

AGENDA
WYOMING CITY COUNCIL MEETING
ST. JOHN VIANNEY
4101 CLYDE PARK AVENUE SW
MONDAY, JULY 15, 2019, 7:00 P.M.

- 1) Call to Order**
- 2) Invocation** – Pastor Wayne Ondersma, The Pier 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 July 1, 2019 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. Engineering Department Update
 - b) Proclamations
 1. Parks and Recreation Month
- 11) Petitions and Communications**
 - a) Petitions
 - b) Communications
 1. Letter Regarding Billboards, Media Place Partners
- 12) Reports from City Officers**
 - a) From City Council
 - b) From City Manager
- 13) Budget Amendments**
- 14) Consent Agenda**
All items under this section are considered to be routine and will be enacted by one motion with no discussion. If discussion is desired by a Councilmember, that member may request removal from the Consent Agenda.

- a) Of Appreciation to Tamara Lopez for Her Service as a Member of the Community Development Committee for the City of Wyoming
- b) Of Appreciation to Joshua Switzer for His Service as a Member of the Community Enrichment Commission of the City of Wyoming
- c) Of Appreciation to Sherrie Spencer for Her Service as a Member of the Planning Commission for the City of Wyoming
- d) To Confirm the Appointment of Jennie VanHorn as a Member of the Board of Directors of the Downtown Development Authority

15) Resolutions

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

- e) To Award a Bid for the Purchase of a Forklift and to Authorize the Purchase of Fleet Replacement Vehicles and a Hydro Excavator
- f) To Extend the Bid for Gasoline and Diesel Fuel
- g) To Authorize the Mayor and City Clerk to Execute Two Amendments to the Streetlighting Contract with Consumers Energy Company
- h) To Accept Amendment Number 2 for the Centrifuge Replacement Project and to Authorize the Mayor and City Clerk to Execute the Amendment
- i) To Accept a Quotation for Removal and Installation of a Substation Transformer

17) Ordinances

13-19 To Amend Chapter 90, Article 7, Section 90-709 of the City Code Regulating Off-Premises Advertising Signs (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

PROCLAMATION

***DESIGNATION OF JULY AS PARKS AND RECREATION MONTH
July 2019***

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the City of Wyoming whose residents have supported a dedicated parks and recreation millage for over 25 years; and

WHEREAS, our parks and recreation programs with almost 13,000 participants are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community with over 700 acres of park lands and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month and the City of Wyoming recognizes the benefits derived from parks and recreation resources; and

NOW, THEREFORE, I, JACK A. POLL, Mayor of the City of Wyoming, Michigan do hereby designate

JULY AS PARKS AND RECREATION MONTH

in the City of Wyoming, and offer sincere appreciation for the commitment and opportunities it provides to our citizens and the region.

***JACK A. POLL, MAYOR
City of Wyoming, Michigan***



To whom this may concern:

At Media Place Partners it is our job to evaluate all forms of media options for our clients and provided them with media recommendations that positively affect business growth and development. Outfront Media, along with our other Out-Of-Home vendors, provide MPP with valuable billboard inventory that allows our customers to speak directly with potential customers within the neighborhoods where they live, work and play.

In our opinion, losing any valuable surface street poster coverage within the city of Wyoming would negatively affect business and message distribution for our clients. Advertisers like Gordons Food Service, New Holland Brewery, Grand Rapids Public Museum, Gerald R Ford Museum, BHS Insurance, Mel Trotter, United Bank, and more.

It is our hope that the City of Wyoming considers keeping these units up and do not require Outfront to lose any valuable assets from their inventory. Thank you for your time and consideration.

A handwritten signature in blue ink, appearing to read 'Dave Kettler'.

Dave Kettler

MPP Managing Director

A handwritten signature in blue ink, appearing to read 'Tracy Unger'.

Tracy Unger

MPP Media Director

RESOLUTION NO. _____

RESOLUTION OF APPRECIATION TO TAMARA LOPEZ FOR HER SERVICE
AS A MEMBER OF THE COMMUNITY DEVELOPMENT COMMITTEE
FOR THE CITY OF WYOMING

WHEREAS:

1. Tamara Lopez has served faithfully and effectively as a member of the Community Development Committee since October 7, 2013.

NOW, THEREFORE, BE IT RESOLVED:

1. Councilmembers and citizens of the City of Wyoming wish to express their deep appreciation to Tamara Lopez for her dedicated service as a member of the Community Development Committee.

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 July 15, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

RESOLUTION OF APPRECIATION TO JOSHUA SWITZER FOR HIS SERVICE
AS A MEMBER OF THE COMMUNITY ENRICHMENT COMMISSION
OF THE CITY OF WYOMING

WHEREAS:

1. Joshua Switzer has served faithfully and effectively as a member of the Community Enrichment Commission since May 1, 2017.

NOW, THEREFORE, BE IT RESOLVED:

1. Councilmembers and citizens of the City of Wyoming wish to express their deep appreciation to Joshua Switzer for his dedicated service as a member of the Community Enrichment Commission.

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 July 15, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION OF APPRECIATION TO SHERRIE SPENCER FOR HER SERVICE
AS A MEMBER OF THE PLANNING COMMISSION
FOR THE CITY OF WYOMING

WHEREAS:

1. Sherrie Spencer has served faithfully and effectively as a member of the Planning Commission since June 2, 2003.

NOW, THEREFORE, BE IT RESOLVED:

1. Councilmembers and citizens of the City of Wyoming wish to express their deep appreciation to Sherrie Spencer for her dedicated service as a member of the Planning Commission.

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 July 15, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION TO CONFIRM THE APPOINTMENT OF JENNIE VANHORN
AS A MEMBER OF THE BOARD OF DIRECTORS OF THE CITY OF WYOMING
DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS:

1. Jennie VanHorn has submitted an application requesting appointment to the Downtown Development Authority for the City of Wyoming.
2. A vacancy exists in an unexpired term ending January 1, 2021 on the Downtown Development Authority.
3. Mayor Jack Poll has recommended that Jennie VanHorn be appointed as a member of the Board of Directors of the City of Wyoming Downtown Development Authority.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council for the City of Wyoming, Michigan, does hereby confirm the appointment of Jennie VanHorn as a member of the Board of Directors of the City of Wyoming Downtown Development Authority for the unexpired term ending January 1, 2021.

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 July 15, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION TO AWARD A BID FOR THE PURCHASE OF A FORKLIFT
AND TO AUTHORIZE THE PURCHASE OF FLEET REPLACEMENT VEHICLES
AND A HYDRO EXCAVATOR

WHEREAS:

1. As detailed in the attached Staff Report, formal bids were received for the purchase of one forklift and it is recommended the City Council award the bid to Forklifts of Michigan, Inc. in the total amount of \$29,074.81.
2. It is also recommended the City Council authorize the purchase of twelve fleet replacement vehicles from Signature Ford using the Macomb County bid in the total amount of \$379,937.00, one vehicle from Berger Chevrolet using the Oakland County bid in the total amount of \$24,951.00 and, one Hydro Excavator from MTech Company using the Sourcewell (NJPA) contract pricing in the total amount of \$464,052.52.
3. Funds for the purchase are budgeted in the Motor Pool Capital Outlay account numbers 662-441-58500-985.000 and 662-441-58500-987.000, and in the Water Department Capital Outlay account number 591-591-57300-986.444.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby award the bid for a forklift to Forklifts of Michigan, Inc.
2. The City Council does hereby authorize the purchase of twelve fleet replacement vehicles from Signature Ford using the Macomb County bid, one vehicle from Berger Chevrolet using the Oakland County bid and, one Hydro Excavator from MTech Company using the Sourcewell (NJPA) contract pricing.
3. The Wyoming City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on July 15, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Staff Report
2019-2020 Fleet Services Summary
Bid Tabulation

Resolution No. _____

STAFF REPORT

Date: July 1, 2019
Subject: Fleet Replacement Vehicles and Equipment 2020 Fiscal Year
From: Ted Seil, Fleet Supervisor
Meeting Date: July 15, 2019

RECOMMENDATIONS:

It is recommended that the City Council authorize the purchase of twelve fleet replacement vehicles to Signature Ford using Macomb Contract #71-15-A.6, one vehicle to Berger Chevrolet using Oakland County Contract #05218, and one Hydro Excavator to MTech Company using Sourcewell (NJPA) Contract # 12297-GPV. It is also recommended that the City Council award the bid for one forklift to the second lowest bidder, Forklifts of Michigan, Inc. The total award amount is \$898,015.33.

COMMUNITY, SAFETY, STEWARDSHIP:

The replacement of equipment and vehicles will allow the City to continue to provide high quality service to all residents of the community. The replacement equipment and vehicles meet the latest environmental Tier 4 requirements and emission standards reducing the impact of emissions on the environment and decreasing fuel consumption. Utilizing cooperative purchasing agreements saves staff time and expense.

DISCUSSION:

Fleet Services utilizes cooperative purchasing agreements when possible to purchase vehicles and equipment. It is recommended that twelve vehicles be purchased through Signature Ford on the Macomb County Contract #71-15-A.6 in the amount of \$379,937.00. It is recommended one vehicle be purchased from Berger Chevrolet on Oakland County Contract #05218 in the amount \$24,951.00. We also recommend the Purchase of one Hydro Excavator from MTech Company through Sourcewell (NJPA) Contract # 12297-GPV in the amount of \$464,052.52.

We also recommend purchasing one forklift that was bid out, from Forklifts of Michigan, Inc. in the amount of \$29,074.81. Twenty-five requests for bid were sent out and on June 17, 2019 the City Clerk opened three bids. While Forklift Michigan was the second lowest bidder, they were the only bidder to meet the bid specifications. The bid called for an open center mast to allow the operator to see clearly what he is working on and the other bidders were not able to meet the specification. The tabulation sheet is included in this report.

The Water Treatment Plant has requested an additional vehicle be added to the fleet which is included in this request. It will be purchased with funds from the Water Department Capital Outlay Account.

All of the City Fleet Equipment has a life expectancy based on time, hours or mileage. These vehicles have reached that point. Each year during budget development staff evaluates fleet vehicles and equipment that meet these criteria, review maintenance records, and make recommendations to the departments regarding the replacement of equipment. The replacement equipment is listed in this report.

BUDGET IMPACT:

Sufficient funds have been budgeted in the Motorpool Capital Outlay Accounts 662-441-58500-985.000 and 662-441-58500-987.000, and in the Water Department Capital Outlay Account 591-591-57300-986.444.

TABULATION OF BIDS

FORKLIFT

OPENED BY THE CITY CLERK ON JUNE 18, 2019 AT 11:00 A.M. O'CLOCK

Bidder	Bid Price
Alta Equipment Company	\$ 28,797.50
Forklifts of Michigan, Inc.	\$ 29,074.81
Hull Lift Truck	\$ 29,843.00

RESOLUTION NO. _____

RESOLUTION TO EXTEND THE BID FOR
GASOLINE & DIESEL FUEL

WHEREAS:

1. As detailed in the attached Staff Report, J&H Oil Company has offered to extend their current bid pricing for gasoline & diesel fuel through August 31, 2020.
2. Gasoline & diesel fuel is purchased on an as-needed basis throughout the year and is charged to various departmental accounts with the appropriate account being charged at the time of purchase.
3. It is estimated the City will spend approximately \$500,000.00 for gasoline & diesel fuel.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby accept the proposal from J&H Oil Company to extend the bid for gasoline & diesel fuel through August 31, 2020.
2. The City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on July 15, 2019.

ATTACHMENTS:
Staff Report
Proposal/Letter
Tab Sheet

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. _____

STAFF REPORT

Date: July 8, 2019
Subject: Gasoline and Diesel Fuel Bid Extension
From: Ted Seil, Fleet Supervisor
Meeting Date: July 15, 2019

RECOMMENDATION:

It is recommended that the City Council extend the Gasoline and Diesel Fuel Bid from J&H Oil Company through August 31, 2020.

COMMUNITY, SAFETY, STEWARDSHIP:

The Fleet Services Department provides a number of services to all City Departments including fuel. J&H Oil Company is located in Wyoming and has provided excellent service throughout the past year. They are offering to extend the current bid with no price increase.

DISCUSSION:

The City of Wyoming operates a fleet of over 300 vehicles and 7 standby generators. The vehicles range from mowers to fire trucks. In the event of loss of electrical power, standby generators supply power for City Hall, the Police Department, Clean Water Plant, Drinking Water Plant, the Gezon substation and the Public Works Building.

In 2018, the City requested bids for gasoline and diesel fuel for a one year contract. The bid was awarded to the lowest overall bidder, J&H Oil Company. J&H Oil Company has agreed to extend their bid through August 31, 2020 with no price increase.

BUDGET IMPACT

Sufficient funds have been budgeted in accounts 661-441-58200-741,000, 590-590-54300-740.000, 591-591-55300-740.000 and 591-591-55900-740.000. The fuel cost is estimated to be \$500,000.00 for the duration of the bid.

Attachments: Extension Letter from J&H Oil Company
2018 Bid Tabulation Sheet



1619 CHICAGO DRIVE SW
WYOMING, MI 49519
(616) 245-1114
FAX: (616) 245-0618

City of Wyoming
2660 Burlingame SW
Wyoming MI 49509

July 3, 2019

Attention: Ted Seil

J & H Oil Company would be willing to extend the current terms for fuel for the dates 9/1/2019 – 8/31/2020., we appreciate your business and look forward to continuing to do so.

Thank you
Judy Jordan
J & H Oil Company
1-616-291-8961
judy@jhoil.com

CITY OF WYOMING, MICHIGAN TABULATION OF BIDS			BIDDER			
On Gasoline & Diesel Fuel opened by the City Clerk on July 31, 2018 at 11:00 a.m.			J&H Oil Company	Crystal Flash, Inc.	VanManen Petroleum	Petroleum Traders
			* Delivery Cost Bid Price/Per Gallon and Minimum Delivery Required in Gallons was not included in bid.		* Public Works - Premium Diesel Fuel, Water Treatment Plant - #2 Diesel fuel and Gezon Pumping Station - Premium Diesel Fuel - Tankwagon/Pedaltruck deliveries are subject to environmental fee	
DELIVERY SITE	TYPE OF FUEL	BRAND OF ADDITIVE:	Innospec CF1-2741	CF Ignite-Winter/ET Products	Innospec 1902 & 1452	Valvect
PUBLIC WORKS BUILDING	REGULAR UNLEADED GASOLINE	Environmental Fee/Per Gallon	0.00193	0.01000	0.01340	0.01000
		Delivery Cost Price/Per Gallon	0.03500	0.03860	0.02780	0.03030
		Total	0.03693	0.04860	0.04120	0.04030
		Minimum Delivery Required (in gallons)	6,000	10,000	12,000	10,000
		Estimated Annual Requirements (in gallons)	195,000	195,000	195,000	195,000
	Total (Based on Estimated Annual Gallons)	\$ 7,201.35	\$ 9,477.00	\$ 8,034.00	\$ 7,858.50	
	#2 DIESEL FUEL (Winter Additive)	Winter Diesel Fuel Additive	0.01750	0.00000	0.01300	0.02500
		Environmental Fee/Per Gallon	0.02140	0.01000	0.01340	0.01000
		Delivery Cost Price/Per Gallon	0.03500	0.16000	0.02780	0.03290
		Total	0.07390	0.17000	0.05420	0.06790
		Minimum Delivery Required (in gallons)	6,000	175	12,000	10,000
	Estimated Annual Requirements (in gallons)	30,000	30,000	30,000	30,000	
	Total (Based on Estimated Annual Gallons)	\$ 2,217.00	\$ 5,100.00	\$ 1,626.00	\$ 2,037.00	
	PREMIUM DIESEL FUEL	Winter Diesel Fuel Additive	0.01750	0.02000	0.01300	0.02500
		Environmental Fee/Per Gallon	0.02140	0.01000	0.01340	0.01000
Delivery Cost Price/Per Gallon		0.15000	0.16000	0.14700	0.25000	
Total		0.18890	0.19000	0.17340	0.28500	
Minimum Delivery Required in Gallons		150	175	200	100	
Estimated Annual Requirements (in gallons)	300	300	300	300		
Total (Based on Estimated Annual Gallons)	\$ 56.67	\$ 57.00	\$ 52.02	\$ 85.50		
WATER TREATMENT PLANT	REGULAR UNLEADED GASOLINE	Environmental Fee/Per Gallon	0.00193	0.01000	0.01340	0.01000
		Delivery Cost Price/Per Gallon	0.15000	0.13000	0.14700	0.25000
		Total	0.15193	0.14000	0.16040	0.26000
		Minimum Delivery Required (in gallons)	150	175	200	600
		Estimated Annual Requirements (in gallons)	7,000	7,000	7,000	7,000
	Total (Based on Estimated Annual Gallons)	\$ 1,063.51	\$ 980.00	\$ 1,122.80	\$ 1,820.00	
	PREMIUM DIESEL FUEL	Winter Diesel Fuel Additive	0.01750	0.02000	0.01300	0.02500
		Environmental Fee/Per Gallon	0.00214	0.01000	0.01340	0.01000
		Delivery Cost Price/Per Gallon	0.03500	0.03360	0.03940	0.03990
		Total	0.05464	0.06360	0.06580	0.07490
		Minimum Delivery Required (in gallons)	6,000	7,500	7,000	6,500
	Estimated Annual Requirements (in gallons)	20,000	20,000	20,000	20,000	
	Total (Based on Estimated Annual Gallons)	\$ 1,092.80	\$ 1,272.00	\$ 1,316.00	\$ 1,498.00	
	#2 DIESEL FUEL	Winter Diesel Fuel Additive	0.01750	0.00000	0.01700	0.02500
		Environmental Fee/Per Gallon	0.00214	0.01000	0.01340	0.01000
Delivery Cost Price/Per Gallon		0.15000	0.16000	0.14700	0.25000	
Total		0.16964	0.17000	0.17740	0.28500	
Minimum Delivery Required (in gallons)		150	175	125	75	
Estimated Annual Requirements (in gallons)	400	400	400	400		
Total (Based on Estimated Annual Gallons)	\$ 67.86	\$ 68.00	\$ 70.96	\$ 114.00		
CLEAN WATER PLANT	PREMIUM DIESEL FUEL	Winter Diesel Fuel Additive	0.01750	0.02000	0.01300	0.02500
		Environmental Fee/Per Gallon	0.00214	0.01000	0.01340	0.01000
		Delivery Cost Price/Per Gallon	0.03500	0.03860	0.03630	0.04140
		Total	0.05464	0.06860	0.06270	0.07640
		Minimum Delivery Required in Gallons	6,000	7,500	10,000	8,000
Estimated Annual Requirements (in gallons)	10,000	10,000	10,000	10,000		
Total (Based on Estimated Annual Gallons)	\$ 546.40	\$ 686.00	\$ 627.00	\$ 764.00		
GEZON PUMPING STATION	PREMIUM DIESEL FUEL	Winter Diesel Fuel Additive	0.01750	0.02000	0.01300	0.02500
		Environmental Fee/Per Gallon	0.00214	0.01000	0.01340	0.01000
		Delivery Cost Price/Per Gallon	0.05000	0.13000	0.14700	0.25000
		Total	0.06964	0.16000	0.17340	0.28500
		Minimum Delivery Required in Gallons	150	175	1,000	1,000
Estimated Annual Requirements (in gallons)	2,000	2,000	2,000	2,000		
Total (Based on Estimated Annual Gallons)	\$ 139.28	\$ 320.00	\$ 346.80	\$ 570.00		
Total			\$ 12,384.87	\$ 17,960.00	\$ 13,195.58	\$ 14,747.00
Minimum Lead Time to Delivery & Other			12 hours	12 hours	12 Hours	24 Hours

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK
TO EXECUTE TWO AMENDMENTS TO THE STREETLIGHTING
CONTRACT WITH CONSUMERS ENERGY COMPANY

WHEREAS:

1. The City has had a contract with Consumers Energy Company for Consumers Energy-owned streetlights throughout the City for many years.
2. The City desires to have Consumers Energy install six LED streetlights in the Chapel Estates plat. Consumers Energy will place these streetlights and necessary appurtenances at a cost of \$1,398, which will be paid by the developer.
3. The City also desires to have Consumers Energy install five LED streetlights in the Buck Creek Hill plat. Consumers Energy will place these streetlights and necessary appurtenances at a cost of \$1,046, which will be paid by the developer.
4. Consumers Energy has submitted the two attached modifications to the streetlighting contract to address these changes.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council hereby authorizes the Mayor and City Clerk to execute the two attached Authorizations for Change in Standard Streetlighting Contract and the accompanying Consumers Energy Resolutions.

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 July 15, 2019.

Kelli A. Vandenberg, Wyoming City Clerk

ATTACHMENTS:

- Authorization for Change in Standard Lighting Contract (2)
- Consumers Energy Resolution (2)



**AUTHORIZATION FOR CHANGE IN
STANDARD LIGHTING CONTRACT
(COMPANY-OWNED) FORM 547**

Contract Number: 103016902985

Consumers Energy Company is authorized as of 6/18/2019, by the City of wyoming, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of wyoming, dated 2/1/2013.

Lighting Type:
General Unmetered Experimental Lighting Rate GU-XL

Notification Number(s):
1047483007

Construction Work Order Number(s):

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 2/1/2013 shall remain in full force and effect.

City of wyoming

By:

(Signature)

(Printed)

Its

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of wyoming, dated 2/1/2013, in accordance with the Authorization for Change in Standard Lighting Contract dated 6/18/2019,

heretofore submitted to and considered by this commission council board ;and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the City.

STATE OF MICHIGAN
COUNTY OF Kent

I, _____, Clerk of the City of wyoming, do hereby certify that the foregoing resolution was duly adopted by the commission council board of said municipality, at the meeting held on _____.

Dated:

Municipal Customer Type: City

GENERAL UNMETERED EXPERIMENTAL LIGHTING RATE GU-XL

<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Fixture Style</i>	<i>Install Remove</i>	<i>Location</i>
5	<u>46</u>	<u>LED</u>	<u>Post Top</u>	<u>Traditional</u>	<u>Install</u>	6, 7, 8, 9 & 10

UNDERGROUND LEGEND

1. Single-phase primary
2. Open wye primary
3. Three-phase primary
4. Single-phase secondary
5. Combination light and power secondary
6. Three-phase power secondary
7. Single-phase service
8. Combination lighting and power service
9. Three-phase power service
10. Streetlighting conductor (2/C+10 CU)
11. Streetlighting conductor (2/C+8 AL)
12. Covered neutral conductor for ducts
13. Streetlighting conductor (3/C+1/0 AL)

- CONDUIT**
- P2 2" Plastic P3 3" Plastic P4 4" Plastic P6 6" Plastic
- S2 2" Steel S3 3" Steel S4 4" Steel S5 5" Steel S6 6" Steel
- PROF. ELEC. CONDUCTORS ONLY
 PROF. ELEC. AND GAS LINES ONLY
 PROP. GAS LINE ONLY
 PROP. ELEC., GAS AND TELECOMMUNICATIONS
 EXIST. ELEC. CONDUCTORS ONLY
 EXIST. GAS LINE ONLY
 FUTURE ELECTRIC TRENCH

- CABLE MATERIAL AND SIZE**
- No 2 AL cable, 175 mils, 15KV, or secondary.
 - No 1/0 AL cable, 175 mils, 15KV, or secondary.
 - No 3/0 AL cable, 175 mils, 15KV, or secondary.
 - 350 kcmil AL cable, 175 mils, 15KV, or secondary.
 - 500 kcmil copper cable, 175 mils, 15KV, or secondary.
 - 750 kcmil AL cable, 175 mils, 15KV, or secondary.
 - No 1/0 stranded AL cable, 280 mils, 28KV.
 - No 3/0 stranded AL cable, 280 mils, 28KV.
 - 750 kcmil AL cable, 280 mils, 28KV.
 - Cable joint.
 - 350 kcmil AL cable, 260 mils, 25KV.
 - Marker to locate cable
 - Refer to Note on Drawing, N1 for Note 1, etc.
 - No 1/0 AL, solid cable, 280 mils, 28KV.
 - No 1/0 AL stranded cable 280 mils, 28KV, jacketed
 - No 1/0 AL stranded cable, 260 mils tree-retardant INS, 25KV, Jacketed.
 - 350 kcmil AL stranded, 260 mils, 25KV, jacketed.
 - 350 kcmil AL cable, 260 mils tree-retardant INS, 25KV, Jacketed.
 - 750 kcmil AL stranded, 280 mils, 28KV, jacketed.
 - 750 kcmil AL cable, 260 mils tree-retardant INS, 25KV, Jacketed.
- EX: **3R** - No. 1/0 solid AL cable for three-phase primary
3G40 - No. 1/0 AL cable for 3-phase primary and 350 AL cable for 1-phase secondary
- CONDUCTOR CHANGE

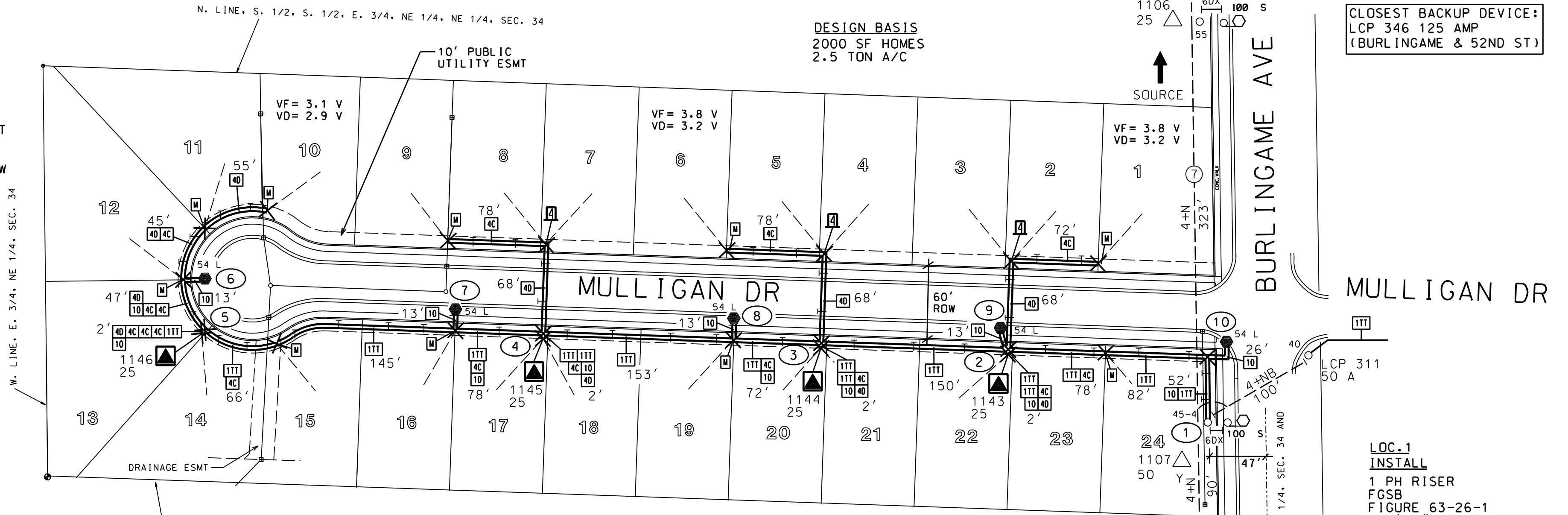
Form 931 condensed	CATV		Phone		Non-CE				Other	
	Size	Ft.	Size	Ft.	Gas	Elec.	Size	Ft.	Size	Ft.
Wire installed is the Trench Footage of the largest Non-CE wire placed.										
Trench (Feet-Joint with CE)										
Trench (Feet-Not Joint with CE)										
Wire Install (Feet-non CE wire placed)										
Pull thru conduit (feet-of conduit)										
Boring (diameter of bore+feet bored)										
Pedestal (s) installed										
Misc Comments:										

Joint Work Contacts	Company Name	Contact Name	Phone Number	Reference # (NJUNS, UT # verbal, Etc.)	with ? Y/N
Phone	COMCAST	DANIEL BATDORFF	517-334-1862	EMAIL	Y
CATV					
Foreign Gas					
Other					

DANIEL BATDORFF@CABLE.COMCAST.COM

KENT CO
 WYOMING TWP
 T06 R12 SEC.34

**LOC.5
 INSTALL**
 1 PH D.F. PADMOUNT
 FIGURE 66-106-1
 RADIAL
 MOV ARRESTOR ELBOW



CLOSEST BACKUP DEVICE:
 LCP 346 125 AMP
 (BURLINGAME & 52ND ST)

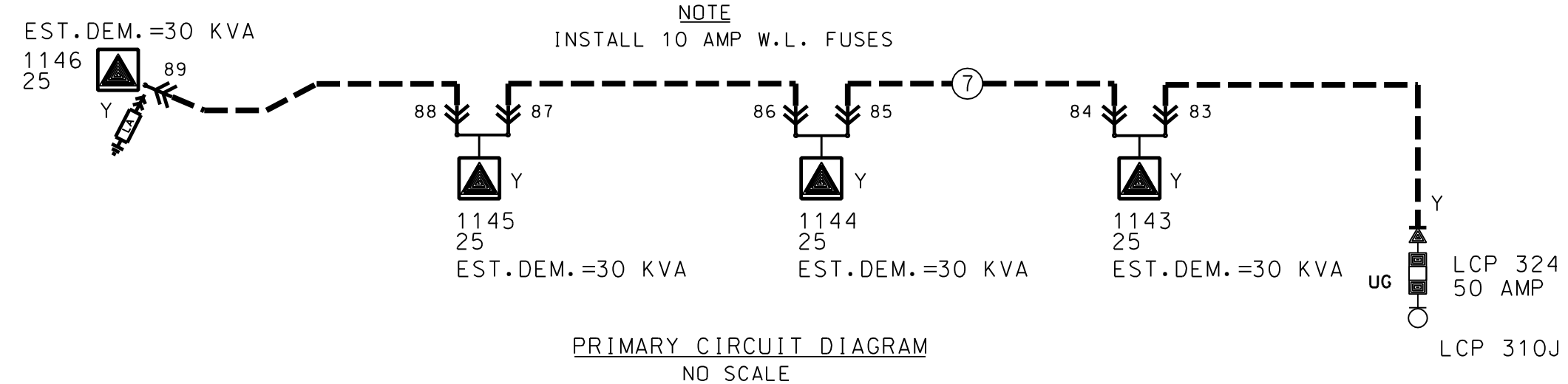
**LOC.1
 INSTALL**
 1 PH RISER
 FGSB
 FIGURE 63-26-1
 D=8'-0"

**STREETLIGHTING
 LOC.6 THRU 10**
 46 W LED NON-CUTOFF
 TRADITIONAL POST-TOP
 ON 19' BLACK FG POLES
 FIGURE 42-215-2 &
 FIGURE 42-211-1

JOB PURPOSE
 PROVIDE 120/240V 1PH 3W SERVICE TO
 NEW RESIDENTIAL DEVELOPMENT
 WITH STREETLIGHTING

DIRECTIONAL BORING REQUIRED
 3 ROAD CROSSINGS = 204'

**LOC.2,3,& 4
 INSTALL**
 1 PH D.F. PADMOUNT
 FIGURE 66-106-2
 FIG. A F.T.
 SECONDARY PEDESTAL
 FIGURE 64-40-1



FRONT LOT FOOTAGE		FRONT LOT FOOTAGE	
LOT NO.	FOOTAGE	LOT NO.	FOOTAGE
1	93'	13	50'
2	75'	14	54'
3	75'	15	80'
4	75'	16	75'
5	75'	17	75'
6	75'	18	75'
7	75'	19	75'
8	75'	20	75'
9	75'	21	75'
10	80'	22	75'
11	53'	23	75'
12	45'	24	88'

TOTAL FRONT FOOTAGE = 1743'
 TOTAL FOOTAGE INSIDE DEVELOPMENT = 1489'

-CONSTRUCTION CERTIFICATION-
 Work was constructed as Engineered or Changed as Indicated.
 All Salvageable Material Was Returned to Stores.

Signed _____ in Direct Charge of Work
 Dates: Started _____ Completed _____
 MISS DIG NUMBER: _____ DATE: _____

STAKED	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
TREES	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
TLM NUMBER	# OF RODS	OHMS
06123411		

Buck Creek Hill ECNC NLU		CM NO. 100005160632	
For: EL2 DEVELOPMENT LLC 5361 BURLINGAME AVE SW		ORDER TYPE	MAINTENANCE ACTIVITY TYPE
DESIGNED BY DFLEATHE	DATE 03/04/19	ECNC	NLU
APPROVED BY	DATE	ECNC	STL
SHEET 1 OF 1	SCALE NONE	ECNC	STL

NLU NOTIFICATION #1046939454
 STL NOTIFICATION #1047483007



**AUTHORIZATION FOR CHANGE IN
STANDARD LIGHTING CONTRACT
(COMPANY-OWNED) FORM 547**

Contract Number: 103016902985

Consumers Energy Company is authorized as of 6/18/2019, by the City of WYOMING, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the City of WYOMING, dated 2/1/2013.

Lighting Type:
General Unmetered Experimental Lighting Rate GU-XL

Notification Number(s):
1047880966

Construction Work Order Number(s):

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 2/1/2013 shall remain in full force and effect.

City of WYOMING

By:

(Signature)

(Printed)

Its

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of WYOMING, dated 2/1/2013, in accordance with the Authorization for Change in Standard Lighting Contract dated 6/18/2019,

heretofore submitted to and considered by this commission council board ;and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the City.

STATE OF MICHIGAN
COUNTY OF Kent

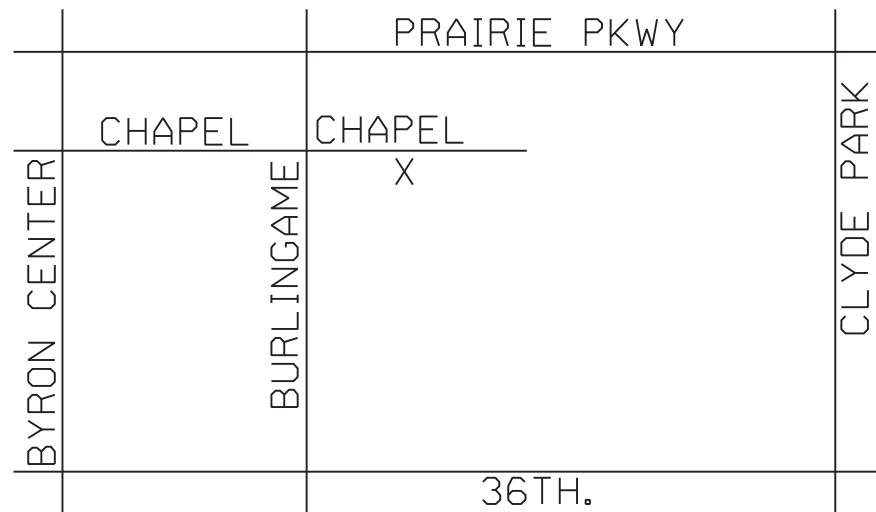
I, _____, Clerk of the City of WYOMING, do hereby certify that the foregoing resolution was duly adopted by the commission council board of said municipality, at the meeting held on _____.

Dated:

Municipal Customer Type: City

GENERAL UNMETERED EXPERIMENTAL LIGHTING RATE GU-XL

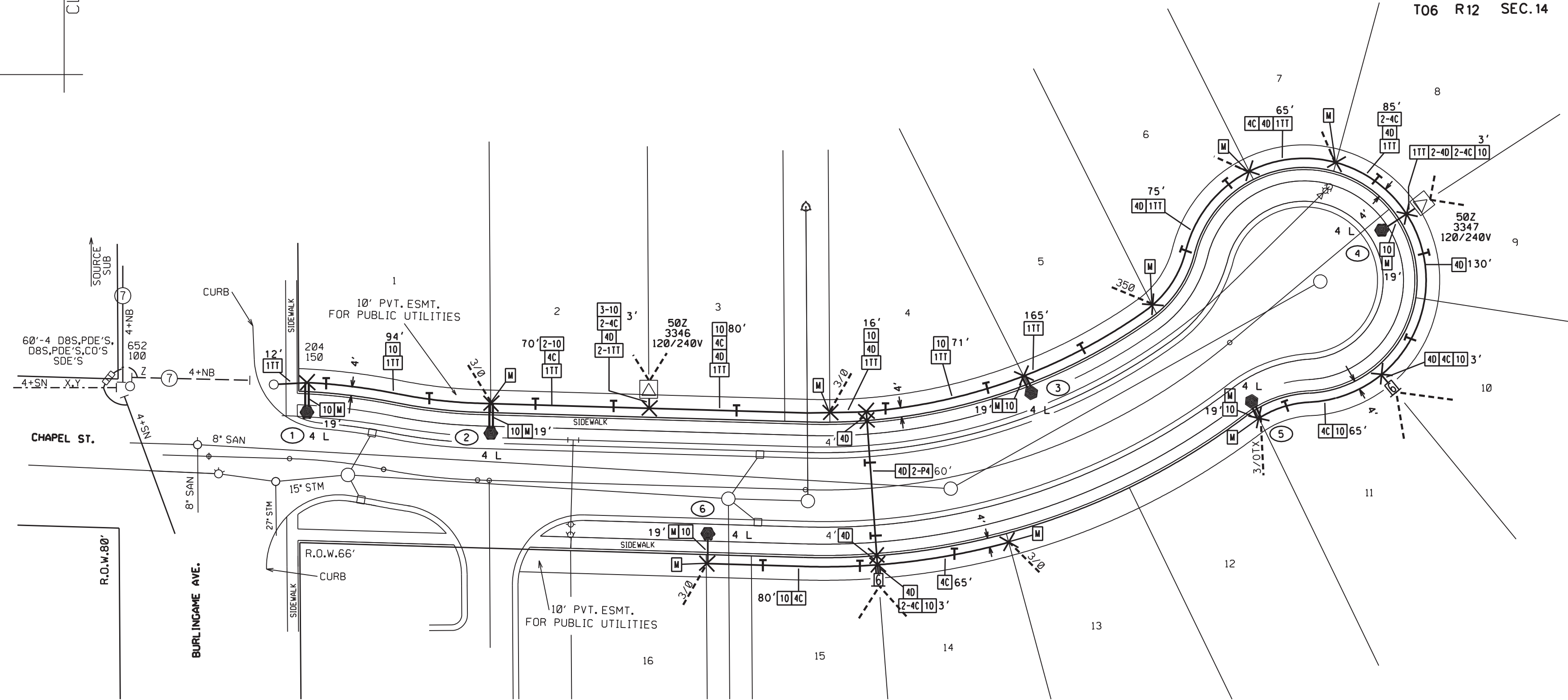
<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Fixture Style</i>	<i>Install Remove</i>	<i>Location</i>
6	<u>46</u>	<u>LED</u>	<u>Post Top</u>	<u>Traditional</u>	<u>Install</u>	1-6



CHAPEL ESTATES SUBDIVISION

INSTALL STREETLIGHTING FOR DEVELOPMENT

KENT CO
WYOMING TWP
T06 R12 SEC.14



LOC. 1-6
INSTALL
23' BLACK FIBERGLASS POLE
FIGURE 42-211-1

46 WATT LED TRADITIONAL
POST TOP
FIGURE 42-215-1

GENERAL UNDERGROUND STREETLIGHT NOTES

1. Install 6-46 watts led. fixtures on fiberglass fluted poles with mounting heights as shown below.
2. Poles are to be installed 2'-6" behind curb. Streetlight cable is stubbed in marker posts.

STREETLIGHT PROPOSAL

1. 19 ft mounting ht fiberglass poles	each = \$	each = \$
2. Traditional Post Top Fixtures	each = \$	each = \$
3. Fixed Charge for Streetlighting	each = \$ 100.00	each = \$
		TOTAL = \$

APPROX. ANNUAL ENERGY CHARGES

1. Annual energy charge: - 100 watt HPS @ \$ 125.00 each	= \$
---	------

STREETLIGHT LEGEND

○ EXISTING LIGHT	S = 8500 LUMEN HIGH-PRESSURE SODIUM LUMINAIRE
● PROPOSED LIGHT	L = 86 WATT LIGHT EMITTING DIODE LUMINAIRE
○ FUTURE LIGHT	

UNDERGROUND LEGEND

1. Single-phase primary
2. Open wye primary
3. Three-phase primary
4. Single-phase secondary
5. Combination light and power secondary
6. Three-phase power secondary
7. Single-phase service
8. Combination lighting and power service
9. Three-phase power service
10. Streetlighting conductor (2/C-10 CU)
11. Streetlighting conductor (2/C-8 AL)
12. Covered neutral conductor for ducts
13. Streetlighting conductor (3/C-1/0 AL)

CONDUIT

P2	P3	P4	P6	
S2	S3	S4	S5	S6

CABLE MATERIAL AND SIZE

A.
B.
C.
D.
E.
F.
G.
H.
I.
J.
K.
N.
R.
T.
TT.
V.
VT.
W.
WT.

EX:

3R
3G40

CONDUCTOR CHANGE

PROJECT COORD
TANYA MARTIN
616 530-4365
DESIGNER
SAM ALAGNA
517 374-2415
NOT.1047880966



-CONSTRUCTION CERTIFICATION-
Work was constructed as Engineered or Changed as Indicated.
All Salvageable Material Was Returned to Stores.

Signed _____ in Direct Charge of Work
Dates: Started _____ Completed _____

MISS DIG NUMBER: _____ DATE: _____

STAKED	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
TREES	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
TLM NUMBER	# OF RODS	DHMS
06121433		
DESIGNED BY: SJALAGNA DATE: 05/15/19		
APPROVED BY: _____ DATE: _____		
SHEET 1 OF 1 SCALE: 1"=40'		

CHAPEL ESTATES WYOMING		
INSTALL STREETLIGHTS For: GRANDVIEW VENTURES LLC		CM NO. 10005161926
SUBSTATION BURLINGAME	WD NO. 0727	ECNC STL 11023841
CIRCUIT BURLINGAME	CKT NO. LCP NO. 01 0491	

RESOLUTION NO. _____

RESOLUTION TO ACCEPT AMENDMENT NUMBER 2
FOR THE CENTRIFUGE REPLACEMENT PROJECT
AND TO AUTHORIZE THE MAYOR AND CITY CLERK
TO EXECUTE THE AMENDMENT

WHEREAS:

1. On August 21, 2017, City Council adopted Resolution number 25867 accepting a proposal from Donohue & Associates, Inc. to provide engineering services for centrifuge replacement.
2. On November 5, 2018, City Council adopted Resolution number 26222 to extend the agreement.
3. As detailed in the attached staff report, Donohue & Associates, Inc. provided the City with amendment number 2 for additional work that is required to complete the project.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby accept amendment number 2 for the centrifuge replacement project.
2. The City Council does hereby authorize the Mayor and City Clerk to execute the 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 July 15, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Staff Report
Amendment

Resolution No. _____

STAFF REPORT

Date: July 3, 2019
Subject: CWP Centrifuge Replacement Project
From: Jon Burke, CWP Superintendent
Meeting Date: July 15, 2019

RECOMMENDATION:

It is recommended that the City Council authorize an extension by mutual agreement of the Engineering Services Agreement covering the centrifuge replacement project at the Clean Water Plant and additional funds up to \$30,000 to cover that additional time period.

COMMUNITY, SAFETY, STEWARDSHIP:

Making sure our legal agreements with consulting engineers are valid and in full force and effect protects the City's interests and those of its citizens and rate payers.

DISCUSSION:

We are currently under contract with Donohue Engineering for a centrifuge replacement project. The contract was originally executed by the Mayor on August 24, 2017 and then extended on November 5, 2018. This extension is set to expire on August 21, 2019.

The centrifuge has now been installed and is operational but due to manufacturing delays and start up issues, the project is running behind and will likely not be completed on time. As a result, we will have additional expenses from Donohue that were not anticipated in the original agreement. Donohue has submitted an extension to the agreement that should more than cover the time needed to finish the project and the estimate to cover their anticipated expenses. Donohue's estimate is \$11,400 to finish the project but since we are already in liquidated damages phase of the project, we could possibly have extensive discussions with the manufacturer to resolve the issue and we would need Donohue's expertise to assist us in this settlement. As a result, we are requesting that the Council approve a total of \$30,000 should this process go longer than anticipated. We also anticipate that liquidated damages that will be collected from the contractor will cover the costs of these additional expenses.

BUDGET IMPACT:

There are sufficient funds in the Sewer Fund Capital Outlay Plant Expansion Phase 2, account number 590-590-54400-986.444.



AMENDMENT NO. 2 to
ENGINEERING SERVICES AGREEMENT
Centrifuge Replacement (Project)
Original Agreement Executed August 21, 2017

This Amendment is by and between:

City of Wyoming (Owner)
2350 Ivanrest Avenue SW
Wyoming, MI 49418

and

Donohue & Associates, Inc. (Donohue)
3949 Sparks Drive SE – Suite 105
Grand Rapids, MI 49546

Who agree to amend the original Agreement, as follows:

PART I – B. SCOPE OF SERVICES

The services have been modified to include the following additional activities:

1. Additional project support required by the contractor’s delay in reaching the contractual substantial completion date, including:
 - A. Attending weekly project meetings.
 - B. Coordination between the City, Contractor, and Centrisys.
 - C. Project management and administrative support.

PART III – A. COMPENSATION

Compensation for the services set forth in Part I shall be increased or \$11,400, resulting in a total contract amount of \$89,440.

APPROVED FOR OWNER

By: _____

Printed Name: _____

Title: _____

Approved as to form
Date: _____


Scott G. Smith, City Attorney

Date: 07.10.2019

APPROVED FOR DONOHUE

By: 

Printed Name: Craig W. Brunner, P.E.

Title: President

Date: June 20, 2019

RESOLUTION NO. _____

RESOLUTION TO ACCEPT A QUOTATION FOR
REMOVAL AND INSTALLATION OF A SUBSTATION TRANSFORMER

WHEREAS:

1. On June 3, 2019, the City Council adopted Resolution number 26412 accepting a proposal from Parkway Electric and Communications LLC for the removal and installation of a new substation transformer.
2. As detailed in the attached Staff Report, Parkway Electric and Communications LLC has provided the City with a quotation for the removal and replacement of a second transformer in the total estimated amount of \$35,440.00.
3. Funds for the removal and installation of the substation transformer are available in the sewer fund, capital outlay account number 590-590-54400-986.444.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby accept a quotation for removal and installation of a substation transformer.
2. The City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.
3. The City Council does hereby authorize the Mayor and City Clerk to execute acceptance of the quotation.

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:

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Staff Report
Quotation

Resolution No. _____

STAFF REPORT

Date: July 9, 2019

Subject: Removal and Installation of a New Substation Transformer

From: Jon Burke, CWP Superintendent

Meeting Date: July 15, 2019

RECOMMENDATION:

It is recommended that the City Council authorize a change order to the contract with Parkway Electric for the replacement of a second transformer at the clean water plant.

COMMUNITY, SAFETY, STEWARDSHIP:

Making sure all of our equipment is operating safely and efficiently protects Wyoming's interests and those of its citizens and rate payers.

DISCUSSION:

On June 3, 2019, the City Council approved Resolution No. 26412, thereby authorizing Parkway Electric to replace one transformer at the Clean Water Plant. Subsequent to this approval, a second transformer failed. Because the timely replacement of this second transformer is critical to the operation of the Clean Water Plant, and because Parkway Electric is already under contract with Wyoming for the replacement of a similar transformer, it is in Wyoming's best interest to add the replacement of this second transformer to the scope of Parkway Electric's contract.

BUDGET IMPACT:

The cost for replacing a second transformer at the clean water plant is \$35,440. Sufficient funds exist in the Sewer Fund, capital outlay account no. 590-590-54400-986.444.



POWER COMMUNICATIONS CONTROLS

6/24/2019

Tom Wilson
City of Wyoming
2350 Ivanrest Ave SW
Grandville, MI 49418
616-813-2136
TWilson@ci.wyoming.mi.us

Quote Number: 19WZ028

Re: 300 KVA Transformer Replacement

Dear Tom,

Thank you for the opportunity to provide City of Wyoming with this quote for 300 KVA Transformer Replacement.

Price would include

- New Schneider 300 KVA substation transformer.
- Crane and rigging.
- Labor to demo and replace existing transformer.
- Oil testing of existing transformer for PCB's.
- Reworking of control conduits.
- Disposal of old transformer provided a clean oil test.

Any modifications to the scope of work listed above must be approved by Parkway, and a written change order completed before the requested work will be performed.

Notes & Assumptions

This proposal has been prepared under the following assumptions:

1. No training is included in this proposal.
2. This proposal is based on all work being performed at a regular hourly rate, unless noted. If there is a need to accelerate the schedule, Parkway will provide a quote, with overtime, for the requested shortened schedule.
3. If additional start-up time is required (beyond that which is stated in the scope of work), it will be billed on a T&M basis.



4. All changes by an authority having jurisdiction or authorization to do so will alter this proposal
5. Any painting of electrical conduit, equipment, etc. will be done by others.
6. All concrete pads and/or housekeeping pads will be done by others.
7. Where the price of material, equipment, or energy increases prior to acceptance of a quote, the quote sum may be adjusted.
8. No allowances are included in this proposal.
9. No electric/cable/telephone/gas/etc... fees or usage charges are included in this proposal.
10. Nothing in this quote should be construed as a substitute for a consultation with a tax professional.

Pricing

Pricing for the services outlined in the above scope of work is shown below.

Budget Quote Amount:**\$35,440.00**

If paying via credit card a 3% processing fee will be added.

The quoted price includes sales, use excise or other similar taxes.

Quotation Terms & Conditions

This quotation is subject to the Parkway Electric & Communications LLC standard terms and conditions, and is valid for 30 days. For a complete listing of the Parkway standard terms and conditions, please refer to the "terms of sale" link located on our website at www.parkwayelectric.com

Milestone Payment Schedule

The project will be billed according to the milestone payment schedule outlined below:

- 25% with purchase order
- Monthly billing of labor & materials
- Last 10% upon delivery of final documentation

If you have any questions regarding this quotation, do not hesitate to contact me at 616-820-1119.



POWER COMMUNICATIONS CONTROLS

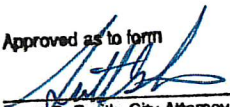
Customer Acceptance

Please reference 19WZ028 on any purchase orders generated from this quotation.

Accepted by

Date

Title

Approved as to form


Scott G. Smith, City Attorney
Date: 07.10.2019

Thank you for the opportunity to provide City of Wyoming with this quotation.

Sincerely,

Greg Fowler

Project Manager / Estimator

ORDINANCE NO. 13-19

ORDINANCE TO AMEND CHAPTER 90, ARTICLE 7, SECTION 90-709 OF THE
CITY CODE REGULATING OFF-PREMISES ADVERTISING SIGNS

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 90, Article 7, section 90-709 of the Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

Sec. 90-709 OFF-PREMISES ADVERTISING SIGNS

(1) Off-premises advertising signs shall be located on property abutting a freeway and shall not be placed beyond 300 feet of the freeway right-of-way. A 300-foot setback shall be required from the intersection of any freeway access or egress and the intersecting street.

(2) A drawing with specifications prepared and sealed by a registered engineer or architect of the state shall be filed with the city prior to the issuance and approval of a permit and construction.

(3) Off-premises advertising signs may be constructed to a maximum size of 672 square feet per face, provided they are located within 100 feet of a freeway right-of-way. Any off-premises advertising sign placed farther than 100 feet from the freeway right-of-way shall not exceed 300 square feet per face.

(4) Except as noted in section (8) below, no off-premises advertising sign structure shall be constructed closer than 750 feet to another off-premises advertising sign structure in any direction, except that no two off-premises advertising sign structures located on the same side of a freeway may be closer than 1,500 feet. Distances are to be measured along the freeway right-of-way line.

(5) Off-premises advertising signs shall not exceed the building height restrictions for the zone where erected.

(6) Off-premises advertising signs located adjacent to a major thoroughfare shall be at least 500 feet from any residential district.

(7) Tri-vision off-premises advertising signs are allowed, but message changes may occur no less than seven seconds apart.

(8) Off-premises advertising signs may incorporate an electronic message center (EMC), subject to the following:

(a) No permit shall be issued for an off-premise advertising sign structure utilizing digital technology unless, the permit applicant demonstrates that five non-conforming sign structures located within the city boundaries are demolished. The applicant will reduce the number of existing non-conforming signs demolished if the applicant demonstrates that four non-conforming sign structures located within the city's form based code districts are demolished.

(b) No off-premises LED advertising sign structure utilizing a moving image display shall be constructed closer than 2,500 feet to another off-premises LED advertising sign structure utilizing a moving image display and facing the same direction of travel.

(c) The entire sign face shall be a moving image display and shall only convey a single product or message at any one time.

(d) Except for the change from one display to the next, which shall be instantaneous, each individual sign display shall be stationary. No elements of the display may move, flash or scroll, except to change from one display to the next.

(e) Displays may change no less than seven seconds apart. Each change shall be a fade from one display to the next, with the duration of the transition (fade-out/fade-in) no less than one-

half of a second.

- (f) Maximum brightness of an EMC shall not exceed 0.2 foot candles above ambient light.
- (g) All signs regulated under this section shall possess and utilize automatic dimming controls set to automatically adjust to the limits defined in this section.
- (h) Owners of signs regulated under this section shall submit an initial third-party certification for each sign verifying the sign is equipped with a sensor or other device that automatically determines the ambient light and is programmed to automatically adjust according to ambient light conditions, and that the sign is programmed to comply with the 0.2 footcandle measurements.
- (i) Sign owners shall, at the city's request, provide a report from a third party testing agency documenting that the light emitted from the sign meets the minimum illumination standard defined in this section. The certified report shall be submitted within 15 days of the written request from the city. A certified report is valid for a period of 90 days. The third party testing agency shall adhere to the city's accepted procedures for testing which are provided by the Building Inspections Department.
- (j) In addition to the above requirements, signs allowed under this section shall be configured to default to a static display in the event of mechanical failure.

Section 2. This ordinance shall take effect on _____, 2019.

Kelli A. Vandenberg
Wyoming City Clerk

Ordinance No. 13-19

May 28, 2019

Ms. Kelli A. VandenBerg
City Clerk
Wyoming, MI

Subject: Proposed Zoning Ordinance Text Amendments to revise Off-Premises Advertising Signs (Section 90-709)

Recommendation: To approve the subject Zoning Ordinance amendment.

Dear Ms. VandenBerg,

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on May 21, 2019. A motion was made by Hegyi, supported by Smart, to recommend to the City Council adoption of the recommended revised *Off-Premises Advertising Signs (Section 90-709)* Zoning Ordinance text amendment. The motion passed unanimously following discussion. A detailed review of the request is available in the attached Planning Commission minutes and supportive materials. Following please find some general information.

The City of Wyoming allows off-premise advertising signs, also commonly referred to as billboards, in I-1 and I-2 districts on property abutting a freeway right-of-way. Staff was asked by City Council to perform a review of the ordinance in light of the growth of the use of digital technology. Following a lengthy and thorough review of state and federal statutes, other communities' ordinances, and discussion at multiple planning commission meetings, the following is recommended:

- Reduce the required distance between digital billboards from 4,000 feet to 2,500 feet;
- Create an exchange program that helps to encourage the removal of non-conforming signs while providing a means to utilize new digital technology along the freeway. The exchange program will require the removal of three non-conforming billboard structures in Form Based Code areas or four non-conforming billboard structures in all other zone districts for the installation of one digital head on a conforming structure along the highway; and
- Solidify a process for measuring the illuminance of digital signs in the event such action is required.



CITY COUNCIL

Sheldon DeKryger

Dan Burrill

Kent Vanderwood

Marissa Postler

Robert Postema

Sam Bolt

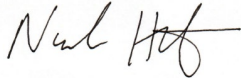
Jack A. Poll, Mayor

On May 28, 2019 staff held an educational meeting for all area billboard companies to ensure all were aware of the proposed zoning change. Representatives from Outfront Media, Grand Rapids Outdoor, Lamar Outdoor Advertising, and Adams Outdoor all attended.

Please note Grand Rapids Outdoor provided materials and requested that staff include these materials in the City Council packet.

The proposed text amendment and supportive material is attached.

Respectfully submitted,

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

Nicole Hofert, City Planner
Department of Community Services

Cc: Curtis Holt, City Manager
Rebecca Rynbrandt, Director of Community Services

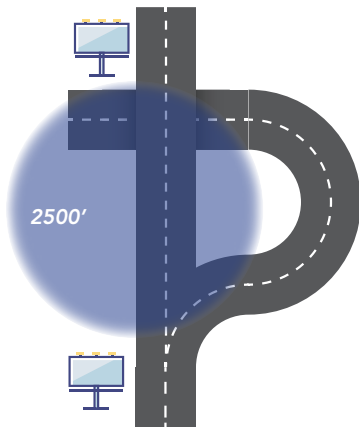
Proposed Distance Requirements Between Signs



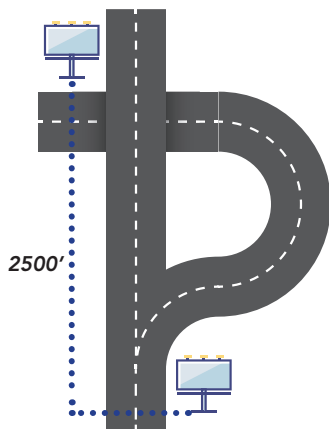
Digital Billboard



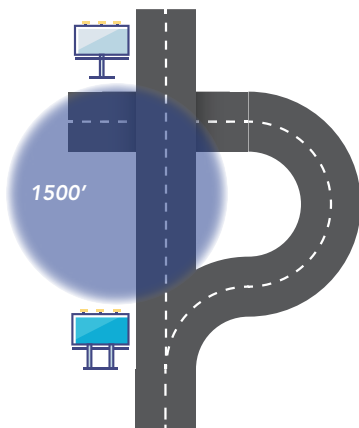
Static Billboard



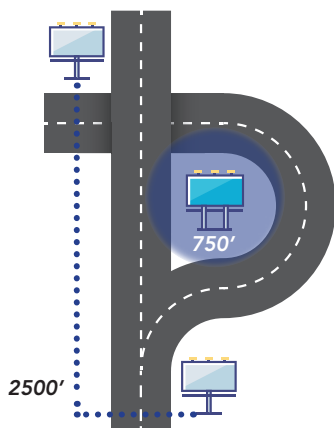
Digital billboards must be a minimum of 2500' apart when on the same side of the road



Digital billboards must be a minimum of 2500' apart when on opposite sides of the road and facing the same direction



A digital billboard must be a minimum of 1500' apart from a static billboard when on the same side of the road and facing the same direction



A static billboard must be a minimum of 750' apart from all other billboards in all directions when on the opposite side of the road facing a different direction

Procedure for measuring the illuminance of a EMC

Adopted from the International Sign Association

- a. Step 1: Use an illuminance meter. The illuminance meter must have the ability to provide a reading up to two decimal places and must be set to read footcandles. It is preferred to have an illuminance meter with a screw-mount that allows the sensor to be mounted on a tripod. A tripod ensures that the highly sensitive sensor is held perfectly still; otherwise it may be difficult to obtain an accurate reading.
- b. Step 2: Determine square footage of the face of the EMC by multiplying the height and the width of the EMC.
- c. Step 3: Determine the measurement distance. Using the total square footage found in Step 2, look up the measurement distance in *Table 1: Sign area versus measurement distance*, to determine the distance to measure the brightness of the EMC. The distance should be measured perpendicular to the EMC sign face. The use of a measuring wheel, laser finder or a smartphone app are the most convenient ways to measure the distance.
- d. Step 4: Prepare the display for testing. Ensure that the EMC is programmed to alternate between a solid white (or in the case of a monochrome display – the solid color of the display) message and a blank message.
- e. Step 5: Use an illuminance meter to measure the brightness of the EMC. Mount the sensor of your illuminance meter to a tripod and orient the sensor directly towards the face of the EMC at the measurement distance determined in Step 2. Ensure that the illuminance meter is set to measure footcandles up to two decimal places. As the display alternates between a solid white message and an “off” message, note the range of values on the illuminance meter. If the difference between the readings is less than 0.2 footcandles, then the brightness of the display is in compliance. If not, the display will need to be adjusted to a lower brightness level using the manufacturer’s recommended procedures.
- f. Step 6: Ensure that the display can adjust to different ambient conditions. Inspect the sign to ensure that it incorporates a photocell or other technology to ensure that the display can adjust according to ambient lighting conditions.

Table 1: Sign area versus measurement distance

AREA OF SIGN sq. ft.	MEASUREMENT (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

* For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc), the measurement distance may be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING
PLANNING COMMISSION AT ITS REGULAR MEETING OF JUNE 18, 2019

PLANNING COMMISSION
MEETING MINUTES OF MAY 21, 2019
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

MEMBERS PRESENT: Arnoys, Bueche, DeLange, Goodheart, Hegyi, Micele, Smart,
Spencer, Weller

MEMBERS ABSENT: None

STAFF PRESENT: Rynbrandt, Director of Community Services
Hofert, City Planner
Rupert, City Building Inspection Supervisor
Singleton, Planning & Development Dept.

Chair Spencer called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

The minutes of April 16, 2019, were approved as written.

APPROVAL OF AGENDA

The agenda was approved as presented.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

Chris Myers, of Outfront Media, informed the Planning Commission and audience members that he was present for the discussion about the billboard ordinance and zoning text amendments (Agenda Item # 6 – Old Business) and indicated his support of the amendment of the freeway billboard ordinance to be converted to digital and eliminate non-conforming surface street billboards and the recommended MDOT distance separation of 1,750 ft. instead of the original recommendation of 2,500 ft. He also stated that they supported the original proposal of four billboards in Non-Form Based Code areas and two billboards in the Form Base Code area and thought that proposal was equitable and fair. Myers stated that the addition of a Trade-In program was fair and he was thankful that staff decided not to implement an annual certification requirement for billboards. He stated he would be available to answer any questions during the hearing of Agenda Item #6.

Stephen Disselkoen, of Grand Rapids Outdoor, informed the Planning Commission and audience of his general support for the billboard ordinance but stated he has a concern about the teardown ratio of billboards and the philosophy and number of billboards suggested for teardown being presented. He provided a document to staff and the commission that gave examples of the impact

of allowing higher ratios in other communities and the potential for revenue sharing opportunity for the City. Disselkoen stated that he is concerned how this proposed ordinance will impact options for smaller companies that have purchased billboards based upon the scarcity value and spacing of the signs which will be eliminated if reduced to the recommended MDOT standard of 1,750 ft.. Disselkoen recommended that the distance remain at 4,000 ft. and a higher trade in ratio like other municipalities nationwide are doing should be implemented potentially with a revenue sharing option.

Public Hearing was closed at 7:06 pm

AGENDA ITEM NO. 1

Request for vacation of an alley south of 39th Street and west of Division Avenue adjacent to 3945 S. Division Avenue. (Section 24) (Wyoming Engineering)

Hofert explained that the owner of 3945 Division Avenue requested the vacation of the alley adjacent to his parcel. The alley is completely surrounded by property owned by the same entity. Hofert stated that the applicant requested to vacate the alley so it will not bisect his property and improve the redevelopment potential of the site.

Hofert explained the benefits and impact of this request in the following:

- Alley vacations have no impact on the environmental quality of Wyoming.
- Alley vacations have no impact on social equity in Wyoming.
- Vacation of the alley will reduce the maintenance responsibility of the City and allow the surrounding parcels to have more land to potentially redevelop.

Hofert stated that it is in the best interest of Wyoming to vacate the alley and be relieved of the maintenance responsibility and recommends that the Planning Commission recommend to City Council that the City vacate the alley south of 39th Street and west of Division Avenue.

Public Hearing was opened at 7:08 pm

Public Hearing was closed at 7:09 pm

Motion by Arnoys and supported by Weller, to recommend that the City vacate the alley south of 39th Street and west of Division Avenue. No discussion followed

A vote on the motion carried unanimously.

AGENDA ITEM NO. 2

Request for Special Use Approval for a community center for Lighthouse Community Ministries. The property is located at 3500 Byron center Ave. (Includes Site Plan Approval) (Section 15) (Calvary Christian Reformed Church)

towers can be installed and that the Act 365 and the FCC ruling restricted where the municipalities could limit where the towers could be installed.

Micele inquired about what defines a small cell tower from a large cell tower. Rynbrandt stated that there is a distinct difference between a large tower and small tower and can be identified based upon their locations. Rynbrandt stated that small towers are affixed to poles or signs throughout residential neighborhoods and large towers stand independent.

Goodheart inquired if there were any setback requirements. Hofert replied that there are no setback limits.

Motion passed 7 to 2, with Hegyi and Bueche

AGENDA ITEM NO. 5

Request for Rezone from R-1 to R-2 for Greens of Wyoming. The property is located at 1207 56th Street SW. (Section 35) (Westview Capital, LLC).

Public Hearing opened at 7:24 pm (will remain open until the June meeting)

Chair Spencer explained that Agenda item #5 will be deferred until the June meeting due to the applicants request for a deferral until the next Planning Commission meeting. Since the rezone request was noticed correctly prior to the applicants request for a deferral, comments will be allowed today as well as at the next meeting.

A motion by Micele and supported by Smart to defer the request for Rezone from R-1 to R-2 for Greens of Wyoming to the next scheduled meeting. No discussion followed.

Motion passed unanimously.

AGENDA ITEM NO. 6

Request to approve proposed Zoning Ordinance Text Amendments to revise Off-Premises Advertising Signs (Section 90-709). ***(Public Hearing was held on March 19, 2019 – public comments on this item will only be accepted during the ‘Public Comment on Non-Public Hearing Agenda Items’)***

Hofert provided an overview and general history of this request to the Planning Commission. The City of Wyoming allows off-premise advertising signs, also commonly referred to as billboards, in I-1 and I-2 districts on property abutting a freeway right-of-way. Staff was asked to perform a review of the ordinance in light of the growth of the use of digital technology. Following an extensive review by the Community Services project team which included Rebecca Rynbrandt, Dave Rupert, Nicole Hofert, Bob Hoekwater, Ashley Dent, and Scott Smith, staff is recommending that the City amend the sign ordinance to allow the replacement of static billboard structures with digital structures and/or heads as long as certain conditions and requirements are met. The recommended changes include the formation of an exchange program that helps to encourage the removal of non-conforming signs while providing a means to utilize new digital technology along the freeway. Recommended restrictions included the following:

- Districts billboards are allowed in;
- The distances between signs;
- Light emissions; and
- The time a single message may be displayed and the time allowed between two different messages.

Planning Commission held a public hearing on this agenda item at its March 19th meeting. Planning Commission deferred action on this item until more information could be provided on the following:

- Effect of revising recommended distance requirement from 1,750 ft. between digital billboards to 2,500 ft. between digital billboards.
- Amending the trade in program to require more billboards be surrendered in Form Based Code areas.
- Nits vs. Foot candles

At the April 16th meeting, staff brought in an engineering consultant, Eric DeVries of E³M Solutions, to address questions related to light emissions, measurement standards, and Nits vs. Foot candles. Following that presentation, Planning Commissioners indicated to staff that a revised text amendment should include:

- A required distance between digital billboards of 2,500 feet
- Require three non-conforming signs in FBC areas to be surrendered for the conversation to a digital head on a conforming sign structure
- Remove the annual certification requirement
- Add language that solidifies the process for measuring the illuminance of digital signs in the event such action is required

Hofert stated that it is staff's recommendation for the Planning Commission to recommend the propose text amendment to City Council for adoption.

A motion by Hegyi and supported by Smart to approve proposed Zoning Ordinance Text Amendments to revise Off-Premises Advertising Signs (Section 90-709).

Weller inquired about word choice in Section 8(a) on the proposed Ordinance. He wondered if "will" was more appropriate. Hofert stated that staff will make the change in Section 8(a) to take out the word "may" and replace it with the word "will".

Hofert also made a point of clarification to correct her statement of the use of Nits during her presentation since the proposed ordinance uses Foot Candles as the measuring tool.

DeLange stated that he was not fond of digital boards but felt that the Planning Commission did their due diligence to ensure that this ordinance was fair and that staff reviewed and researched this proposal in depth.

Micele inquired about the three different billboard distance options and wanted clarification on trade in program with the usage of the 2,500 ft. option for removal of signs. Hofert stated that three Non-conforming billboards in Form Based Code and four in all other districts will be

established as the trade in program. Micele inquired about the current distance of freeway billboards. Hofert stated that currently billboards are 4,000 ft. apart with no trade-in program established. DeLange felt the revised trade in program in Form Based Code that requires three billboards to be removed is an improvement over the original recommendation.

Hegyi inquired if companies would have to take down three billboard structures to put up a new digital billboard head on an existing structure. Hofert stated that this was correct. A billboard company will need to take down three structures in a Form Based Code area and four billboard structures in all other areas. Hegyi inquired if companies could take down billboards in both Form Based Code and other areas. Rupert stated that if a request like this takes place, staff would then work on a recommendation to be submitted to the Zoning Board of Appeals for review.

Goodheart inquired about the amended ordinance and requested clarification on the section regarding the language used requiring a permit prior to construction. Hofert stated that staff would add the words “issuance” and “approval” to this section of the ordinance.

Motion passed unanimously.

PUBLIC COMMENT

Chair Spencer informed the Planning Commission and staff that she was recently contacted via phone call by a developer that has pending proposals before the Planning Commission body and they asked if they could have a conversation with her. Chair Spencer stated that she informed the developer that this was not appropriate based upon her knowledge received from the “Open Meetings Act” training. Rynbrandt stated that any applicant or any future applicant should be referred to staff if they have any inquiries or concerns.

There was no public comment.

ADJOURNMENT

The meeting was adjourned at 7:35 P.M.

William Hegyi, Secretary
Wyoming Planning Commission

Darrell Singleton II
Planning & Development Dept.

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING
PLANNING COMMISSION AT ITS REGULAR MEETING OF MAY 21, 2019

PLANNING COMMISSION
MEETING MINUTES OF APRIL 16, 2019
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

MEMBERS PRESENT: Arnoys, Bueche, DeLange, Goodheart, Hegyi, Micele, Smart,
Spencer, Weller

MEMBERS ABSENT: None

STAFF PRESENT: Rynbrandt, Director of Community Services
Hofert, City Planner
Rupert, City Building Inspection Supervisor
Singleton, Planning & Development Dept.

Chair Spencer called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

The minutes of March 19, 2019, were approved as written.

APPROVAL OF AGENDA

The agenda was approved as presented.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

Chris Myers, of Outfront Media, informed the Planning Commission and audience members that he was present for the discussion about the billboard ordinance (Agenda Item # 5 – Old Business) and would be available to answer any questions.

AGENDA ITEM NO. 1

Request for Special Use and Site Plan Approval for Consumers Credit Union. The property is located at 5414 & 5432 Haughey Avenue SW & 212 54th Street SW.
(Section - 36) (Consumers Credit Union)

Hofert described the location, existing land use and current zoning around the area. Hofert also explained that the developers had submitted a Special Use and site plan approval request for vacant parcels on the south side of 54th Street SW. The proposed site plan is for the development of a credit union with a drive-thru use (requires Special Use approval). The properties were previously rezoned from residential to RO-1. The intent was to create an office/light commercial corridor on the south side of 54th Street SW that would serve as a buffer

Smart stated that although there were 14 conditions he felt many were simple and could be easily corrected. He felt confident that staff would ensure the conditions are addressed and implemented.

Weller stated he felt the same as Smart and identified that the items noted are different on every plan and he felt most of the items stated in the conditions were addressed.

Hegyí withdrew his motion to defer.

Motion by Weller, supported by Hegyí, to grant Site Plan Approval for Metro Health Village 5 Unit 54 per the Staff's Findings of Fact that the proposed site plan meets the site plan standards of Section 90-505 subject to compliance with Conditions 1-14. Discussion followed.

Motion passed 8 to 1, with Bueche opposed.

AGENDA ITEM NO. 5

Request to approve proposed Zoning Ordinance Text Amendments to revise Off Premises Advertising Signs (Section 90-709). ***(Public Hearing was held on March 19, 2019 – public comments on this item will only be accepted during the 'Public Comment on Non-Public Hearing Agenda Items')***

Hofert described the Planning Commission's request to defer action on this item until more information could be provided on the following:

- Effect of revising recommended distance requirement from 1,750 ft. between digital billboards to 2,500 ft. between digital billboards.
- Amending the trade in program to require more billboards to be surrendered in Form Based Code areas.
- Nits vs. Foot candles

Hofert explained that staff prepared some additional maps to present that address the questions and concerns previously raised by the Commissioners. Additionally, a lighting engineer has been contracted to provide a presentation during the meeting to answer questions related to light emissions, measurement standards, and Nits vs. Foot Candles.

Hofert informed the Commission that the City of Wyoming allows off-premise advertising signs, also commonly referred to as billboards, in I-1 and I-2 districts on property abutting a freeway right-of-way. Staff was asked to review the ordinance in light of the growth of the use of digital technology.

Hofert informed the Commission that an extensive review was completed by the Community Services project team which included Rebecca Rynbrandt, Dave Rupert, Nicole Hofert, Bob Hoekwater, Ashley Dent, and Scott Smith. The recommendation from this review was that the

City amend the sign ordinance to allow the replacement of static billboard structures with digital structures and/or heads as long as certain conditions and requirements are met. The recommended changes included the formation of an exchange program that helps to encourage the removal of non-conforming signs while providing a means to utilize new digital technology along the freeway. Recommended restrictions include the following:

- Districts billboards are allowed in;
- The distances between signs;
- Light emissions; and
- The time a single message may be displayed and the time allowed between two different messages.

Hofert offered examples of the Form Based Code exchange program. There are a total of 16 billboards in Form Based Code areas.

Hofert reminded the Commission of the proposed distance requirements. The distance of digital billboards would be a minimum of 1,750 ft. apart from when on the same side of the road and 1,750 ft. apart when on opposite sides of the road facing the same direction. Digital Billboard must be a minimum of 1,500 ft. apart from a static billboard when on the same side of the road and facing the same direction. The static billboard must be 750 apart from all other billboards in all directions when on the opposite side of the road facing a different direction.

Hofert then briefly highlighted the proposed trade in program. The proposed trade-in program for non-Form Based Code areas is four non-conforming structures can be traded in for one digital head on a conforming structure. In Form Based Code areas two non-conforming structures can be traded in for one digital head on a conforming structure. Staff also presented the option of trading in three non-conforming structures in Form-Based Code areas for one digital head on a conforming structure.

Hofert stated that staff is recommending that sign lighting be measured in foot candles and limited to .2 foot candles above ambient light. Staff is also recommending an annual certification program.

Hofert invited Eric DeVries, President of E3M Solutions, to provide an overview of Digital versus Static billboards, standard practices found in other jurisdictions and recommended best practices by engineering professionals. DeVries stated that the number one concern of digital signs is brightness. DeVries explained the definitions of Luminance (*how much light is given off*) and Illuminance (*How light affects an area*). DeVries outlined the difference between measuring in Nits versus Foot Candles. He explained that luminance should be measured in Nits which consisted of a very detailed measuring process measuring 1 degree off of a perfectly parallel sign. Illuminance should be measured in Foot Candles which is simpler to operate measuring the effect of light in the area and is easier to check and enforce.

DeVries also explained the financial expense between both measuring tools stating that a Nit meter ranges from \$2,500 to \$10,000 and a Foot Candle Meter ranges from \$80 to \$150. He provided examples of projects that used the different light measuring tools and found that most communities are moving towards using the Foot Candle meter. DeVries stated that jurisdictions switching from Nit to Foot Candle measuring tools implement dimming requirements and three optional methods of automatic controls:

- Manual Control (Generally not accepted)
- Scheduled Control (Some jurisdictions)
- Photo Cell Control (Preferred method)

The currently recommended measurement requirement by staff is .2ft candles above ambient light; the National average ranges from .2 ft. to .4 ft. candles above ambient light. DeVries gave the Commission descriptions of illumination limits which describe the difference between the off and solid message as defined by measurement criteria that shall not exceed .3 foot-candles at night and dimming capabilities that permit signs to be equipped with a sensor or other device that automatically determines the ambient illumination and can be programmed to dim according to conditions automatically, or that can be adjusted to comply with the .3 foot-candle measurements. DeVries also explained the six steps of measurement criteria:

- Illuminance Meter capable of 0.00 decimal places
- Determine Sign square footage
- Determine Measurement distance
- Position Meter (5ft above ground)
- Measure Illuminance
- Ensure Auto Ambient adjustment

DeLange inquired if the proposed ordinance allows signs to be brighter than or similar to what the current ordinance allows. The current ordinance measures in nits, the proposed would measure in foot candles. DeVries stated that this is a challenging question to answer, but it will appear similar or slightly dimmer.

Micele inquired about energy conservation. DeVries stated that based upon the auto-dimming the signs will require LED lighting and will align with current Michigan energy code.

Arnoys inquired about what kind of time demand does this place on staff. DeVries stated that the biggest concern about the time is the best time to take the measurement which is at night and may place restraints on staff and certification requirements for individuals inspecting the sign. Hofert stated that staff would not be doing the certification inspection and that billboard companies would have to obtain that through a certified third-party agency. Hofert reiterated DeVries's comments about ensuring that if requirements are implemented, they are clear, specific and consistent.

DeVries gave examples of how variances in the process in which the sign is measured can create a gray area and referenced the Illumination Society of North America and other supporting code language based upon State Code. Rupert stated that the code language referenced already exists in the City of Wyoming's current code which was based on the State Code for billboards.

Micele inquired if we would need to increase the illumination of signs if particular artwork on billboards appears darker based upon colors used. DeVries stated this would be based upon the illuminance of the .2 ft. candles and how much light comes off the sign and is subject to the individual's perception of the sign and is very difficult to measure.

Weller inquired if any municipalities charge a licensing fee to generate income to offset expenses generated when ensuring lighting compliance. DeVries stated that he did not know and only focused on the compliance aspect of billboards. Rynbrandt stated that the City has no intention to impose a license fee for certification of signs.

Chair Spencer inquired about the annual certification requirement of billboard companies and how the City of Wyoming would enforce compliance based upon a complaint outside of the annual certification. Hofert stated that if a complaint were submitted to the City, the City would notify the billboard company to provide third-party certification that their sign complies with the standard.

Arnoys commented about the frequency of certification. Hofert referred the Commission to (G) in the proposed ordinance. Arnoys inquired if this is something the City would require annually for billboard companies and if it is necessary. Rupert stated that the City currently only requires a permit for the installation of the sign and if the certification process is adopted the City would require billboard companies to have annual certifications and be in compliance with the State. If a complaint is submitted the City would require new third-party certification.

Smart stated that he feels that annual certification is overkill since certification will be required at installation request and if complaints are submitted about the billboard. Rupert reiterated that it is a State requirement for billboard companies to certify billboards annually and believes that this will help ensure additional controls of billboards.

Spencer inquired if in the City's conversations with the State there was any indication of impending changes to the State's requirements. Rupert stated that he could not speak to what the State may change in the future.

DeVries referenced complaint requirements for third-party verification in other jurisdictions stating that they provide a limitation to certification which will not require the billboard company to obtain a new third-party certification based upon the established certification time frame.

Goodheart stated that he doesn't feel revenue has to be generated unless there is a problem where there are numerous complaints on the same billboard and feels that foot candles would be the best option and inquired how we can ensure requirements are in place after third-party certification has taken place. DeVries stated that rotating messages would be monitored based upon the timing of the message and also stated that a certification requirement for the tester is implemented.

Smart stated that there is no benefit to the sign companies to put up too bright of signs that would illicit complaints. He felt this would keep companies in compliance. Rybrandt commented on the previous conversation about policy on internal and external certification. Rynbrandt explained that there is a State law that only allows fees to be assessed on billboard compliance based upon capturing direct cost only on reasonable overhead and that the Commission should only be concerned with their policy recommendation to submit to Council.

Hegy expressed concern that competing billboard companies or residents may abuse the complaint system and stated he does not favor the recommended annual certification process.

DeLange stated that the more significant impact should be the distance identifying 1,750 ft. versus 2,500 ft. and how many digital signs would the City of Wyoming want. He supports the ordinance at 2,500ft..

Weller inquired about which ordinance would give the City of Wyoming the most leverage to remove other signs and stated that he prefers the 2,500 ft. distance requirement.

Goodheart questioned the differences between the proposed ordinance and the current ordinance. Hofert replied that staff could provide a strike-out version at the next meeting if the item is deferred.

Staff asked for guidance on what the Commissioners' believe to be the most important issues to be addressed in the proposed ordinance.

Spencer took a vote via hands to determine which distance requirement should be implemented. The vote was unanimous for the 2,500 ft. requirement.

Spencer took a vote via hands for the annual certification. The vote was 2 out of 7 against the yearly certification requirements for billboards.

Arnoys recommended that a five-year certification should be implemented to ensure compliance.

Spencer stated if billboard companies are out of compliance regularly, then there should be language in the ordinance requiring additional or stricter compliance.

Hofert inquired if the Commission preferred the revised trade in recommendation of 3 non-conforming structures in a Form Based Code area for one digital head on a conforming structure.

The Commission recommended that the 3 for 1 in Form Based Code areas requirement should be implemented.

A motion by Hegyi, supported by Micele to defer the request to approve proposed Zoning Ordinance Text Amendments to revise Off Premises Advertising Signs (Section 90-709).

PUBLIC COMMENT

There was no public comment.

Micele inquired about the unit located near Burlingame and wondered if the owner was still living there and if it was vacant. Rupert stated that the owner lives out of State and comes in town to do work on the home throughout the year.

Micele inquired about construction on the vacant site adjacent the Fire Station on Gezon Parkway. Hofert stated that a Credit Union would be built at this location.