Smith	2024	●	Step 1 - Create updated pathway map that identifies likely origin and destination nodes and potential route connection opportunities.		●	Draft map created 3/24	
						Task 2 - Select and retain consultant.	Hofert	2024	●	Step 2 - Finalize map based on confirmed data and provide to consultant for plan update.		●	CEC staff field verified data in June	
	Goal 4 – Encourage more affordable housing in the city.	Objective 1 – Develop an affordable housing plan	7th	Hofert	2027	●	Task 1 - Update Housing Needs Assessment and Analysis of Impediments to Fair Housing Choice.	P. Smith	2025	●	Step 1 - Pull data from American Community Survey to update previous report.		●	CEC staff compiled list of NA and MA requirements for Consolidated Plan and working to confirm IDIS capabilities.
							Task 2 - Perform a housing cost study	P. Smith	2026	○	Step 2 - Meet with stakeholder focus groups.		○	
							Step 3 - Prepare report.			○				
							Step 4 - Present to Council and open dialogue on policy actions to respond to findings.			○				
		Objective 2 - Create a citywide emergency plan.	3rd	Koster	2024	●	Task 1 - Assemble a committee to develop the citywide plan.	Koster	2024	●	Step 1 - Appoint representatives from FD, PD, PW, and Comm's. Establish meeting for mid-March.	Koster/Polis	●	completed (05/24)
							Task 2 - Determine scope of new plan.	Koster/Polis	●	Kick-off meeting with Kent County Emergency Manager and Wyoming's team was held on 07/15/24.				
Task 3 - Evaluate existing plans from 1998 and 2017.							Koster/Polis	●	completed (05/24)					
Task 4 - Discuss as an agenda item at Metro Six meeting(s).								●	Discussed at 2/28/24 Metro 6 meeting.					
Objective 3 - Develop a deer/wildlife management plan	4th	Shay	2026	●	Task 1 - Coordinate with Metro Six to develop deer/wildlife management strategy.	Shay	2024	●	Step 2 - Engage GVMC/MDNR to conduct deer population study and provide recommendations.		●	GVMC engaged by Kent Co. Deer Mgt. Consortium to conduct study. Cost to be split by Metro 6. 5/24		
					Task 2 - Coordinate with Communications, Public Works and Parks Department to discuss other techniques and strategies to address deer population in city.	Shay	2025	○	Step 1 - Develop public education campaign for property owners to help mitigate deer population in urban areas.	Peña-Wojtanek	○			
Objective 4 - Create staffing/hiring plan for Public Safety	1st	Koster	2028	●	Task 1 - Develop a fire staffing and deployment RFP	Snyder	2026	●	Step 1 - Complete a comprehensive staff study for fire utilizing a 3rd party such as International City Management Association (ICMA).		○	Although the staff study is scheduled to occur in 2026, we obtained approval in FY24/25 budget 1 to hire 3 Battalion Chiefs. The BC's have been selected and they have already had a significant impact on our operation. Conversations about conducting a staff study prior to 2026 have occurred. (10/24)		
					Task 2 - Establish a proactive commercial inspections deployment initiative program utilizing suppression personnel (existing personnel).		●	The renovation of the Division Avenue Fire Stations is now complete. Plans are being made to incorporate inspections, both residential and commercial, into our system once these stations are fully operational and we can assess our capacity.						
					Task 3 - Research and develop a Residential Safety Assessment Program.		●	Plans are being made for our firefighters to make note of smoke alarm deficiencies (missing, not working) at residential properties when they are there on a call for service. A follow-up call can then be made to schedule a time when they can return to help our resident fix the issue. This will increase the safety of our residents!						
					Task 2 - Begin the execution of a staffing and deployment plan	Snyder	2028	○	Step 1 - If warranted by study, seek opportunities to expand the Fire Prevention team to conduct plan reviews, fire inspections, education, community outreach, recruitment, residential fire alarm installations, and fire investigations.		○			
Objective 2 - Develop plan for renewal of Public Safety millage.	2nd	Yenchar	2027	○	Task 1 - Work with City Council as they determine the terms of the renewal proposal to be placed on the ballot.	Yenchar	2026	○						
					Task 2 - Develop communication strategy around millage renewal ballot proposal.	Yenchar	2027	○						

Goal 1 – Implement and adopt more proactive public safety initiatives.	Objective 1 - Develop plan to address crime and drug issues in community	1st	Koster	2026	●	Task 1 - Reduce Part I and II offenses which include violent crime and property crime by January 1, 2025.	Koster	2025	●	Step 1 - Utilize crime analysis data and technology to strategically plan and adapt our deployment of resources to areas where crime is most prevalent.		●	Our Crime Analyst routinely disseminates information related to types and locations of criminal activity. As of July 2, 2024, reported incidents of murder, CSC, robbery, larceny, and motor vehicle theft have all trended below 2023 numbers (YTD). Aggravated assault and burglary are trending higher.
						Task 2 - Evaluate city's ability to increase resources and enhance communications by January 1, 2026.	Koster	2026	●	Step 2 - Conduct high visibility patrols and traffic enforcement in locations known to be frequented by offenders.		●	High visibility patrols are occurring in areas where crime is problematic. The availability of air support from MSP has increased, along with the inception and training of our own UAV/Drone team. These are successful tools used to safely apprehend offenders who might pose a threat to public safety.
						Task 3 - Concentrate efforts and available resources on battling opioid-related crimes in the community	Koster	2026	●	Step 3 - Continue to establish and build upon partnerships with residents, neighborhood groups and businesses.		●	Our Community Services Unit (CSU) continues to be highly engaged with residents and business owners. For example, in partnership with Country Fresh, CSU officers have been passing out ice cream in different neighborhoods throughout the City.
						Task 4 - Provide additional training to patrol officers related to prevention, enforcement and investigation of street crimes, drug offenses, stolen vehicle investigations.			●	Step 4 - Provide additional training to patrol officers related to prevention, enforcement and investigation of street crimes, drug offenses, stolen vehicle investigations.		●	On July 25th and August 1st, our officers and firefighters participated in an "Active Shooter / Rescue Task Force" training scenario that took place at Wyoming High School. Our command staff has been conducting table top exercises on active assailant scenarios.
						Task 5 - Work with our Communications liaison to educate residents on crime prevention and safety practices via social media platforms.			●	Step 5 - Work with our Communications liaison to educate residents on crime prevention and safety practices via social media platforms.		●	Meeting occurred on 7/9/24 to discuss PD's Facebook strategy.
						Task 6 - Continue working with our local City Attorney, the Kent County Prosecutor, as well as other State and Federal law enforcement agencies to pursue applicable charges against violent offenders.			●	Step 6 - Continue working with our local City Attorney, the Kent County Prosecutor, as well as other State and Federal law enforcement agencies to pursue applicable charges against violent offenders.		●	Our City Attorney and Prosecutor have been great partners in holding violent offenders accountable (7/24). We are also working with other agencies in Kent County to develop a strategy for dealing with street takeovers. Progress is being made.
	Objective 2 - Create a citywide emergency plan.	3rd	Koster	2024	●	Task 1 - Assemble a committee to develop the citywide plan.	Koster	2024	●	Step 1 - Appoint representatives from FD, PD, PW, and Comm's. Establish meeting for mid-March.	Koster/Polis	●	completed (05/24)
						Task 2 - Determine scope of new plan.	Koster/Polis	●	Kick-off meeting with Kent County Emergency Manager and Wyoming's team was held on 07/15/24.				
						Task 3 - Evaluate existing plans from 1998 and 2017.	Koster/Polis	●	completed (05/24)				
						Task 4 - Discuss as an agenda item at Metro Six meeting(s).		●	Discussed at 2/28/24 Metro 6 meeting.				
Objective 3 - Develop a deer/wildlife management plan	4th	Shay	2026	●	Task 1 - Coordinate with Metro Six to develop deer/wildlife management strategy.	Shay	2024	●	Step 2 - Engage GVMC/MDNR to conduct deer population study and provide recommendations.		●	GVMC engaged by Kent Co. Deer Mgt. Consortium to conduct study. Cost to be split by Metro 6. 5/24	
					Task 2 - Coordinate with Communications, Public Works and Parks Department to discuss other techniques and strategies to address deer population in city.	Shay	2025	○	Step 1 - Develop public education campaign for property owners to help mitigate deer population in urban areas.	Peña-Wojtanek	○		
Objective 4 - Create staffing/hiring plan for Public Safety	1st	Koster	2028	●	Task 1 - Develop a fire staffing and deployment RFP	Snyder	2026	●	Step 1 - Complete a comprehensive staff study for fire utilizing a 3rd party such as International City Management Association (ICMA).		○	Although the staff study is scheduled to occur in 2026, we obtained approval in FY24/25 budget 1 to hire 3 Battalion Chiefs. The BC's have been selected and they have already had a significant impact on our operation. Conversations about conducting a staff study prior to 2026 have occurred. (10/24)	
					Task 2 - Establish a proactive commercial inspections deployment initiative program utilizing suppression personnel (existing personnel).		●	The renovation of the Division Avenue Fire Stations is now complete. Plans are being made to incorporate inspections, both residential and commercial, into our system once these stations are fully operational and we can assess our capacity.					
Objective 2 - Develop plan for renewal of Public Safety millage.	2nd	Yenchar	2027	○	Task 1 - Work with City Council as they determine the terms of the renewal proposal to be placed on the ballot.	Yenchar	2026	○					
					Task 2 - Develop communication strategy around millage renewal ballot proposal.	Yenchar	2027	○					

Goal 1 - Strengthen and maintain the strong financial position of the city.	Objective 1 - Develop a long-term sustainable funding plan for the city.	1st	Yenchar	2029	●	Task 1 - Evaluate the city fund balance policy	Yenchar	2024	●	Step 1 - Evaluate fund balance targets for self-insurance funds.		●	Completed 12/23
						Task 2 - Develop a model for sustainable court funding.	Yenchar	2029	○	Step 2 - Update General Fund 5x5 to evaluate current and forecasted fund balance outside of established target range.		●	Completed 1/24
						Task 3 - Analyze development impact costs to the City.	Yenchar	2028	○	Step 3 - Work with City Manager and City Council to determine if current range is still valid and possible contributions to fund 800 if performance better than budget.	Sterling/Yenchar	●	Completed 4/24
	Objective 2 - Develop plan for renewal of Public Safety millage.	2nd	Yenchar	2027	○	Task 1 - Work with City Council as they determine the terms of the renewal proposal to be placed on the ballot.	Yenchar	2026	○				
						Task 2 - Develop communication strategy around millage renewal ballot proposal.	Yenchar	2027	○				
	Objective 3 - Revise/update and implement capital improvement plan process.	4th	Yenchar	2025	●	Task 1 - Establish 5-year citywide capital projects plan.	Yenchar	2024	●	Step 1 - Create template for departments to utilize in reporting capital projects planned for the next five years.		●	Completed 1/24
						Task 2 - Increase capital projects plan forecast to state required 6-year.	Yenchar	2025	●	Step 2 - Compile department submissions and present consolidated 5-year plan to City Council at March 2024 work session	Nyenhuis/Yenchar	●	Completed 3/24
	Objective 4 - Assess citywide use of technology.	3rd	Gerndt	2025	●	Task 1 - Develop an inventory of significant computer hardware and software solutions.	Gerndt	2024	●	Step 3 - Utilize department, council, and city management feedback to develop additional CIP plan components, method for ongoing updates and possibility of extending the plan beyond the initial 5 years. Ensure compliance with Michigan Planning Enabling Act (Act 33 of 2008).	Nyenhuis/Yenchar	●	Will update CIP during budget cycle (target - October)
						Task 2 - Coordinate with HR to conduct citywide survey of staff to determine their use and level of proficiency with citywide software programs (e.g. Microsoft Office, OnBase, e-Applicant, e-Bidder, Logos/New World).	Gerndt	2025	●	Step 1 - Prepare forecasts for the additional one year.	Nyenhuis	●	Will complete October 2024 for FY26 budget
						Task 3 - Use results from Tasks 1 & 2 to identify opportunities for improvement.	Gerndt	2025	○	Step 1 - Work with departments to assemble a registry of software (cloud, on-prem), its purpose (record management, compliance, efficiency, etc.), criticality, annual cost, expected life, etc.		●	4/4 - survey distributed to departments for collection of data 6/4 - Few submittals still outstanding 10/1 - Data collection complete - clean-up of list in progress - complete by 11/1
Objective 1 - Complete an efficiency audit/staffing level assessment.		3rd	Shay	2026	●	Task 1 - Conduct Organizational Assessment of IT Department.	Waterman	2024	●	Step 1 - Develop or identify a methodology to measure: staff understanding of technologies at their disposal; staff understanding of the purpose of each available technology; and staff ability to use available technologies effectively.		○	10/1 - Began coordination with HR - changed due date to align with HR tasks
						Task 2 - Engage HR and Department Heads to identify other city departments and functions of priority and engage consultants to complete additional assessments, as warranted.	Shay	2026	●	Step 2 - Execute the data collection methodology.		○	
						Task 3 - Analyze development impact costs to the City.	Yenchar	2028	○	Step 3 - Organize and summarize results of the data collection.		○	
Objective 2 - Consolidate dedicated millages where feasible.	3rd	Yenchar	2029	○	Task 1 - Determine viability of asking voters to consolidate millages.	Yenchar	2028	○	Step 1 - Identify underutilized technologies and steps to rectify.		○	10/1 - Changed due date to align with HR tasks	
					Task 2 - Develop value proposition for voters and work with City Manager and City Council to determine if consolidation ballot proposal is desired.	Yenchar	2028	○	Step 2 - Identify themes to inform improvements to job descriptions and recruitment processes.		○		
					Task 3 - Analyze development impact costs to the City.	Yenchar	2028	○	Step 3 - Identify options to improve technology adoption and utilization.		○		
Objective 3 - Revise/update and implement capital improvement plan process.	4th	Yenchar	2025	●	Task 1 - Establish 5-year citywide capital projects plan.	Yenchar	2024	●	Step 1 - Form a cross-functional steering committee to pre-assess ERP integration needs by 2024.	Yenchar/Sterling	●	Steering committee meets weekly; kick-off call for entire city held 9/26/24	
					Task 2 - Increase capital projects plan forecast to state required 6-year.	Yenchar	2025	●					
					Task 3 - Use results from Tasks 1 & 2 to identify opportunities for improvement.	Gerndt	2025	○					

Goal 1 - Strengthen and maintain the strong financial position of the city.	Objective 1 - Complete an efficiency audit/staffing level assessment.	3rd	Shay	2026	●	Task 1 - Conduct Organizational Assessment of IT Department.	Waterman	2024	●	Step 1 - Select and retain consultant to conduct organizational assessment of IT Department.	Waterman	●	Dewpoint retained 2/24
						Task 2 - Engage HR and Department Heads to identify other city departments and functions of priority and engage consultants to complete additional assessments, as warranted.	Shay	2026	●	Step 2 - Review findings and implement recommendations where feasible and as applicable.	Waterman	●	Recommendations underway 7/24
						Task 3 - Analyze development impact costs to the City.	Yenchar	2028	○	Steps to be determined. May follow similar process as shown above.			10/24-Staff considering conducting organizational assessment of the Finance Department

STAFF REPORT

Date: October 29, 2024
Subject: Budget Amendment No. 016 – Indigent Defense Services
From: Katie Nyenhuis, Senior Accountant
CC: Jodi Yenchar, Finance Director
Meeting Date: November 4, 2024

RECOMMENDATION:

It is recommended City Council authorize budget amendment number 016 to provide \$7,218 of funding for indigent defense services in accordance with the standards set by the Michigan Indigent Defense Commission.

ALIGNMENT WITH STRATEGIC PLAN:

- **Community** – A diverse, strong and authentic place where all individuals have the opportunity to thrive.

DISCUSSION:

The Michigan Indigent Defense Commission (MIDC) was created to establish standards for indigent defense services across the State of Michigan. The MIDC provides grant funding to assist local agencies in meeting those standards. In 2020, the Cities of Wyoming, Grandville, Walker, and Kentwood formed a collaboration to provide improved legal representation for indigent defendants in accordance with MIDC standards. At that time, it was agreed that administration of the program was under the authority of the City of Wyoming. Since that time, the need for additional collaboration has grown beyond our cities. For this reason, beginning October 1, 2024, program administration has transitioned to the County. This new structure removes the administrative responsibility from Wyoming while ensuring that high quality legal services are still being provided.

The MIDC does not provide 100% funding. Local municipalities are required to contribute a portion (“local share”) which is recalculated each year based on average expenditures of the unit. The local share Wyoming is required to contribute in fiscal year 2025 is \$7,217.21.

BUDGET IMPACT:

The local share amount has historically been included in the annual budget amendment recognizing the annual grant award and related expenditures. With Kent County taking over the administration of the grant, the only cost to be included in the General Fund budget is the City's required local share. The State of Michigan requires delivery of indigent criminal defense services be independent from the court, so it is recommended that the local share cost be included under the City Manager activity (account number 101-172-17200-801.000). Funding for future years will be included in the annual budget request.

Attachment:
Budget Amendment

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
Lemery Adult Softball and Palmer Park Fields Repairs	Greenline Sports Turf Solutions	\$17,878.00

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: November 4, 2024.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:
Staff Report
Contract

Resolution No. _____

STAFF REPORT

Date: October 15, 2024
Subject: Lemery Adult Softball and Palmer Park Fields Repairs
From: Lynn Clarke, Assistant Director
Josh Sweedyk, Athletics and Recreation Programmer
Cc: Krashawn Martin, Director of Parks and Recreation

Meeting Date: November 4, 2024

RECOMMENDATION:

It is recommended City Council authorize the purchase of repair services to the infields at Lemery Adult Softball Field and Palmer Park Field in the amount of \$17,878.00

ALIGNMENT WITH STRATEGIC PLAN:

- PILLAR 1 – COMMUNITY
 - GOAL 3 – Enhance community engagement and recreational opportunities for our residents.

DISCUSSION:

On October 15, 2024, the City received two bids for the repair of the softball batter boxes, pitcher mounds, and addition of stone dust for the Lemery Park and Palmer Park Field project. Twenty-nine (29) invitations to bid were sent to and/or downloaded by prospective bidders. Parks and Recreation staff evaluated each bid based on the understanding of the project, detail specifications provided, and references. After reviewing the bids, Greenline Sports Turf Solutions was found to have the most competitive price and met all specifications of the bid.

Therefore, it is recommended the City Council award the bid for the repair of the softball batter boxes, pitcher mounds, and addition of stone dust for the Lemery Park and Palmer Park Field project to Greenline Sports Turf Solutions for the bid prices shown on the attached tabulation sheet.

BUDGET IMPACT:

Funds for this project are budgeted in account number 272-265-26500-975.000.

TABULATION SHEET:

Bidder	Batter Box for both parks total	Pitcher Mound for both parks (optional)	Pitch Mound tarps (optional)	Stone Dust (Optional)	Total Bid Price
Greenline Sports Turf Solutions	\$6,354	\$2,552	\$2,504	\$6,468	\$17,878
Freedom Construction and Consulting	\$21,222	\$1,300	\$1,050	\$5,496	\$29,068

Attachment:
Contract

CITY OF WYOMING

CITY STANDARD CONTRACT
CITY OF WYOMING, MICHIGAN
(MORE THAN \$8,500)
(NO RFP)

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 28th St SW, Wyoming, MI 49509.

Contractor means: Greenline Sports Turf Solutions
[Name of contracting entity]
A. Michigan LLC
[State and type of entity, e.g., corporation, limited liability company, etc.]
2506 Canby St
[Contractor's street address]
Hudsonville MI 49426
[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: _____, 202_. Normally this is the day after the Council meeting at which it is approved.

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 Bid/Proposal attached as Exhibit B.

Standard Terms means "City Contract Standard Terms and Conditions" attached as Exhibit A.

Work means the services described and specified the Proposal.

TERMS AND CONDITIONS

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

1. Contractor will perform the Work and supply the Goods 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:

[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 provided before beginning any Work.

5. This is the only agreement between the parties regarding City engagement of Contractor to perform the Work and supply the goods. 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

Contractor: Greenline Sports Turf
By: _____
[Signature of officer, director, or principal of Contractor]
Owner
[Typed/Printed Name & Title of Person Signing for Contractor]

Date signed: 10/16, 2024

EXHIBIT A

CITY CONTRACT STANDARD TERMS AND CONDITIONS

These Terms and Conditions apply to this contract. Contractor attests it complies with and promises it will comply with these Terms and Conditions.

1. Legal Compliance. Contractor and all Contractor's personnel must comply with all applicable (i) laws, rules, regulations, codes, and ordinances, (ii) license and permit requirements, and (iii) orders of any governmental agency, official or court of competent jurisdiction. This includes, for example, complying with federal OSHA and Michigan MIOSHA safe practices, and with applicable federal and state labor laws, rules, and regulations.

2. Permits and Inspections. Unless the Proposal states otherwise, Contractor shall, without expense to City, obtain all licenses and permits required to lawfully perform the Work under the contract and furnish copies of those licenses and permits to City before commencing Work. Contractor shall also ensure all inspections required by local, state, and federal agencies and codes are performed.

3. Grant Compliance. If state or federal grant funds are a source of payment for the project, Contractor promises to comply with grant agreement terms and conditions that apply to the contract.

A. If funds for the Work come from the United States Department of Housing and Urban Development (**HUD**), the following apply:

1. Under HUD Fair Labor Standards Act Provisions, the most recent wage determination for Kent County, Michigan will apply to all wages Contractor pays for any Work on the project. For 2024 (it may be updated), that is General Decision No. MI20240088, dated 01/19/2024, <https://sam.gov/wage-determination/MI20240088/1>.

2. Contractor will be required to prepare and maintain adequate financial records in a form satisfactory to City that reflect all costs and expenses incurred in performing this Contract and records of the use of all amounts paid pursuant to this Contract. Contractor's financial records and reports must conform to the regulations found at 2 CFR Part 200 entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance," <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-11/part-200>.

3. If project costs are \$200,000 or more, HUD Section 3 provisions may require training and employment of low- and very low-income persons. See 24 CFR 75.3(a)(iii) (<https://www.hud.gov/sites/dfiles/FPM/documents/Section-3-FAQs.pdf>).

B. If they are applicable, Contractor shall comply with Davis-Bacon Act, other prevailing wage, Buy American, and any other requirements in grants or other funds used to pay Contractor or for other parts of the project. This includes, for example, employment, recordkeeping, purchasing, sourcing, and other compliance.

4. Qualifications. Contractor represents and promises that:

A. Contractor and Contractor's personnel will have and maintain all licenses, registrations, certifications, memberships, or other approvals needed to perform the Work and supply materials required by the contract.

B. Contractor, any subcontractor, and their respective principals, owners, officers, shareholders, key employees, directors, members and partners: (i) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a federal department or agency; (ii) have not within the last 3-years 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 contract or transaction with a governmental entity; (iii) have not within the last 3 years violated federal or state antitrust statutes or committed embezzlement, theft, forgery, bribery, falsification or destruction of records, making false

statements, or receiving stolen property; (iv) are not presently indicted for or otherwise criminally charged by a governmental entity with commission of any of the offenses enumerated in this certification; and (v) have not within the last 3-years had one or more contracts or transactions with a governmental entity terminated for cause or default.

C. If the contract is for a HUD CDBG or another federal or state funded project, neither Contractor nor any of its subcontractors on the HUD list of debarred and suspended participants (https://www.hud.gov/program_offices/general_counsel/limited_denial_participation_hud_funding_disqualifications). Unless waived by City's purchasing director, Contractor and all subcontractors will register on the Federal SAM Registry available at: <https://usfcr.com>. Contractor and all subcontractors are not on and will remain off the Federal System for Award Management list of persons and entities ineligible for federal contracts.

D. Neither Contractor nor any subcontractor is an "Iran linked business" under Michigan's Iran economic sanctions act, 2012 PA 517.

5. Nondiscrimination and Respect. City is committed to equity, fairness, impartiality, courtesy, respect, and nondiscrimination in City programs, benefits, and actions, including City contracts and acts that contractors engage in for or on City's behalf. Therefore:

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, sexual orientation, gender identity or expression, 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. Contractor will comply with applicable state and federal laws, rules, regulations, orders, and guidance 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.

B. 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, sexual orientation, gender identity or expression, 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.*, speak English less than very well), Contractor must use language assistance services in communications.

C. Contractor must include these requirements in subcontracts and supply contracts and reasonably enforce compliance.

D. 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.

E. 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.

6. Ethical Standards. To the best of Contractor's knowledge after reasonable inquiry:

A. Contractor and Contractor's personnel, as well as any parent, affiliate, or subsidiary organization of Contractor has not engaged in and shall refrain from: (i) holding or acquiring an interest that would conflict with this contract; (ii) attempting to or appearing to

influence any City elected or appointed officer or employee by a direct or indirect offer of anything of value; or (iii) paying or agreeing to pay a person, other than its personnel, any consideration contingent upon the award of the contract.

B. No owner, director, officer, member, partner, or key employee of Contractor or of any parent, affiliate, or subsidiary organization or subcontractor of Contractor is a spouse, parent, child, grandchild, or sibling of the mayor, city council member, or another City elected or appointed officer except as already disclosed in writing to City when submitting its proposal.

C. Contractor will immediately notify City of any subsequently discovered violation of the standards in this section.

7. Media Releases. Media or other releases (including promotional literature and commercial advertisements) pertaining to the contract or the project to which it relates shall not be made without the City Manager's prior written approval and only in accordance with the written terms provided in that approval.

8. Payment to Contractor.

A. Contractor and all subcontractors, suppliers and consultants shall, before beginning the Work, submit by email to City's Finance Department at Acct_Info@wyomingmi.gov a completed IRS W-9 form (available at www.irs.gov).

B. Payments to Contractor will be made in accordance with the Proposal. If no other terms are provided, payment of an invoice to City will generally be made within 30 days after all required information is submitted provided the design professional (if one is identified in the specifications or contract) and authorized City representative agree the Work has been performed, materials or equipment delivered, and other actions taken as provided in the contract and in accordance with any plans and specifications.

C. Payment disputes will be resolved as provided in §16. City will pay undisputed amounts and the disputed amount will be held in a non-interest-bearing account until the dispute is resolved.

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 City, defend every action brought against City or City's officers or employees for any alleged infringement of intellectual property rights by reason of their sale or use as part of the contract and will pay all costs, damages, and profits recoverable in any action.

10. Materials and Equipment Information, Quality, Disposal, and Related Requirements. If the Proposal includes the use, installation, or acquisition of materials, equipment, supplies or other items:

A. Unless otherwise stated in the Proposal, all materials, equipment, supplies, and items shall be new, the best of their respective kind, and free from defects.

B. Specifications provided by City are the minimum acceptable. When specific manufacturer and model numbers are used, they establish a desired design, type of construction, quality, functional capability, and/or performance level. If the Proposal included alternates, City will be the sole judge of equivalency.

C. Contractor shall provide City all manufacturer parts lists, assembly, and maintenance information, and all other documents provided by the manufacturer for such items, and ensure all related warranties are held by or assigned to City.

D. If quantities are listed in the RFP, they are based on estimated needs. City reserves the right to increase or decrease quantities to meet actual needs.

E. Contractor's failure to meet specified delivery schedules or promptly replace rejected materials renders Contractor liable for all costs in excess of the bid price(s) when alternate procurement is necessary. Excess costs will include administrative costs. Prices shall be delivered F.O.B. destination freight prepaid to any location specified in the specifications and included in the Proposal pricing unless otherwise specified in the RFP or expressly stated in the Proposal.

F. Unless the Proposal expressly states otherwise, Contractor will remove and dispose of all materials, equipment, or other items demolished, removed, or replaced during the Work and cleanup and remove all debris resulting from the Work. Disposal will comply with laws, rules, and regulations applicable to such disposal. Contractor will keep and, upon request, provide City copies of required manifests or other disposal documentation.

11. Restoration. Unless the Proposal states otherwise, Contractor will restore, without expense to City, any property damaged during or as a result of any Work to a condition similar and equal to that existing before such damage. If Contractor fails to make such restoration, City may, after 48-hours' notice to Contractor, make such restoration, and deduct the cost City incurs to do so from amounts due Contractor.

12. Access to Work. City personnel and representatives must always have access to all the Work and be furnished such information and assistance by Contractor as reasonably needed or desired to inspect the Work.

A. Taxes. City is generally exempt from federal and state taxes, including state sales and use taxes. A copy of City's certificate of tax exemption can be requested by contacting City's Finance Department. Invoices must be separated to show the amount added for taxes of any kind if applicable. Taxes, wherever indicated and applicable to any purchase, will not be subject to trade or cash discounts. On construction projects state sales taxes are applicable on materials only.

13. Records. Because City is a public entity that receives funds from other governmental agencies: (i) City is required to retain, be able to obtain, and/or audit records related to City contracts and (ii) Michigan's Freedom of Information Act generally requires that City disclose to those requesting them copies of all requested documents relating to the bid/proposal and any resulting contract. Contractor shall retain copies of all records related to the contract, including, without limitation, the items supplied or used in performance of the contract, and all work under the contract for at least 7 years after completion of the contract. Contractor shall, within 5 City business days of a City request, allow inspection, auditing and copying of all retained records.

14. Assignment/Beneficiaries. None of Contractor's rights or duties may be assigned or delegated without City's prior written consent. This contract will be binding on Contractor's successors and permitted assigns. No other persons are intended to be beneficiaries of this contract.

15. Independent Contractor. Contractor and Contractor's personnel are wholly independent of City. None of them shall be or be represented as City officers or employees. Contractor is solely responsible Contractor's personnel's acts, omissions, and statements. Contractor is solely responsible for any compensation and benefits to be provided Contractor's personnel for Work under the contract. Except for payment of the contract price, City has no responsibility to supervise, compensate or insure Contractor or Contractor's personnel.

16. Disputes/Remedies. Unless the RFP states otherwise provide the following applies to any dispute under this Contract:

A. In case of Contractor's default, City may procure the articles or services from other sources and hold Contractor responsible for any excess costs occasioned by the default. Such action will only be (i) when time is off the essence due to impending weather conditions, upcoming seasonal changes, permit durational limits, scheduled events, conflicts with other projects, or other circumstances City reasonably determines makes time of the essence and (ii) after written notice to Contractor with an opportunity to appeal the decision to the City Manager or the City Manager's designee.

B. Before filing a lawsuit, a party must first notify the party in writing stating the provision involved, stating the actions or failure to act that did not comply with the provision, and proposing the action to be taken to address the alleged non-compliance. The party receiving that notice shall, within 14 days, respond in writing

detailing any reasons why it disagrees that it has failed to comply with the contract or stating what actions it has taken or is taking to address the noncompliance and prevent recurrence. Both parties shall meet within 14 days after the date of the response in an effort to resolve any continuing dispute.

C. A party need not undertake the procedure provided in subsection 16.B if it has previously done so with respect to any noncompliance with the same contract provision.

D. Jurisdiction and venue for any dispute shall be solely in state courts in Kent County, Michigan.

E. In addition to any other remedies to which a party may be entitled, the prevailing party shall be entitled to recover all actual reasonable costs, including for example and without limitation, filing fees, expert consultation and witness fees and expenses, attorneys' fees, discovery expenses, copying costs, exhibit preparation costs, and any other actual reasonable costs incurred to investigate, bring, maintain or defend any action from its first discovery or first notice of it through all collection and appellate proceedings.

F. To resolve discrepancies within this Contract, precedence shall be given in the following order: (i) the contract form and these Terms, (ii) the RFP including specifications, instructions to bidders, and general bid information without conditions or changes, (iii) the Proposal, (iv) the RFP drawings, and (v) City Standard Specifications for Construction\Prequalification at <https://www.wyomingmi.gov/About-Wyoming/City-Departments/Public-Works/Engineering/Construction-Specifications>. Figure dimensions on drawings take precedence over scale dimensions. Detailed drawings take precedence over general drawings.

17. Risk Allocation.

A. 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 injuries or property damage occurring as a result of its Work under and performance of the contract.

B. Contractor shall hold City and City's officers and employees harmless from, indemnify them for, and defend them against any claims made by persons other than the City as a result of Contractor's Work under or performance of this Contract. Contractor shall reimburse the City for or pay in the City's stead costs the City incurs as a result of claims, demands, judgments, administrative actions, or any order to pay any amounts made or entered against the City or City officers or employees as a result of Contractor's Work under or performance of this Contract.

18. Insurance.

A. Contractor shall provide the following insurance:

REQUIRED LIMITS	ADDITIONAL REQUIREMENTS
COMMERCIAL GENERAL LIABILITY	
Minimal Limits: \$2,000,000 Each Occurrence Limit \$2,000,000 Personal & Advertising Injury Limit \$2,000,000 General Aggregate Limit \$2,000,000 Products/Completed Operations	Coverage shall include these extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent, if not already included; (E) deletion of all Explosion, Collapse, and Underground (EXU) Exclusions, if applicable. Coverage shall be primary and any other insurance shall be secondary and/or excess.
AUTOMOBILE LIABILITY INSURANCE	
Minimal Limits (include hired and non-owned automobile coverage): \$2,000,000 per person \$2,000,000 per occurrence	Coverage of shall be primary and any other insurance shall be secondary and/or excess.

REQUIRED LIMITS	ADDITIONAL REQUIREMENTS
WORKERS' COMPENSATION/ EMPLOYERS' LIABILITY	
Minimal Limits: \$500,000 per occurrence	Coverage shall be in accordance with all applicable Michigan statutes. Waiver of subrogation, except where waiver is prohibited by law.
EXCESS/UMBRELLA INSURANCE	
Required liability limits may be obtained by using an Excess/Umbrella Liability policy in addition to the primary liability policy(ies).	If coverage limits are satisfied by an Excess and/or Umbrella policy, coverage must follow form of the primary liability policy(ies). Coverage shall be primary and any other insurance shall be secondary and/or excess.
OWNERS CONTRACTORS PROTECTIVE	
Coverage is required if the amount stated below is more than \$0. Amount required \$_____.	The City of Wyoming shall be "Named Insured" on said coverage. A 30 day, 10 day for non-payment of premium, Notice of Cancellation shall be endorsed onto this policy. In lieu of this requirement, a per project aggregate on the Commercial General Liability policy may be acceptable for jobs requiring a \$1,000,000 liability limit.
ENVIRONMENTAL/POLLUTION LIABILITY	
Coverage is required if the amount stated below is more than \$0. Amount required \$_____.	Coverage shall include, but not be limited to, loading/unloading, transportation, storage, and removal of all hazardous waste/material. If this policy is claims made form, then the contractor shall be required to keep the policy in force, or purchase "tail" coverage, for a minimum of 3 years after the termination of this contract. Coverage shall be primary and any other insurance shall be secondary and/or excess.
BUILDERS RISK PROPERTY INSURANCE	
Coverage is required if checked "yes." Yes_____ No_____ Amount required: Full Contract Amount.	Contractor shall procure and maintain during the term of construction a policy of Builders Risk Property Insurance in the full amount of the project. Policy shall be on an All-Risk form and cover all property under a Replacement Cost basis. Policy shall also name the City of Wyoming as Loss Payee.

B. Commercial General Liability, Automobile Liability, Excess/Umbrella Insurance, Environmental Pollution Insurance shall include an endorsement stating the following shall be Insureds or Additional Insureds and certificate holders: (i) City of Wyoming, (ii) all City of Wyoming elected and appointed officers, employees, volunteers, board members, and commission members, (iii) authorities created by the City of Wyoming, (iv) board members, officers, and employees of authorities created by the City of Wyoming, and (v) authorized agents of the foregoing.

19. General Terms.

A. These terms and conditions may not be amended or modified except in writing signed by Contractor and City. These terms and conditions shall not be affected by any course of dealing. The captions are for reference and will not affect the interpretation of these terms and conditions.

B. This contract is made in Kent County, Michigan and shall be governed by and interpreted in accordance with Michigan law.

C. Reference by office to a City officer includes that City officer's designee(s).

**EXHIBIT B
PROPOSAL**

BID/PROPOSAL FORM

Lemery Adult Softball and Palmer Park Fields Batter Box Repair

The proponent identified below submits the attached bid/proposal materials, including the price(s) stated on the attached bid form.

By signing this bid/proposal form, the proponent identified below represents, attests and promises, the proponent:

1. Has reviewed and is familiar with all plans and specifications, including any issued addenda and any interpretations, and any information provided at any pre-bid meeting.
2. Has reviewed, meets, and will comply with all the Standard Terms and Conditions except those specifically stated in the materials submitted with this bid/proposal form, including, without limitation, all of the applicable insurance and bonding requirements.
3. If applicable, is familiar with the Work site and Work site conditions.
4. Accepts full responsibility for its conclusions relative to the nature and probable difficulties of performing the work specified, and no additional payments will be made by City due to unanticipated difficulties encountered in performing the actual work.

Is the bidder a:

YES

NO

Section 3 Certified Contractor?

If yes, DUNS #: _____

Are you, or the business owner related to an elected official or employee of the City?
If yes, list individuals' name(s) and relationship(s):

Unless the specifications otherwise state, the following is provided for statistical purposes only.

Is the bidder a:

YES

NO

Woman Owned Company?

Minority Owned Company?

Proponent's Complete Business Name (If Proponent Is DBA Include Full Proponent DBA):

BID/PROPOSAL FORM CONTINUED

A lump sum bid price is to be submitted for performing the work specified herein as a turnkey project. If any items, accessories or groups of items require to perform the work specified are not specifically indicated herein, it shall be the bidder's responsibility to furnish said items, accessories or groups of items, and include them in the lump sum bid price submitted.

Bid price as per the specifications included herein for Lemery Park adult softball field. \$ 3,177
Bid price as per the specifications included herein for Palmer Park field. \$ 3,177
Total for both parks: \$ 6,354

If not using packed mound clay when prepping areas, list alternate material(s) used and benefit of alternate material(s):

Optional Additions:

6' diameter circle around the pitching rubber for:
Lemery Park adult softball field: \$ 1,276
Palmer Park field: \$ 1,276
Tarp for pitching mound:
Lemery Park adult softball field: \$ 1,252
Palmer Park field: \$ 1,252
Field mix or stone dust (circle one) on the entire infields:
Lemery Park adult softball field: \$ 3,234
Palmer Park field: \$ 3,234

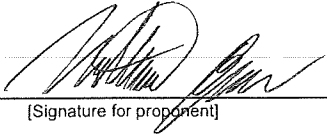
Reminder: All warranties must be included with bid/proposal

Proponent's Complete Business Name (If Proponent is DBA Include Full Proponent DBA):

Bid/Proposal Form Continued

Greenline Sports Turf Solutions
[Proponent's Complete Business Name]

[If Proponent is DBA Include Full Proponent DBA Here]


[Signature for proponent]

[2nd signature for proponent]

Matthew Byma
[Printed name and title of person signing]

[Printed name and title of 2nd person signing]

Date signed: 10/9/24

2506 Quincey St
[Proponent's street address]

[Proponent's business phone]

Hudsonville MI 49426
[City] [State] [Zip]

616-890-0723
[Cell phone number(s) of person(s) signing for proponent]

GreenlineByma@gmail.com
[E-mail address(s) of person(s) signing for proponent]

LLC
[Proponent's form of business – e.g. partnership, corporation, limited liability company, professional corporation and the state in which it was formed]



Field Maintenance Proposal

Date	Estimate #
9/26/2024	4909

2506 Quincy St Hudsonville, MI 49426
 greenlinesportsturf.com 616.896.0248

Name / Address
City of Wyoming Parks Attn: Lynn Clarke

Description	Qty	Rate	Total
PROPOSAL FOR CITY OF WYOMING PARKS ****Please note that this is an estimate of services. The final bill will be based on actual material, labor, and equipment numbers after project is complete.			
LEMERY PARK SOFTBALL FIELD INSTALL CLAY BRICK IN BATTERS BOXES Materials: Clay brick (33 bags), Patching clay, MVP Conditioner (2 bags)	1	1,925.00	1,925.00
NEW HOME PLATE TARP - 18' diameter chain weighted	1	1,252.00	1,252.00
CLAY PATCHING TRAINING - Included	1	0.00	0.00
PALMER PARK SOFTBALL FIELD INSTALL CLAY BRICK IN BATTERS BOXES Materials: Clay brick (33 bags), Patching clay, MVP Conditioner (2 bags)	1	1,925.00	1,925.00
NEW HOME PLATE TARP - 18' diameter chain weighted	1	1,252.00	1,252.00
CLAY PATCHING TRAINING - Included	1	0.00	0.00
OPTIONAL SERVICES FOR BOTH FIELDS INSTALL CLAY BRICK IN PITCHING AREA Materials: Clay brick (14 bags), Patching clay	2	1,276.00	2,552.00
NEW PITCHING AREA TARP - 18' diameter chain weighted	2	1,252.00	2,504.00
ADD STONEDUST TO INFIELD AND LASER GRADE Materials: Stonedust (20 tons)	2	3,234.00	6,468.00
Total			\$17,878.00

MATT BYMA - GREENLINE SPORTS TURF SOLUTIONS

Greenline Sports Turf Solutions desires to find safe, logical solutions for sports fields, regardless of current condition.

EXPERIENCE

2011 – 2013

ASSISTANT GROUNDSKEEPER, RICHMOND FLYING SQUIRRELS AA MINOR LEAGUE BASEBALL

2013 – 2015

ATHLETIC FIELD SUPERVISOR, CITY OF FARMINGTON HILLS

2015 – 2021

ATHLETIC FIELD SPECIALIST, CALVIN UNIVERSITY

EDUCATION & ASSOCIATION

MICHIGAN STATE UNIVERSITY

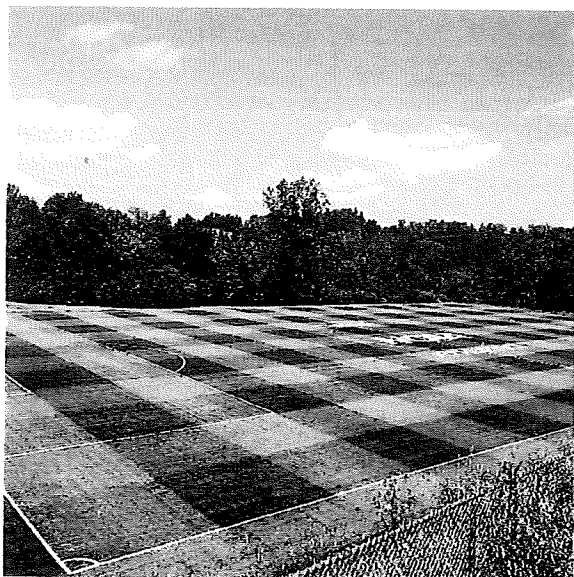
SPORTS AND COMMERCIAL TURFGRASS MANAGEMENT, GRADUATED 2011

VICE PRESIDENT – 2019 - PRESENT

MICHIGAN SPORTS TURF MANAGERS ASSOCIATION

AWARDS

- MISTMA Field of the Year Award Winner - 2016
- Pioneer Fields of Excellence Award Winner



RESOLUTION NO. _____

RESOLUTION TO ACCEPT AN AMENDMENT
FOR PARKING LOT RESURFACING AT 2385 PORTER STREET

WHEREAS:

1. On July 15, 2024, City Council adopted Resolution #28123 awarding a bid to Bob's Asphalt Paving, Inc. for parking lot resurfacing of Burton and Division fire stations.
3. As detailed in the attached staff report, Bob's Asphalt Paving, Inc. has provided the City with a contract amendment for parking lot resurfacing at 2385 Porter Street in the total estimated amount of \$30,590.00.
4. It is recommended City Council accept the contract amendment.
5. A budget amendment is required.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council accepts a contract amendment from Bob's Asphalt Paving, Inc. for parking lot resurfacing at 2385 Porter Street.
2. The City Council authorizes the City Manager and City Clerk to sign the contract amendment.
3. The City Council approves the attached budget amendment.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: November 4, 2024.

Kelli A. Vandenberg, Wyoming City Clerk

ATTACHMENTS:

Staff Report
Contract Amendment
Budget Amendment

Resolution No. _____

Staff Report

Date: October 25, 2024
Subject: Resurfacing of the parking lot at 2385 Porter Street
From: Aaron Vis, Deputy Director of Public Works
CC: Myron Erickson, P.E., Director of Public Works
Meeting Date: November 4, 2024

RECOMMENDATION:

It is recommended that the City Council approve the contract amendment with Bob's Asphalt Paving, Inc., to resurface the parking lot at 2385 Porter Street for a total cost of \$30,590.00, and approve the associated budget amendment.

ALIGNMENT WITH STRATEGIC PLAN:

- Pillar 3 – Stewardship
 - Goal 3 – Improve City infrastructure and service reliability.

DISCUSSION:

At the October 21, 2024 City Council meeting, the City Council approved a lease renewal with Two Guys Brewing, the current occupant of 2385 Porter Street. This lease included a provision for the City to resurface the parking lot, requiring Two Guys Brewing to repay the costs for this work on a monthly basis over a 3-year term or, if Two Guys Brewing decides to purchase the property within the 3-year term, the remaining balance of the parking lot resurfacing work would be due at closing.

On July 15, 2024, the City Council, by resolution number 28123, awarded the low bid for fire station parking lot resurfacing to Bob's Asphalt Paving, Inc. (Bob's). A quotation was requested from Bob's to perform similar work using the same unit pricing at 2385 Porter Street. This quotation totaled \$30,590 and was included in the aforementioned lease agreement with Two Guys Brewing.

BUDGET IMPACT:

Since this lease and work was negotiated after the start of the current fiscal year, a budget amendment recognizing the additional revenue and resurfacing expense to the Water Fund is required and attached for approval.

Attachments:

Bob's Contract Amendment
Budget Amendment



CITY OF WYOMING

CONTRACT AMENDMENT

Bob's Asphalt Paving, Inc.

This Contract Amendment is to the Wyoming Fire Stations at Burton and Division Lot Resurfacing contract made as of July 2, 2024 (Effective Date) between the City of Wyoming (City) and Bob's Asphalt Paving, Inc. (Contractor)

RECITALS

- A. City wishes to add additional services for the Wyoming Fire Stations at Burton and Division Lot Resurfacing contract approved by Resolution No. 28123 (Added Services). The Added Services includes removing and replacing the asphalt at 2385 Porter St SW, Wyoming, MI 49519.
- B. Contractor submitted a proposal dated July 31, 2024, for the additional services, copy of which is attached as Exhibit A (Proposal):

TERMS AND CONDITIONS

In exchange for the consideration in and referred by this Amendment, including the compensation stated in the proposal, the parties agree:

- 1. Contractor will perform the Added Services for the compensation stated in the Proposal.
- 2. All other terms of the Contractor's Bid Contract remain in full effect.

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

City of Wyoming

By: _____
John Shay, City Manager

Date signed: _____, 2024

Approved as to form:



Scott G. Smith, City Attorney

Bob's Asphalt Paving, Inc.

By:  _____
[Signature officer, director or principal of Professional]
Mike Radford, Owner
[Typed/Printed Name & Title of Person Signing for Professional]

Date signed: 10/23/2024, 2024

EXHIBIT A
PROPOSAL

Bobs Asphalt Paving

23728 40th Ave
 Ravenna, MI 49451
 +12318536936
 info@bobsasphaltpaving.com



Estimate

ADDRESS

Ross Vanderlugt
 City of Wyoming
 Wyoming, MI

ESTIMATE # 3989

DATE 07/31/2024

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Asphalt	5,800sq ft Remove/Replace Asphalt Parking Lot	1	29,390.00	29,390.00
		Sawcut, Mill, Remove, & Haul Away existing Asphalt - 72 cu yds			
		Fine grade & compact			
		Furnish, install, & compact 2" 3C HMA base course - 71 Ton			
		Furnish, install, & compact 2" 5EML HMA top course - 71 Ton			
	Pavement Marking	Striping	1	1,200.00	1,200.00

PROJECT LOCATED AT:
 2385 PORTER ST. SW WYOMING, MI 49519

SUBTOTAL	30,590.00
TAX	0.00
TOTAL	\$30,590.00

If additional crushed 22A is needed for subgrade once asphalt is removed, it will be at a Unit rate of \$35/Ton extra.

Accepted By

Accepted Date

Please sign, date, and return estimate to schedule your work.

ALL PAYMENTS DUE DAY OF JOB COMPLETION

Please note that a late payment fee of 1.5% will be added to your account if payment is not received within 7 days of the due date. Furthermore, an additional 1.5% fee will be charged for every 7 days of non-payment.

CITY OF WYOMING BUDGET AMENDMENT

Date: November 4, 2024

Budget Amendment No. 017

To the Wyoming City Council:

A net neutral budget amendment is requested to appropriate an additional \$30,590 of budgetary authority to resurface the parking lot at 2385 Porter and recognize the associated reimbursement revenue from the lessee.

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
<u>Water Fund</u>				
Reimbursements				
591-676.000	\$ -	\$ 30,590.00	\$ -	\$ 30,590.00
Water Utility - Capital Outlay - Capital Outlay Miscellaneous				
591-537-57300-986.956	\$ -	\$ 30,590.00	\$ -	\$ 30,590.00
Fund Balance/Working Capital (Fund 591)		<u>\$ -</u>	<u>\$ -</u>	

Recommended: 
Senior Accountant


City Manager

Motion by Councilmember _____, seconded by Councilmember _____ that the General Appropriations Act for Fiscal Year 2024-2025 be amended by adoption of the foregoing budget amendment.

Motion carried: Yes _____, No _____

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

City Clerk

RESOLUTION NO. _____

RESOLUTION TO ACCEPT A QUOTE FOR
PDQ SMARTDEPLOY PRO SOFTWARE SUBSCRIPTION

WHEREAS:

1. As detailed in the attached staff report, it is recommended City Council accept a quote from PDQ.com for a subscription to PDQ SmartDeploy Pro software in the total estimated amount of \$9,540.00.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council accepts a quote from PDQ.com for a subscription to PDQ SmartDeploy Pro.
2. The City Council does hereby authorize the City Manager to acknowledge acceptance of future renewals in accordance with budget authorization.

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: November 4, 2024.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Staff Report
Quote

Resolution No. _____

Staff Report

Date: October 28, 2024
Subject: PDQ SmartDeploy Pro Software
From: Paul Gerndt, Director of Information Technology
Meeting Date: November 4, 2024

RECOMMENDATION:

It is recommended City Council authorize acceptance of a quote for a one-year subscription to PDQ SmartDeploy Pro software from PDQ.com in the amount of \$9,540 and authorize acceptance of annual renewals in accordance with annual budget authority.

ALIGNMENT WITH STRATEGIC PLAN:

- PILLAR 1 – STEWARDSHIP
 - GOAL 2 – Enhance the efficiency and effectiveness of City operations and services.

DISCUSSION:

Managing staff desktop and laptop computers is a primary function of the Information Technology department. Tools such as PDQ SmartDeploy Pro create opportunities to automate many labor-intensive tasks, such as installation and configuration of the operating system, installation and patching of software, and configuration of features.

PDQ SmartDeploy Pro has proven to reduce the hands-on time related to deployment of each new computer by over two (2) hours, compared to the manual processes to produce the same results. Additional savings are realized through the automated deployment of software updates and patches.

BUDGET IMPACT:

Sufficient budget is available in the General Fund, Information Technology, Software Services account 101-228-22800-806.000.

Attachment(s):
Quote



Q-01965

Created At: 9/10/2024, 3:26 PM

Valid Until: 10/10/2024

Start Date: 9/10/2024

End Date: 9/9/2025

PDQ.com

2200 South Main Street
Suite 200 South Salt Lake, Utah 84115
United States +1
801-657-4657
sales@pdq.com

Quote For

Account Name City of Wyoming

Ship To

Shipping Address 1155 28th Street
Southwest
Wyoming MI, 49509
United States

Billing Address 1155 28th Street
Southwest
Wyoming MI, 49509
United States

PRODUCT	QUANTITY	UNIT PRICE	TOTAL
SmartDeploy Pro	500.00	\$19.08	\$9,540.00

Please note that taxes applicable may change based on billing date and address at time of invoicing. For questions please email sales@pdq.com. Please include Quote number if remitting payment. Remittance advice can be sent to ar@pdq.com.

ORDINANCE NO. 12-24

ORDINANCE request to amend Zoning Code Sections 90-201 “Definitions ‘A’”, 90-203 “Definitions C”, 90-216 “Definitions P”, 90-319 “Dwellings in nonresidential districts”, 90-408B “Permitted uses after special approval”, 90-420A “Specific requirements”, 90-1406 “Corridor Center Area (CC)”, 90-1407 “Corridor Urban Area (CU), 90-1408 “Corridor General Area (CG)”, 90-1409 “Corridor Suburban Area (CS)”, 90-1410 “Corridor Edge Area (CE)”, 90-1411 “Corridor Neighborhood Area (CN)”, 90-1608 “Retail building type”, 90-1902 “Maximum off-street parking spaces”

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 90, Article 2 of the Code of Ordinances, City of Wyoming, Michigan is amended by amending 90-201 to read as follows:

Sec. 90-201 DEFINITIONS "A"

Accessible: A term used to describe a parcel of land that has frontage on, and vehicular access to, an improved public road or an improved private road that has been approved by the city.

Access management: A technique to improve traffic operations along a major roadway and decrease the potential for accidents through the control of driveway locations and design; consideration of the relationship of traffic activity for properties adjacent to, and across from, one another; and the promotion of alternatives to direct access.

Accessory use, building, or structure: A use, building or structure which is clearly incidental to, customarily found in connection with, subordinate to, and located on the same zoning lot as the principal use to which it is related, and devoted exclusively to the main use of the premises.

Administrative approval: The city departments of building, planning, fire, assessing, public works and engineering who grant site plan approval for those development projects that do not require planning commission authorization.

Administrative review: The city departments of building, planning, fire, assessing, public works and engineering whose responsibility is to review and comment on site plan submittals prior to planning commission review.

Adult business: a business establishment catering to adults only, as defined in **section 14-88 Article I, Section 14-2** of the City of Wyoming Code of Ordinances.

Adult care facilities:

(1) *Adult care facilities, state-licensed:* A facility for the care of adults, over 18 years of age, as licensed and regulated by the state under Michigan Public Act 218 of 1979, and rules promulgated by the state department of human services, providing foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis, but do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, or a residential center for persons released from or assigned to a correctional facility.

(2) *Adult day care facility:* A facility other than a private residence, which provides care for more than six adults for less than a 24-hour period.

(3) *Adult foster care family home:* A private home with the approved capacity to receive six or fewer adults to be provided with foster care for 24 hours a day for five or more days a week and for two or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.

- (4) *Adult foster care large group home*: A private home with approved capacity to receive at least 13 but not more than 20 adults to be provided supervision, personal care, and protection, in addition to room and board, for compensation, for 24 hours a day, five or more days a week, and for two or more consecutive weeks.
- (5) *Adult foster care small group home*: A private home with the approved capacity to receive seven to 12 adults who are provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, five or more days a week, and for two or more consecutive weeks for compensation.
- (6) *Congregate adult care facility*: A private home with the approved capacity to receive more than 20 adults.

Animals:

- (1) *Domestic*: Any animal customarily kept by humans for companionship, including, but not limited to, dogs, cats, birds, rabbits, hamsters, mice, turtles, and the like.
- (2) *Exotic*: Any species of animal not considered domestic or livestock, including, but not limited to, snakes, lizards and potbellied pigs.

Athletic training facility. A specialized indoor facility provided for the training needs and related activities of athletes. Unlike a health club, these facilities are primarily for the prearranged use of specific teams and programs, rather than for general public walk-in use. This use includes specialized sports facilities, such as ball courts, hockey rinks, gymnasiums, gymnastics, and pools, and may include weight rooms, classrooms and meeting space. Activities may include training sessions, practices and competitive events.

Section 2. That Chapter 90, Article 2 of the Code of Ordinances, City of Wyoming, Michigan is amended by amending 90-203 to read as follows:

Caliper: The diameter of a tree trunk, measured at breast height.

Caretaker living quarters: An independent residential dwelling unit designed for and occupied by no more than two persons, where at least one is employed to look after goods, buildings, or property on the parcel on which the living quarters are located.

Carport: A shelter for vehicles consisting of a roof extended from a wall or a building or a partially open structure consisting of a roof and possibly walls. Carports shall comply with all yard requirements applicable to private garages.

Child care/residential care facilities:

- (1) *Child care facility*: A facility for the care of children under 18 years of age, as licensed and regulated by the State under Michigan Public Act 116 of 1973 and the associated rules promulgated by the State Department of Human Services.
- (2) *Child care centers, nursery schools, and day nurseries*: A facility, other than a private residence, receiving pre-school or school age children for group care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" or "day care center" does not include a Sunday school conducted by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.
- (3) *Family day care home (six or fewer children less than 24 hours per day)*: A private home in which one but less than six minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.
- (4) *Group day care home (seven to 12 children less than 24 hours per day)*: A private home in which more than seven but not more than 12 children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood,

marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.

- (5) *Foster family group home*: A private home in which more than four, but less than seven children, who are not related to an adult member of the household by blood, marriage, or adoption, are provided care for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- (6) *Foster family home*: A private home in which one but not more than four minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.

~~**Church or other place of worship: A site used for the regular assembly of persons for the conduct of religious services and related accessory uses. Accessory uses may include rectories, living quarters for church ministry and other members of the religious order who carry out their duties primarily on the site, religious education classes, day care, outdoor recreation facilities, religious office space and youth centers. Rescue missions, tent revivals and other temporary assemblies are not included in this definition. See Place of Worship**~~

City officials:

- (1) *City council or council*: The elected, legislative body of the City of Wyoming.
- (2) *Building official or building inspector*: Mean's the Registered Building Official or that person's designee.
- (3) *Planning commission or commission*: The planning commission of the City of Wyoming, as appointed by the mayor and endorsed by the city council, pursuant to the Municipal Planning Act.
- (4) *City planner*: The administrator of the planning department for the City of Wyoming.
- (5) *Board of zoning appeals or board*: The board of zoning appeals of the City of Wyoming. Members are appointed by city council pursuant to the zoning act.

Clinic, medical: An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists or similar professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

Club: A nonprofit organization of persons for charitable, fraternal or social purposes or for the promulgation of agriculture, sports, arts, science, literature, politics or the like, but not operated to espouse beliefs or further activity that is not in conformance with the Constitution of the United States or any laws or ordinances. The facilities owned or used by the organization may be referred to as a "club" in this chapter.

Commercial use: The use of property for retail sales or similar businesses where goods or services are sold or provided directly to the consumer. As used in this chapter, "commercial use" shall not include industrial, manufacturing, or wholesale businesses.

Commercial vehicle: Any vehicle bearing or required to bear commercial license plates and which falls into one or more of the following categories:

- (1) Truck tractor.
- (2) Semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures.
- (3) Refrigerated and box van vehicles of a type that are commonly used for the delivery of ice cream, milk, bread,

fruit or similar vending supply or delivery trucks.

- (4) Tow trucks.
- (5) Commercial hauling trucks.
- (6) Vehicle repair service trucks.
- (7) Snow plowing trucks.
- (8) Any other vehicle with a commercial license plate having a gross vehicle weight in excess of 10,000 pounds or a total length in excess of 22 feet.
- (9) Limousine.

Community center: A government or nonprofit facility used for recreational, social, educational, cultural services and activities. Services may be targeted to certain populations (e.g. youth, seniors) but membership is available to the general public. Examples of services include: tax assistance, fitness training, senior meals, after school tutoring sessions, food pantries and public assemblies. This use does not include schools, places of worship, banquet facilities, social or service club, or counseling services. A community center is different than a neighborhood center, which is a use that is accessory to a residential development.

Community special event: A temporary outdoor use that extends beyond the normal uses and standards allowed by the zoning ordinance of the city. Special events include auto shows, art shows, festivals and nonprofit fund raisers of community-wide interest.

Condominium:

- (1) *Building area:* The portion of the condominium project designed and intended for separate ownership as described in the master deed, regardless of whether it is intended for residential, office, industrial, business, or recreational use as a time-share unit or any other type of use.
- (2) *Condominium:* A system of separate ownership of individual units and/or multiple-unit projects according to the Condominium Act.
- (3) *Condominium Act:* State of Michigan Public Act 59 of 1978, as amended.

- (4) *Condominium subdivision plan:* Drawings and information which show the size, location, area, and

boundaries of each condominium unit, building locations, the nature, location, and approximate size of common elements, and other information required by Section 66 of the Condominium Act.

- (5) *Condominium unit site:* The area designating the perimeter within which the condominium unit must be built.

After construction of the condominium unit, the balance of the condominium unit site shall become a limited common element. The term "condominium unit site" shall be equivalent to the term "lot" for purposes of determining compliance of a site condominium subdivision with the provisions of this chapter pertaining to minimum lot size, minimum lot width, minimum lot coverage and maximum floor area ratio.

- (6) *General common element:* The area of common elements other than the limited common elements intended for the common use of all co-owners.
- (7) *Limited common element:* Area of the common elements reserved in the master deed for the exclusive use of less than all of the co-owners.
- (8) *Master deed:* The condominium document recording the condominium project as approved by the city including attached exhibits and incorporating, by reference, the approved by-laws for the project and the approved condominium subdivision plan for the project.
- (9) *Site condominium project:* A condominium project designed to function in a similar manner, or as an alternative, to a platted subdivision. A residential site condominium project shall be considered as equivalent to a platted subdivision for purposes of regulation in this chapter.

Contractor's yard: A site on which a building contractor stores equipment, tools, vehicles, building materials, and other appurtenances used in or associated with building or construction. A contractor's yard includes outdoor storage.

Conservation easement: A legal agreement in which the landowner retains ownership of private property, but conveys certain specifically identified rights to a land conservation organization or a public body.

Construction: Any act or process that is carried out under a current and valid building permit consisting of on-site erection, fabrication, installation, alteration, demolition, or removal of any structure, facilities or addition thereto, including related activities. Construction implies a diligent continuance of action toward completion, and any construction that has ceased due to expiration of a permit shall be considered inactive.

Convalescent home or nursing home: A nursing care facility, but excluding a hospital or a facility created by Act No. 152 of the Public Acts of 1985, as amended, being MCL 36.1 to 36.12 of the Michigan Compiled Laws, which provides organized nursing care and medical treatment to seven or more unrelated individuals suffering or recovering from illness, injury, or infirmity.

Curb cut: An opening from the public street to a private driveway or public drive serving an individual site or group of sites.

Section 3. That Chapter 90, Article 2 of the Code of Ordinances, City of Wyoming, Michigan is amended by amending 90-216 to read as follows:

Parking and loading:

- (1) *Loading space:* An off-street space on the same lot with a building or group of buildings, for temporary parking for a commercial vehicle while loading and unloading merchandise or materials.
- (2) *Off-street parking lot:* A facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for parking of more than two vehicles.

Passenger vehicle: A privately owned and licensed motor vehicle intended primarily for the transport of people.

Pawn broker: A person, corporation, partnership or firm whether operating under an assumed name or any other designation, which loans money on deposit or pledge of personal property or other valuable thing, other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable things on condition of selling the same back again at a stipulated price.

Performance guarantee: A security, in the form of cash deposit, certified check, irrevocable bank letter of credit, or surety bond, in an amount sufficient to cover the estimated cost of improvements required as part of an application for development that is deposited with the municipality to ensure that the improvements are satisfactorily completed.

Personal service establishment: A use that performs services on the premises, such as barber and beauty shops; watch, radio, television, clothing and shoe repair shops; tailor; photographic studios; locksmiths; and similar establishments requiring some minor retail activity.

Pet, domestic: See: "animal, domestic".

Place of Worship: A site used for the regular assembly of persons for the conduct of religious services and related accessory uses. Accessory uses may include rectories, living quarters for church ministry and other members of the religious order who carry out their duties primarily on the site, religious education classes, day care, outdoor recreation facilities, religious office space and youth centers. Rescue missions, tent revivals and other temporary assemblies are not included in this definition.

Pool or billiard hall: An establishment wherein three or more pool or billiard tables are provided for use by patrons. See also "indoor recreation facility."

Porch:

- (1) *Enclosed porch:* A covered projection from the main wall of a building, enclosed on three sides by permanent or detachable glass sash, but not used as general living space. A porch shall become general living space when the enclosed space is heated or air-conditioned and when the percentage of window area to wall is less than 50 percent.
- (2) *Open porch:* A covered projection from the main wall of a building, open on three sides except for wire screening. A porch shall not be considered open if enclosed by either permanent or detachable glass sash.

Principal building and use:

- (1) *Principal building (also called a "main building"):* A building or, where the context so indicates, a group of buildings in which is conducted the principal use of the lot on which the building is situated.
- (2) *Principal use (also called a "main use"):* The primary use to which the premises are devoted and the primary purpose for which the premises exist.

Private ponds: An outdoor body of standing water, accumulated in an artificially constructed basin or depression in the earth, partly or completely above or below the grade of the ground surface existing prior to construction, capable of holding water to a depth greater than 24 inches filled to capacity. Temporary basins or depressions excavated in conjunction with construction of building foundations or building basements and swimming pools, and stormwater detention ponds having permanent water surfaces, are not included in this definition.

Section 4. That Chapter 90, Article 4, Section 90-408B of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

Sec. 90-408B. - Permitted uses after special approval.

The following uses may be permitted in the B-2 business district, subject to the approval of the planning commission:

- (1) All principal permitted uses after special approval in the B-1 business district.
- (2) Amusement machine parlors.
- (3) Automobile car wash establishments.
- (4) Drive through restaurants.
- (5) Automobile gasoline and automobile service stations.
- (6) Wholesale stores, storage facilities, warehouses, distributing plants, freezers and lockers. Not permitted in the downtown development authority area.
- (7) Open air business uses. Not permitted in the downtown development authority area, with the exception of outdoor dining with table service.
- (8) New or used motor vehicles, except those trucks exceeding 5,500 pounds in vehicle weight, or recreation vehicles, including boats, snowmobiles, travel trailers, campers, motor homes, tents and accessory equipment sales or rental, wherein motor vehicles or recreation vehicles are stored or displayed outside.
- (9) New or used mobile homes, excavation equipment, machinery or farm implement sales. Not permitted in the downtown development authority area.
- (10) Commercial greenhouses exceeding 1,000 square feet of floor area. Not permitted in the downtown development authority area.
- (11) College or university.
- (12) Radio or television tower.

- (13) Uses similar to the principal permitted uses of section ~~90-448~~ **90-407B** and not listed elsewhere in this chapter as a principal permitted use or special approval use.
- (14) Boardinghouses. Not permitted in the downtown development authority area.
- (15) Cocktail lounges, nightclubs, and ~~taverns~~ **bars**.
- (16) Adult businesses as defined in ~~section 14-88~~ **Article I, Section 14-2** of this Code. Not permitted in the downtown development authority area.
- (17) Billiard rooms and pool halls. Not permitted in the downtown development authority area.
- (18) Sales of used merchandise, pawnshop or secondhand dealers, and rental of new or used merchandise excluding motor vehicles.
- (19) Multiple family.
- (20) ~~Assembly halls and churches~~ **Places of Worship**.
- (21) Community centers.
- (22) Outdoor cookers (when accessory to a brick-and-mortar restaurant) (see [Sec. 90-332](#)).
- (23) Transitional housing for more than ten individuals.
- (24) Permanent supportive housing for more than ten individuals.
- (25) Emergency shelter within 0.25 mile of a dedicated transit stop, medical clinic, or hospital.
- (26) Assembly halls.**

Section 5. That Chapter 90, Article 4, Section 90-420A of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

- (1) Minimum land area for each dwelling unit in the R-4 Residential District shall be:

Dwelling Unit Size	Land Area in Square Feet	
	No Second Floor Hallway for Common Use	With Second Floor Hallway for Common Use
Efficiency or one-bedroom unit	3,800	2,600
Two-bedroom unit	4,200	3,000
Three-bedroom unit	4,600	3,400
Four-or more bedroom units	5,000	4,000

- (2) In the R-4 Residential District for every lot on which a multiple, row or terrace dwelling is erected, there shall be a yard space on each side of the lot. This yard space shall be increased beyond the yard spaces indicated by two feet for each ten feet or part thereof, by which the length or width of the multiple, row or terrace dwelling exceeds 40 feet in overall dimension, along with the adjoining side lot line. Where two or more multiple, row or terrace dwellings are erected upon the same lot, there shall be a minimum of 20 feet in width between structures. This yard width shall be increased by two feet for each ten feet or part thereof, by which each multiple, row or terrace dwelling structure, having common yards, exceeds 40 feet in length on that side of the dwelling structure facing the common yard, or this yard space shall be increased by two feet for each five feet or part thereof, by which each permitted multiple dwelling structure, having common yards, exceeds 40 feet in height on that side of the dwelling structure facing the common yard, whichever is greater.
- (3) In the R-4 Residential District parking shall not be permitted in the 25 feet of the front yard depth closest to the abutting street.

- (4) Nonresidential uses shall contain ten-foot wide greenbelt adjoining the side and rear lot lines, with a minimum three-foot high berm or fencing provided in the greenbelt area where adjoined by both on-site parking and off-site residences. The berming or fencing requirements may be waived by the planning director in instances where existing property line solid fencing, natural features or other site or land use factors make this requirement unnecessary.
- (5) In the R-4 Residential District and for uses other than one- and two-family there shall be a 25-foot wide front yard greenbelt and a 25-foot wide secondary front yard greenbelt. The greenbelt shall be landscaped in accordance with the provisions of section 90-64.

Section 6. That Chapter 90, Article 11, Section 90-1406 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

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							
Assembly Halls									
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							
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									
Light Industrial / Maker's Spaces									
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 ^B	P ^B							
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									

Section 7. That Chapter 90, Article 11, Section 90-1407 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

Sec. 90-1407. - Corridor urban area (CU).

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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 90-1407 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: 25 feet.
- Maximum: 90 feet.
- Zero lot line retail building: One story building required.

4.0 Special land uses:

The following are specific standards for special land uses in the CU 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. Any use in retail sales of 20,000 square feet or more.
- B. Bowling alley.
- C. Dance hall/nightclub.
- D. Indoor skating rink.
- E. Indoor theater.
- F. Poolhall/billiards.
- G. Secondhand businesses.

H. Assembly Halls

TABLE 90-1407 CORRIDOR URBAN AREA (CU)									
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	S	S							
Apparel shop	P	P							
Art, including art work, art supplies and framing materials	P	P							
Assembly Halls	S								
Automobile gasoline/convenience store									

TABLE 90-1407 CORRIDOR URBAN AREA (CU)

Specific Use	Mixed Use Building	Zero Lot Line Building	Retail Building	Live/Work Building	Apartment	Rowhouse	Two-Family House	Single-Family House	Civic Building
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	S	S							
Bus transfer station	P								P
Business office	P								
Business service establishments	P								
Car wash									
College or university									P
Commercial greenhouse	P	P							
Community center	P								
Convalescent or nursing homes									
Dance hall/nightclub	S	S							

TABLE 90-1407 CORRIDOR URBAN AREA (CU)									
Specific Use	Mixed Use Building	Zero Lot Line Building	Retail Building	Live/Work Building	Apartment	Rowhouse	Two-Family House	Single-Family House	Civic Building
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							
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	S	S							
Indoor theater	S	S							
Light Industrial / Maker's Spaces									
Medical office	P								
Microbrewery, small distiller	P	P							
Multiple family dwellings	P\$								
Municipal uses									P

TABLE 90-1407 CORRIDOR URBAN AREA (CU)

Specific Use	Mixed Use Building	Zero Lot Line Building	Retail Building	Live/Work Building	Apartment	Rowhouse	Two-Family House	Single-Family House	Civic Building
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Nursery schools, day nurseries, and dependent care facilities for seven or more people	P\$								
Open air business									
Outdoor eating and drinking establishments having table service when part of an indoor eating and drinking establishment	P	P							
Parking structures									
Photographic studio	P								
Pool hall/billiards	S								
Printing and publishing	P								
Professional office	P								
Religious or social service assembly									
Secondhand business	S	S							
Self-service laundry and dry cleaning	P								
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								

Section 8. That Chapter 90, Article 11, Section 90-1408 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

Sec. 90-1408. - Corridor general area (CG).

The following standards apply to the corridor general 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. Retail building.
- D. Live/work building.
- E. Apartment.
- F. Civic building.

2.0 Permitted uses:

A. Refer to Table 90-1408 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 in Division Avenue Form Based Code Area only (P^D).
- Permitted by right, on floors two and above (P\$).
- Permitted by right and only allowed no 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: 25 feet.
 - Maximum, within 28th Street Corridor: 90 feet.
 - Maximum, within Division Avenue and Burton Street Corridor: 45 feet.

Exception: 75 feet, with special use approval.

- Zero lot line retail building: One story building required.

4.0 Special land uses:

The following are specific standards for special land uses in the CG 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. Car wash, permitted only in the Division Avenue Corridor.

B. Commercial greenhouse, permitted only in the Division Avenue Corridor.

C. Dance hall/nightclub.

D. Drive-through establishments. Drive through entries shall take access from secondary frontages. Permitted only in the Division Avenue Corridor.

E. Open air business.

F. Secondhand businesses.

G. Special land use for five-story buildings within the Division Avenue corridor follow [section 90-508](#).

H. Assembly Halls.

TABLE 90-1408 CORRIDOR GENERAL AREA (CG)									
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	P	P				P
Any use in retail sales of 20,000 square feet or more	P	P	P						
Apparel shop	P	P	P	P					
Assembly Halls	S	S	S						
Art, including art work, art supplies and framing materials	P	P	P	P					
Automobile gasoline/convenience			P ^D						

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	P	P					
Bank and financial institution	P								
Barbershop	P			P	P#				
Beauty shop	P			P	P#				
Bowling alley									
Bus transfer station	P								P
Business office	P	P ^D	P ^D	P	P#				
Business service establishments	P	P ^D	P ^D	P	P#				
Car wash			S ^D						
College or university									P
Commercial greenhouse	S ^D		S ^D						

Community center	P								
Convalescent or nursing homes									
Dance hall/nightclub	S	S	S						
Delicatessen	P	P	P	P					
Drive-through establishments	S	S	S						
Drugstore	P	P	P	P					
Dry cleaning establishment (per 90-401B (5) (c))		P	P						
Eating and drinking establishments (without drive-through service)	P	P	P		P#				
Flower shop	P	P	P	P					
Funeral homes or mortuaries									
General merchandise store	P	P	P	P					
Grocery	P	P	P	P	P#				
Hardware store, paint and wallpaper	P	P	P	P					
Health and fitness	P				P#				
Hotel	P\$								

Indoor skating rink									
Indoor theater	P	P	P						
Light Industrial / Maker's Spaces									
Medical office	P	P ^D	P ^D	P	P#				
Microbrewery, small distiller	P	P	P						
Multiple family dwellings	P\$			P	P				
Municipal uses									P
Nursery schools, day nurseries, and dependent care facilities for seven or more people	P\$			P	P#				
Open air business			S						
Outdoor eating and drinking establishments having table service when part of an indoor eating and drinking establishment	P	P	P						
Parking structures									
Photographic studio	P	P	P	P					
Pool hall/billiards									
Printing and publishing	P			P					
Professional office	P	P ^D	P ^D	P	P#				

Religious or social service assembly									
Secondhand business	S	S	S						
Self-service laundry and dry cleaning	P								
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#		P						
P = Permitted use. P ^D = Permitted in Division Avenue Form Based Code Area only. P\$ = Permitted use on floors two and above. P# = Permitted use on first floor only. S = Special Land Use. S ^D = Permitted in Division Avenue Form Based Code Area only. Blank cell = Use not permitted.									

Section 9. That Chapter 90, Article 11, Section 90-1409 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

Sec. 90-1409. - Corridor sub-urban area (CS).

The following standards apply to the corridor sub-urban area:

- 1.0 Permitted building types refer to division 6 for building type requirements.
 - A. Retail building.
 - B. Live/work building.
 - C. Apartment.
 - D. Rowhouse.
 - E. Civic building.
- 2.0 Permitted uses:
 - A. Refer to Table 90-1409 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:

- Minimum: 25 feet.
- Maximum: 60 feet.
- Retail building: One story building required.

4.0 Special land uses:

The following are specific standards for special land uses in the CS 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. Bowling alley.
- B. College or university.
- C. Commercial greenhouse.
- D. Community center.
- E. Dance hall/nightclub.
- F. Drive-through establishments. Drive through entries shall take access from interior rights-of-way.
- G. Indoor skating rink.
- H. Indoor theater.
- I. Parking structures. Parking structure entries shall take access from a street, and not an avenue, per division 8, thoroughfare standards.
- J. Pool hall/billiards.
- K. Secondhand businesses.
- L. Assembly Halls.**

TABLE 90-1409 CORRIDOR SUB-URBAN AREA (CS)									
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	P			P
Any use in retail sales of 20,000 square feet or more									
Apparel shop			P	P					
Art, including art work, art supplies and framing materials			P	P					
Assembly Halls			S						
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									
Barbershop				P	P#				
Beauty shop				P	P#				
Bowling alley			S						
Bus transfer station			P						P
Business office				P					
Business service establishments				P					
Car wash									
College or university			S						S
Commercial greenhouse			S						
Community center			S						
Convalescent or nursing homes									
Dance hall/nightclub			S						
Delicatessen			P	P					
Drive-through establishments			S						
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					
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			S						
Indoor theater			S						
Light Industrial / Maker's Spaces									
Medical office			P	P					
Microbrewery, small distiller			P						
Multiple family dwellings				P	P				
Municipal uses									P
Nursery schools, day nurseries, and dependent care facilities for seven or more people				P	P#				
Open air business									
Outdoor eating and drinking establishments having table service when part of an indoor eating and drinking establishment			P						
Parking structures			S						
Photographic studio			P	P					
Pool hall/billiards			S						
Printing and publishing				P					

Professional office			P	P					
Religious or social service assembly									
Secondhand business			S						
Self-service laundry and dry cleaning									
Single-family detached dwelling									
State licensed residential facility									
Two-family dwellings/rowhouses						P			
Veterinary hospitals and clinics, excluding outdoor use of property for exercise yards or pens			P	P					

Section 10. That Chapter 90, Article 11, Section 90-1410 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

Sec. 90-1410. - Corridor edge area (CE).

The following standards apply to the corridor edge area:

1.0 Permitted building types refer to division 6 for building type requirements:

- A. Retail building.
- B. Live/work building.
- C. Apartment.
- D. Rowhouse.
- E. Two-family house.
- F. Civic building.

2.0 Permitted uses:

- A. Refer to Table 90-1410 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 in Division Avenue Form Based Code Area only (P^D).
 - Permitted by right, on floors two and above (P^S).

- Permitted by right and only allowed on first floor (P#).
- Permitted by special land use permit (S).
- **Permitted by special land use permit in Division Avenue Form Based Code Area only (S^D).**
- 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:
 - Minimum: No minimum.
 - Maximum: 45 feet.
 - Retail building: One story building required.

4.0 Special land uses:

The following are specific standards for special land uses in the CE 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. Automobile sales. Permitted on Division Avenue Corridor only.
- B. Car wash. Permitted on Division Avenue Corridor only.
- C. College or university.
- D. Dance hall/nightclub.
- E. Drive-through establishments. Drive through entries shall take access from secondary frontages.
- F. Funeral homes or mortuaries.
- G. Open air business.
- H. Parking structures. Parking structure entries shall take access from a street, and not an avenue, per division 8, thoroughfare standards.
- I. Pool hall/billiards.
- J. Secondhand businesses.
- K. Self-storage facilities. These facilities are only permitted along Division Avenue, south of 56th Street. They are not permitted on corner lots.
- L. Light industrial/maker's spaces. Single tenant buildings shall not exceed 10,000 square feet. Multi-tenant buildings shall not exceed 30,000 square feet. Permitted on Division Avenue only.

M. Assembly Halls.

TABLE 90-1410 CORRIDOR EDGE AREA (CE)

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	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					
Assembly Halls			S						
Automobile gasoline/convenience store			P ^D						
Automobile repair and service entirely within an enclosed building, except body shops, painting and refinishing, automobile washes, automobile gasoline and automobile service stations			P ^D						
Automobile sales			S ^D						
Automobile, motorcycle, trailer, recreational vehicle or boat showrooms			P ^D						
Baked goods			P	P					
Bank and financial institution			P						

Barbershop				P	P#				
Beauty shop				P	P#				
Bowling alley			P						
Bus transfer station			P						P
Business office			P ^D	P					
Business service establishments			P ^D	P					
Car wash			S ^D						
College or university			S						S
Commercial greenhouse			P						
Community center			P						
Convalescent or nursing homes					P				
Dance hall/nightclub			S						
Delicatessen			P	P					
Drive-through establishments			S						
Drugstore			P	P					
Dry cleaning establishment (per <u>90-401B</u> (5) (c))			P						

Eating and drinking establishments (without drive-through service)			P	P					
Flower shop			P	P					
Funeral homes or mortuaries			S						
General merchandise store			P	P					
Grocery			P	P					
Hardware store, paint and wallpaper			P	P					
Health and fitness					P#				
Hotel					P				
Indoor skating rink			P						
Indoor theater			P						
Light Industrial / Maker's Spaces			S ^D	S ^D					
Medical office			P	P					
Microbrewery, small distiller			P						
Multiple family dwellings				P	P				
Municipal uses									P
Nursery schools, day nurseries, and				P	P#				

dependent care facilities for seven or more people									
Open air business			S						
Outdoor eating and drinking establishments having table service when part of an indoor eating and drinking establishment			P						
Parking structures			S						
Photographic studio			P	P					
Pool hall/billiards			P						
Printing and publishing				P					
Professional office			P	P					
Religious or social service assembly									P
Secondhand business			S						
Self-service laundry and dry cleaning									
Self storage facilities			S ^D						
Single-family detached dwelling									
State licensed residential facility									

Two-family dwellings/rowhouses						P	P		
Veterinary hospitals and clinics, excluding outdoor use of property for exercise yards or pens			P						
<p>P = Permitted use. P^D = Permitted in Division Avenue Form Based Code Area only. P\$ = Permitted use on floors two and above. P# = Permitted use on first floor only. S = Special Land Use. S^D = Permitted in Division Avenue Form Based Code Area only. Blank cell = Use not permitted.</p>									

Section 11. That Chapter 90, Article 11, Section 90-1411 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

TABLE 90-1411 CORRIDOR NEIGHBORHOOD AREA (CN)									
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	P
Any use in retail sales of 20,000 square feet or more									
Apparel shop									
Art, including art work, art supplies and framing materials									
Assembly Halls									
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									
Bank and financial institution									
Barbershop									
Beauty shop									
Bowling alley									
Bus transfer station									
Business office									
Business service establishments									
Car wash									
College or university									

Commercial greenhouse									
Community center									S
Convalescent or nursing homes									
Dance hall/nightclub									
Delicatessen									
Drive-through establishments									
Drugstore									
Dry cleaning establishment (per 90-401B (5) (c))									
Eating and drinking establishments (without drive-through service)									
Flower shop									
Funeral homes or mortuaries									
General merchandise store									
Grocery									
Hardware store, paint and wallpaper									
Health and fitness									

Hotel									
Indoor skating rink									
Indoor theater									
Light Industrial / Maker's Spaces									
Medical office									
Microbrewery, small distiller									
Multiple family dwellings									
Municipal uses									P
Nursery schools, day nurseries, and dependent care facilities for seven or more people									S
Open air business									
Outdoor eating and drinking establishments having table service when part of an indoor eating and drinking establishment									
Parking structures									
Photographic studio									
Pool hall/billiards									

Printing and publishing									
Professional office									
Religious or social service assembly									P
Secondhand business									
Self-service laundry and dry cleaning									
Single-family detached dwelling								P	
State licensed residential facility								P	
Two-family dwellings/rowhouses						P	P		
Veterinary hospitals and clinics, excluding outdoor use of property for exercise yards or pens									

Section 12. That Chapter 90, Article 11, Section 90-1608.6 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

6.0 Site dimensional requirements:

Refer to Illustration 6.09 for graphic representation of the dimensional requirements regarding site and building placement.

A. Front setback (at principal frontage):

- Required build-to-zone from five to 15 feet from principal frontage line (building shall be within build-to-zone).
- In corridor edge context area (CE) with principal frontages along **28th Street**, Division Avenue, **and Burton Street**: Required build-to-zone shall be five to 50 feet from principal frontage line.

B. Side setback (at secondary frontage):

- Required build-to-zone from zero to 15 feet from secondary frontage line (building shall be within build-to-zone).

C. Side setback (at non-frontage locations):

- Three feet from non-frontage side property line.

D. Rear setback (at non-frontage locations):

- Ten feet from non-frontage rear property line.

E. Optional angled building corner with required entry door. Maximum length of angled wall shall be eight feet.

F. Required 20-foot minimum building depth.

G. At corner locations: Required 30-foot minimum extension of required building depth along secondary frontages. Thirty-foot extension is in addition to the required 20-foot minimum depth.

H. Building façade width along principal frontage shall be built to a minimum of 50 percent of the overall length of the principal frontage line length.

I. Balconies, awnings, canopies, cornices, eaves, upper bays, and projecting signs may extend into setbacks, beyond build-to-zones or into the public right-of-way per the requirements of the encroachment section in division 3.

J. Unenclosed porches, stoops, wells, and/or steps may extend into required setbacks per the requirements of the encroachment section in division 3. These elements shall not project into the public right-of-way.

K. Maximum site coverage for retail buildings is 90 percent.

Section 13. That Chapter 90, Article 11, Section 90-1902 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

Sec. 90-1902. - Maximum off-street parking spaces.

The maximum number of required off-street parking spaces shall be provided and maintained on the premises or as otherwise allowed by this article, on the basis of the following and the specific requirements of [section 90-600](#) in [article 6](#).

- (a) When units or measurements determining the number of required parking spaces result in a fraction over one-half, a full parking space shall be required.
- (b) In the case of a use not specifically mentioned, the requirement for off-street parking facilities for a specified use which is most similar shall apply, as determined by the city planner.
- ~~(e) Each 24 inches of bench, pew or similar seating facilities shall be counted as one seat.~~
- (c) Where parking requirements are based upon maximum seating or occupancy capacity, the capacity shall be as determined by the Building Code and the Fire Code.

Section 14. 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 15. That this ordinance shall take effect upon the later of 15 days after its adoption or upon publication as required by applicable law.

Kelli A. Vandenberg, Wyoming City Clerk

Ordinance No. 12-24

CITY OF WYOMING

Community and Economic Development | 1155 28th St. SW, Wyoming, MI 49509
616.530.7259 | wyomingmi.gov

October 7, 2024

Ms. Kelli A. Vandenberg
City Clerk
Wyoming, MI

Subject: Request to amend Zoning Code Sections 90-201 "Definitions 'A'", 90-203 "Definitions 'C'", 90-216 "Definitions 'P'", 90-408B "Permitted uses after special approval", 90-420A "Specific requirements", 90-1406 "Corridor Center Area (CC)", 90-1407 "Corridor Urban Area (CU)", 90-1408 "Corridor General Area (CG)", 90-1409 "Corridor Sub-Urban Area (CS)", 90-1410 "Corridor Edge Area (CE)", 90-1411 "Corridor Neighborhood Area (CN)", 90-1608 "Retail building type", and 90-1902 "Maximum off-street parking spaces."

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 September 17, 2024. At the meeting, a motion was made by VanDuren, 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.

From time to time, it is necessary for the Planning Staff to review the zoning ordinance for any additions, deletions, or corrections that may be necessary to maintain the spirit and intent of the document. The amendments recommended in the following list are clerical in nature, seeking to update definitions, clarify use types, and remove clerical errors, antiquated terms, and dead links.

- *Adult Business Outdated Reference (Section 90-201 and Section 90-408B)*
These ordinance sections reference a subsection of the Code of Ordinances (14-88) that does not exist anymore. The correct notation should identify Section 14-2, which includes the definition of Adult Business in the City's Code of Ordinances.
- *Places of Worship Terminology Update (90-203, 90-216, Section 90-408B)*
At present, the ordinance is inconsistent at identifying places of worship, with many references only using "church." These changes are to clarify that all places of worship are to be treated similarly, regardless of how they describe their congregations.
- *Assembly Hall Use Addition (90-1406, 90-1407, 90-1408, 90-1409, 90-1410, and 90-1411)*
Assembly Halls are a common request in both the form based code and the Euclidean code, but they are not listed in the use tables for the form based code. Staff recommends adding this use and clarifying that, as in the Euclidean code, it is a special use. While this change is reflected in all tables, Assembly Halls will only be allowed in 90-1407, 90-1408, 90-1409, and 90-1410, as this mirrors what is being done with

Assembly Halls and Places of Worship in the Euclidean Section 90-408B, while also maintaining the uniformity of the Form Based Code tables.

- *Light Industrial/Maker's Spaces Use Addition (90-1406, 90-1407, 90-1408, 90-1409, and 90-1411)*
The "Light Industrial/Makers Spaces" use is missing from several tables. Staff recommends adding this use to the land use tables for 90-1407, 90-1408, 90-1409, and 90-1411 to maintain uniformity within the Form Based Code tables, but only allowing this use where it is already listed in the form based code.
- *B-2 "Permitted uses after special approval" Outdated Reference (90-408B)*
This section includes a dead-link to section 90-448, which no longer exists. The updated reference should be 90-407B, which is the list of principal permitted uses in this zoning district. The second change is to Section 90-408B(15). This section refers to the outdated term "taverns", which Staff is recommending be updated to the modern term "bars."
- *R-4 Minimum Land Area Requirements (90-420A)*
The second column of the table describing minimum land area requirements uses the phrase "No Second Floor Hallway for Common Use." The third column does not include the word "Hallway" when referring to the second floor. To be consistent in the language and address confusion among developers, staff recommends changing the text of the third column to the following: "With Second Floor Hallway for Common Use".
- *Missing Table Footnotes (90-1408 and 90-1410)*
The use tables for Corridor General and Corridor Edge reference SD and PD, but those two notations are not listed in the footnotes for those tables. Staff recommends adding "SD = Permitted in Division Avenue Form Based Code Area only" and "PD = Permitted in Division Avenue Form Based Code Area only." at the bottom of these tables.
- *Retail Building Front Setback Clarification (90-1608)*
Staff recommends eliminating the words "28th Street" and "Burton Street". Subsection A has two bullet-points, which give different measurements for the front setback build-to-zone. The recommended change eliminates this conflict.
- *Parking Calculation Redundancy (90-1902)*
Subsection C references the measurement of benches and pews in relation to required parking spaces. This calculation is already outlined in the referenced parking section (90-600), this portion of 90-1902 becomes redundant, and confusing. Staff recommends removing it.

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

Respectfully submitted,



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

Cc: John Shay, City Manager

WYOMING PLANNING COMMISSION
AGENDA ITEM
NO. 4

DATE DISTRIBUTED: September 10, 2024

PLANNING COMMISSION DATE: September 17, 2024

ACTION REQUESTED: Request to amend Zoning Code Sections 90-201 “Definitions ‘A’”, 90-203 “Definitions ‘C’”, 90-216 “Definitions ‘P’”, 90-408B “Permitted uses after special approval”, 90-420A “Specific requirements”, 90-1406 “Corridor Center Area (CC)”, 90-1407 “Corridor Urban Area (CU)”, 90-1408 “Corridor General Area (CG)”, 90-1409 “Corridor Sub-Urban Area (CS)”, 90-1410 “Corridor Edge Area (CE)”, 90-1411 “Corridor Neighborhood Area (CN)”, 90-1608 “Retail building type”, and 90-1902 “Maximum off-street parking spaces”

REQUESTED BY: Wyoming Planning Staff

REPORT PREPARED BY: Joe Blair, Planner II

GENERAL BACKGROUND:

From time to time, it is necessary for the Planning Staff to review the zoning ordinance for any additions, deletions, or corrections that may be necessary to maintain the spirit and intent of the document. This can come from citizen petitions, direction from City Council, commentary from Planning Commission, requests for interpretation, or through difficulties identified within development. The Planning Staff will then recommend to Planning Commission the clerical or substantive changes. Both types of changes must then be approved by the Planning Commission and adopted by the City Council of Wyoming as an ordinance amendment.

These recommended amendments are clerical in nature, seeking to update definitions, clarify use types, and remove clerical errors, antiquated terms, and dead links.

PURPOSE FOR ZONING ORDINANCE AMENDMENTS:

City staff is recommending updating the following sections for the following reasons:

Adult Business Outdated Reference (Section 90-201 and Section 90-408B)

This ordinance section references a subsection of the Code of Ordinances (14-88) that does not exist anymore. The correct notation should identify Section 14-2, which includes the definition of Adult Business in the City's Code of Ordinances. A similar dead reference is located in the B-2 "Permitted uses after special approval" (90-408B), which will also be updated.

Places of Worship Terminology Update (90-203, 90-216, Section 90-408B)

At present, the ordinance is inconsistent at identifying places of worship, with many references only using the word "church." To be more inclusive and consistent with the language of modern ordinances, Staff is recommending that the definition of "Church" in Section 90-203 "Definitions 'C'" be moved to a new entry in Section 90-216 "Definitions 'P'" under the phrase "Place of Worship". This change would also include the addition of language redirecting the existing "Church" entry to the "Place of Worship" definition. References to churches will also be replaced with places of worship in the zoning districts where they are permitted. In B-2, staff also recommends placing "Assembly Halls" as a separate item under "Permitted uses after special approval" (90-408B).

Assembly Hall Use Addition (90-1406, 90-1407, 90-1408, 90-1409, 90-1410, and 90-1411)

Assembly Halls are a common request in both the form based code and the Euclidean code, but they are not listed in the use tables for the form based code. Staff recommends adding this use and clarifying that, as in the Euclidean code, it is a special use. While this change is reflected in all tables, Assembly Halls will only be allowed in 90-1407, 90-1408, 90-1409, and 90-1410, as this mirrors what is being done with Assembly Halls and Places of Worship in the Euclidean Section 90-408B, while also maintaining the uniformity of the Form Based Code tables.

Light Industrial/Maker's Spaces Use Addition (90-1406, 90-1407, 90-1408, 90-1409, and 90-1411)

Light Industrial/Makers Spaces is a use that already exists in Section 90-1410 "Corridor Edge Area" as a special land use only on Division Avenue. Staff recommends adding this use to the land use tables for 90-1407, 90-1408, 90-1409, and 90-1411 to maintain uniformity within the Form Based Code tables.

B-2 "Permitted uses after special approval" Outdated Reference (90-408B)

This section includes a dead-link to section 90-448, which no longer exists. The updated reference should be 90-407B, which is the list of principal permitted uses in this zoning district.

The second change is to Section 90-408B(15). This section refers to the outdated term "taverns", which Staff is recommending be updated to the modern term "bars."

B-2 "Permitted uses after special approval" Terminology Update (90-408B)

This section refers to the outdated term "taverns," which Staff is recommending be updated to the modern term "bars."

R-4 Minimum Land Area Requirements (90-420A)

The second column of the table describing minimum land area requirements uses the phrase “No Second Floor Hallway for Common Use.” The third column does not include the word “Hallway” when referring to the second floor. To be consistent in the language and address confusion among developers, staff recommends changing the text of the third column to the following: “With Second Floor Hallway for Common Use”.

Missing Table Footnotes (90-1408 and 90-1410)

The use tables for Corridor General and Corridor Edge reference S^D and P^D, but those two notations are not listed in the footnotes for those tables. Staff recommends adding “S^D = Permitted in Division Avenue Form Based Code Area only” and “P^D = Permitted in Division Avenue Form Based Code Area only.” at the bottom of these tables.

Retail Building Front Setback Clarification (90-1608)

Staff recommends eliminating the words “28th Street” and “Burton Street”. Subsection A has two bullet-points, which give different measurements for the front setback build-to-zone. The recommended change eliminates this conflict.

Parking Calculation Redundancy (90-1902)

Subsection C references the measurement of benches and pews in relation to required parking spaces. This calculation is already outlined in the referenced parking section (90-600), this portion of 90-1902 becomes redundant, and confusing. Staff recommends removing it.

PROPOSED ORDINANCE AMENDMENT:

Staff recommends the following attached ordinances. The proposed text amendments have been highlighted in [green ink](#).

PLANNING COMMISSION ACTION:

The Development Review Team recommends that Planning Commission adopt the proposed text amendments to Sections 90-201, 90-203, 90-216, 90-408B, 90-420A, 90-1406, 90-1407, 90-1408, 90-1409, 90-1410, 90-1411, 90-1608, and 90-1902 and recommend the same to City Council.

DEVELOPMENT REVIEW TEAM:

Patrick Waterman, Deputy City Manager
Myron Erickson, Director of Public Works
Lew Manley, Building Official
Kimberly Koster, Director of Public Safety
Nicole Hofert, Director of Community & Economic Development

would like to vacate ROW that does not need to be included in the project and acquire an area of new ROW for constructing a turn-around when the road is paved.

The area proposed to be vacated does not need to be public ROW since the area is only adjacent to 5522 Clay Ave, therefore no adjacent property owners will lose access to their properties as a result of the vacation. The vacation would decrease the cost of paving in the upcoming project as well as decrease long-term maintenance costs for the road.

Public utilities will exist within the area to be vacated, so a public utility easement will be retained by the City over the entire area that is vacated.

Hofert said the Development Review Team recommends the Planning commission grant approval of the proposed right-of-way vacation and recommend the same to City Council.

Randall opened the public hearing at 8:18PM. There was no public comment, and the hearing was closed.

A motion was made by Zapata, supported by Gilreath-Watts to grant approval of the proposed right-of-way vacation and recommend the same to City Council.

Lamer asked if staff knew what utility was going in at the moment because there was a big hole in the middle of the street to which staff responded they weren't sure and would get back to him on that.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 4

Request to amend Zoning Code Sections 90-201 "Definitions 'A'", 90-203 "Definitions 'C'", 90-216 "Definitions 'P'", 90-408B "Permitted uses after special approval", 90-420A "Specific requirements", 90-1406 "Corridor Center Area (CC)", 90-1407 "Corridor Urban Area (CU)", 90-1408 "Corridor General Area (CG)", 90-1409 "Corridor Sub-Urban Area (CS)", 90-1410 "Corridor Edge Area (CE)", 90-1411 "Corridor Neighborhood Area (CN)", 90-1608 "Retail building type", and 90-1902 "Maximum off-street parking spaces" (Wyoming Planning Staff)

Blair explained that from time to time, it is necessary for the Planning Staff to review the zoning ordinance for any additions, deletions, or corrections that may be necessary to maintain the spirit and intent of the document. These recommended amendments are clerical in nature, seeking to update definitions, clarify use types, and remove clerical errors, antiquated terms, and dead links.

PURPOSE FOR ZONING ORDINANCE AMENDMENTS:

City staff is recommending updating the following sections for the following reasons:

Adult Business Outdated Reference (Section 90-201 and Section 90-408B)

This ordinance section references a subsection of the Code of Ordinances (14-88) that does not exist anymore. The correct notation should identify Section 14-2, which includes the definition of Adult Business in the City's Code of Ordinances. A similar dead reference is located in the B-2 "Permitted uses after special approval" (90-408B), which will also be updated.

Places of Worship Terminology Update (90-203, 90-216, Section 90-408B)

At present, the ordinance is inconsistent at identifying places of worship, with many references only using the word "church." To be more inclusive and consistent with the language of modern ordinances, Staff is recommending that the definition of "Church" in Section 90-203 "Definitions 'C'" be moved to a new entry in Section 90-216 "Definitions 'P'" under the phrase "Place of Worship". This change would also include the addition of language redirecting the existing "Church" entry to the "Place of Worship" definition. References to churches will also be replaced with places of worship in the zoning districts where they are permitted. In B-2, staff also recommends placing "Assembly Halls" as a separate item under "Permitted uses after special approval" (90-408B).

Assembly Hall Use Addition (90-1406, 90-1407, 90-1408, 90-1409, 90-1410, and 90-1411)

Assembly Halls are a common request in both the form based code and the Euclidean code, but they are not listed in the use tables for the form based code. Staff recommends adding this use and clarifying that, as in the Euclidean code, it is a special use. While this change is reflected in all tables, Assembly Halls will only be allowed in 90-1407, 90-1408, 90-1409, and 90-1410, as this mirrors what is being done with Assembly Halls and Places of Worship in the Euclidean Section 90-408B, while also maintaining the uniformity of the Form Based Code tables.

Light Industrial/Maker's Spaces Use Addition (90-1406, 90-1407, 90-1408, 90-1409, and 90-1411)

Light Industrial/Makers Spaces is a use that already exists in Section 90-1410 "Corridor Edge Area" as a special land use only on Division Avenue. Staff recommends adding this use to the land use tables for 90-1407, 90-1408, 90-1409, and 90-1411 to maintain uniformity within the Form Based Code tables, but the use would remain limited to the "Corridor Edge Area."

B-2 "Permitted uses after special approval" Outdated Reference (90-408B)

This section includes a dead link to section 90-448, which no longer exists. The updated reference should be 90-407B, which is the list of principal permitted uses in this zoning district.

The second change is to Section 90-408B(15). This section refers to the outdated term "taverns", which Staff is recommending be updated to the modern term "bars."

B-2 "Permitted uses after special approval" Terminology Update (90-408B)

This section refers to the outdated term "taverns," which Staff is recommending be updated to the modern term "bars."

R-4 Minimum Land Area Requirements (90-420A)

The second column of the table describing minimum land area requirements uses the phrase “No Second Floor Hallway for Common Use.” The third column does not include the word “Hallway” when referring to the second floor. To be consistent in the language and address confusion among developers, staff recommends changing the text of the third column to the following: “With Second Floor Hallway for Common Use”.

Missing Table Footnotes (90-1408 and 90-1410)

The use tables for Corridor General and Corridor Edge reference S^D and P^D, but those two notations are not listed in the footnotes for those tables. Staff recommends adding “S^D = Permitted in Division Avenue Form Based Code Area only” and “P^D = Permitted in Division Avenue Form Based Code Area only.” at the bottom of these tables.

Retail Building Front Setback Clarification (90-1608)

Staff recommends eliminating the words “28th Street” and “Burton Street”. Subsection A has two bullet-points, which give different measurements for the front setback build-to-zone. The recommended change eliminates this conflict.

Parking Calculation Redundancy (90-1902)

Subsection C references the measurement of benches and pews in relation to required parking spaces. This calculation is already outlined in the referenced parking section (90-600), this portion of 90-1902 becomes redundant, and confusing. Staff recommends removing it.

Blair said The Development Review Team recommends that Planning Commission adopt the proposed text amendments to Sections 90-201, 90-203, 90-216, 90-408B, 90-420A, 90-1406, 90-1407, 90-1408, 90-1409, 90-1410, 90-1411, 90-1608, and 90-1902 and recommend the same to City Council.

Randall opened the Public Hearing at 8:27PM. There was no public comment, and the hearing was closed.

A motion was made by VanDuren, supported by Zapata to approve the zoning code amendments and recommend the same to City Council.

Randall thanked staff for their diligent work on the text language and bringing the changes to Planning Commission in one lump versus individual requests.

A vote on the motion passed unanimously.

AGENDA ITEM NO. 5

Request for site plan approval at 5840 Wilson Ave SW (Section 32) (GJCR, LLC; Dean Rosendall).

Blair explained that the site is zoned R-4 Residential District and outlined the various uses of surrounding land.