

AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, FEBRUARY 4, 2019, 7:00 P.M.

1) Call to Order

2) Invocation – Pastor Bruce Osbeck, Faith Reformed 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 January 21, 2019 Committee of the Whole, Regular Meeting and Closed Session

7) Approval of Agenda

8) Public Hearings

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

9) Public Comment on Agenda Items

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

10) Presentations and Proclamations

a) Presentations

b) Proclamations

11) Petitions and Communications

a) Petitions

b) Communications

12) Reports from City Officers

a) From City Council

b) From City Manager

13) Budget Amendments

a) Budget Amendment No. 46 – To Appropriate \$20,000.00 of Additional Budgetary Authority to Fund Additional Planning Consultant Services

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 Tom Maas for His Service as a Member of the Historical Commission for the City of Wyoming

- b) To Appoint Karl Cuncannan as a Member of the Officers Compensation Commission for the City of Wyoming
- c) To Appoint and Reappoint Representatives to the West Michigan Regional Planning Commission
- d) To Set a Public Hearing for the Transfer of Industrial Facilities Exemption Certificates for Wolverine Glass Products, LLC (February 18, 2019 at 7:01 p.m.)

15) Resolutions

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

- e) To Authorize Payment to Grand Elk Railroad, Inc., for Annual Maintenance of Traffic Control Devices at Railroad Crossings in the City of Wyoming
- f) For Award of Bids
 - 1. Gas Monitoring System
 - 2. Public Safety Uniforms

17) Ordinances

- 1-19 To Amend Chapter 90, Article 3, of the City Code by Adding Section 90-330 to Prohibit Marihuana Establishments and Facilities in All Zoning Districts (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

RESOLUTION NO. _____

RESOLUTION OF APPRECIATION TO TOM MAAS FOR HIS SERVICE
AS A MEMBER OF THE HISTORICAL COMMISSION
FOR THE CITY OF WYOMING

WHEREAS:

1. Tom Maas has served faithfully and effectively as a member of the Historical Commission since February 15, 2010.

NOW, THEREFORE, BE IT RESOLVED:

1. Councilmembers and citizens of the City of Wyoming wish to express their deep appreciation to Tom Maas for his dedicated service as a member of the Historical 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 February 4, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION TO APPOINT KARL CUNCANNAN AS A MEMBER
OF THE OFFICERS COMPENSATION COMMISSION
FOR THE CITY OF WYOMING

WHEREAS:

1. Karl Cuncannan has submitted an application requesting appointment to the Officers Compensation Commission for the City of Wyoming.
2. A vacancy exists in an unexpired term ending June 30, 2024 on the Officers Compensation Commission.
3. It is the desire of Mayor Jack A. Poll that Karl Cuncannan be appointed to serve on the Officers Compensation Commission for the City of Wyoming.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council for the City of Wyoming, Michigan, does hereby confirm the appointment of Karl Cuncannan to the Officers Compensation Commission for the City of Wyoming for a term expiring June 30, 2024.

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 February 4, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION TO APPOINT AND REAPPOINT REPRESENTATIVES TO THE
WEST MICHIGAN REGIONAL PLANNING COMMISSION

WHEREAS:

1. The By-Laws and Rules of Procedure for the West Michigan Regional Planning Commission entitle the City of Wyoming to three (3) representatives and one (1) alternate representative to serve on the West Michigan Regional Planning Commission Board.

NOW, THEREFORE, BE IT RESOLVED:

1. That Principal Planner Nicole Hofert be appointed, and Councilmember Sam Bolt, Citizen Representative Lillian VanderVeen and Alternate Representative Robert Postema be reappointed as the City's representatives for 2019.
2. That the City Clerk be directed to send a copy of this resolution to the West Michigan Regional 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 February 4, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION TO SET A PUBLIC HEARING FOR THE TRANSFER OF
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATES FOR
WOLVERINE GLASS PRODUCTS, LLC

WHEREAS:

1. The City of Wyoming approved Industrial Facilities Exemption Certificates, 2010-338 on December 18, 2010 for \$400,000 for personal property for twelve (12) years and 2013-468 on October 21, 2013 and amended on January 18, 2016, for \$1,230,532 also for personal property and twelve (12 years) for Wolverine Glass, LLC for their locations of 5801 and 5765 Clay Ave SW.
2. Wolverine Glass Products, LLC has purchased the facility located at 3400 Wentworth Drive SW in the City of Wyoming.
3. Plant Rehabilitation District 127 was established on January 18, 1988; resolution number 12411, and included 3400 Wentworth Drive SW.
4. Section 21 of Public Act 198 of 1974, as amended, allows for the transfer of Industrial Facilities Exemption Certificates with the approval of the local governmental unit.
5. Wolverine Glass Products, LLC is requesting the personal property components of IFT numbers 2010-338 and 2013-468, which expire on December 30, 2022 and December 30, 2024, respectively, be transferred to 3400 Wentworth Drive SW.
6. Staff has reviewed the request and recommends Council approve the transfer of the personal property components for IFT 2010-338 and 2013-468 to 3400 Wentworth Drive SW.

NOW, THEREFORE, BE IT RESOLVED:

1. A public hearing on whether to approve the application by Wolverine Glass, LLC for the transfer of certificates 2010-338 and 2013-468 shall be held at 7:01 p.m. on February 18, 2019, in the City Council Chambers, City Hall, 1155 28th Street SW, Wyoming, Michigan.
2. Notice of this hearing shall be given to the applicant, the City Assessor, and a representative of each affected taxing unit, and shall be posted in City Hall.

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 February 4, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE PAYMENT TO
GRAND ELK RAILROAD, INC., FOR ANNUAL MAINTENANCE OF
TRAFFIC CONTROL DEVICES AT RAILROAD CROSSINGS
IN THE CITY OF WYOMING

WHEREAS:

1. Grand Elk Railroad owns railroad tracks within the City of Wyoming, crossing several major streets which requires the use of proper traffic control devices.
2. On December 21, 2012, the State of Michigan passed Act 421 which requires that all road authorities participate in the annual maintenance cost of railroad crossings with active traffic control devices.
3. The rate per crossing is established in Act 421 depending on the various traffic control devices at each location.
4. Grand Elk Railroad, Inc., has completed maintenance of these traffic control devices for calendar year 2018, and has submitted an invoice to the City of Wyoming in the amount of \$19,350 for reimbursement.
5. It is recommended that City Council authorize payment to Grand Elk Railroad, Inc., for the cost of annual maintenance on its control devices in the amount of \$19,350.
6. This cost can be funded out of the major street fund, account number 202-441-47400-930.000.

NOW, THEREFORE, BE IT RESOLVED:

1. That City Council does hereby authorize payment to Grand Elk Railroad, Inc., for annual maintenance of traffic control devices at railroad crossings in the amount of \$19,350.

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 February 4, 2019.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Staff Report
Invoice
Act No. 421

Resolution No. _____

STAFF REPORT

DATE: January 28, 2019

SUBJECT: Authorize Payment to Grand Elk Railroad, Inc.

FROM: Russ Henckel, Assistant Director of Public Works – Engineering

Date of Meeting: February 4, 2019

RECOMMENDATION:

It is recommended that City Council authorize payment to Grand Elk Railroad, Inc., in the amount of \$19,350 for the cost of annual maintenance on its control devices for the 2018 calendar year.

SUSTAINABILITY CRITERIA:

Environmental Quality

Does not impact this criterion.

Social Equity

Traffic control devices are provided and maintained at railroad crossings throughout the City by the railroad without regard to income level or socio-economic status.

Economic Strength

Proper maintenance of traffic control devices at railroad crossings will decrease the amount of traffic congestion and travel time throughout the City.

Quality Service Impact

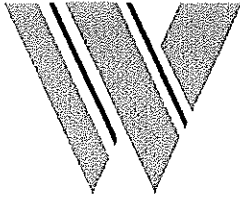
Regular maintenance of railroad signals at signalized crossings maintains optimal traffic flow and increases safety.

DISCUSSION:

Grand Elk Railroad owns railroad tracks within the City of Wyoming, crossing several major streets which requires the use of proper traffic control devices including flashing signals and cantilever arms. On December 21, 2012, the State of Michigan passed Act 421 which requires that all road authorities participate in the annual maintenance cost of railroad crossings with active traffic control devices. The rate per crossing is established in Act 421 depending on the various traffic control devices at each location. Grand Elk Railroad, Inc., has completed maintenance of these traffic control devices for calendar year 2018, and has submitted an invoice to the City of Wyoming in the amount of \$19,350 for reimbursement.

BUDGET IMPACT:

Sufficient funds are available in the major street traffic services repairs and maintenance account, 202-441-47400-930.000.



Grand Elk Railroad, Inc.
 315 West 3rd Street
 Pittsburg KS 66762

Invoice

WATCO
 COMPANIES

For Billing Questions or Disputes Contact:

Information	
Invoice Number	90868120
Invoice Date	01/09/2019
PO No.	2018-Signal Mainte
PO Date	01/09/2019
Customer No.	9029
Invoice Amt	19,350.00
Terms of Payment	30 Days
Include Invoice Number with Payment	

Sold-To-Party

City of Wyoming
 1155 28th St. SW
 Wyoming MI 49509

Bill-To-Party:

City of Wyoming
 1155 28th St. SW
 Wyoming MI 49509

Additional Billing Comments:

Item	Material Description	Quantity	Unit Price	Total
10	2018-Signal Maint-MCL 462315(3)	1 EA	19,350.00	19,350.00
Total Amount				19,350.00

Please Remit Check Payments to:

Grand Elk Railroad, Inc.
 BIN # 150077
 PO Box 790343
 St. Louis, MO 63179-0343

Please Remit ACH or EFT Payments to:

BMO Harris Bank
 ABA# 071000288
 ACCOUNT# 1430137371
 ACCT NAME: Watco Companies, L.L.C.



Grand Elk Railroad, Inc
 315 W 3rd St
 Pittsburg, KS 66762

Bill-To-Party City of Wyoming 1155 28th St SW Wyoming, MI 49509 accounts@wmi.com	Information Invoice Number Invoice Date Customer No. PO Number Invoice Amount Terms of Payment
	2018-Signal Maintenance 1/10/2019 9029 MCL 462315(3) \$ 19,350.00 Due Upon Receipt

Listing of Active Crossing Traffic Control Devices and Road Authority Fee Schedule in Accordance with MCL 462.315(3) - RAILROAD CODE OF 1993 - Act 354 of 1993

Current schedule of fees - Effective 12-21-2012

Type Code	Rate	Description
Type 1 \$	1,271.00	Flashing signals on single track
Type 2 \$	1,978.00	Flashing signals and gates on a single track
Type 3 \$	1,481.00	Flashing signals with cantilever arm on a single track
Type 4 \$	2,389.00	Flashing signals with cantilever arm with gates on a single track
Type 5 \$	2,257.00	Flashing signals and gates on multiple tracks
Type 6 \$	2,398.00	Flashing signals with cantilever arms and gates on a multiple track
Type 7 \$	1,269.00	Flashing signals on a multiple track
Type 8 \$	1,375.00	Flashing signals with cantilever arms on multiple track

*** Note: Actual Cost Per Agreement.

DOT	Road Crossing	Type Code	Description of Traffic Control Devices	Road Authority Maintenance Fee per PA354 of 1993
543868A	36th Stree SE	Type 3	Flashing signals with cantilever arm on a single track	2018 \$ 1,481.00
543869G	Eastern Avenue	Type 3	Flashing signals with cantilever arm on a single track	\$ 1,481.00
543870B	32nd Street	Type 3	Flashing signals with cantilever arm on a single track	\$ 1,481.00
543871H	Madison Avenue	Type 3	Flashing signals with cantilever arm on a single track	\$ 1,481.00
543874D	Buchanan Street	Type 3	Flashing signals with cantilever arm on a single track	\$ 1,481.00
545751Y	54th Street	Type 4	Flashing signals with cantilever arm with gates on a single track	\$ 2,389.00
545752F	50th Street	Type 4	Flashing signals with cantilever arm with gates on a single track	\$ 2,389.00
545753M	44th Street	Type 4	Flashing signals with cantilever arm with gates on a single track	\$ 2,389.00
545754U	36th Street	Type 4	Flashing signals with cantilever arm with gates on a single track	\$ 2,389.00
545755B	32nd Street	Type 4	Flashing signals with cantilever arm with gates on a single track	\$ 2,389.00

Total Annual Amount - City of Wyoming	\$ 19,350.00
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Act No. 421
Public Acts of 2012
Approved by the Governor
December 20, 2012
Filed with the Secretary of State
December 21, 2012
EFFECTIVE DATE: December 21, 2012

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Rep. Wayne Schmidt

ENROLLED HOUSE BILL No. 4609

AN ACT to amend 1993 PA 354, entitled "An act to revise, consolidate, and codify the laws relating to railroads and their employees; to prescribe powers and duties of certain state and local agencies and officials; to prescribe fees; to create certain funds; to provide for the disposition of certain money; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 315 (MCL 462.315), as amended by 2001 PA 5.

The People of the State of Michigan enact:

Sec. 315. (1) The department, by order, in accordance with section 301, may prescribe active traffic control devices to warn of the approach of trains about to cross a street or highway at public railroad grade crossings consisting of signals with signs, circuitry, or crossing gates and other appurtenances as depicted in the Michigan manual of uniform traffic control devices. A determination shall detail the number, type, and location of signals with signs, circuitry, or gates and appurtenances, which, however, shall conform as closely as possible with generally recognized national standards.

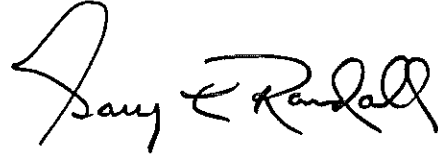
(2) Except as otherwise provided for in this act, the cost of any installation, alteration, or modernization of active traffic control devices shall be at equal expense of the railroad and road authority.

(3) After initial installation, all active traffic control devices, circuitry, and appurtenances at crossings shall be maintained, enhanced, renewed, and replaced by the railroad at its own expense, except that the road authority shall pay \$1,271.00 for flashing signals on a single track, \$1,978.00 for flashing signals and gates on a single track, \$1,481.00 for flashing signals with cantilever arm on a single track, \$2,389.00 for flashing signals with cantilever arm with gates on a single track, \$2,257.00 for flashing signals and gates on multiple tracks, \$2,398.00 for flashing signals with cantilever arms and gates on a multiple track, \$1,269.00 for flashing signals on a multiple track, and \$1,375.00 for flashing signals with cantilever arms on a multiple track annually for maintenance to the railroad for each crossing with active traffic control devices not covered by existing or future railroad-road authority agreements. The railroad shall furnish standard equipment uniform for all railroads at a cost and installation basis consistent for all railroads. By January 1, 2010 and every 10 years after 2010, the department shall complete a study to determine the cost of maintenance of active traffic control devices and shall forward a copy of the study to the members of the house and senate committees that consider railroad legislation. The department shall consult with the railroad and the local road authority representatives when completing the study to determine the cost of maintenance of active traffic control devices.

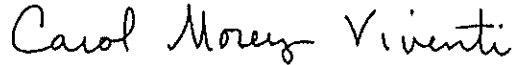
(4) Standard active railroad-highway traffic control devices consisting of side of street flashing light signals with or without half-roadway gates and cantilevers shall include the railroad crossing (crossbuck) sign, "stop on red signal" sign, and number of tracks sign located, designed, and maintained on the signal support as prescribed by the Michigan manual of uniform traffic control devices. The railroad shall perform actual installation and maintenance of these signs. The railroad shall also install, renew, and maintain any signs placed on cantilevered signal supports. Whenever active traffic control devices are installed at any crossing, they shall be so arranged that for every train or switching movement over the grade crossing, the active traffic control device shall be in operation for a period of not less than 20 seconds or more than 60 seconds in advance of the train movement reaching the nearest established curb line or highway shoulder and the devices shall continue to operate until the train movement has passed the established curb line or shoulder on the far side of the highway.

(5) The department may order a railroad, at the railroad's expense, to stop and flag a crossing for normal train service or when active traffic control devices may become inoperable.

This act is ordered to take immediate effect.



.....
Clerk of the House of Representatives



.....
Secretary of the Senate

Approved

.....
Governor

RESOLUTION NO. _____

RESOLUTION FOR AWARD OF BIDS

WHEREAS:

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

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby award the bid for the listed items as recommended in the attached Staff Reports and summarized below.

Item	Recommended Bidder	Cost
Gas Monitoring System	MSA Safety Sales, LLC	\$50,095.00
Public Safety Uniforms	Phoenix Safety Outfitters	Bid prices as shown on the attached tabulation sheets

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 February 4, 2019.

ATTACHMENT:
Staff Reports
Tabulation Sheets

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. _____

STAFF REPORT

Date: January 17, 2019
Subject: Gas Monitoring System
From: Tom Wilson, Utility Maintenance Manager
Meeting Date: February 4, 2019

RECOMMENDATION:

It is recommended that the bid for a fixed Gas Monitoring System be awarded to MSA Safety Sales, LLC in the amount of \$50,095.00. MSA will furnish the gas monitoring system with plant staff doing the installation.

SUSTAINABILITY CRITERIA:

Environmental Quality – The Clean Water Plant is actively engaged in the protection of Michigan’s natural water environment and the public health of Wyoming’s citizens. As part of our efforts to continue making a positive impact on the environment, it is necessary that our infrastructure and the equipment that keeps it running are maintained in a safe, reliable, and optimal working condition

Social Equity – The Utility function within the City of Wyoming provides the same high quality service to all areas of the City without regard to income level or socio-economic status. All of Wyoming’s residents enjoy equal access to the benefits of our state-of-the-art wastewater and drinking water treatment technologies.

Economic Strength – Regular and proper upkeep of city equipment contributes to the efficiency of the equipment, and to the prevention of untimely and costly repairs or replacement that could potentially interrupt the day to day operations of the Plant.

QUALITY SERVICE IMPACT:

The installation of the fixed Gas Monitoring System, with its state of the art technology, provides the best opportunity to assure Quality Service by ensuring safety for plant staff and all other persons that may need access to the Headworks Building.

DISCUSSION:

The Gas Monitoring System from MSA Safety Sales will be installed in the Headworks Building at the Clean Water Plant. This new system will replace an existing system that has been in service for nearly 15 years. The existing system is currently obsolete with replacement sensors

and other parts no longer available. The purpose of the Gas Monitoring System is to detect gases that are hazardous to one's health and life. The three primary gases that will be detected by this new system are Hydrogen Sulfide, Oxygen (low levels), and Methane. If this new equipment senses any of these conditions, an alarm will sound inside, outside, and on the Clean Water Plant's SCADA system.

Invitations to bid were sent to forty prospective bidders. We received one bid from MSA Safety Sales, LLC in response to our Invitation to Bid. The bid from MSA meets all of the requirements within the specifications and was found to be acceptable. It is recommended that the bid be awarded to MSA in the amount of \$50,095.00.

BUDGET IMPACT:

Sufficient funds exist in the Clean Water Plant Capital Outlay Account #590-590-544.00-986.444 for the purchase of this system.

STAFF REPORT

Date: January 24, 2019
Subject: Public Safety Uniforms
From: Captain James Maguffee
Meeting Date: February 4, 2019

RECOMMENATION:

I respectfully recommend the City Council accept a bid from Phoenix Safety Outfitters for a 3 year contract for Public Safety Uniforms.

SUSTAINABILITY CRITERIA:

Environmental Responsibility – No remarkable impact to this criterion

Social Equity – No remarkable impact to this criterion

Economic Strength – Uniforms are a regular and significant expense for the Public Safety Department. Phoenix Safety Outfitters submitted a competitive bid that will fill our specific uniform requirements with competitive pricing and service.

Customer Service – A professional uniform presentation by our public safety personnel is a symbol of our core values of Honor, Duty, Courage, & Trust. It is a statement to the public that we are approachable and ready to serve them.

DISCUSSION:

On January 8, 2019, two bids were received for public safety uniforms, 101 invitations to bid were sent to prospective bidders. The bids received are as shown on the attached tabulation sheet.

We have contracted with Grand Rapids based Nye Uniform for many years and they have served us acceptably. This year we updated our uniform specifications and received bids from Nye and Phoenix Safety. The pricing is not significantly different, but Phoenix is offering the items we order most at slightly lower prices. A benefit offered by Phoenix is that their local representative will travel to our facilities with a fully supplied van, in which police officers and firefighters can be measured and fitted on site. Even though Nye is in Grand Rapids, our personnel still have to physically go there for fittings and to try on uniform samples. Phoenix Safety Outfitter's quoted prices include shipping costs. I have contacted two large Michigan customers of Phoenix Safety, Warren PD and Kalamazoo DPS. The both report high satisfaction with the service of this company.

The funding for uniforms is established in recurring budget lines in the Police & Fire budgets.

Attachment: Tabulation Sheet

TABULATION OF BIDS

FOR PUBLIC SAFETY UNIFORMS

OPENED BY THE CITY CLERK ON JANUARY 8, 2019 AT 11:00 A.M. O'CLOCK

DESCRIPTION	MAKE/MODEL	Phoenix Safety Outfits			NYE Uniform Company		
		Bid Price (Each)					
		YEAR 1	YEAR 2	YEAR 3	YEAR 1	YEAR 2	YEAR 3
		1/1/19 to 12/31/19	1/1/20 to 12/31/20	1/1/21 to 12/31/21	1/1/19 to 12/31/19	1/1/20 to 12/31/20	1/1/21 to 12/31/21
Police Uniform Shirts							
Bicycle Patrol Shirt	Blauer, Model 8133	\$ 62.14	\$ 64.06	\$ 66.04	\$ 74.99	\$ 74.99	\$ 74.99
Men's Long Sleeve	Elbeco, Model Z314N	\$ 50.43	\$ 51.99	\$ 53.60	\$ 54.99	\$ 54.99	\$ 54.99
Men's Short Sleeve	Elbeco, Model Z3314N	\$ 45.71	\$ 47.12	\$ 48.58	\$ 49.99	\$ 49.99	\$ 49.99
Men's Long Sleeve	Blauer, Model 8703	\$ 57.86	\$ 59.65	\$ 61.49	\$ 61.99	\$ 61.99	\$ 61.99
Men's Short Sleeve	Blauer, Model 8713	\$ 47.86	\$ 49.34	\$ 50.87	\$ 52.99	\$ 52.99	\$ 52.99
Women's Long Sleeve	Elbeco, Model 9314LCN w/zipper	\$ 48.21	\$ 49.70	\$ 51.24	\$ 54.99	\$ 54.99	\$ 54.99
Women's Short Sleeve	Elbeco, Model Z9814LCN	\$ 45.71	\$ 47.12	\$ 48.58	\$ 49.99	\$ 49.99	\$ 49.99
Women's Long Sleeve	Blauer, Model 8703W	\$ 57.86	\$ 59.65	\$ 61.49	\$ 61.99	\$ 61.99	\$ 61.99
Women's Short Sleeve	Blauer, Model 8713W	\$ 47.86	\$ 49.34	\$ 50.87	\$ 52.99	\$ 52.99	\$ 52.99
Police Uniform Pants							
Men's Poly/Wool Pant	Horace Small, Model HS2119	\$ 99.79	\$ 102.88	\$ 106.06	\$ 102.99	\$ 102.99	\$ 102.99
Men's Polyester Pant	Flying Cross, Model 32230-86	\$ 60.00	\$ 61.86	\$ 63.77	\$ 60.99	\$ 60.99	\$ 60.99
Women's Poly/Wool Pant	Horace Small, Model HS2211	\$ 99.79	\$ 102.88	\$ 106.06	\$ 102.99	\$ 102.99	\$ 102.99
Women's Polyester Pant	Flying Cross, Model 32230W-86	\$ 60.00	\$ 61.86	\$ 63.77	\$ 60.99	\$ 60.99	\$ 60.99
Bicycle Patrol Pant	Blauer, Model 8822Z	\$ 85.33	\$ 87.97	\$ 90.69	\$ 96.99	\$ 96.99	\$ 96.99
Bicycle Patrol Pant (short)	Blauer, Model 8842	\$ 68.33	\$ 70.44	\$ 72.62	\$ 76.99	\$ 76.99	\$ 76.99
Men's Pant (no stripe)	Blauer, #8810	\$ 65.67	\$ 67.70	\$ 69.79	\$ 69.99	\$ 69.99	\$ 69.99
Women's Pant (no stripe)	Blauer, #8810W	\$ 65.67	\$ 67.70	\$ 69.79	\$ 69.99	\$ 69.99	\$ 69.99
Police Uniform Outerwear							
Patrol Coat	Blauer, Model 9910Z	\$ 277.33	\$ 285.91	\$ 294.75	\$ 299.99	\$ 299.99	\$ 299.99
Bicycle Patrol Coat	Blauer, Model 4670	\$ 132.86	\$ 136.97	\$ 141.21	\$ 159.99	\$ 159.99	\$ 159.99
Sweater	Blauer, Model 210	\$ 87.14	\$ 89.84	\$ 92.62	\$ 99.99	\$ 99.99	\$ 99.99
Miscellaneous Police Uniform Items							
Garrison Cap	Hankin, Model MSP	\$ 109.44	\$ 115.20	\$ 121.26	\$ 99.99	\$ 99.99	\$ 99.99
Necktie	Samuel Broome, Model 450	\$ 6.40	\$ 6.40	\$ 6.40	\$ 3.99	\$ 3.99	\$ 3.99
Sergeant Stripes	Hero's Pride, Model 5422S	\$ 2.75	\$ 2.75	\$ 2.75	\$ 2.99	\$ 2.99	\$ 2.99
Honor Guard Dress Blouse	Flying Cross, Custom	\$ 375.33	\$ 386.94	\$ 398.91	\$ 599.99	\$ 599.99	\$ 599.99
Retired Senior Volunteer Uniform Items							
Men's Long Sleeve	Horace Small, Model HS1113	\$ 39.68	\$ 40.91	\$ 42.18	\$ 35.99	\$ 35.99	\$ 35.99
Men's Short Sleeve	Horace Small, Model HS1209	\$ 35.21	\$ 36.30	\$ 37.42	\$ 31.99	\$ 31.99	\$ 31.99
Women's Long Sleeve	Horace Small, Model HS 1166	\$ 39.68	\$ 40.91	\$ 42.18	\$ 35.99	\$ 35.99	\$ 35.99
Women's Short Sleeve	Horace Small, Model HS1267	\$ 35.21	\$ 36.30	\$ 37.42	\$ 31.99	\$ 31.99	\$ 31.99

		Phoenix Safety Outfits			NYE Uniform Company		
		Bid Price (Each)					
DESCRIPTION	MAKE/MODEL	YEAR 1	YEAR 2	YEAR 3	YEAR 1	YEAR 2	YEAR 3
		1/1/19 to 12/31/19	1/1/20 to 12/31/20	1/1/21 to 12/31/21	1/1/19 to 12/31/19	1/1/20 to 12/31/20	1/1/21 to 12/31/21
Men's Pant	Horace Small, Model HS2333	\$ 39.36	\$ 40.58	\$ 41.84	\$ 33.99	\$ 33.99	\$ 33.99
Women's Pant	Horace Small, Model HS2434	\$ 39.36	\$ 40.58	\$ 41.84	\$ 33.99	\$ 33.99	\$ 33.99
Coat	Horace Small, Model HS3350	\$ 134.29	\$ 138.44	\$ 142.72	\$ 118.99	\$ 118.99	\$ 118.99
Cap	New Era, Model NE200	\$ 9.75	\$ 10.05	\$ 10.36	\$ 9.99	\$ 9.99	\$ 9.99
Belt	Boston Leather, Model 6505-1	\$ 19.93	\$ 20.98	\$ 22.08	\$ 19.99	\$ 19.99	\$ 19.99
Firefighter Uniform Shirts							
Men's Long Sleeve	Southeastern, Model Code 3 3101	\$ 46.00	\$ 47.42	\$ 48.89	\$ 45.99	\$ 45.99	\$ 45.99
Men's Short Sleeve	Southeastern, Model Code 3 3201	\$ 40.62	\$ 41.88	\$ 43.18	\$ 41.99	\$ 41.99	\$ 41.99
Women's Long Sleeve	Southeastern, Model L3101	\$ 46.00	\$ 47.42	\$ 48.89	\$ 45.99	\$ 45.99	\$ 45.99
Women's Short Sleeve	Southeastern, Model L3201	\$ 40.62	\$ 41.88	\$ 43.18	\$ 41.99	\$ 41.99	\$ 41.99
Job Shirt	5.11 Tactical, Model 72363	\$ 73.12	\$ 91.40	\$ 114.25	\$ 68.99	\$ 68.99	\$ 68.99
Firefighter Uniform Pants							
Men's Pant	5.11 Tactical Model 74363	\$ 57.69	\$ 59.47	\$ 61.31	\$ 51.99	\$ 51.99	\$ 51.99
Men's Pant	5.11 Tactical, Model 74369	\$ 73.08	\$ 75.34	\$ 77.67	\$ 63.99	\$ 63.99	\$ 63.99
Men's Pant	Horace Small, Model HS233	\$ 42.38	\$ 43.69	\$ 45.04	\$ 33.99	\$ 33.99	\$ 33.99
Women's Pant	5.11 Tactical, Model 64369	\$ 50.00	\$ 51.55	\$ 53.14	\$ 51.99	\$ 51.99	\$ 51.99
Women's Pant	5.11 Tactical, Model 64386	\$ 63.46	\$ 65.42	\$ 67.44	\$ 63.99	\$ 63.99	\$ 63.99
Women's Pant	Horace Small, Model HS2434	\$ 42.38	\$ 43.69	\$ 45.04	\$ 33.99	\$ 33.99	\$ 33.99
Percentage discount from the manufacturer's list price for other public safety clothing items:	Blauer	20%	20%	20%			
	Flying Cross	20%	20%	20%			
	Elbeco	20%	20%	20%			
	5:11	20%	20%	20%			
	Horace Small	20%	20%	20%			

Extended Size Pricing: All clothing subject
Extending size pricing: All clothing subject
Shirts

Men's Size	Women's Size
18-24 neck (2XL & 3XL)	44 & 46

Pants	
Men's Size	Women's Size
44 - 54 waist (2XL - 3 XL)	20-24

Jackets/Sweaters/Job Shirts/Parkas
2XL & 3 XL

ORDINANCE NO. 1-19

ORDINANCE TO AMEND CHAPTER 90, ARTICLE 3, OF THE CITY CODE BY
ADDING SECTION 90-330 TO PROHIBIT MARIHUANA ESTABLISHMENTS
AND FACILITIES IN ALL ZONING DISTRICTS

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 90, Article VI of the Code of the City of Wyoming, Michigan is amended by adding section 90-330 to read as follows:

Sec. 90-330. - Marihuana Establishments and Facilities Prohibited.

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) *Marihuana establishment* means that term as defined in the MRTMA.

(b) *Marihuana facility* means that term as defined in the MMFLA.

(c) *MMFLA* means the Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27101 *et seq.*

(d) *MRTMA* means the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27101 *et seq.*

(b) Pursuant to section 6 of the MRTMA marihuana establishments are prohibited in all zoning districts.

(c) Marihuana facilities are prohibited in all zoning districts.

Section 2. 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

December 20, 2018

Ms. Kelli A. VandenBerg
City Clerk
Wyoming, MI

Subject: Proposed Zoning Ordinance Text Amendments to prohibit marihuana establishments and facilities within all zoning districts (new *Section 90-330 Marihuana Establishments and Facilities Prohibited* added to Chapter 90, Article VI)

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 December 18, 2018. A motion was made by Smart, supported by Arnoys, to recommend to the City Council adoption of the recommended *Sec. 90-330. – Marihuana Establishments and Facilities Prohibited* Zoning Ordinance text amendment. The motion passed unanimously following discussion. A detailed review of the request is available in the attached Planning Commission minutes. Following please find some background and other pertinent information.

On November 6, 2018 the Michigan electorate voted to legalize recreational marihuana. Following that vote, City Council took action to set a policy to opt-out of recreational marihuana establishments in the City until the state adopts licensing regulations for recreational marihuana establishments and the regulations can be thoroughly reviewed. On December 3, 2018 Chapter 14, Article VI, of the City Code was amended to *Prohibit Recreational Marihuana Establishments and Medical Marihuana Facilities in the City*. This ordinance took immediate effect.

While recreational marihuana establishments and facilities are not expressly permitted under the City's zoning ordinance, such businesses would likely be treated under the zoning ordinance just like other industrial and commercial uses. Therefore, to align the Zoning Ordinance with the action taken by City Council, the following zoning text amendment is proposed:



CITY COUNCIL

Sheldon DeKryger

Dan Burrill

Kent Vanderwood

Marissa Postler

Robert Postema

Sam Bolt

Jack A. Poll, Mayor

Sec. 90-330. - Marihuana Establishments and Facilities Prohibited.

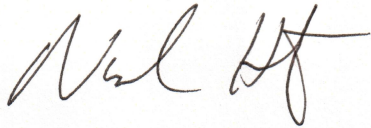
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- (a) *Marihuana establishment* means that term as defined in the MRTMA.
- (b) *Marihuana facility* means that term as defined in the MMFLA.
- (c) *MMFLA* means the Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27101 et seq.
- (d) *MRTMA* means the Michigan Regulation and Taxation of Marihuana Act, 2018 IL __, MCL ____ et seq.

(b) Pursuant to Section 6 of the MRTMA marihuana establishments are prohibited in all zoning districts.

(c) Marihuana facilities are prohibited in all zoning districts.

Respectfully submitted,



Nicole Hofert, City Planner
Department of Community Services

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

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING PLANNING COMMISSION AT ITS REGULAR MEETING OF JANUARY 15, 2019

PLANNING COMMISSION
MEETING MINUTES OF DECEMBER 18, 2018
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

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

MEMBERS ABSENT: Spencer

STAFF PRESENT: Hofert, City Planner
Dent, Acting Recording Secretary

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

Motion by Micele, supported by Heygi, to excuse Spencer. Motion carried unanimously.

APPROVAL OF MINUTES

The minutes of November 20, 2018 were approved as written.

APPROVAL OF AGENDA

The agenda was approved as presented.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

There was no public comment.

AGENDA ITEM NO. 1

Request to approve proposed Zoning Ordinance Text Amendments to prohibit marihuana establishments and facilities within all zoning districts (new Section 90-330 Marihuana Establishments and Facilities Prohibited)

Hofert noted the City Council has in recent weeks taken action to respond at a policy level to the recent approval of recreational marihuana by the Michigan electorate. Following Council's action, it is recommended that the Planning Commission also take steps to address the new legislation in the Zoning Ordinance.

On November 6, 2018, the state's electorate approved Proposal 1 that enacted the Michigan Regulation and Taxation of Marihuana Act, 2018 IL ___ (the "MRTMA"). The MRTMA allows

personal possession and use of marihuana by persons of at least 21 years of age, provides for growing and sale of marihuana and industrial hemp by persons of at least 21 years of age, and permits the taxation of revenue derived from commercial marihuana facilities.

It joins a few other state statutes to provide a fairly, but not entirely, consistent approach to the availability of marihuana to varying persons for varying uses, but which may prove to be fairly complex in administration and enforcement. The following are previous acts of note:

- The Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27101 et seq. (the “MMFLA”), was enacted to provide certain requirements for and state regulation of “marihuana facilities,” i.e. facilities for growing, processing, testing, transporting, and dispensing marihuana for medical uses.
- The Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 et seq. (the “MMMA”), was another initiated law that provided for the registration of qualifying patients and primary caregivers.
- The Industrial Hemp Research Act, 2014 PA 547, MCL 286.841 et seq. (the “IHRA”), provides for the growing and use of hemp for industrial and commercial uses.

History of Medical Marihuana:

The City of Wyoming has previously acted to “opt-out” of allowing facilities that grow or distribute medical marihuana. In December 2010, *Section 90-327 Medical Marihuana Facilities* was added to the Wyoming Zoning Ordinance. For reference that section reads:

“Secs. 90-327 MEDICAL MARIJUANA FACILITIES {Ord. No. 11-10, 12-6-10}
Medical marijuana provisioning centers and medical marijuana safety compliance facilities as defined in Chapter 14 of this Code or any other facility to distribute medical marijuana shall not be allowed in any zone in the City. This section shall not apply to a location used by a primary caregiver to assist a qualifying patient as allowed in the Michigan Medical Marihuana Act as amended.”

Until the electors’ November 6, 2018 enactment of the MRTMA, marihuana was legally available only for medical use by registered qualifying patients who could possess up to 2.5 ounces of marihuana and who could grow up to 12 plants. Registered caregivers could grow up to 12 plants for each of 5 registered qualifying patients and, if the caregiver is also a registered qualifying patient, up to 12 additional plants for the caregiver/patient’s own use. In addition, medical marihuana facilities could be licensed by the state to operate in a city, township or village that “opted-in” in accordance with state regulations and any local regulations addressing the numbers and locations of each type of medical marihuana facilities. While a secured transporter can transport medical marihuana through a city, township or village that had not opted-in, neither that secured transporter nor any other medical marihuana facility could be located or operating within a city, township or village that had not opted-in.

Why Amend the Zoning Ordinance:

Following the vote to legalize recreational marihuana, City Council took action to set a policy to opt out of recreational marihuana establishments in the City until the state adopts licensing regulations for recreational marihuana establishments and the regulations can be thoroughly reviewed.

The MRTMA allows unlimited numbers of businesses called “marihuana establishments” that include recreational marihuana growers, safety compliance facilities, processors, microbusinesses (i.e., businesses growing up to 150 plants, processing, packaging and selling marihuana to persons over 21 years in age), retailers, and secured transporters in all cities, townships or villages unless they adopt an ordinance limiting the numbers or prohibiting marihuana establishments. Under the MRTMA the City must opt-out if it wishes to preclude any recreational marihuana establishments or, if it wishes to limit the numbers of any recreational marihuana establishments, it must adopt one or more ordinances regulating them.

The MRTMA allows personal possession and use of 2.5 ounces of marihuana (up to 10 ounces at home and up to 12 plants at home) by persons 21 years of age and older. A local government may not adopt more strict personal use and possession regulations.

While recreational marihuana establishments and facilities are not expressly permitted under the City’s zoning ordinance, such businesses would likely be treated under the zoning ordinance just like other industrial and commercial uses.

Proposed Ordinance Amendment:

Staff recommended the following ordinance amendment:

That Chapter 90, Article VI of the Code of the City of Wyoming, Michigan is amended by adding Section 90-330 to read as follows:

Sec. 90-330. - Marihuana Establishments and Facilities Prohibited.

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Marihuana establishment* means that term as defined in the MRTMA.
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- (c) *MMFLA* means the Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27101 et seq.
- (d) *MRTMA* means the Michigan Regulation and Taxation of Marihuana Act, 2018 IL __, MCL ____ et seq.

(b) Pursuant to Section 6 of the MRTMA marihuana establishments are prohibited in all zoning districts.

(c) Marihuana facilities are prohibited in all zoning districts.

Planning Commission Action:

The Development Review Team recommended that the Planning Commission adopt the recommended *Sec. 90-330. - Marihuana Establishments and Facilities Prohibited* text amendment and recommend the same to Council.

Since there was no one present for the public hearing Acting Chair DeLange opened and closed the public hearing.

Motion by Smart, supported by Arnoys, to recommend to City Council adoption of the recommended *Sec. 90-330. – Marihuana Establishments and Facilities Prohibited Zoning Ordinance* text amendment. Discussion followed.

Staff confirmed that nurseries would be prohibited from growing and selling Marijuana.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 2

Form Based Code Presentation

Hofert gave a presentation on the Form Based Code, including explanations on when the code applies and which body is responsible for reviewing submittals.

Arnoys requested staff give regular updates on Form Based Code projects that do not come before the Planning Commission.

Micele asked about the plan review process of Form Based Code. Hofert explained the process to Commissioners.

Weller inquired if developers had been challenged by navigating the new code. Hofert noted that the process of submitting plans for review remains the same, any site plans that are submitted may need adjustments; it is up to the developer if they want to continue the project. Further, Hofert noted that all applicants, whether building in Form Based Code areas or not, are encouraged to have pre-consultation meetings to work through the nuances of the code and site plan process.

PUBLIC COMMENT

There was no public comment.

The board expressed season's greetings and gratitude toward City staff for their hard work during the past year.