

AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, JUNE 1, 2020, 7:00 P.M.

Notice of Electronic Meeting

Due to Governor Whitmer’s Executive Order requiring nonessential personnel to stay at home, to avoid unneeded personal contact, and to otherwise minimize the spread of the COVID-19 virus during the pandemic, and in accordance with Executive Order 2020-75 allowing electronic meetings, the City of Wyoming City Council meeting on Monday, June 1, 2020, at 7:00 p.m., will be held electronically.

Ways to Participate

Participate via Zoom Meeting

The meeting will be conducted by telephone. Those wishing to participate in the meeting may join the Zoom meeting online or by phone.

Online

Visit at

<https://zoom.us/j/95059666154>

By Phone

Alternatively, those wishing to participate may call toll free.

1. Call [877-853-5257](tel:877-853-5257) or [888-475-4499](tel:888-475-4499)
2. When prompted, enter meeting ID number 950 5966 6154 followed by the # key.

Provide Public Comment

- Email Comments – Email CityCouncilComments@wyomingmi.gov.
- By Phone – Call 616-228-6179 to leave a voice message up to 3 minutes in length by 5:00 p.m. on June 1, 2020.
- In Zoom Meeting – Follow the instructions above to join the Zoom meeting. Public comment will also be taken during certain times at the meeting.

1) Call to Order

2) Invocation – Pastor Al Kerkstra, Resurrection Life Church

3) Roll Call

4) Approval of Minutes

From the May 18, 2020 Regular Meeting

5) Approval of Agenda

6) 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. Please begin by providing your name and address. There is a 3 minute limit per person.

7:01 p.m. To Receive Comment on Proposed Activities for Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding Through the Community Development Block Grant – CV (CDBG-CV)

7) 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. Please begin by providing your name and address. There is a 3 minute limit per person.

8) Presentations and Proclamations

- a) Presentations
- b) Proclamations

9) Petitions and Communications

- a) Petitions
- b) Communications

10) Reports from City Officers

- a) From City Council
- b) From City Manager

11) Budget Amendments

12) 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 Jordan Stonehouse for His Service as a Member of the Community Development Committee for the City of Wyoming
- b) Of Appreciation to Mariah Walton for Her Service as a Member of the Board of Directors of the Economic Development Corporation and Brownfield Redevelopment Authority of the City of Wyoming

13) Resolutions

- c) To Accept the Coronavirus Emergency Supplemental Funding (CESF-FY2020) Grant Award (Budget Amendment No. 46)
- d) To Adopt 2019-2020 Annual Action Plan Substantial Amendment for CDBG-CV Community Development Block Grant Program
- e) To Authorize the Mayor and City Clerk to Enter into Cooperative 21st Century Community Learning Centers Agreements with Wyoming Public Schools (Cohorts K, L-1 and L-2)

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

- f) To Award the Bid for the 2020 Watermain Replacement Project – Buchanan Avenue (36th Street – 40th Street) and to Authorize the Mayor and City Clerk to Execute the Contract
- g) To Authorize the Purchase of Aluminum Sulfate (Alum) and Hydrofluorosilicic Acid (Fluoride)
- h) For Award of Bid
 - 1. Carbide Scraper Blades

15) Ordinances

- 7-20 To Amend Section 90-32 of the Code of Ordinances by Adding Subsection (125) to Rezone 1950 44th St SW from R-1 to R-4 (First Reading)
- 12-20 To Amend Subsection 10-179(9) of the Code of Ordinances to Allow the City Council to Establish by Resolution the Amounts to be Paid by Property for City Clean Up and Demolition for Property Failing to Comply with the International

Property Maintenance Code (Final Reading)

13-20 To Amend Chapter 90 of the Code of Ordinances by Amending Section 90-1605 Subsection "I. Accessory Buildings" in Article 11 (Final Reading)

14-20 To Amend Chapter 45, Article IV of the Code of Ordinances to Provide Certain Authority to Act in Civil Emergencies and to Provide Penalties for Violations (IMMEDIATE EFFECT)

16) Informational Material

Wyoming Planning Commission's 2019 Annual Report

17) 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. There is a 3 minute limit per person.

18) Closed Session (as necessary)

19) Adjournment

RESOLUTION NO. _____

RESOLUTION OF APPRECIATION TO JORDAN STONEHOUSE FOR HIS SERVICE
AS A MEMBER OF THE COMMUNITY DEVELOPMENT COMMITTEE
FOR THE CITY OF WYOMING

WHEREAS:

1. Jordan Stonehouse has served faithfully and effectively as a member of the Community Development Committee since August 20, 2018.

NOW, THEREFORE, BE IT RESOLVED:

1. Councilmembers and citizens of the City of Wyoming wish to express their deep appreciation to Jordan Stonehouse for his 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 June 1, 2020.

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

RESOLUTION OF APPRECIATION TO MARIAH WALTON FOR HER SERVICE
AS A MEMBER OF THE BOARD OF DIRECTORS OF THE ECONOMIC
DEVELOPMENT CORPORATION AND BROWNFIELD REDEVELOPMENT AUTHORITY
OF THE CITY OF WYOMING

WHEREAS:

1. Mariah Walton has served faithfully and effectively as a member of the Economic Development Corporation and Brownfield Redevelopment Authority since May 6, 2019.

NOW, THEREFORE, BE IT RESOLVED:

1. Councilmembers and citizens of the City of Wyoming wish to express their deep appreciation to Mariah Walton for her dedicated service as a member of the Economic Development Corporation and Brownfield Redevelopment Authority.

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 June 1, 2020.

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

RESOLUTION TO ACCEPT THE CORONAVIRUS EMERGENCY SUPPLEMENTAL
FUNDING (CESF-FY2020) GRANT AWARD

WHEREAS:

1. The Department of Public Safety applied for the United States Department of Justice, Bureau of Justice Assistance, CESF-FY2020 grant.
2. The City has incurred tens of thousands of dollars in cost related to emergency coronavirus response to date and the pandemic continues.
3. The grant award to the city is \$86,165, dedicated to preventing, preparing for, and responding to the coronavirus.
4. City staff has identified important sanitizing equipment, cleaning agents, and PPE for city staff that must be funded.
5. It is recommended the City Council accept \$86,165 in grant funds and apply those dollars toward the cost of these emergency expenses.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby accept the Coronavirus Emergency Supplemental Funding (CESF-FY2020) grant award.
2. That the attached budget amendment is approved.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on June 1, 2020.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Budget Amendment
Staff Report
Program Narrative

Resolution No. _____

CITY OF WYOMING BUDGET AMENDMENT

Date: June 1, 2020

Budget Amendment No. 046

To the Wyoming City Council:

A budget amendment is requested for the following reason: To appropriate \$86,165.00 of budgetary authority to provide funding for COVID-19 related expenses and recognize the associated revenue from the Bureau of Justice Assistance Coronavirus Emergency Supplemental Funding grant as per the attached resolution.

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
<u>General Fund</u>				
Federal Grant Revenue (Project: COVID19.Police Grant)				
101-531.001	-	86,165.00		86,165.00
Police - Administrative Services - Capital Outlay Federal Grant (Project: COVID19.Police Grant)				
101-305-30500-973.001	-	86,165.00		86,165.00
Fund Balance/Working Capital (Fund 101)		\$ -	\$ -	

Recommended: Hatz Balgorn
Finance Director

Jeffrey Lee
Deputy City Manager

Motion by Councilmember _____, seconded by Councilmember _____ that the General Appropriations Act for Fiscal Year 2019-2020 be amended by adoption of the foregoing budget amendment.

Motion carried: Yes _____, No _____

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

City Clerk

STAFF REPORT

DATE: May 27, 2020

Subject: Coronavirus Emergency Supplemental Funding Grant Acceptance

From: Captain James Maguffee

Meeting Date: June 1, 2020

RECOMMENDATION:

It is recommended the City Council approve acceptance of the Coronavirus Emergency Supplemental Funding (CESF-FY2020) grant award.

COMMUNITY, SAFETY, STEWARDSHIP:

Acceptance of this award will allow the funding of many necessary purchases in order to properly respond to, contain, and mitigate the effects of the presence of the coronavirus in our community. The proposed purchases will have a direct impact on the health and safety of city staff and allow them to perform essential work for our citizens. The award will fund \$86,165 of these critically important purchases.

DISCUSSION:

Shortly after the novel coronavirus and subsequent COVID-19 disease became a global pandemic, the United States Congress, via the Department of Justice, Bureau of Justice Assistance, created the CESF-FY2020 grant program and awarded certain local communities money based on population and metrics related to annual Byrne Grant allocations. The City of Wyoming was allocated \$86,165. In order to receive the funds, the city must agree to dedicate them to preventing, preparing for, and responding to the coronavirus. In our program narrative we proposed to use the money for sanitizing equipment, cleaning agents, and PPE for our city workers. I have attached an executive summary for your review that explains the details. The DOJ has accepted our proposal and awarded the funds.

BUDGET IMPACT:

Acceptance of this award will allow the city to fund \$86,165 in emergency coronavirus related expenses. Once approved by Council, Police and Fire staff will work with the Finance Department to properly allocate the funds.

PROGRAM NARRATIVE

CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING FY 2020

City of Wyoming, Michigan

In March of 2020 it became evident that the novel coronavirus which leads to COVID-19 was to be more than just a story from a far-off place on the Nightly News. By late March Michigan's Governor had issued an emergency declaration and an unprecedented state-wide stay at home order changed life for everyone in Michigan. As I write this narrative on May 5, 2020, Michigan has seen 43,950 cases and 4,135 deaths. More locally, Kent County, the county in which the City of Wyoming sits, has seen 1,854 cases and 39 deaths. To date, two of our police officers have tested positive. Officers from three surrounding agencies have also had COVID-19 positive officers. This is not a theoretical issue; it is very real. We are taking aggressive action to respond to and reduce the spread of this virus while insuring we deliver public safety services to the residents of our city. Just some of the actions we have taken thus far include:

- Divided the police department into A and B divisions, creating in effect, two forces of officers that have virtually no interaction with one another.
- Eliminated shift overlaps to reduce unnecessary interaction
- Created facility entrance protocols to screen employees prior to beginning duty tours
- Initiated mask protocols
- Increased facility and vehicle disinfection procedures
- Temporarily eliminated two officer patrols
- Temporarily eliminated travel and training
- Placed all sworn personnel Lieutenant and below, regardless of assignment onto seven - day schedules with rotating pass days
- Created and implemented an updated blood borne pathogen/infectious disease policy
- Implemented aggressive PPE protocols

Our plans to request the funds allocated to the City of Wyoming in this solicitation are 100% related to the response to and prevention of the spread of the coronavirus/COVID-19 in our community. Deliberate and responsible use of these funds will not only **reduce the spread** but importantly will allow the brave men and women who deliver critically important public safety services to our 75,000+ residents to do so with **reduced risk and increased safety**. Our plan is two pronged; equipment and supplies.

EQUIPMENT

If granted, these funds will be used to purchase things we never thought we might need; electrostatic disinfectant sprayers and UV disinfectant lamp. We have borrowed but must soon return one sprayer. It has proven instrumental in cleaning police cars, fire engines, and facilities. One has proven insufficient to clean as many things and places, as frequently as needed. With nearly 30 marked police cars, a number of unmarked investigative vehicles, a large two story police headquarters, four fire houses, and multiple other facilities used by these frontline personnel, three units is the appropriate number of these devices to deploy to manage a cleaning regimen that will protect our personnel. The UV lamp will be used to disinfect shared equipment, and importantly be used to sanitize some re-usable PPE, such as the coveted N95 masks that protect our personnel from the virus. Lastly, we have learned that we need more personnel to be able to work remotely. Buying equipment such as laptops for secure remote work will help detectives and administrators complete mission critical work while away from the office during times of social distancing or even isolation/quarantine.

SUPPLIES

The remainder of the funds will be used for supplies. Specifically, for PPE and cleaning agents to continue the aggressive disinfecting and sanitizing procedures we have implemented. The cleaning items will include disinfecting wipes, sprays, and sanitizing solutions for touch points, vehicles, facilities and human hands. The gloves, surgical masks, and N95 masks will be issued directly to our front-line personnel. Written directives and appropriate supervision will insure proper use and stewardship. We created and maintain – and will continue – a comprehensive PPE inventory control system, overseen by a police lieutenant. This makes certain our stocks are issued and stocked responsibly and that we remain in a state of preparedness.

SUMMARY

The information here and in the budget detail worksheet and narrative explains our plan to use these grant funds to:

- Protect our staff with PPE
- Create and execute administrative controls to change the way we work
- Create and execute engineering controls to reduce risk and isolate the virus
- Create and execute action plans that eliminate the virus from things and places in the workplace

D. Equipment		Computation		
Item	<i>Compute the cost (e.g., the number of each item to be purchased X the cost p</i>			
<i>List and describe each item of equipment that will be purchased</i>	# of Items	Unit Cost	Total Cost	
Laptops for remote work	5	\$1,200.00	\$6,000	
Clorox 360 Electrostatic Disinfectant Sprayers	3	\$6,000.00	\$18,000	
UV-C Air and Surface Disinfectant Lamp	1	\$4,500.00	\$4,500	
			Total(s)	\$28,500
Narrative				
<p>The Clorox 360 sprayers will be used to disinfect police cruisers, fire department vehicles, essential services facilities, and other items critical to delivering e services to residents of the City of Wyoming. We have several dozen vehicles used by multiple and rotating personnel, many of whom are coming into conta suspect to be infected with coronavirus. These same personnel are coming and going from various city facilities. Near constant cleaning and disinfecting is UV-C lamp will allow us to sanitize certain supplies safely and efficiently, including the possibility of extending the use period of hard to acquire supplies, su PPE. The laptops are to provide remote work capability for certain law enforcement personnel, including administrative and investigative personnel who ca if equipped. This allows for increased ability to socially distance when healthy and the ability to conduct essential work if isolated or quarantined due to th</p>				

E. Supplies		Computation	
Supply Items	<i>Describe the item and the compute the costs. Computation: The number of each item to be purchased with grant funds.</i>		
<i>Provide a list of the types of items to be purchased with grant funds.</i>	# of Items	Unit Cost	Total Cost
Disposable Latex Gloves - by the box	180	\$15.00	\$2,700
Disinfecting wipes - by the case	25	\$35.00	\$875
Sanitizing Spray - by the case	10	\$9.00	\$90
Hand Sanitizer - by the case	10	\$100.00	\$1,000
N95 Masks	7000	\$4.00	\$28,000
Clorox 360 Sanitizer Solution - by the case	10	\$250.00	\$2,500
Surgical (non-N95) masks	15,000	\$1.50	\$22,500
			Total(s)
			\$57,665
Narrative			
<p>All requested supply items are either PPE or disinfecting/sanitizing supplies. The need for them is directly connected to coronavirus/COVID-19 response and essential workers. With approximately 45 police and fire personnel on duty in a 24 hour period, all using latex gloves, we must stock police cruisers, fire vehicles and are readily available. We are using wipes and sprays to wipe down touch points in vehicles and facilities multiple times per day. The Clorox solution is the most electrostatic sprayers listed in the equipment section. These will be used to regularly and thoroughly clean, sanitize, and disinfect work areas, vehicles and equipment and firefighters. We are currently assigning all public safety personnel a disposable surgical mask each day, with a burn rate of approximately 350 per week and personnel at least one N95 mask per day, more if exposed or soiled, with a burn rate of approximately 150 per week.</p>			

APPLICATION FOR FEDERAL ASSISTANCE	2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION	3. DATE RECEIVED BY STATE	State Application Identifier
Application Non-Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION		
Legal Name	Organizational Unit	
City of Wyoming	Wyoming Police Department	
Address	Name and telephone number of the person to be contacted on matters involving this application	
1155 28th Street SW Wyoming, Michigan 49509-1816	Maguffee, James (616) 530-7324	
6. EMPLOYER IDENTIFICATION NUMBER (EIN)	7. TYPE OF APPLICANT	
38-0006933	Municipal	
8. TYPE OF APPLICATION	9. NAME OF FEDERAL AGENCY	
New	Bureau of Justice Assistance	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.034 CFDA Coronavirus Emergency Supplemental TITLE: Funding Program	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT COVID-19 Cost Recovery.	
12. AREAS AFFECTED BY PROJECT		
City of Wyoming, Michigan. A city situated in SW Kent County, MI in the Grand Rapids Metropolitan area with approximately 76,000 residents		
13. PROPOSED PROJECT	14. CONGRESSIONAL DISTRICTS OF	
Start Date: January 20, 2020 End Date: January 19, 2022	a. Applicant b. Project MI02	
15. ESTIMATED FUNDING	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
Federal	\$86,165	Program is not covered by E.O. 12372
Applicant	\$0	
State	\$0	
Local	\$0	
Other	\$0	
Program Income	\$0	
TOTAL	\$86,165	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? N
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION		

PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.

Close Window

RESOLUTION NO. _____

A RESOLUTION TO ADOPT 2019-2020 ANNUAL ACTION PLAN
SUBSTANTIAL AMENDMENT FOR CDBG-CV COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM

WHEREAS:

1. The federal government has issued the City of Wyoming an initial allocation of \$340,484.00 in Community Development Block Grant – Coronavirus (CDBG-CV) funding through the passage of the Coronavirus Aid, Response and Security (CARES) Act in order to respond to community needs as a result of the Coronavirus pandemic.
2. It is necessary to submit a substantial amendment to the 2019-2020 CDBG One Year Action Plan in order to apply for the use of these CDBG-CV funds.
3. The Wyoming Community Development Committee has recommended a proposed substantial amendment to the 2019-2020 CDBG One-Year Action Plan.
4. The Wyoming Community Development Committee also recommended any increase or decrease in CARES Act funding to be distributed among the identified activities of the amendment based upon an assessment of community needs at that time related to the impacts of the Coronavirus. The use and assignment of any additional funding will also be subject to public notice and comment periods prior to allocation approval by the Wyoming City Council.
5. Two Public Hearings were held on May 6, 2020 by the Wyoming Community Development Committee and on June 1, 2020 by the Wyoming City Council on this matter.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby adopt the proposed substantial amendment to the 2019-2020 Wyoming Consolidated Housing and Community Development One-Year Action Plan.
2. The Wyoming City Council does hereby affirm that any increase or decrease in CARES Act funding to be distributed among the identified activities of the amendment based upon an assessment of community needs at that time related to the impacts of the Coronavirus. The use and assignment of any additional funding will also be subject to public notice and comment periods prior to allocation approval by the Wyoming City Council.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried	Yes
	No

I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Wyoming, Michigan, at a regular session held on June 1, 2020.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:
Staff Report

Resolution No. _____

STAFF REPORT

Date: May 27, 2020

Subject: CDBG 2019-2020 Annual Action Plan Substantial Amendment to secure CDBG-CV entitlement funds per the Coronavirus Aid, Relief and Economic Security Act (CARES Act)

From: Rebecca Rynbrandt, Director of Community Services

Meeting Date: June 1, 2020

RECOMMENDATION:

It is recommended the City of Wyoming adopt a substantial amendment to the existing 2019-2020 Annual Action Plan (July 1, 2019 to June 30, 2020) to allow for the application for, and expenditure of, the \$340,484 Coronavirus Aid, Relief and Economic Security Act (CARES Act) CDBG-CV funds allocated to the City of Wyoming as an entitlement community.

COMMUNITY, SAFETY, STEWARDSHIP:

The CARES Act provides for the emergency assistance and health care response for individuals, families, and businesses affected by the 2020 coronavirus pandemic.

DISCUSSION:

The Coronavirus Aid, Relief and Economic Security Act (CARES Act) (Public Law 116-136) made available \$5 billion in supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants). The City of Wyoming's entitlement portion is \$340,484.

In order to access these funds Grantees, including the City of Wyoming, were advised to amend their 2019-2020 plans as soon as possible. Grantees are required to proceed with amendments by adding the CDBG-CV allocation in their plans as an available resource. These amendments are referred to as "Substantial Amendments." The attached plan amendment accomplishes this need.

Consistent with the CARES Act authorizations, the plan amendment will allow the funds to be spent from a time period of April 2020 until October 2022.

Proposed activities include:

1. Public Services, including but not limited to subsistence payments supporting rental assistance, homelessness prevention, utilities assistance. Projected investment of \$235,484.

2. Transportation Services, including but not limited to employment assistance. Projected investment of \$65,000.

3. Economic Development Direct Financial Assistance to For-Profit Business, including but not limited to providing operational capital grants to small businesses. Projected investment of \$25,000.

4. Assistance to Food Banks, including but not limited to food and operational supplies. Projected investment of \$15,000 (included in overall Public Services value previously stated).

5. Interim Assistance, including investments in alleviating emergency conditions threatening public health and safety, such as funding personal protective equipment. Projected investment of \$15,000.

Understanding that additional funds may be forthcoming from the federal government, it is noted that as part of that adopted amendment to the Plan, any increase or decrease in CARES Act funding will be distributed among the identified activities of the attached plan based upon an assessment of community needs at that time related to the impacts of the Coronavirus. The use and assignment of any additional funding will also be subject to public notice and comment periods prior to allocation approval by the Wyoming City Council.

BUDGET IMPACT:

Upon receipt of the substantial amendment approval by the federal government, a budget amendment will be presented to city council for approval.

ATTACHMENTS:

Resolution
Substantial Amendment

CITY OF WYOMING
2019-2020 ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT FOR CDBG-CV
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM JUNE 1, 2020

The Coronavirus Aid, Relief and Economic Security Act (CARES Act) (Public Law 116-136) makes available \$5 billion in supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants). Additionally, the CARES Act provides CDBG grantees with flexibilities that make it easier to use CDBG-CV grants and fiscal years 2019-2020 and 2020-2021 CDBG Grants for coronavirus response and authorizes HUD to grant waivers and alternative requirements. The city of Wyoming has been allocated \$340,484.00 in CDBG-CV funds to prevent, prepare for, and respond to Coronavirus. The city intends to utilize the funding for on activities in the public services, public facilities improvement, and economic development categories.

The proposed activities must meet the three National Objectives as required by CDBG regulations:

- Benefit low-and-moderate income persons.
- Aid in the prevention or elimination of slums or blight, and
- Meet an urgent need.

Expected Resources – CDBG-CV

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - federal	Other	340,484	0	0	340,484	0	To prevent, prepare for and respond to the Coronavirus.

Substantial Amendment Anticipated Projects and Activities

Proposed activities include:

- 1. Public Services**, including but not limited to subsistence payments supporting rental assistance, homelessness prevention, utilities assistance.
- 2. Transportation Services**, including but not limited to employment assistance.
- 3. Economic Development Direct Financial Assistance to For-Profit Business**, including but not limited to providing operational capital grants to small businesses.
- 4. Assistance to Food Banks**, including but not limited to food and operational supplies.
- 5. Interim Assistance**, including investments in alleviating emergency conditions threatening public health and safety, such as funding personal protective equipment.

If additional CDBG-CV funding is awarded to the City at a later date, this additional funding will be distributed among these activities based upon an assessment of community needs at that time related to the impacts of the Coronavirus. The use and assignment of any additional funding will also be subject to public notice and comment periods prior to allocation approval by the Wyoming City Council.

Projects and Activities Target Period

Consistent with congress's authorization of CDBG-CV funding, all projects and activities will be conducted during the following period:
April 2020 through October 2022.

City of Wyoming CDBG-CV Projected Funding Implementation Plan

City of Wyoming CDBG-CV Projected Funding Implementation Plan						Wyoming 2016-2021 ConPlan	
National Objective	Classification	Activity	Project Description	Priority Ranking	CV Grant Projected Investment	Affiliated Goal	Note
Benefit Low Mod	Public Services	Subsistence Payment	Utilities Shut Off Prevention to ensure stable, safe, habitual housing and homeless prevention (electric, water, gas etc.)	3	\$ 150,484	3: Improve Access to and Stability of Affordable Housing	Housing stability through other support
Urgent Need	Public Facilities and Improvements	Interim Assistance	PPE - Personal Protective Equipment (Alleviating emergency conditions threatening public health and safety)	1	\$ 15,000	5: Increase Civic Engagement and Public Safety; 6: Enhance Infrastructure and Public Facilities; 7: Increase Access to Jobs, Education, and Other Services	5: Disaster mitigation; 6: enhance publicly owned facilities and other public infrastructure and facilities; 7: health and social service activities
Benefit Low Mod	Public Services	Subsistence Payment	Rental Assistance (Homeless/Eviction Prevention)	2	\$ 40,000	3: Improve Access to and Stability of Affordable Housing	Increase opportunities for housing stability through tenant based rental assistance and other support. Assist homeless individuals and families stabilize in permanent housing including through rapid rehousing rental assistance

Benefit Low Mod	Public Services	Subsistence Payment	Rapid Re-Housing Financial Assistance	2	\$ 25,000	3: Improve Access to and Stability of Affordable Housing	Increase opportunities for housing stability through tenant based rental assistance and other support. Assist homeless individuals and families stabilize in permanent housing including through rapid rehousing rental assistance
Benefit Low Mod	Public Services	Subsistence Payment	Rental Assistance (Homeless Hoteling For Families - Family Promise)	2	\$ 20,000	3: Improve Access to and Stability of Affordable Housing	Increase opportunities for housing stability through tenant based rental assistance and other support. Assist homeless individuals and families stabilize in permanent housing including through rapid rehousing rental assistance
Urgent Need	Public Services	Transportation	Transportation - Employer	4	\$ 30,000	7: Increase Access to Jobs, Education and Other Services	Increase access to jobs
Benefit Low Mod	Public Services	Transportation	Transportation - Employee	4	\$ 20,000	7: Increase Access to Jobs, Education and Other Services	Increase access to jobs
Urgent Need	Public Services	Foodbanks	Food Banks	5	\$ 15,000	7: Increase Access to Jobs, Education and Other Services	Increase access to health and wellness, and health and social service activities
Urgent Need	Economic Development	Economic Development For Profit Business Direct Financial Assistance	Operating Grants	6	\$ 25,000	8: Increase Economic Opportunities	Enhance economic stability and prosperity by increasing economic opportunities for residents through other strategies.

Annual Goals and Objectives Amendments

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

Goals Summary Information

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator (Benefit Availability To)
Improve Access/Stability of Affordable Housing	2016	2020	Affordable Housing Homeless	All Low/Moderate-Income Areas City-Wide Low/Mod Income Families City-Wide	Access/Stability of Affordable Rental Housing Fair Housing and Consumer Legal Services Prevention of Homelessness Regional Response - Addressing Housing Instability	CDBG-CV: \$235,484	Public service activities for Low/Moderate Income Housing Benefit: 12,196 Households Assisted Tenant-based rental assistance / Rapid Rehousing: 52 Households Assisted Homelessness Prevention: 72,125 Persons Assisted
Increase Access to Jobs, Education & Other Service	2016	2020	Non-Homeless Special Needs Non-Housing Community Development	City-Wide Low/Mod Income Families	Access to Public Services Transportation Services Improved Access to Jobs Job Creation	CDBG-CV: \$65,000	Public service activities other than Low/Moderate Income Housing Benefit: 12,216 Households Assisted Jobs created/retained: Households Jobs 12,216 Businesses assisted: 50 Businesses Assisted

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator (Benefit Availability To)
Increase Economic Opportunities	2016	2020	Non-Housing Community Development	City-Wide Low/Mod Income Families	Job Creation or Retention	CDBG-CV: \$25,000	Businesses assisted: 5 Businesses Assisted
Increase Civic Engagement and Public Safety	2016	2020	Non-Housing Community Development	City-Wide	Neighborhood and Commercial District Public Safety Mitigate Flooding and Other Natural Disasters	CDBG-CV: \$15,000	Other: 250 Other

Goals Summary

Goal Descriptions

Goal Name	Improve Access/Stability of Affordable Housing
Goal Description	The City of Wyoming will accomplish this goal through CV-Public Services Rental Assistance, CV-Public Services Rapid Rehousing, CV-Public Services Subsistence Payments - Utility Shut Off Prevention, and CV - Public Services - Homeless Hotel Costs activities using the CDBG-CV fund.
Goal Name	Increase Access to Jobs, Education & Other Service
Goal Description	Residents in the low/moderate income category will have access to assistance with transportations costs to and from their place of employment in order to remove barriers to continued employment and improve economic stability. This goal will be achieved through the CV - Public Services - Transportation (Employer) and CV - Public Services - Transportation (Employee) activities. These assistance payments will alleviate the cost to both the employee and employer for public transportation to and from work. A lot of residents in low/moderate income households will also benefit from increased funding to food banks in the City of Wyoming in order to increase their sustained access to food during the Coronavirus pandemic through the CV - Public Services - Food Bank Assistance project.
Goal Name	Increase Economic Opportunities
Goal Description	The City of Wyoming plans to accomplish this goal through its CV - Economic Development - Microenterprise Operating Grants activity. 5 businesses who employ low/moderate income residents will receive the benefit of one time operating grants to encourage continued economic stability and job retention. Microenterprises will be independent and locally-owned, and more than 51% of their employees will be in the low/moderate income category.
Goal Name	Increase Civic Engagement and Public Safety
Goal Description	Interim assistance investments in alleviating emergency conditions threatening public health and safety, such as funding personal protective equipment.

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO ENTER INTO
COOPERATIVE 21ST CENTURY COMMUNITY LEARNING CENTERS AGREEMENTS
WITH WYOMING PUBLIC SCHOOLS (Cohorts K, L-1 and L-2)

WHEREAS:

1. The City desires to partner with Wyoming Public Schools to provide after-school programming for community youth.
2. It is recommended City Council authorize the Mayor and City Clerk to enter into agreements with Wyoming Public Schools from July 1, 2020 through June 30, 2021 to provide after-school programming at Wyoming Intermediate, Wyoming Junior High, Godwin Heights Middle, West Godwin Elementary and Lee Middle (Cohort K), Gladiola Elementary, Oriole Park Elementary, West Elementary, North Godwin Elementary, and Godfrey-Lee Early Childhood Center (Cohort L-1), and Parkview Elementary and Godfrey Elementary (Cohort L-2).
3. All 21st Century Community Learning Centers Grants (received by Wyoming Public Schools) cover all direct costs to the City with no matching funds required.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby authorize the Mayor and City Clerk to enter into Cooperative 21st Century Community Learning Centers agreements with Wyoming Public Schools, Cohorts K, L-1 and L-2 for the period of July 1, 2020 through June 30, 2021 to provide after-school programming.

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 June 1, 2020.

ATTACHMENTS:
Staff Report
Agreements

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. _____

STAFF REPORT

Date: May 27, 2020

Subject: Wyoming Public Schools 21st Century Community Learning Centers Grants

From: Rebecca Rynbrandt, Director of Community Services

Meeting Date: June 1, 2020

RECOMMENDATION:

It is recommended that the City Council approve agreements (3) with the Wyoming Public School District, allowing for the implementation and management of the TEAM 21 after-school and summer program in partnership with Wyoming Public Schools, Godfrey-Lee Public Schools, and Godwin Heights Public Schools.

COMMUNITY, SAFETY, STEWARDSHIP:

TEAM 21 provides after-school and summer programming in the Wyoming community. Last year, the program served over 1,600 students. Over 80% of the families in the schools served by this program qualify for free or reduced-cost meals (an indicator of 140% federal poverty or below). The program is free of charge to participants and provides them a safe place to learn and grow during out-of-school hours when they might otherwise be left home alone or unattended in the community.

DISCUSSION:

TEAM 21 program is funded by multiple grants, each authorized within five-year funding cycles. While TEAM 21 is a collaborative program between the City of Wyoming and multiple school districts, Wyoming Public Schools is the grantee of record with the State of Michigan and acts as the fiduciary for fund distribution across all partners. For the purpose of audit and grant records, individual agreements are required for each Cohort (grant) agreement. The following illustrates the number of years a grant for a particular Cohort (beginning July 1, 2020) has been awarded, along with anticipated award end date, the schools funded and the district to which they belong:

Cohort K Grant - 5 Years (ending June 2023)

Wyoming Intermediate (WPS), Wyoming Junior High (WPS), Godwin Heights Middle (GHPS), Lee Middle (GLPS), West Godwin Elementary (GHPS)

Cohort L-1 Grant - 5 Years (ending June 2024)

Gladiola Elementary (WPS), Oriole Park Elementary (WPS), West Elementary (WPS), North Godwin Elementary (GHPS), Godfrey-Lee Early Childhood Center (GLPS)

Cohort L-2 Grant – 5 Years (ending June 2024)

Parkview Elementary (WPS), Godfrey Elementary (GLPS)

BUDGET IMPACT:

Our agreements with Wyoming Public Schools ensure that all our direct expenses related to the operation of the TEAM 21 program are fully reimbursed.

Budget amendments will be processed by the Finance Director and presented to City Council for approval after July 1, 2020. The FY 2020-2021 budget cannot be amended until it is active, per the Finance Director.

The affected account numbers are:

Cohort K Grant: 208-752-761.12 – 706, 707, 715, 716, 717, 718, 719, 721, 740, 806, 860, 910 and 956

Cohort L-1 Grant: 208-752-761.13 – 706, 707, 715, 716, 717, 718, 719, 721, 740, 806, 860, 910 and 956

Cohort L-2 Grant: 208-752-761.14 – 706, 707, 715, 716, 717, 718, 719, 721, 740, 806, 860, 910 and 956

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**WYOMING PUBLIC SCHOOLS
AND
CITY OF WYOMING
COOPERATIVE 21ST CENTURY COMMUNITY LEARNING CENTERS AGREEMENT
(Cohort K)
JULY 1, 2020 to JUNE 30, 2021**

This Cooperative 21st Century Community Learning Centers (21st CCLC) Agreement, is made as of July 1, 2020, between Wyoming Public Schools (“WPS”) and the City of Wyoming, (“City”), and may be altered with mutual written consent from both WPS and City when and where applicable. The parties agree as follows.

1. In the spirit of cooperation, and a good relationship with City, and in an effort to benefit the children of our community, for the primary purpose of optimizing student opportunities with limited funding, WPS will partner to provide such services and/or products (indicated below) to children at Wyoming Intermediate, Wyoming Junior High, Godwin Heights Middle, West Godwin Elementary and Lee Middle schools. WPS will partner with City to provide services/products for students within the agreed grant amounts, which will be the amounts allocated by the 21st CCLC Grant approved by the State of Michigan Department of Education. WPS will be the fiscal agent and City will draw down appropriate funds on a monthly basis. Such payment shall be made from WPS to City within 7 days; unless other arrangements have been previously agreed upon.
2. City will hire and share responsibility for oversight of the project director, site coordinators, group leaders, and contract instructors. WPS will reimburse the necessary funds for the salary and benefits to City for these positions.
3. City will cooperate with the WPS Grant Coordinator, transportation coordinator, principals, and school employees to appropriately plan activities and resolve issues.
4. City will assist in making recommendations on transportation staffing; be responsible for arranging the training of all staff members, and share in the compliance for grant expectations.
5. City will direct supervision of its employees and evaluate and make recommendations for employment decisions regarding any and all facets of the grant.
6. City will purchase the necessary equipment to operate a successful program and that equipment will become sole property of WPS if and when the program ceases to exist.
7. City will provide necessary student, parent, and community activities. WPS will reimburse the necessary funds for the salary and benefits to City for these positions.
8. City will assist the WPS Grants Coordinator in necessary completion of paperwork involved in registering students, attendance, and material purchases.

9. City will cooperate with WPS in preparation of all state and federal reports that apply to the 21st CCLC Grant. City and WPS will maintain all records in the manner required by the 21st CCLC Grant and in accordance with their respective records retention policies.

10. City will authorize and verify the hours worked by the employees in the grant for the Wyoming payroll department.

11. City will invoice Wyoming on a monthly basis in a manner similar to the following format:

Salaries	\$43,604.00
Salaries – Temporary	\$357,595.00
FICA	\$30,696.00
Hospitalization Insurance	\$35,700.00
Life Insurance	\$61.00
Pension – Pension	\$13,120.00
Pension – DC Plan	\$3,490.00
Pension – Health – DC	\$2,060.00
Workers Comp. Insurance	\$13,787.00
CIP & Longevity	-
Operating Supplies	\$14,673.00
Software	\$293.00
Travel/Training	\$250.00
Liability Insurance	\$7,627.00
Other Services	\$8,775.00
Total	\$531,731.00

12. WPS shall provide administrative services first to the needs of its own district. Exceptions to this statement would be for any emergency or safety concerns to students, staff, and/or community members. While the City project director will perform most administrative services, it is agreed that the WPS Grant Coordinator has direct oversight of the 21st CCLC. WPS’s Administrative Services will exclude all direct disciplinary actions with City employees, but WPS may request action be taken. The WPS Grants Coordinator and City project director will each provide WPS and City administrations any information either of them may need in connection with disciplinary procedures of employees.

13. The parties acknowledge that City is a self-insured municipal corporation, which maintains additional coverage over its self-insured retentions through the Michigan Municipal Risk Management Authority (MMRMA) pursuant to the applicable Michigan law. During the term of this agreement, City shall maintain, excess insurance coverage over its self-insured retention, for liability insurance through MMRMA or a replacement insurer written on a standard occurrence form and covering bodily injury and property damage liability with a per occurrence and annual policy aggregate amount of at least five million dollars that covers the acts and omissions of City and City’s officers and employees in accordance with this Agreement.

14. WPS shall be held harmless in all manners, except for WPS's gross negligence and willful acts.

15. Termination of this agreement by either Wyoming or City requires a sixty day written notice. Termination may occur at the end of the sixty days.

CITY OF WYOMING

Dated: _____, 2020

By _____
Jack A. Poll, Mayor

Dated: _____, 2020

By _____
Kelli A. VandenBerg, City Clerk

Approved as to form:

Scott G. Smith, City Attorney

WYOMING PUBLIC SCHOOLS

Dated: _____, 2020

By _____
Craig Hoekstra, Superintendent

**WYOMING PUBLIC SCHOOLS
AND
CITY OF WYOMING
COOPERATIVE 21ST CENTURY COMMUNITY LEARNING CENTERS AGREEMENT
(Cohort L-1)
JULY 1, 2020 to JUNE 30, 2021**

This Cooperative 21st Century Community Learning Centers (21st CCLC) Agreement, is made as of July 1, 2020, between Wyoming Public Schools (“WPS”) and the City of Wyoming, (“City”), and may be altered with mutual written consent from both WPS and City when and where applicable. The parties agree as follows.

1. In the spirit of cooperation, and a good relationship with City, and in an effort to benefit the children of our community, for the primary purpose of optimizing student opportunities with limited funding, WPS will partner to provide such services and/or products (indicated below) to children at Gladiola Elementary, Oriole Park Elementary, West Elementary, North Godwin Elementary and Godfrey-Lee Early Childhood Center schools. WPS will partner with City to provide services/products for students within the agreed grant amounts, which will be the amounts allocated by the 21st CCLC Grant approved by the State of Michigan Department of Education. WPS will be the fiscal agent and City will draw down appropriate funds on a monthly basis. Such payment shall be made from WPS to City within 7 days; unless other arrangements have been previously agreed upon.
2. City will hire and share responsibility for oversight of the project director, site coordinators, group leaders, and contract instructors. WPS will reimburse the necessary funds for the salary and benefits to City for these positions.
3. City will cooperate with the WPS Grant Coordinator, transportation coordinator, principals, and school employees to appropriately plan activities and resolve issues.
4. City will assist in making recommendations on transportation staffing; be responsible for arranging the training of all staff members, and share in the compliance for grant expectations.
5. City will direct supervision of its employees and evaluate and make recommendations for employment decisions regarding any and all facets of the grant.
6. City will purchase the necessary equipment to operate a successful program and that equipment will become sole property of WPS if and when the program ceases to exist.
7. City will provide necessary student, parent, and community activities. WPS will reimburse the necessary funds for the salary and benefits to City for these positions.
8. City will assist the WPS Grants Coordinator in necessary completion of paperwork involved in registering students, attendance, and material purchases.

9. City will cooperate with WPS in preparation of all state and federal reports that apply to the 21st CCLC Grant. City and WPS will maintain all records in the manner required by the 21st CCLC Grant and in accordance with their respective records retention policies.

10. City will authorize and verify the hours worked by the employees in the grant for the Wyoming payroll department.

11. City will invoice Wyoming on a monthly basis in a manner similar to the following format:

Salaries	\$43,604.00
Salaries – Temporary	\$369,495.00
FICA	\$31,606.00
Hospitalization Insurance	\$30,250.00
Life Insurance	\$61.00
Pension – Pension	\$13,120.00
Pension – DC Plan	\$3,490.00
Pension – Health – DC	\$2,060.00
Workers Comp. Insurance	\$14,214.00
CIP & Longevity	-
Operating Supplies	\$8,250.00
Software	\$293.00
Travel/Training	\$250.00
Liability Insurance	\$7,853.00
Other Services	\$6,410.00
Total	\$530,956.00

12. WPS shall provide administrative services first to the needs of its own district. Exceptions to this statement would be for any emergency or safety concerns to students, staff, and/or community members. While the City project director will perform most administrative services, it is agreed that the WPS Grant Coordinator has direct oversight of the 21st CCLC. WPS's Administrative Services will exclude all direct disciplinary actions with City employees, but WPS may request action be taken. The WPS Grants Coordinator and City project director will each provide WPS and City administrations any information either of them may need in connection with disciplinary procedures of employees.

13. The parties acknowledge that City is a self-insured municipal corporation, which maintains additional coverage over its self-insured retentions through the Michigan Municipal Risk Management Authority (MMRMA) pursuant to the applicable Michigan law. During the term of this agreement, City shall maintain, excess insurance coverage over its self-insured retention, for liability insurance through MMRMA or a replacement insurer written on a standard occurrence form and covering bodily injury and property damage liability with a per occurrence and annual policy aggregate amount of at least five million dollars that covers the acts and omissions of City and City's officers and employees in accordance with this Agreement.

14. WPS shall be held harmless in all manners, except for WPS's gross negligence and willful acts.

15. Termination of this agreement by either Wyoming or City requires a sixty day written notice. Termination may occur at the end of the sixty days.

CITY OF WYOMING

Dated: _____, 2020

By _____
Jack A. Poll, Mayor

Dated: _____, 2020

By _____
Kelli A. VandenBerg, City Clerk

Approved as to form:

Scott G. Smith, City Attorney

WYOMING PUBLIC SCHOOLS

Dated: _____, 2020

By _____
Craig Hoekstra, Superintendent

**WYOMING PUBLIC SCHOOLS
AND
CITY OF WYOMING
COOPERATIVE 21ST CENTURY COMMUNITY LEARNING CENTERS AGREEMENT
(Cohort L-2)
JULY 1, 2020 to JUNE 30, 2021**

This Cooperative 21st Century Community Learning Centers (21st CCLC) Agreement, is made as of July 1, 2020, between Wyoming Public Schools (“WPS”) and the City of Wyoming, (“City”), and may be altered with mutual written consent from both WPS and City when and where applicable. The parties agree as follows.

1. In the spirit of cooperation, and a good relationship with City, and in an effort to benefit the children of our community, for the primary purpose of optimizing student opportunities with limited funding, WPS will partner to provide such services and/or products (indicated below) to children at Parkview Elementary and Godfrey Elementary schools. WPS will partner with City to provide services/products for students within the agreed grant amounts, which will be the amounts allocated by the 21st CCLC Grant approved by the State of Michigan Department of Education. WPS will be the fiscal agent and City will draw down appropriate funds on a monthly basis. Such payment shall be made from WPS to City within 7 days; unless other arrangements have been previously agreed upon.
2. City will hire and share responsibility for oversight of the project director, site coordinators, group leaders, and contract instructors. WPS will reimburse the necessary funds for the salary and benefits to City for these positions.
3. City will cooperate with the WPS Grant Coordinator, transportation coordinator, principals, and school employees to appropriately plan activities and resolve issues.
4. City will assist in making recommendations on transportation staffing; be responsible for arranging the training of all staff members, and share in the compliance for grant expectations.
5. City will direct supervision of its employees and evaluate and make recommendations for employment decisions regarding any and all facets of the grant.
6. City will purchase the necessary equipment to operate a successful program and that equipment will become sole property of WPS if and when the program ceases to exist.
7. City will provide necessary student, parent, and community activities. WPS will reimburse the necessary funds for the salary and benefits to City for these positions.
8. City will assist the WPS Grants Coordinator in necessary completion of paperwork involved in registering students, attendance, and material purchases.

9. City will cooperate with WPS in preparation of all state and federal reports that apply to the 21st CCLC Grant. City and WPS will maintain all records in the manner required by the 21st CCLC Grant and in accordance with their respective records retention policies.

10. City will authorize and verify the hours worked by the employees in the grant for the Wyoming payroll department.

11. City will invoice Wyoming on a monthly basis in a manner similar to the following format:

Salaries	\$16,611.00
Salaries – Temporary	\$148,567.00
FICA	\$12,640.00
Hospitalization Insurance	\$15,824.00
Life Insurance	\$24.00
Pension – Pension	\$4,996.00
Pension – DC Plan	\$1,330.00
Pension – Health – DC	\$785.00
Workers Comp. Insurance	\$5,698.00
CIP & Longevity	-
Operating Supplies	\$4,000.00
Software	\$112.00
Travel/Training	\$250.00
Liability Insurance	\$3,142.00
Other Services	\$2,814.00
Total	\$216,793.00

12. WPS shall provide administrative services first to the needs of its own district. Exceptions to this statement would be for any emergency or safety concerns to students, staff, and/or community members. While the City project director will perform most administrative services, it is agreed that the WPS Grant Coordinator has direct oversight of the 21st CCLC. WPS’s Administrative Services will exclude all direct disciplinary actions with City employees, but WPS may request action be taken. The WPS Grants Coordinator and City project director will each provide WPS and City administrations any information either of them may need in connection with disciplinary procedures of employees.

13. The parties acknowledge that City is a self-insured municipal corporation, which maintains additional coverage over its self-insured retentions through the Michigan Municipal Risk Management Authority (MMRMA) pursuant to the applicable Michigan law. During the term of this agreement, City shall maintain, excess insurance coverage over its self-insured retention, for liability insurance through MMRMA or a replacement insurer written on a standard occurrence form and covering bodily injury and property damage liability with a per occurrence and annual policy aggregate amount of at least five million dollars that covers the acts and omissions of City and City’s officers and employees in accordance with this Agreement.

14. WPS shall be held harmless in all manners, except for WPS's gross negligence and willful acts.

15. Termination of this agreement by either Wyoming or City requires a sixty day written notice. Termination may occur at the end of the sixty days.

CITY OF WYOMING

Dated: _____, 2020

By _____
Jack A. Poll, Mayor

Dated: _____, 2020

By _____
Kelli A. VandenBerg, City Clerk

Approved as to form:

Scott G. Smith, City Attorney

WYOMING PUBLIC SCHOOLS

Dated: _____, 2020

By _____
Craig Hoekstra, Superintendent

RESOLUTION NO. _____

RESOLUTION TO AWARD THE BID FOR THE 2020 WATERMAIN REPLACEMENT PROJECT – BUCHANAN AVENUE (36TH STREET – 40TH STREET) AND TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT

WHEREAS:

1. On May 26, 2020, the City received six (6) bids for the proposed watermain replacement in Buchanan Avenue (36th Street – 40th Street).
2. The Engineering Department recommends that the City Council award the bid to the low bidder, Bultsma Excavating, Inc for \$1,160,331.63.
3. The total cost for this project will be financed out of the Capital Improvement Fund:

Capital Outlay Watermain	400-441-57300-972.573
Construction	\$1,160,331.63
<u>Engineering & Contingencies</u>	<u>139,668.37</u>
Total Project Cost	\$1,300,000.00

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby award the 2020 Watermain Replacement Project (Buchanan Avenue from 36th Street to 40th Street) to Bultsma Excavating, Inc. for \$1,160,331.63.
2. The City Council does hereby authorize the Mayor and City Clerk to execute the contract.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on June 1, 2020.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Staff Report
Bid Comparison
Contract Form

Resolution No. _____

STAFF REPORT

Date: May 26, 2020

Subject: Award of Bid for the 2020 Watermain Replacement Project (Buchanan Avenue from 36th Street to 40th Street)

From: Jeffrey Oonk, PE, Senior Civil Engineer

Date of Meeting: June 1, 2020

RECOMMENDATION:

It is recommended that the City Council award a bid to Bultsma Excavating, Inc. for the 2020 Watermain Replacement Project (Buchanan Avenue from 36th Street to 40th Street).

COMMUNITY, SAFETY, STEWARDSHIP:

Reliable watermains provide safe potable water to residents and businesses for domestic use, industrial processes and fire protection.

DISCUSSION:

Wyoming received six (6) bids for the 2020 Watermain Replacement Project (Buchanan Avenue from 36th Street to 40th Street). The low bid was submitted by Bultsma Excavating, Inc. in the amount of \$1,160,331.63, which is 6.9% above the engineer's estimate of \$1,085,261.00.

The existing watermain in Buchanan Avenue has experienced several watermain and water service breaks. This watermain was constructed in 1954 and has reached the end of its useful life. This project will include replacement of the existing main and water services within the street right-of-way, along with resurfacing and restoration of the street.

The total project cost is \$1,300,000 including engineering and contingencies.

BUDGET IMPACT:

Sufficient funds are available in the Capital Improvement Fund Account No. 400-441-57300-972.573.

Bid Comparison

Contract ID: 2020.3
Description: 40th to 36th
Location: Buchanan Watermain
Projects(s): 2020.3

Rank	Bidder	Total Bid	% Over Low	% Over Est.
0	ENGINEER S ESTIMATE	1,085,261.00	-6.46	0.00
1	(01234) B Itsma Exca ating, Inc.	1,160,331.63	0.00	6.91
2	(1) Nagel Constr ction, Inc.	1,166,982.70	0.57	7.53
3	(9) Kamminga & Rood oets, Inc	1,215,888.20	4.78	12.03
4	(14) Wyoming Exca ators, Inc.	1,319,245.00	13.69	21.56
5	(3) GEORGETOWN CONSTRUCTION CO	1,380,052.75	18.93	27.16
6	(00220) MONTGOMERY EXCAVATING	1,418,703.50	22.26	30.72

Line	Pay Item Code	Quantity	Units	(0) ENGINEER'S ESTIMATE		(1) B ltsma Exca ating, Inc.		(2) Nagel Constr ction, Inc.	
				Bid Price	Total	Bid Price	Total	Bid Price	Total
0001	1000	1	LSUM	55,000.00	55,000.00	45,000.00	45,000.00	57,000.00	57,000.00
	MOBILIZATION								
0002	1008	2,800	Ft	8.00	22,400.00	6.21	17,388.00	8.00	22,400.00
	REMOVE CURB AND GUTTER								
0003	1035	1,825	Syd	6.00	10,950.00	3.00	5,475.00	6.00	10,950.00
	REMOVE SIDEWALK								
0004	1045	725	Syd	6.00	4,350.00	6.02	4,364.50	6.00	4,350.00
	REMOVE PAVEMENT								
0005	1047	13	Ea	1,500.00	19,500.00	340.50	4,426.50	200.00	2,600.00
	REMOVE CONCRETE COLLAR								
0006	1142	43	Ea	300.00	12,900.00	210.79	9,063.97	375.00	16,125.00
	REMOVE EX COVER AND CASTINGS								
0007	1143	7	Ea	250.00	1,750.00	277.02	1,939.14	375.00	2,625.00
	REMOVE EX VALVE AND BOX								
0008	1144	4	Ea	250.00	1,000.00	415.52	1,662.08	500.00	2,000.00
	REMOVE EX VALVE (PIV)								
0009	1168	9	Ea	300.00	2,700.00	317.58	2,858.22	400.00	3,600.00
	REMOVE EX HYDRANT								
0010	1170	80	Ft	15.00	1,200.00	14.94	1,195.20	46.00	3,680.00
	REMOVE EX WATERMAIN								
0011	1208	6,210	Syd	1.50	9,315.00	1.85	11,488.50	1.45	9,004.50
	COLD MILL - 2"								
0012	1218	6,315	Syd	2.00	12,630.00	2.64	16,671.60	1.45	9,156.75
	COLD MILL - 4"								
0013	1550	317	Syd	8.00	2,536.00	3.94	1,248.98	6.00	1,902.00
	REMOVE CONCRETE								
0014	4031	28	Ea	550.00	15,400.00	248.43	6,956.04	500.00	14,000.00
	COVER AND CASTING								
0015	5040	9	Ea	2,750.00	24,750.00	2,659.64	23,936.76	2,750.00	24,750.00
	HYDRANT								
0016	5050	3	Ea	500.00	1,500.00	552.00	1,656.00	585.00	1,755.00
	HYDRANT EXTENSION								

Line	Pay Item Code	Quantity	Units	(0) ENGINEER'S ESTIMATE		(1) B. Itsma Excavating, Inc.		(2) Nagel Construction, Inc.	
				Bid Price	Total	Bid Price	Total	Bid Price	Total
0017	5076	11	Ea	1,300.00	14,300.00	1,028.00	11,308.00	1,425.00	15,675.00
	VALVE 6"								
0018	5077	14	Ea	1,600.00	22,400.00	1,446.00	20,244.00	1,775.00	24,850.00
	VALVE 8"								
0019	5101	282	Ft	70.00	19,740.00	45.72	12,893.04	76.00	21,432.00
	D.I. CL 53 WATER PIPE 6"								
0020	5102	2,800	Ft	80.00	224,000.00	64.42	180,376.00	82.00	229,600.00
	D.I. CL 53 WATER PIPE 8"								
0021	5201	16	Ea	500.00	8,000.00	489.00	7,824.00	380.00	6,080.00
	6" D.I. WATERMAIN FITTING								
0022	5202	34	Ea	600.00	20,400.00	528.00	17,952.00	560.00	19,040.00
	8" D.I. WATERMAIN FITTING								
0023	5605	3	Ea	2,500.00	7,500.00	4,291.00	12,873.00	3,050.00	9,150.00
	1" WATER SERVICE, LONG SIDE								
0024	5607	9	Ea	3,500.00	31,500.00	4,509.00	40,581.00	4,000.00	36,000.00
	1.5" WATER SERVICE, LONG SIDE								
0025	5609	1	Ea	5,500.00	5,500.00	5,120.00	5,120.00	5,000.00	5,000.00
	2" WATER SERVICE, LONG SIDE								
0026	5724	1	Ea	2,500.00	2,500.00	11,077.00	11,077.00	5,900.00	5,900.00
	8" X 20" TAPPING SLEEVE AND VALVE								
0027	6105	140	Cyd	45.00	6,300.00	58.00	8,120.00	25.00	3,500.00
	MISCELLANEOUS GRAVEL								
0028	6114	2,790	Ft	20.00	55,800.00	31.20	87,048.00	22.85	63,751.50
	STREET GRADE								
0029	6143	840	Syd	12.00	10,080.00	12.00	10,080.00	10.00	8,400.00
	6" AGGREGATE BASE (CIP)								
0030	6215	1,600	S t	4.00	6,400.00	6.96	11,136.00	4.20	6,720.00
	SIDEWALK RAMP, ADA								
0031	6217	160	Ft	60.00	9,600.00	71.00	11,360.00	60.00	9,600.00
	DETECTABLE WARNING PLATES								
0032	6220	150	Ft	22.00	3,300.00	39.00	5,850.00	24.00	3,600.00
	CONCRETE GUTTER, 48"								

Line	Pay Item Code	Quantity	Units	(0) ENGINEER'S ESTIMATE		(1) B Itsma Excavating, Inc.		(2) Nagel Construction, Inc.	
				Bid Price	Total	Bid Price	Total	Bid Price	Total
0033	6240	1,650	Ft	20.00	33,000.00	25.63	42,289.50	18.00	29,700.00
	CONCRETE CURB AND GUTTER, 30"								
0034	6270	14,175	S t	3.00	42,525.00	3.68	52,164.00	2.65	37,563.75
	CONCRETE SIDEWALK, 4"								
0035	6272	620	S t	6.00	3,720.00	11.16	6,919.20	5.50	3,410.00
	CONCRETE SIDEWALK, 8"								
0036	6280	7	Syd	30.00	210.00	34.77	243.39	24.00	168.00
	CONCRETE PAVEMENT NON REINFORCED, 4"								
0037	6280	100	Syd	35.00	3,500.00	151.00	15,100.00	90.00	9,000.00
	CONCRETE PAVEMENT NON REINFORCED, 4" , COLORED STAMPED								
0038	6284	440	Syd	55.00	24,200.00	68.54	30,157.60	55.00	24,200.00
	CONCRETE PAVEMENT NON REINFORCED, 8"								
0039	6295	37	Ea	400.00	14,800.00	314.00	11,618.00	400.00	14,800.00
	ADJUST CASTINGS								
0040	6305	195	Ton	130.00	25,350.00	147.00	28,665.00	125.00	24,375.00
	HAND PATCHING								
0041	6354	1,745	Ton	77.00	134,365.00	81.49	142,200.05	85.00	148,325.00
	HMA MIXTURE - 5E1								
0042	6362	950	Ton	77.00	73,150.00	80.53	76,503.50	110.00	104,500.00
	HMA MIXTURE - 3C								
0043	6430	318	Ft	10.00	3,180.00	6.00	1,908.00	12.50	3,975.00
	PAVT MRKG, INLAID COLD PLASTIC, 24" CROSSWALK								
0044	6431	36	Ft	10.00	360.00	13.00	468.00	12.50	450.00
	PAVT MRKG, INLAID COLD PLASTIC, 24" STOP BAR								
0045	6441	1	Ea	150.00	150.00	599.00	599.00	165.00	165.00
	PAVT MRKG, INLAID COLD PLASTIC, LEFT TURN ARROW								
0046	6610	1,410	Ft	0.20	282.00	3.27	4,610.70	0.26	366.60
	PAVT MRKG, REGULAR, 4" WHITE								
0047	6612	5,310	Ft	0.20	1,062.00	3.27	17,363.70	0.26	1,380.60
	PAVT MRKG, REGULAR, 4" YELLOW								

Line	Pay Item Code	Quantity	Units	(0) ENGINEER'S ESTIMATE		(1) B ltsma Exca ating, Inc.		(2) Nagel Constr ction, Inc.	
				Bid Price	Total	Bid Price	Total	Bid Price	Total
0048	7005	4,601	Syd	5.00	23,005.00	4.36	20,060.36	6.00	27,606.00
	TOP SOIL 4" SCREENED								
0049	7015	4,601	Syd	1.00	4,601.00	1.10	5,061.10	1.00	4,601.00
	CLASS A SEED HYDRO-MULCH								
0050	8010	1	LSUM	35,000.00	35,000.00	53,000.00	53,000.00	45,000.00	45,000.00
	MINOR TRAFFIC CONTROL DEVICES								
0051	8115	200	Ea	25.00	5,000.00	31.00	6,200.00	29.00	5,800.00
	42 INCH CHANNELIZING DEVICE - FURNISHED								
0052	8116	200	Ea	1.00	200.00	15.00	3,000.00	1.00	200.00
	42 INCH CHANNELIZING DEVICE - OPERATED								
0053	8120	4	Ea	500.00	2,000.00	1,472.00	5,888.00	1,350.00	5,400.00
	LIGHTED ARROW TYPE A - FURNISHED								
0054	8121	4	Ea	100.00	400.00	466.00	1,864.00	100.00	400.00
	LIGHTED ARROW TYPE A - OPERATED								
0055	8122	4	Ea	2,000.00	8,000.00	5,289.00	21,156.00	4,850.00	19,400.00
	MESSAGE BOARD - FURNISHED								
0056	8123	4	Ea	500.00	2,000.00	1,030.00	4,120.00	500.00	2,000.00
	MESSAGE BOARD - OPERATED								
Bid Totals:					\$1,085,261.00		\$1,160,331.63		\$1,166,982.70

Line	Pay Item Code	Quantity	Units	(3) Kamminga & Rood oets, Inc		(4) Wyoming Exca ators, Inc.		(5) GEORGETOWN CONSTRUCTION CO	
				Bid Price	Total	Bid Price	Total	Bid Price	Total
0001	1000	1	LSUM	60,000.00	60,000.00	65,300.00	65,300.00	100,000.00	100,000.00
	MOBILIZATION								
0002	1008	2,800	Ft	5.00	14,000.00	10.00	28,000.00	10.00	28,000.00
	REMOVE CURB AND GUTTER								
0003	1035	1,825	Syd	7.00	12,775.00	11.00	20,075.00	7.00	12,775.00
	REMOVE SIDEWALK								
0004	1045	725	Syd	11.50	8,337.50	11.00	7,975.00	13.00	9,425.00
	REMOVE PAVEMENT								
0005	1047	13	Ea	175.00	2,275.00	300.00	3,900.00	100.00	1,300.00
	REMOVE CONCRETE COLLAR								
0006	1142	43	Ea	200.00	8,600.00	300.00	12,900.00	100.00	4,300.00
	REMOVE EX COVER AND CASTINGS								
0007	1143	7	Ea	200.00	1,400.00	240.00	1,680.00	75.00	525.00
	REMOVE EX VALVE AND BOX								
0008	1144	4	Ea	250.00	1,000.00	540.00	2,160.00	350.00	1,400.00
	REMOVE EX VALVE (PIV)								
0009	1168	9	Ea	275.00	2,475.00	480.00	4,320.00	350.00	3,150.00
	REMOVE EX HYDRANT								
0010	1170	80	Ft	10.00	800.00	12.00	960.00	25.00	2,000.00
	REMOVE EX WATERMAIN								
0011	1208	6,210	Syd	1.50	9,315.00	2.50	15,525.00	1.25	7,762.50
	COLD MILL - 2"								
0012	1218	6,315	Syd	2.50	15,787.50	2.80	17,682.00	1.50	9,472.50
	COLD MILL - 4"								
0013	1550	317	Syd	10.00	3,170.00	11.00	3,487.00	10.00	3,170.00
	REMOVE CONCRETE								
0014	4031	28	Ea	450.00	12,600.00	400.00	11,200.00	800.00	22,400.00
	COVER AND CASTING								
0015	5040	9	Ea	2,800.00	25,200.00	3,200.00	28,800.00	3,000.00	27,000.00
	HYDRANT								
0016	5050	3	Ea	475.00	1,425.00	604.00	1,812.00	900.00	2,700.00
	HYDRANT EXTENSION								

Line	Pay Item Code	Quantity	Units	(3) Kamminga & Rood oets, Inc		(4) Wyoming Exca ators, Inc.		(5) GEORGETOWN CONSTRUCTION CO	
				Bid Price	Total	Bid Price	Total	Bid Price	Total
0017	5076	11	Ea	1,400.00	15,400.00	1,310.00	14,410.00	1,000.00	11,000.00
	VALVE 6"								
0018	5077	14	Ea	1,800.00	25,200.00	1,810.00	25,340.00	1,500.00	21,000.00
	VALVE 8"								
0019	5101	282	Ft	100.00	28,200.00	92.00	25,944.00	95.00	26,790.00
	D.I. CL 53 WATER PIPE 6"								
0020	5102	2,800	Ft	135.00	378,000.00	92.00	257,600.00	150.00	420,000.00
	D.I. CL 53 WATER PIPE 8"								
0021	5201	16	Ea	800.00	12,800.00	750.00	12,000.00	450.00	7,200.00
	6" D.I. WATERMAIN FITTING								
0022	5202	34	Ea	1,000.00	34,000.00	950.00	32,300.00	600.00	20,400.00
	8" D.I. WATERMAIN FITTING								
0023	5605	3	Ea	2,700.00	8,100.00	2,900.00	8,700.00	1,500.00	4,500.00
	1" WATER SERVICE, LONG SIDE								
0024	5607	9	Ea	3,500.00	31,500.00	3,600.00	32,400.00	2,000.00	18,000.00
	1.5" WATER SERVICE, LONG SIDE								
0025	5609	1	Ea	4,200.00	4,200.00	4,600.00	4,600.00	3,000.00	3,000.00
	2" WATER SERVICE, LONG SIDE								
0026	5724	1	Ea	5,500.00	5,500.00	7,250.00	7,250.00	10,000.00	10,000.00
	8" X 20" TAPPING SLEEVE AND VALVE								
0027	6105	140	Cyd	35.00	4,900.00	22.00	3,080.00	25.00	3,500.00
	MISCELLANEOUS GRAVEL								
0028	6114	2,790	Ft	10.00	27,900.00	30.00	83,700.00	15.00	41,850.00
	STREET GRADE								
0029	6143	840	Syd	7.25	6,090.00	18.00	15,120.00	25.00	21,000.00
	6" AGGREGATE BASE (CIP)								
0030	6215	1,600	S t	5.25	8,400.00	4.50	7,200.00	6.00	9,600.00
	SIDEWALK RAMP, ADA								
0031	6217	160	Ft	50.00	8,000.00	72.00	11,520.00	72.00	11,520.00
	DETECTABLE WARNING PLATES								
0032	6220	150	Ft	23.00	3,450.00	21.00	3,150.00	24.00	3,600.00
	CONCRETE GUTTER, 48"								

Line	Pay Item Code	Quantity	Units	(3) Kamminga & Rood oets, Inc		(4) Wyoming Exca ators, Inc.		(5) GEORGETOWN CONSTRUCTION CO	
				Bid Price	Total	Bid Price	Total	Bid Price	Total
0033	6240	1,650	Ft	18.00	29,700.00	19.00	31,350.00	22.00	36,300.00
	CONCRETE CURB AND GUTTER, 30"								
0034	6270	14,175	S t	3.10	43,942.50	2.60	36,855.00	3.25	46,068.75
	CONCRETE SIDEWALK, 4"								
0035	6272	620	S t	5.50	3,410.00	4.50	2,790.00	5.00	3,100.00
	CONCRETE SIDEWALK, 8"								
0036	6280	7	Syd	32.00	224.00	44.00	308.00	60.00	420.00
	CONCRETE PAVEMENT NON REINFORCED, 4"								
0037	6280	100	Syd	50.00	5,000.00	75.00	7,500.00	85.00	8,500.00
	CONCRETE PAVEMENT NON REINFORCED, 4" , COLORED STAMPED								
0038	6284	440	Syd	45.00	19,800.00	41.00	18,040.00	50.00	22,000.00
	CONCRETE PAVEMENT NON REINFORCED, 8"								
0039	6295	37	Ea	475.00	17,575.00	612.00	22,644.00	550.00	20,350.00
	ADJUST CASTINGS								
0040	6305	195	Ton	150.00	29,250.00	200.00	39,000.00	150.00	29,250.00
	HAND PATCHING								
0041	6354	1,745	Ton	85.00	148,325.00	90.00	157,050.00	85.00	148,325.00
	HMA MIXTURE - 5E1								
0042	6362	950	Ton	84.00	79,800.00	79.00	75,050.00	84.00	79,800.00
	HMA MIXTURE - 3C								
0043	6430	318	Ft	12.50	3,975.00	12.50	3,975.00	13.00	4,134.00
	PAVT MRKG, INLAID COLD PLASTIC, 24" CROSSWALK								
0044	6431	36	Ft	12.50	450.00	12.50	450.00	13.00	468.00
	PAVT MRKG, INLAID COLD PLASTIC, 24" STOP BAR								
0045	6441	1	Ea	165.00	165.00	165.00	165.00	165.00	165.00
	PAVT MRKG, INLAID COLD PLASTIC, LEFT TURN ARROW								
0046	6610	1,410	Ft	0.26	366.60	0.30	423.00	0.26	366.60
	PAVT MRKG, REGULAR, 4" WHITE								
0047	6612	5,310	Ft	0.26	1,380.60	0.30	1,593.00	0.26	1,380.60
	PAVT MRKG, REGULAR, 4 YELLOW								

Line	Pay Item Code	Quantity	Units	(3) Kamminga & Rood oets, Inc		(4) Wyoming Exca ators, Inc.		(5) GEORGETOWN CONSTRUCTION CO	
				Bid Price	Total	Bid Price	Total	Bid Price	Total
0048	7005	4,601	Syd	3.50	16,103.50	6.00	27,606.00	4.00	18,404.00
	TOP SOIL 4" SCREENED								
0049	7015	4,601	Syd	1.00	4,601.00	2.00	9,202.00	0.80	3,680.80
	CLASS A SEED HYDRO-MULCH								
0050	8010	1	LSUM	17,300.00	17,300.00	81,954.00	81,954.00	55,000.00	55,000.00
	MINOR TRAFFIC CONTROL DEVICES								
0051	8115	200	Ea	19.00	3,800.00	29.00	5,800.00	30.00	6,000.00
	42 INCH CHANNELIZING DEVICE - FURNISHED								
0052	8116	200	Ea	0.10	20.00	1.00	200.00	1.00	200.00
	42 INCH CHANNELIZING DEVICE - OPERATED								
0053	8120	4	Ea	700.00	2,800.00	1,350.00	5,400.00	1,350.00	5,400.00
	LIGHTED ARROW TYPE A - FURNISHED								
0054	8121	4	Ea	25.00	100.00	100.00	400.00	100.00	400.00
	LIGHTED ARROW TYPE A - OPERATED								
0055	8122	4	Ea	1,700.00	6,800.00	4,850.00	19,400.00	5,000.00	20,000.00
	MESSAGE BOARD - FURNISHED								
0056	8123	4	Ea	50.00	200.00	500.00	2,000.00	500.00	2,000.00
	MESSAGE BOARD - OPERATED								
Bid Totals:					\$1,215,888.20		\$1,319,245.00		\$1,380,052.75

Line	Pay Item Code	Quantity	Units	(6) MONTGOMERY EXCAVATING		Bid Price	Total	Bid Price	Total	Bid Price	Total
				Bid Price	Total						
0001	1000	1	LSUM	69,500.00	69,500.00			0.00		0.00	
	MOBILIZATION										
0002	1008	2,800	Ft	5.00	14,000.00			0.00		0.00	
	REMOVE CURB AND GUTTER										
0003	1035	1,825	Syd	7.00	12,775.00			0.00		0.00	
	REMOVE SIDEWALK										
0004	1045	725	Syd	6.00	4,350.00			0.00		0.00	
	REMOVE PAVEMENT										
0005	1047	13	Ea	2,000.00	26,000.00			0.00		0.00	
	REMOVE CONCRETE COLLAR										
0006	1142	43	Ea	750.00	32,250.00			0.00		0.00	
	REMOVE EX COVER AND CASTINGS										
0007	1143	7	Ea	250.00	1,750.00			0.00		0.00	
	REMOVE EX VALVE AND BOX										
0008	1144	4	Ea	1,500.00	6,000.00			0.00		0.00	
	REMOVE EX VALVE (PIV)										
0009	1168	9	Ea	750.00	6,750.00			0.00		0.00	
	REMOVE EX HYDRANT										
0010	1170	80	Ft	50.00	4,000.00			0.00		0.00	
	REMOVE EX WATERMAIN										
0011	1208	6,210	Syd	2.75	17,077.50			0.00		0.00	
	COLD MILL - 2"										
0012	1218	6,315	Syd	3.50	22,102.50			0.00		0.00	
	COLD MILL - 4"										
0013	1550	317	Syd	10.00	3,170.00			0.00		0.00	
	REMOVE CONCRETE										
0014	4031	28	Ea	1,000.00	28,000.00			0.00		0.00	
	COVER AND CASTING										
0015	5040	9	Ea	3,250.00	29,250.00			0.00		0.00	
	HYDRANT										
0016	5050	3	Ea	650.00	1,950.00			0.00		0.00	
	HYDRANT EXTENSION										

Line	Pay Item Code	Quantity	Units	(6) MONTGOMERY EXCAVATING		Bid Price	Total	Bid Price	Total	Bid Price	Total
				Bid Price	Total						
0017	5076	11	Ea	1,250.00	13,750.00			0.00		0.00	
	VALVE 6"										
0018	5077	14	Ea	1,400.00	19,600.00			0.00		0.00	
	VALVE 8"										
0019	5101	282	Ft	80.00	22,560.00			0.00		0.00	
	D.I. CL 53 WATER PIPE 6"										
0020	5102	2,800	Ft	89.00	249,200.00			0.00		0.00	
	D.I. CL 53 WATER PIPE 8"										
0021	5201	16	Ea	535.00	8,560.00			0.00		0.00	
	6" D.I. WATERMAIN FITTING										
0022	5202	34	Ea	572.00	19,448.00			0.00		0.00	
	8" D.I. WATERMAIN FITTING										
0023	5605	3	Ea	2,760.00	8,280.00			0.00		0.00	
	1" WATER SERVICE, LONG SIDE										
0024	5607	9	Ea	4,575.00	41,175.00			0.00		0.00	
	1.5" WATER SERVICE, LONG SIDE										
0025	5609	1	Ea	6,380.00	6,380.00			0.00		0.00	
	2" WATER SERVICE, LONG SIDE										
0026	5724	1	Ea	8,175.00	8,175.00			0.00		0.00	
	8" X 20" TAPPING SLEEVE AND VALVE										
0027	6105	140	Cyd	40.00	5,600.00			0.00		0.00	
	MISCELLANEOUS GRAVEL										
0028	6114	2,790	Ft	74.00	206,460.00			0.00		0.00	
	STREET GRADE										
0029	6143	840	Syd	10.00	8,400.00			0.00		0.00	
	6" AGGREGATE BASE (CIP)										
0030	6215	1,600	S t	4.40	7,040.00			0.00		0.00	
	SIDEWALK RAMP, ADA										
0031	6217	160	Ft	80.00	12,800.00			0.00		0.00	
	DETECTABLE WARNING PLATES										
0032	6220	150	Ft	22.00	3,300.00			0.00		0.00	
	CONCRETE GUTTER, 48"										

Line	Pay Item Code	Quantity	Units	(6) MONTGOMERY EXCAVATING		Bid Price	Total	Bid Price	Total	Bid Price	Total
				Bid Price	Total						
0033	6240	1,650	Ft	20.00	33,000.00			0.00		0.00	
	CONCRETE CURB AND GUTTER, 30"										
0034	6270	14,175	S t	2.90	41,107.50			0.00		0.00	
	CONCRETE SIDEWALK, 4"										
0035	6272	620	S t	5.00	3,100.00			0.00		0.00	
	CONCRETE SIDEWALK, 8"										
0036	6280	7	Syd	50.00	350.00			0.00		0.00	
	CONCRETE PAVEMENT NON REINFORCED, 4"										
0037	6280	100	Syd	105.00	10,500.00			0.00		0.00	
	CONCRETE PAVEMENT NON REINFORCED, 4" , COLORED STAMPED										
0038	6284	440	Syd	45.00	19,800.00			0.00		0.00	
	CONCRETE PAVEMENT NON REINFORCED, 8"										
0039	6295	37	Ea	500.00	18,500.00			0.00		0.00	
	ADJUST CASTINGS										
0040	6305	195	Ton	150.00	29,250.00			0.00		0.00	
	HAND PATCHING										
0041	6354	1,745	Ton	85.00	148,325.00			0.00		0.00	
	HMA MIXTURE - 5E1										
0042	6362	950	Ton	82.00	77,900.00			0.00		0.00	
	HMA MIXTURE - 3C										
0043	6430	318	Ft	14.00	4,452.00			0.00		0.00	
	PAVT MRKG, INLAID COLD PLASTIC, 24" CROSSWALK										
0044	6431	36	Ft	14.00	504.00			0.00		0.00	
	PAVT MRKG, INLAID COLD PLASTIC, 24" STOP BAR										
0045	6441	1	Ea	200.00	200.00			0.00		0.00	
	PAVT MRKG, INLAID COLD PLASTIC, LEFT TURN ARROW										
0046	6610	1,410	Ft	0.30	423.00			0.00		0.00	
	PAVT MRKG, REGULAR, 4" WHITE										
0047	6612	5,310	Ft	0.30	1,593.00			0.00		0.00	
	PAVT MRKG, REGULAR, 4 YELLOW										

Line	Pay Item Code	Quantity	Units	(6) MONTGOMERY EXCAVATING		Bid Price	Total	Bid Price	Total	Bid Price	Total
				Bid Price	Total						
0048	7005	4,601	Syd	4.50	20,704.50		0.00		0.00		0.00
	TOP SOIL 4" SCREENED										
0049	7015	4,601	Syd	1.50	6,901.50		0.00		0.00		0.00
	CLASS A SEED HYDRO-MULCH										
0050	8010	1	LSUM	45,000.00	45,000.00		0.00		0.00		0.00
	MINOR TRAFFIC CONTROL DEVICES										
0051	8115	200	Ea	32.00	6,400.00		0.00		0.00		0.00
	42 INCH CHANNELIZING DEVICE - FURNISHED										
0052	8116	200	Ea	5.00	1,000.00		0.00		0.00		0.00
	42 INCH CHANNELIZING DEVICE - OPERATED										
0053	8120	4	Ea	1,500.00	6,000.00		0.00		0.00		0.00
	LIGHTED ARROW TYPE A - FURNISHED										
0054	8121	4	Ea	110.00	440.00		0.00		0.00		0.00
	LIGHTED ARROW TYPE A - OPERATED										
0055	8122	4	Ea	5,350.00	21,400.00		0.00		0.00		0.00
	MESSAGE BOARD - FURNISHED										
0056	8123	4	Ea	550.00	2,200.00		0.00		0.00		0.00
	MESSAGE BOARD - OPERATED										
Bid Totals:					\$1,418,703.50						

CONTRACT FORM

Page 1 of 2

This Contract Form must be signed by the Bidder and provided as part of the Bid submittal. If the Bidder is selected, the Contract is approved by the City Council, the City receives all bonds, insurance and other required documents, the City Mayor, Clerk and Attorney will sign this contract form. A copy will be provided to the Contractor.

City Standard Contract for 2020 WATERMAIN REPLACEMENT PROJECT (BUCHANAN AVENUE)

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

"Contract Documents" means the bid together with the invitation to bid, bid specifications, city standard terms and conditions, plans, instructions to bidders, bid form, any prequalification submittals filed by the bidder, and other documents comprising of or required in the bid package, City Council resolution, insurance, and any required bonds.

"City" means the City of Wyoming, a Michigan municipal corporation, of 1155 28th Street SW, Wyoming, MI 49509,

"Contractor" means:

Bultsma Excavating, Inc

LEGAL NAME OF COMPANY

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

Michigan Domestic Corporation

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

Grand Rapids,
CITY

MI
STATE

49534
ZIP CODE

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

Terms and Conditions

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

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

CONTRACT FORM, CONTINUED

Page 2 of 2

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

City of Wyoming

By: _____
Jack A. Poll, Mayor

By: _____
Kelli A. Vandenberg, City Clerk

Date signed: _____

Approved as to form:

Scott G. Smith, City Attorney

Contractor

By: Matthew LaRue
Signature of Bidder

Matthew LaRue
Printed Name of Bidder

SPM
Title

Date signed: 5/26/2020



RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE PURCHASE OF
ALUMINUM SULFATE (ALUM)
AND HYDROFLUOROSILICIC ACID (FLUORIDE)

WHEREAS:

1. As detailed on the attached staff report, the City of Grand Rapids accepted formal bids for aluminum sulfate (alum) and hydrofluorosilicic acid (fluoride).
2. The City of Grand Rapids included the cities of Wyoming, Holland, Grand Rapids, Grand Haven, Muskegon Heights and Muskegon on the bid.
3. It is recommended the City Council authorize the purchase from the low bidders, USALCO, Michigan City Plant, LLC. (alum) and Univar USA, Inc. (fluoride).
4. Funds for the purchase are budgeted in account number 591-591-55300-740.000.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby authorize the purchase of aluminum sulfate (alum) from USALCO Michigan City Plant, LLC.
2. The City Council does hereby authorize the purchase of hydrofluorosilicic acid (fluoride) from Univar USA, Inc.
3. 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 June 1, 2020.

ATTACHMENTS:
Staff Report

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. _____

STAFF REPORT

Date: May 20, 2020

Subject: Purchase of Aluminum Sulfate and Hydrofluosilicic Acid (fluoride)

From: Robert Veneklasen, Water Plant Superintendent

Meeting Date: June 1, 2020

RECOMMENDATION:

It is recommended the City accept the West Michigan Cooperative purchasing group three-year competitive bids for Aluminum Sulfate (aka alum) provided by USALCO and Hydrofluosilicic Acid (aka fluoride) provided by Univar.

COMMUNITY, SAFETY, STEWARDSHIP:

Participation in the West Michigan Cooperative purchase of chemical provides the City with the most favorable pricing for the necessary treatment chemicals through the greater quantity to be supplied. In addition, cooperative purchasing maintains communications and common benefits between the participating municipal utilities.

DISCUSSION:

The City of Grand Rapids has accepted and awarded contracts for the purchase of alum and fluoride. This year's bid solicitation is for a three-year period with annual renewals. The bids were received by Grand Rapids as part of the West Michigan Cooperative purchasing strategy with participation by the cities of Wyoming, Holland, Grand Rapids, Grand Haven, Muskegon Heights, and Muskegon. The City of Wyoming has participated in the cooperative purchasing program for over fifteen years.

The low bid for alum in each of the three years was received from USALCO, our current alum supplier. The new bid of \$343.91 is a cost increase of \$17.47 per dry ton from last year's bid price, with modest increases of 3% in each subsequent year.

The low bidder for fluoride in each of the three years was received from Univar, also our current fluoride supplier. The new bid of \$349.99 is a cost increase of \$91.99 per ton from last year's bid price, with no annual increase for the subsequent years.

BUDGET IMPACT:

Based on the average water treatment flows for the past seven years the anticipated cost for each chemical is as follows:

Aluminum Sulfate:	\$ 324,298.00
Hydrofluosilicic Acid:	\$ 73,148.00

Adequate funds were budgeted in account #591-591-55300-740.000 for both of these chemicals.

RESOLUTION NO. _____

RESOLUTION FOR AWARD OF BID

WHEREAS:

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

NOW, THEREFORE, BE IT RESOLVED:

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

Item	Recommended Bidder	Cost
Carbide Scraper Blades	Nordic Blades	Bid prices as shown on the attached Staff Report

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 June 1, 2020.

Kelli A. Vandenberg, Wyoming City Clerk

ATTACHMENT:
Staff Report

Resolution No. _____

STAFF REPORT

DATE: May 14, 2020

SUBJECT: Bid Award – Carbide Scraper Blades

FROM: Ted Seil, Fleet Supervisor

Date of Meeting: June 1, 2020

RECOMMENDATION:

The Public Works Department recommends that the City Council award the Carbide Scraper Blades bid to the lowest bidder, Nordic Blades, at a price of \$209.27 per blade.

COMMUNITY, SAFETY, STEWARDSHIP:

Proper equipment maintenance during winter operations allows the Public Works Department to provide high quality service to all residents of the community. Carbide scraper blades attach to the snowplow, extend the life of the plow edge, and are of a high strength so that they do not need to be replaced frequently.

DISCUSSION:

On April 21, 2020, the City received six bids for Carbide Scraper Blades out of thirty-four invitations to bid that were sent out. Nordic Blades provided the lowest bid of \$209.27 per blade, which is approximately 3% more than last year's price. The Public Works Department anticipates purchasing 90 blades for a total of \$18,834.30.

The Public Works Department maintains approximately 240 miles of streets. A fleet of trucks are used to remove snow and ice from these streets. Replaceable carbide blades are attached to the under-scraper plow blade of each truck. Each truck uses three carbide blades and are typically replaced one to two times per year.

BUDGET IMPACT:

Sufficient funds are available in the Motor Pool Fund, Equipment Operations, Maintenance Supplies account, 661-441-58200-775.000.

BID TABULATION:

Bidder	Bid Price	Manufacturer
Nordic Blades	\$ 209.27	Nordic Blades
Valk Manufacturing Company	\$ 217.48	Valk
Heights Machinery	\$ 223.99	Black Cat CICT754844-UB
Winter Equipment Company Inc	\$ 233.00	Winter
MacAllister Machinery DBA MI CAT	\$ 289.79	CAT
Wear Parts & Equipment	\$ 357.94	Kennametal

ORDINANCE NO. 7-20

AN ORDINANCE TO AMEND SECTION 90-32 OF THE CODE OF ORDINANCES BY
ADDING SUBSECTION (125) TO REZONE 1950 44TH ST SW FROM R-1 TO R-4

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-32 of the Code of the City of Wyoming is amended by adding subsection (125) to read as follows:

- (125) To conditionally rezone the following described property at 1950 44th St SW from R-1 Residential to R-4 Residential, subject to the terms and conditions of the Conditional Rezoning Contract dated as of April 23, 2020, among the City of Wyoming and KI DV, LLC, John Lee Koetje, a copy of which is attached as Exhibit A.

DESCRIPTION:

PART OF THE NE 1/4, SECTION 27, T6N, R12W, CITY OF WYOMING, KENT COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE NW CORNER OF CHATEAU ESTATES NO. 10, THENCE NORTH ALONG THE N & S 1/4 LINE TO THE SOUTH LINE OF THE NORTH 375 FEET OF THE NE 1/4; THENCE EAST ALONG SAID SOUTH LINE TO THE EAST LINE OF THE WEST 20 FEET OF THE NE 1/4; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF THE NORTH 750 FEET OF THE NE 1/4; THENCE EAST ALONG SAID SOUTH LINE TO A POINT 435.0 FEET WEST ALONG SAID SOUTH LINE FROM THE EAST LINE OF THE WEST 2/3 OF THE NORTH 3/4 OF THE WEST 1/2 OF THE NE 1/4; THENCE SOUTH TO THE NW CORNER OF LOT 394 OF CHATEAU ESTATES NO. 10; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT TO THE NORTH LINE OF SAID PLAT; THENCE WEST TO THE BEGINNING.

Section 2. This ordinance shall take effect on _____, 2020.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on _____, 2020.

Kelli A. Vandenberg,
Wyoming City Clerk

Exhibit A

CONDITIONAL REZONING CONTRACT

This Conditional Rezoning Contract is made as of July __, 2020, between the City of Wyoming, Michigan, a Michigan municipal corporation with offices located at 1155 28th Street SW, Wyoming, MI 49509-0905 (the "**City**"), and KI DV, LLC, an Michigan limited liability company, whose address is 1860 R.W. Berends Dr SW, Wyoming, MI 49519 ("**KI DV**").

RECITALS

A. KI DV owns the real property located at 1950 44th Street SW in the City, PP# 41-17-27-201-022 (the "**Property**") that it wishes to develop apartments and parking (the "**Desired Use**") described as:

Part of the NE 1/4, Section 27, T6N, R12W, City of Wyoming, Kent County, Michigan, described as: BEGINNING at the NW corner of Chateau Estates No. 10, thence North along the N & S 1/4 line to the South line of the North 375 feet of the NE 1/4; thence East along said South line to the East line of the West 20 feet of the NE 1/4; thence South along said East line to the South line of the North 750 feet of the NE 1/4; thence East along said South line to a point 435.0 feet West along said South line from the East line of the West 2/3 of the North 3/4 of the West 1/2 of the NE 1/4; thence South to the NW corner of Lot 394 of Chateau Estates No. 10; thence South along the West line of said Lot to the North line of said plat; thence West to the beginning.

B. Under the City's zoning ordinance, *i.e.*, Chapter 90 of the Code of Ordinances, City of Wyoming, Michigan (the "**Zoning Ordinance**"), the Desired Use is not allowed in the R-1 Single Family Residential zoning district in which the Property is currently located so, about September 12, 2018, KI DV applied to the City to rezone the Property to the R-4 Residential zoning district but voluntarily offered certain conditions (stated in section 1 below) to the proposed rezoning to ensure the Property as developed will be compatible with adjacent and nearby uses.

C. In accordance with section 405 of the Michigan Zoning Enabling Act, 2006 PA 110, MCL 125.3405, following a duly noticed public hearing, the City's Planning Commission recommended denying the conditional rezoning of the Property but the City Council approved the rezoning of the Property to the R-4 zoning district subject to the conditions and other terms stated in this Contract by Ordinance No. 7-20 adopted on _____, 2020 (the "**Rezoning**").

TERMS AND CONDITIONS

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

1. Rezoning Conditions. KI DV offered the following conditions to the Rezoning and the City Council by approving the Rezoning and this Contract has accepted and conditioned the Rezoning on compliance with the following conditions (the "**Rezoning Conditions**"):

- A. The property will be rezoned from R-1 Single Family Residential to R-4 Multi-Family Residential.
- B. The use of the parcel under the R-4 zoning will be limited to 40 apartment units.
- C. Building type will be R-2 use group as defined by the Michigan Building Code.
- D. The owner agrees to combine this parcel with Deer View Phase 2 existing apartment project for property tax purposes.
- E. The project will be developed with no more than 40 garages and 56 open parking spaces.
- F. Trash containers with approved enclosures will be provided, with regularly scheduled pick-up arranged by the owner.
- G. The owner agrees to commence construction within 2 years of final rezoning to R-4 and site plan approval. If construction is not commenced within 2 years, the zoning shall revert to R-1. If the rezoning is challenged after City Council approval, the 2-year period shall begin after the challenge is resolved.

H. A buffer zone will be provided on the south 100 feet of the property. Trees of a diameter of 5 inches or more will not be removed from the buffer zone unless they are dead, diseased, or in danger of causing harm to persons or property due to their condition.

I. The property will not be used for private educational facilities, a convalescent or nursing home, a foster care group home, boarding house or rooming house, a nursery school, day nursery or childcare facility.

J. The "rezoning site plan" dated April 16, 2020 is an exhibit for the rezoning and the final site plan will be substantially the same as this exhibit.

2. Noncompliance Consequences and Remedies.

A. A violation of any the Rezoning Conditions will constitute a violation of the Zoning Ordinance and may be addressed in any manner allowed for any other violation of the Zoning Ordinance. Unless a suspected violation may be an imminent threat to the public health, safety or general welfare, or unless there have been repeated violations at the subject property, it has been the City's practice for City officials to notify property owners and occupants of a suspected violation of the Zoning Ordinance and provide property owners and occupants an opportunity to cure that violation before undertaking any other enforcement actions. The City does not have a current intention to alter that practice.

B. If either a court of competent jurisdiction or, the City Council, after notice to the owner of the Property and an opportunity for the owner of the Property to address the alleged violations in writing and in person to the City Council before the City Council makes its determination, determine that a violation of the Rezoning Conditions occurred, the City Council may by resolution determine the zoning of the Property shall revert to the RO-1 Restricted Office zoning district.

3. Term.

A. This Contract shall take effect upon the effective date of the Rezoning.

B. Unless otherwise released by either by rezoning to the R-1 Single Family Residential zoning district or by a recorded release approved by a resolution of the City Council of the City, this Contract shall be perpetually in effect, running with the land. However, nothing in this Contract precludes the City from rezoning the Property in accordance with the processes provided by state law and the Zoning Ordinance.

C. This Contract may be amended only if that amendment is approved by the City Council following a recommendation of the City Planning Commission. Minor extensions to the time limitations for completion of Rezoning Conditions B and C shall be granted upon a showing of reasonable cause. No public hearing shall be required to amend or terminate this Contract.

4. General Provisions.

A. Any notice, request or other communication given pursuant to this Contract to either party shall be in writing and shall be deemed given when (i) delivered personally, (ii) when actually delivered by FedEx, UPS or similar delivery service, or (iii) when delivered and acknowledged by e-mail to the other party at the addresses first set forth above, unless the other party has designated in writing a different address for the serving of notices by a notice given in compliance with this subsection.

B. This is the entire agreement between the parties as to its subject matter. It may not be modified except in writing signed by both parties. It shall not be affected by any course of dealing and the waiver of any breach shall not constitute a waiver of any subsequent breach of the same or any other provision.

C. This Contract was made in Kent County, Michigan and the rights and obligations of the parties under this Contract shall be governed by and construed in accordance with the laws of the state of Michigan.

E. The captions are for reference only and shall not affect the interpretation of this Contract. However, the recitals are an integral part of this Contract.

F. This Contract is binding upon the parties, on all succeeding owners and occupants of the Property, and on any successors and assigns of the City.

G. This Contract shall be enforceable only by the parties and no other person shall have the right to enforce any provision.

H. No delay on the part of either party in the exercise of any right or remedy shall operate to waive that right or any other right and a waiver of a right or remedy on any one occasion shall not bar or waive that right or remedy for a subsequent breach of the same or any other provision of this Contract.

I. To the extent permitted by law, the jurisdiction and venue for any action brought pursuant to, arising from or to enforce any provision of this Contract shall be solely in the state courts in Kent County, Michigan and the prevailing party in any such action shall, in addition to any other remedy, be entitled to recover its costs, including, without limitation, actual, reasonable filing fees, legal fees, expert fees, discovery expenses and other costs incurred to investigate, bring, maintain or defend any such action for its first accrual or first notice thereof through all appellate and collection proceedings.

J. A copy of this Contract shall be recorded with the Kent County Register of Deeds.

The parties have signed this Agreement as of the date first written above.

CITY OF WYOMING

STATE OF MICHIGAN

COUNTY OF KENT

By: _____

Jack A. Poll, Mayor

On _____, 2020, Jack A. Poll and Kelli A. Vandenberg, known to me as the Mayor and Clerk, respectively for the City of Wyoming, acknowledged their signatures before me.

By: _____

Kelli A. Vandenberg, City Clerk

*

Notary public, _____ County, MI

Acting in Kent County, MI

Approved as to form:

My commission expires: _____

Scott G. Smith, City Attorney

KI DV, LLC

STATE OF MICHIGAN

COUNTY OF KENT

By: _____

John Lee Koetje, Manager

On _____, 2020, John Lee Koetje, known to me as the managing member of KI DV LLC, acknowledged his signature before me.

*

Notary public, Kent County, MI

Acting in Kent County, MI

My commission expires: _____

No state or county transfer tax is due because no interest is conveyed by this document.

Drafted by:

Scott G. Smith, City Attorney

City of Wyoming

1155 28th Street SW

Wyoming, MI 49509

When recorded, return to:

Kelli A. VandenBerg, City Clerk

City of Wyoming

1155 28th Street SW

Wyoming, MI 49509

May 26, 2020

Ms. Kelli A. VandenBerg
City Clerk
Wyoming, MI

Subject: Request to grant a rezone from R-1 to R-4. The property is located at 1950 44th Street SW (Section 27) (KI DV, LLC).

Planning Commission Recommendation: To approve the subject rezoning request.

Dear Ms. VandenBerg,

The above referenced request was reviewed by the Planning Commission at their regular meeting on May 19, 2020. A motion was made by VanDuren, supported by Weller, to recommend to City Council approval of the request for a rezone to R-4. The motion passed 6-2 following discussion.

This project first appeared before City Council in February 2020. At that time the Planning Commission had recommended denial citing concerns of not having a conceptual site plan to review, as well as noting concerns raised by the neighbors about potential impacts to, and location of, wetlands in the immediate area. The developer requested time to work through the concerns raised at the Planning Commission meeting. At the First Reading, Council voted to return the item to the Planning Commission with the request that the developer submit a site plan and respond to questions that had been posed regarding the potential impact on wetlands.

At the May Planning Commission, the developer addressed the issues previously raised. They engaged a wetlands specialist to identify the wetland's location and ensure building placement would not violate wetlands regulations; revised their conditional rezoning offer to include a site plan; and mailed a letter to all neighbors within 600 feet of the subject property that included the new conceptual site plan, noting the location of wetlands. The letter also provided the date and meeting time of the Planning Commission meeting at which the zoning would be reconsidered.

The revised conditional rezoning offer provides the following:

- Condition that the site will be limited to 40 apartment units.
- Condition that the project will be developed with no more than 40 garages and 56 open parking spaces.



CITY COUNCIL

Sheldon DeKryger

Dan Burrill

Kent Vanderwood

Marissa Postler

Robert Postema

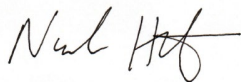
Sam Bolt

Jack A. Poll, Mayor

- The developer will preserve a minimum 100' buffer on the south edge of the property, and trees of a diameter of 5 inches or more will not be removed from the buffer zone unless they are dead, diseased, or in danger of causing harm to persons or property due to their condition.
- The developer has 2 years to commence construction of the project or the property reverts to the R-1 zone district.
- A conceptual site plan has been submitted. While final site plan approval will be required at a later date, the site plan would need to be wholly consistent with the conceptual plan proposed with this conditional rezoning offer.

A detailed review of the meeting discussion, including the meeting minutes and public comment provided, is available in the attached Planning Commission minutes and supportive materials.

Respectfully submitted,

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

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 JUNE 16, 2020

PLANNING COMMISSION
MEETING MINUTES OF MAY 19, 2020
CITY COUNCIL CHAMBERS
CITY OF WYOMING, MICHIGAN

Note: The May 19th, 2020 Planning Commission Meeting was held virtually in accordance with Governor Whitmer's Executive Order 2020-75.

MEMBERS PRESENT: Arnoys, Goodheart, Hegyi, Micele, Chatterley, VanDuren, Weller,
DeLange

MEMBERS ABSENT: Beuche

Motion brought by Hegyi and supported by Goodheart to excuse Beuche.

A vote on the motion carried unanimously.

STAFF PRESENT: Hofert, City Planner
Brock-Knoper, Recording Secretary
Rynbrandt, Director of Community Services
Meagher, Community Services Department
Bell, Community Services Department

Chair DeLange called the meeting to order at 7:00 PM. DeLange read an opening statement regarding the online meetings executive order and instructed the public on various strategies they could use to enter in their comments during the meeting.

APPROVAL OF MINUTES

The minutes of 4/21/20 were unanimously approved as written.

APPROVAL OF AGENDA

The agenda was unanimously approved as presented.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

Chair DeLange opened the floor for public comments on Agenda Items #1-3 at 7:06 p.m.

Hofert stated that there had been two emailed comments for Agenda Item #3 submitted via the plan_info email prior to the meeting and that these emails had been forwarded to the commissioners.

Bill Vukovich, 4568 N. Camrose Ct. SW, asked that the presentation he had submitted to Hofert be shown that addressed Agenda Item #3. He questioned the information about the property that he had found on the AccessKent website, which indicated that the property was zoned as R-4, and that it was considered commercial property. He also noted that there had been a change in the property value on the website. He stated that he heard there might be a mistake in the AccessKent system, which made it difficult to trust the Commission and City Staff in general. *(Editor's note: Staff confirmed to the Commission that an error had been found on the Access Kent website and that it had been corrected prior to the meeting).*

In presenting his next slides, Vukovich expressed concern with the proposed buildings' proximity to wetlands. Vukovich stated that the development would encroach on his and his neighbor's privacy because it was too close to their property and that it would also destroy the natural habitat. Finally, he expressed his belief that the development would cause the quality of life in the area to decrease.

Lily Schulting, a member of the public, introduced herself as a community advocate and as a candidate for State Representative in District 72. She expressed her support for affordable housing in general. She specifically expressed her support for Agenda Item #1, the Linc Up Townhome project. She stated that Linc Up has had a positive effect on neighboring communities.

Chair DeLange made final call for comments on non-public hearing items and heard none. The public comment period was closed at 7:16 pm.

PUBLIC HEARING

NEW BUSINESS

AGENDA ITEM NO. 1

Request for Condominium and Site Plan Approval at 135 and 137 36th St. SE (Section 18) (Linc Up).

Hofert presented on the proposed land use for the project. The site is to be developed as two townhome buildings, each with six condominium units. The LEED certified units will be two stories tall, with three bedrooms and two and a half baths. Six townhomes will face 36th Street, the other six will face Wexford Street. These will be constructed in two phases, with the building facing Wexford being built first. It is proposed that each condominium unit will have its own accessory garage located behind each unit. The condominiums will have a shared ownership agreement including a shared driveway and trash services. The driveway is accessible via Jefferson Ave.

OLD BUSINESS

AGENDA ITEM NO. 3

Request for a Rezone from R-1 to R-4. The property is located at 1950 44th St. SW (Section 27) (KI DV, LLC).

Hofert presented on the item and its history. The project is a requested rezone to allow for Phase II of the construction for Deer View Apartments. The project first came before Planning Commission in January 2020 and then went to City Council in February. Planning Commission had recommended denial based on not having a site plan to review as well as concerns raised by the neighbors about the wetlands. Council returned the item to the Planning Commission with the request that the developer submit a site plan and answer some questions that had been posed regarding the potential impact on wetlands.

Hofert stated that the Developer has revised their original conditional rezoning contract to include a conceptual site plan. She noted that they worked with a wetlands specialist when drafting the plan. Additionally, the developer mailed a letter to all the neighbors, which included the proposed plan and the date of today's meeting.

Hofert presented on the proposed land use. The envisioned use of the current lot is for it to become a phase II addition to Chateau Estates, which is the already existing multi-family residential development to the property's North and East. This second phase of the development plan will be labeled Deer View Apartments, for which it is proposed that 40 new units will be constructed. If rezoned, the property owner will apply to combine this lot with the adjacent Chateau Estates parcel to its North and East.

Hofert shared that the developer submitted a revised conditional rezoning contract offer with their application. The offer includes:

- Condition that the site will be limited to 40 apartment units;
- Condition that the project will be developed with no more than 40 garages and 56 open parking spaces;
- The developer will preserve a minimum 100' buffer on the south edge of the property. Trees of a diameter of 5 inches or more will not be removed from the buffer zone unless they are dead, diseased, or in danger of causing harm to persons or property due to their condition;
- The developer has 2 years to commence construction of the project or the property reverts to the R-1 zone district; and
- A conceptual site plan has been submitted. While final site plan approval will be required at a later date, the site plan would need to be wholly consistent with the conceptual plan proposed with this conditional rezoning offer.

Hofert additionally pointed out, that while in the conceptual offer the developer states it will preserve a minimum 100' buffer, the site plan actually shows a minimum 125' buffer. Hofert

reminded the commissioners that the conceptual site plan will be wholly consistent with the final approved site plan.

Hofert shared that ordinance amendments and rezonings are legislative decisions, not tied to specific standards listed in the ordinance. However, certain factors are commonly considered with respect to rezonings, including:

a. *Consistency with the adopted master plan;*

Hofert stated that when the City's Master Plan was updated in 2006, it had envisioned for this site to allow for medium-density residential uses in the future. Rezoning this property from R-1 to R-4 would allow for this denser type of residential use to be enjoyed and would align the property with its envisioned future use.

b. *Compatibility of the allowed uses with existing and future land uses;*

Hofert explained that the proposed R-4 District would allow for multi-family residential units to become permitted. This medium-density type development is compatible with the envisioned land use of the City's Master Plan.

c. *Capability of the property to be served by public services;*

There are no apparent impediments that would prevent public services from serving the site.

d. *Ability of the property to be used as currently zoned;*

This parcel is currently zoned R-1, which only permits single-family residential units. For the proposed multi-family residential development to be built, the site must be rezoned to a land-use that permits this denser housing type. The rezoning would allow for the property to become consistent with the zoning and the residential character of adjacent sites. The property is land landlocked by other developments and is not suitable for development of single-family homes.

e. *Appropriateness of all uses allowed within the proposed district at the property location.*

All principal permitted uses in the proposed R-4 district would be appropriate at this location. However, a conditional rezoning offer does limit the use of this property. Under the offer, the property will not be used for private educational facilities, a convalescent or nursing home, a foster care group home, boarding house or rooming house, a nursery school, day nursery or child care facility.

Hofert reported that the project conformed with the City of Wyoming Sustainability Principals. The proposed project supports social equity and diversity that contributes to a vibrant community.

Hofert stated that the Development Review Team's recommendation is that the Planning Commission recommend approval to City Council for the proposed conditional rezoning from R-1 to R-4 residential at 1950 44th St SW.

She shared that representatives for the applicant were at the meeting and had additional information to share regarding the project.

Doug Stalsonburg, Exxel Engineering and representative for the applicant, shared a site plan slide with the Commission and entered comments responding to the concerns that had been brought forth during the public hearing.

Stalsonburg outlined the design features of site plan, acknowledging that the 44 units that had originally been planned for would not be possible, which led to the developer reducing the number of units to 40. The developer hired a local environmental consultant to advise on the project to address these concerns and made changes based on their recommendations. Stalsonburg related that the proposed project meets setback requirements and parking conditions. Additionally, Stalsonburg related that the developer had added Condition 11, which requires that the site plan will be substantially consistent with plan being presented to the group in its final state. Adjustments were made to the site plan based on recommendations from the Fire Department including an added fire lane extension and a small adjustment by the westerly dumpster. The utility schematic plan was approved by the engineering department.

Stalsonburg stated that the surveying crew the developer had hired confirmed that the proposed buildings would not encroach on any wetlands. No EAGLE permit will be necessary for the project. Stalsonburg also illustrated that there is an approximate 30 foot grade change and 100 feet of buffer space in between the southerly property line of the nearest neighbors and the grade of the proposed buildings, adding to the privacy of existing neighbors and that there was a substantial tree covered hill in the 100 foot buffer that will be undisturbed.

John Durrell, representative for the applicant, addressed Vukovich's comments regarding property values and loss of natural habitat. The majority of the comments that were taken at the Council meeting were regarding the loss of natural habitat. Durrell shared a map of all parks and natural areas in the vicinity of the property. He stated that there are numerous parks and natural area still available in the neighborhood. Regarding the comments on loss of property value, the developer consulted with a real estate professional on those concerns and found that the evidence does not support the supposition that developments such as this decrease property values dramatically. He showed property value projections over different years to support this claim.

A motion was entered by VanDuren and supported by Weller to recommend approval of the proposed conditional rezone to R-4 to the City Council.

Chair DeLange asked for discussion and questions from the group.

Weller asked if the group would see a final site plan for landscaping and Hofert replied that final site plans, including landscaping plans, would come for final approval later and that tonight's approval was on the rezoning. The conceptual plan submitted was to demonstrate that the area can be developed without disturbing the wetlands. Weller stated that he was in support of the plan and wanted to have final input on landscaping.

Goodheart questioned the setbacks shown on the plan and if they meet the requirements. He further noted that the eight garages on NW corner seem like they might need to be shifted slightly. The developer replied that he might have to adjust the position of that building to meet fire lane requirement.

Hofert replied that setbacks are not an issue since this lot will be combined with adjacent parcels. Once that combination occurs, all setback requirements will be met. Goodheart asked whether it would be the same owner as the surrounding properties and Hofert replied that this was correct.

DeLange noted that the side yard setbacks next to the residential on the plan indicate an increase of 25-37% over what is required, which is a step in the right direction and should be appreciated by the neighbors. He applauded the developer for working with the neighbors to provide this added privacy.

Arnoys echoed Weller's comments about sensitivity to neighbors and stated that when the site plan phase starts, it's important to think about the grade issue that was presented to be sensitive to the neighbor's comments about privacy.

Chatterley had a question about one of the comments made during the public comment period and wanted clarification about whether or not the property was already zoned to R-4. She wanted a response to the question on why it had been listed incorrectly.

Hofert replied that the assessor's record on the property was accidentally changed, and that this change was linked to the online AccessKent portal, which is why the zoning information was incorrect on that website. All rezoning of any property in the City needs to be approved by ordinance and that had not happened in this case. This was a minor technical error and has been corrected.

The motion to recommend the conditional R-4 rezone to City Council passed with a vote of 6-2. Hegyi and Chatterley voted against.

INFORMATIONAL

Chair DeLange asked Hofert for an update on the 2020 land use plan.

Hofert related that the website, wyomingreimagined.com, has all the latest information on the plan. The plan has currently exited the visioning stage and was in the policy framework development stage. There was a steering committee meeting last week which confirmed the direction the plan is heading in. Hofert stated that the master plan will be in draft form this summer and will go for public comment to the city and neighboring municipalities. The goal is for the master plan to be adopted in early fall.

PUBLIC COMMENT

GENERAL NOTES

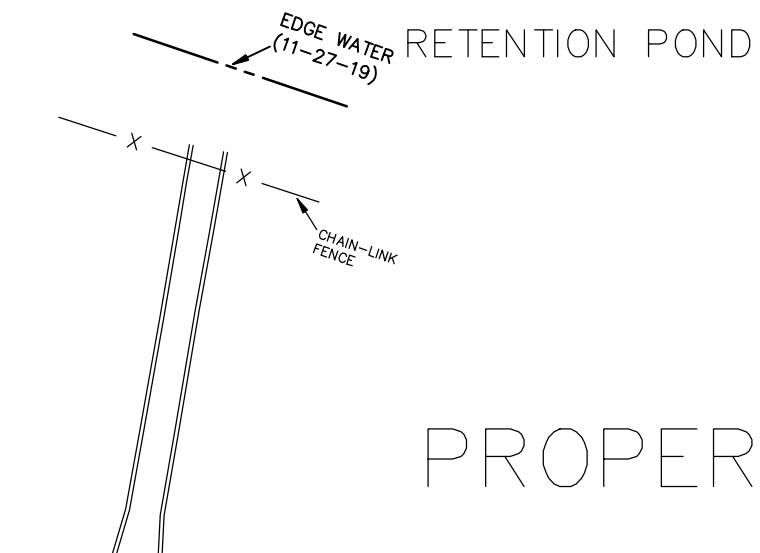
1. DESCRIPTION
 PART OF THE NE 1/4, SECTION 27, T6N, R12W, CITY OF WYOMING, KENT COUNTY, MICHIGAN, DESCRIBER AS: BEGINNING AT THE NW CORNER OF CHATEAU ESTATES NO. 10, THENCE NORTH ALONG THE N & S 1/4 LINE TO THE SOUTH LINE OF THE NORTH 375 FEET OF THE NE 1/4; THENCE EAST ALONG SAID SOUTH LINE TO THE EAST LINE OF THE WEST 20 FEET OF THE NE 1/4; THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF THE NORTH 750 FEET OF THE NE 1/4; THENCE EAST ALONG SAID SOUTH LINE TO A POINT 435.0 FEET WEST ALONG SAID SOUTH LINE FROM THE EAST LINE OF THE WEST 2/3 OF THE NORTH 3/4 OF THE WEST 1/2 OF THE NE 1/4; THENCE SOUTH TO THE NW CORNER OF LOT 394 OF CHATEAU ESTATES NO. 10; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT TO THE NORTH LINE OF SAID PLAT; THENCE WEST TO THE BEGINNING.

2. EXISTING ZONING = R-1
 3. PROPOSED ZONING = R-4
 4. PARKING
 NUMBER OF UNITS PROPOSED 40 (20-2 BEDROOM & 20-1 BEDROOM)
 REQUIRED PARKING - 2 SPACES / UNIT = 80 SPACES
 PARKING PROVIDED 40 GARAGES
 56 OPEN SPACES
 96 TOTAL SPACES

SCALE : 1"=50'



Know what's below.
 Call before you dig.



CHURCH PROPERTY

EDGEMONT DRIVE
 RIDGEVIEW ESTATES
 R-1

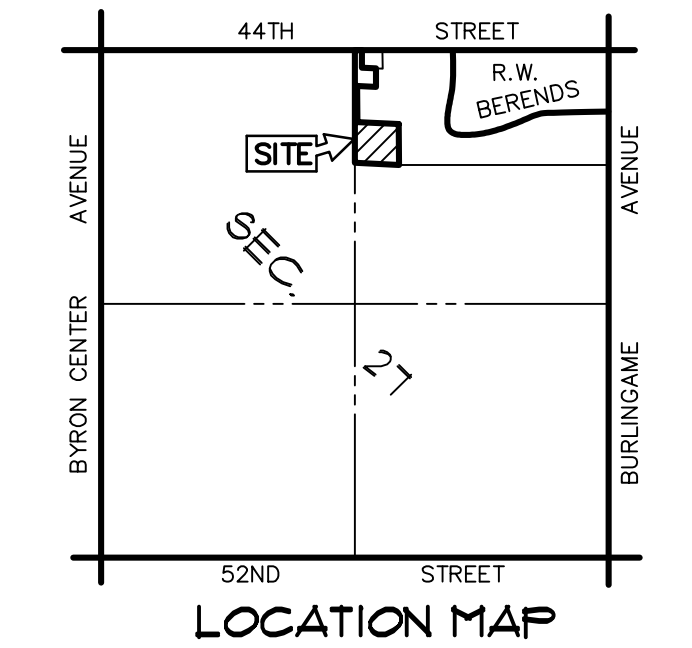
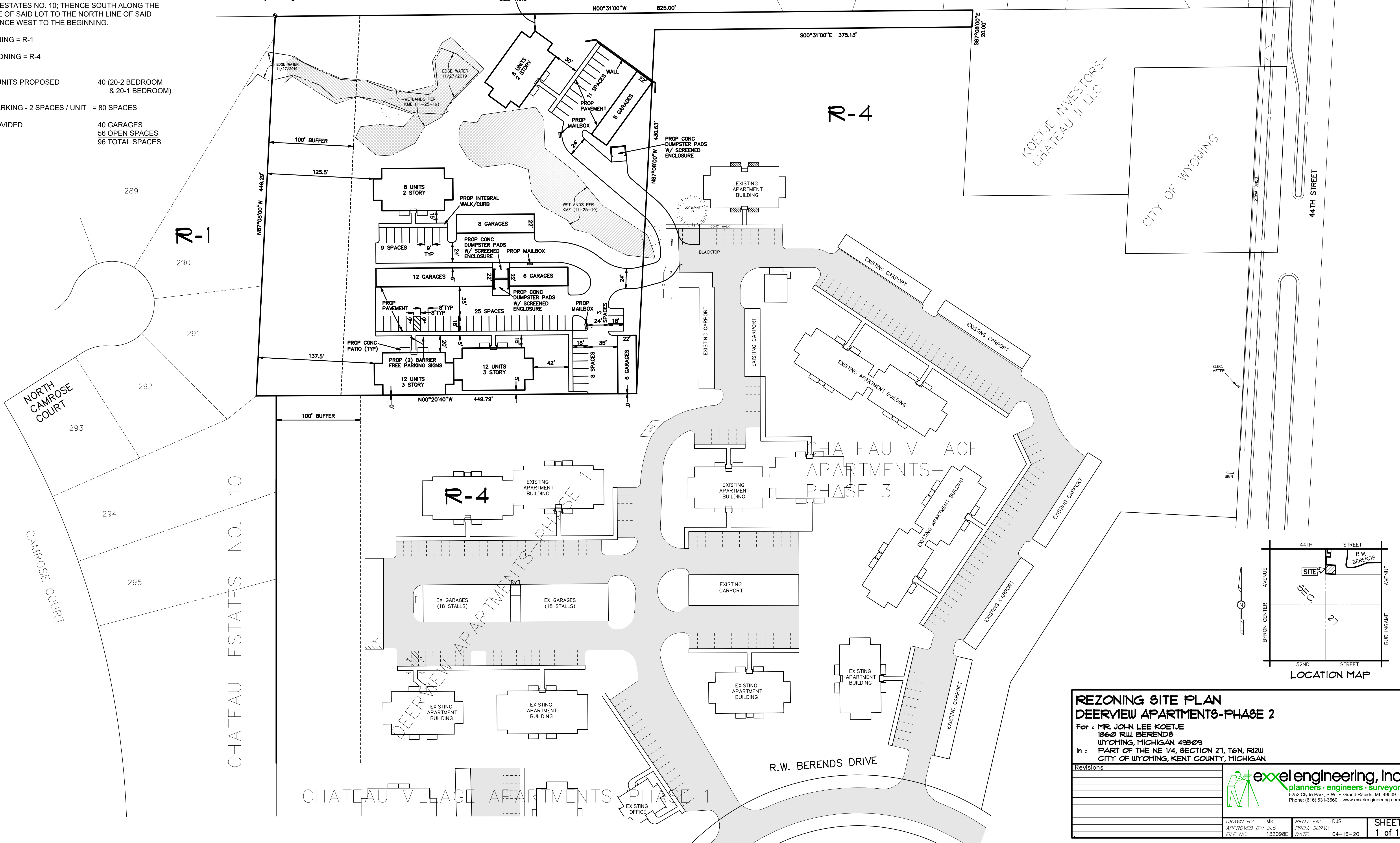
KOETJE INVESTORS-
 CHATEAU II LLC

CITY OF WYOMING

44TH STREET

CHATEAU VILLAGE APARTMENTS-
 PHASE 3

CHATEAU VILLAGE APARTMENTS-
 PHASE 1



REZONING SITE PLAN
DEERVIEW APARTMENTS-PHASE 2
 For : MR. JOHN LEE KOETJE
 1860 R.W. BERENDS
 WYOMING, MICHIGAN 49509
 In : PART OF THE NE 1/4, SECTION 27, T6N, R12W
 CITY OF WYOMING, KENT COUNTY, MICHIGAN

Revisions	DATE	BY

exel engineering, inc.
 planners · engineers · surveyors
 5252 Clyde Park, S.W. • Grand Rapids, MI 49509
 Phone: (616) 531-3660 www.excelengineering.com

DRAWN BY: MK	PROJ. ENG.: DJS	SHEET 1 of 1
APPROVED BY: DJS	PROJ. SURV.:	
FILE NO.: 132098E	DATE: 04-16-20	

P:\Projects\2013\132098\Drawings\dwg\132098.dwg, REZONE, 4/16/2020 12:28:52 PM, mkinelle

N. 1/4 COR. SEC. 27
 N. LINE, NE 1/4, SEC. 27 & C/L 44TH STREET

CITY OF WYOMING

Description for Conditional Rezoning from R-1 to R-4:
 Part of the NE 1/4, Section 27, T6N, R12W, City of Wyoming, Kent County, Michigan, describer as:
 BEGINNING at the NW corner of Chateau Estates No. 10,

thence North along the N & S 1/4 line to the South line of the North 375 feet of the NE 1/4; thence East along said South line to the East line of the West 20 feet of the NE 1/4; thence South along said East line to the South line of the North 750 feet of the NE 1/4; thence East along said South line to a point 435.0 feet West along said South line from the East line of the West 2/3 of the North 3/4 of the West 1/2 of the NE 1/4; thence South to the NW corner of Lot 394 of Chateau Estates No. 10; thence South along the West line of said Lot to the North line of said plat; thence West to the beginning.

KOETJUE INVESTORS - CHATEAU II LLC

S87°08'00"E 20.00'

S. LINE, N. 375', NE 1/4, SEC. 27

S00°31'00"E 375.13'
 NE 1/4, SEC. 27
 E. LINE, W. 20'

CHATEAU VILLAGE APARTMENTS

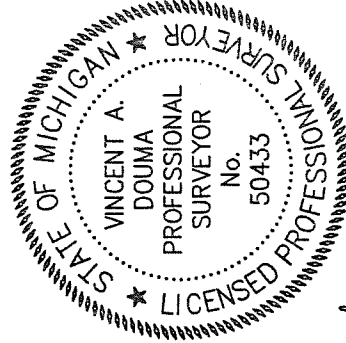
S87°08'00"E 430.63'

S. LINE, N. 750', NE 1/4, SEC. 27

FIRST ASSEMBLY OF GOD
 N-S 1/4 LINE, SEC. 27
 N00°31'00"W 825.00'

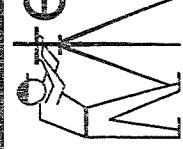
DEER VIEW APARTMENTS
 KOETJUE INVESTORS
 CHATEAU II LLC

S00°20'40"E 449.79'



- Scale 1" = 100'
- D = Deeded dimension
 - M = Measured dimension
 - P = Platted dimension
 - = Set iron stake
 - o = Found iron stake
 - ⊙ = Concrete monument
 - x- = Fence line

REZONING MAP



Texxel Engineering, Inc.
 planners • engineers • surveyors

5252 Clyde Park, S.W. • Grand Rapids, MI 49509
 Phone: (616) 531-3660 Fax: (616) 531-2121
 www.exxelengineering.com

FILE NO.: 132098E DATE: 12-03-19

ORDINANCE NO. 12-20

ORDINANCE TO AMEND SUBSECTION 10-179(9) OF THE CODE OF ORDINANCES TO ALLOW THE CITY COUNCIL TO ESTABLISH BY RESOLUTION THE AMOUNTS TO BE PAID BY PROPERTY FOR CITY CLEAN UP AND DEMOLITION FOR PROPERTY FAILING TO COMPLY WITH THE INTERNATIONAL PROPERTY MAINTENANCE CODE

THE CITY OF WYOMING ORDAINS:

Section 1. That subsection 10-179(9) of the Code of the City of Wyoming, Michigan, is amended to read as follows:

(9) Section 106.4.1 is hereby added to read as follows:

Sec. 106.4.1 CLEAN UP/DEMOLITION COSTS.

If it is necessary for the City to either perform or engage others to perform weed cutting, grass cutting, trimming of other vegetation, demolition, or other clean up of any property, all costs will be assessed to and collected from the property owner in accordance with a fee schedule established by resolution of the City Council.

Section 2. That this ordinance shall take effect on _____, 2020.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on _____, 2020.

Kelli A. VandenBerg,
Wyoming City Clerk

Ordinance No. 12-20

ORDINANCE NO. 13-20

ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF ORDINANCES
BY AMENDING SECTION 90-1605 SUBSECTION "I. ACCESSORY
BUILDINGS" IN ARTICLE 11

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 90, Article 11, Section 90-1605, Subsection I. Accessory Buildings, of the Form Based Code of Ordinances, City of Wyoming, Michigan is amended to read as follows:

Sec. 90-1605 STANDARDS FOR ALL BUILDING TYPES

- I. Accessory Buildings: Accessory buildings shall comply with the following standards:
1. Allowed per Building Type: One (1) accessory building is permitted in addition to the principal building for Live / Work, Rowhouse, Two-Family House and Single-Family House Building Types.
 2. Accessory Building Use: Accessory buildings may contain a garage and / or home office space. One Accessory Dwelling Unit (ADU) is permitted on the second story of accessory buildings when paired with single family or two family building types.
 3. Accessory Building Size: Six-hundred (600) square feet ground floor size.
 4. Accessory Building Location: Accessory buildings shall be located in the rear of the lot and be setback a minimum of three (3) feet from the rear and side yard property lines.
 5. Accessory Building Height: Accessory buildings shall be limited to two (2) stories in height and shall comply with the overall maximum height regulations established by Context District.

Section 2. This ordinance shall take effect on _____, 2020.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on _____, 2020.

Kelli A. VandenBerg,
Wyoming City Clerk

Ordinance No. 13-20

April 28, 2020

Ms. Kelli A. VandenBerg
City Clerk
Wyoming, MI

Subject: Proposed Zoning Ordinance Text Amendments to amend Section 90-1605 Standards for All Building Types

Recommendation: To approve the subject Zoning Ordinance amendments.

Dear Ms. VandenBerg,

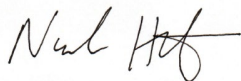
The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on April 21, 2020. A motion was made by Arnoys, supported by Hegyi, to recommend to the City Council adoption of the recommended revised *Section 90-1605 Standards for All Building Types* Zoning Ordinance text amendments. The motion passed unanimously. A detailed review of the request is available in the attached Planning Commission minutes and supportive materials. Following please find some general information.

This amendment permits Accessory Dwelling Units (ADUs) on the second story of accessory buildings in Form Based Code districts when the accessory building is paired with single family or two family building types. Under the current code, accessory buildings are permitted to contain a garage or home office space, not a living space. When the Form Based Code was adopted there were references made to the allowance of Accessory Dwelling Units (ADUs) on the second story of accessory buildings, however no formal rule exists in the code to permit them. Staff is frequently asked if the units are permitted and developers have expressed interest in them.

The proposed amendment would permit these units with restrictions including where they can be located on the parcel and how large they can be.

The proposed text amendments are attached.

Respectfully submitted,



Nicole Hofert, City Planner
Department of Community Services



CITY COUNCIL

Sheldon DeKryger

Dan Burrill

Kent Vanderwood

Marissa Postler

Robert Postema

Sam Bolt

Jack A. Poll, Mayor

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

90-1605 STANDARDS FOR ALL BUILDING TYPES

The following standards apply to all Building Types:

- A. **Principal Frontage:** Principal frontages of buildings represent the building front and are located at the public right-of-way lines along the street, public path or civic space of address for the building.
- B. **Secondary Frontage:** Secondary Frontages of buildings represent the building sides that are located at the public right-of-way lines along all streets, public paths or civic spaces that are not the street of address for the building. The side setback for secondary frontages shall apply to all situations where secondary frontages occur at more than one side of a building (due to a parcel that is bound on more than two sides by right-of-way lines).
- C. **Principal Frontage Transparency Requirements at First Story:** Each Building Type's first story transparency at the Principal Frontage Line is per the Private Frontage Requirements. Secondary Frontages are required to use one (1) of the following standards:
 - 1. Transparency that is the same as what is required by the upper stories for the Building Type.
 - 2. Transparency that is the same as the Private Frontage that has been applied to the Principal Frontage.
- D. **Setback Measurements:** For all Principal and Secondary Frontage locations along the required 28th Street greenbelt, the required build-to-lines, build-to-zones and setback measurements shall be taken from the back edge (the edge facing the private side of the right-of-way) of the greenbelt. Refer to Division 3 for greenbelt measurement and design.
- E. **Frontage Percentages:** Each Building Type indicates a frontage percentage requirement along the Principal Frontage Line. This percentage is the amount of a lot line adjoining the public right-of-way that is occupied by the front façade of the principal building. The front façade shall be parallel to the right-of-way, located in accordance with the required build-to-lines or build-to-zones.
- F. **Private Frontages:** Private Frontage Types define architecture and design components for the entrance(s) to the building and the area between the façade and the Frontage Line. Each Building Type identifies the appropriate Private Frontage Type(s). The use of one of the Private Frontage Types identified is required. Refer to Division 7 for Private Frontage Types.
- G. **Maximum Site Coverage:** The maximum site coverage applies to all buildings on a lot, including accessory buildings.
- H. **Building Height:** Buildings shall comply with the overall maximum height regulations (as measured in feet) that are established by Context Area.

- I. **Accessory Buildings:** Accessory buildings shall comply with the following standards:
 - 1. **Allowed per Building Type:** One (1) accessory building is permitted in addition to the principal building for Live / Work, Rowhouse, Two-Family House and Single-Family House Building Types.
 - 2. **Accessory Building Use:** Accessory buildings may contain a garage and / or home office space. **One Accessory Dwelling Unit (ADUs) is permitted on the second story of accessory buildings when paired with single family or two family building types.**
 - 3. **Accessory Building Size:** Six-hundred (600) square feet **ground floor size.**
 - 4. **Accessory Building Location:** Accessory buildings shall be located in the rear of the lot and **be setback a minimum of three (3) feet from the rear and side yard property lines. ~~adhere to the setbacks established for the principal building.~~**
 - 5. **Accessory Building Height:** Accessory buildings shall be limited to two (2) stories in height and shall comply with the overall maximum height regulations established by Context District.
- J. **Side Yard Walls:** Each building shall have separate walls to support all loads independently of any walls located on an adjacent lot. Buildings with side-facing windows shall provide necessary light and air shafts within their own lot, without relying on the side yard of the adjacent lot.
- K. **Landscape Standards:** Refer to Division 3 for Landscape Standards and 28th Street greenbelt measurement and design.
- L. **Parking Requirements and Standards:** Parking requirements for each Building Type are based on use. Refer to Division 9 for parking requirements and standards.
- M. **Sign Standards:** Refer to Division 10 for Sign Standards.

Chair DeLange then asked staff if they had anything to add to the Special Use request for the veterinary urgent care clinic. Staff indicated they had no additional information to add.

Chair DeLange opened the public hearing at 7:38pm and closed it at 7:39pm. There was no public comment.

Motion was brought by Micele that the Commission grant Special Use Approval for the veterinary urgent care clinic as recommended by the Development Review Team. The motion was seconded by Hegyi.

Micele commented that he thinks this development will be quite an added benefit to those in the community. There were no other comments or questions from Commissioners.

The motion to grant the Special Use Approval for the veterinary urgent care clinic passed unanimously.

Chair DeLange then asked staff if they had anything to add to the site plan approval request. Staff indicated they had no additional information to add.

Motion was brought by Weller that the Planning Commission grant site plan approval for the Wilson Rd. Dev. LLC “The Reserve – Commercial” site plan dated 10/17/2019 subject to conditions 1-12 as recommended by the Development Review Team. The motion was seconded by Hegyi.

There was no conversation by the Commissioners and the motion for site plan approval passed unanimously.

AGENDA ITEM NO. 2

Request to amend Zoning Code Section 90-1605 Standards For All Building Types. (Wyoming Planning)

Hofert presented the general background of the proposed ordinance amendments.

Hofert explained that the City of Wyoming restricts the size and use of accessory buildings in Form Based Code Areas. Currently accessory buildings are permitted to contain a garage or home office space. They are restricted in size to 600 square feet. When the Form Based Code was adopted there were references made to the allowance of Accessory Dwelling Units (ADUs) on the second story of accessory buildings, however no formal rule exists in the code to permit them. Staff is frequently asked if the units are permitted.

This amendment permits Accessory Dwelling Units (ADUs) on the second story of accessory buildings in Form Based Code districts when the accessory building is paired with single family or two family building types. Accessory buildings shall not exceed 600 square feet on the ground floor and may not exceed the height restriction of the district. Accessory buildings shall be

located in the rear of the lot and be setback of minimum of three (3) feet from the rear and side yard property lines.

Hofert stated that the Development Review Team recommends that the Planning Commission adopt the recommended *Section 90-1605* text amendments and recommend the same to Council.

Chair DeLange opened the public hearing at 7:45pm and closed it at 7:46pm. There was no public comment.

A motion was entered by Arnoys that the Planning Commission adopt the recommended *Section 90-1605* text amendments and recommend the same to Council. Hegyi seconded.

Arnoys commented that the proposed amendment is beneficial for the community.

The motion passed unanimously.

AGENDA ITEM NO. 3

Request for Site Plan Approval for Union Suites at Michael. The property is located at 3566 Michael Avenue SW (Section 14) (Union Suites, LLC).

Hofert related that the project is referred to as “Union Suites at Michael.” It will be a 163-unit dedicated affordable senior housing complex consisting of apartment and townhome style housing. The project includes the redevelopment of the existing former AT&T building into an 80 unit apartment and includes a three-story addition that will provide an additional 53 units. The units will be a mix of 1 and 2 bedroom. The project also includes 30 townhomes.

Buildings have varied roof lines, high quality finishes, including a mostly brick exterior (approximately 73% brick coverage for the whole site). The project includes 1.52 acres of open space that includes a walking trail, covered patio, and gathering areas. The project also includes a rain garden in the parking lot.

Hofert then outlined the following staff comments:

1. Parking –The project provides 215 spaces or 1.36 parking spaces per residential unit and meets the minimum requirements. The project provides a variety of parking options including attached garages, covered parking (unattached), and uncovered parking.
2. Traffic Impact Analysis- The report was submitted to and accepted by the Engineering Department during the preliminary PUD review and approval.
3. Building Materials- The developer has provided building elevations with varied roof and wall lines and a commitment to more durable and aesthetically pleasing building materials and finishes including a commitment to include a minimum 73% brick building coverage across the site.
4. Modifications to minimum requirements – The development includes the following dimensional requirements which were approved by City Council on March 2, 2020:

STAFF MEMO

Date: May 12, 2020

Subject: Follow-up on Council Discussion Regarding Section 90-1605 and Proposed Text Amendment

From: Nicole Hofert, City Planner

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

Meeting Date: June 1, 2020

BACKGROUND:

At the May 4, 2020 City Council meeting, Council members discussed the proposed text amendment to Section 90-1605. This proposed amendment would allow for accessory dwelling units (ADUs) on the second story of accessory buildings (i.e. garages) in Form Based Code districts. Consistent with size for accessory buildings in the current zoning code, the proposed amendment reaffirms the size restriction of 600 square feet for accessory buildings. Additionally, the proposed code recommends a setback of 3' to provide consistency across all zoning districts within the city.

During the meeting, questions were raised by Council members related to the proposed size limitation as well as setback requirements. Staff was asked to consider larger allowances for accessory buildings as well as re-consider setback requirements.

DISCUSSION:

In preparing their recommendations, staff performed an extensive review of national best practices of *Accessory Dwelling Unit and Garage* allowances in the Form Based Code. Based on that research, staff recommended, and Planning Commission unanimously supported, the following:

- Accessory Dwelling Units are permitted on the second story of Accessory Structures in Form Based Code districts when paired with a Single Family or Two Family Building Type.
- Accessory Buildings are restricted to 600 square feet (this restriction was determined to be the appropriate allowance when the code was adopted in 2013). In making their recommendation Staff further considered that there have been no variance requests to allow for larger accessory buildings on Single Family or Two Family lots since the FBC's adoption.

- Accessory Buildings are restricted to 2 stories in height.
- Accessory Buildings are permitted only in the rear yard with 3' setbacks from the side and rear property lines. Note: This was a change to the current Form Based Code text which requires accessory buildings to meet the setback requirements of the building type present on the lot. The current required setbacks for Single Family and Two Family building types is 7' side yard and 10' rear yard.

The proposed text amendments recommended by Planning Commission strike a balance of allowing residents to build Accessory Dwelling Units (ADUs), more commonly referred to as Granny Flats or Mother-In-Law Suites, while still maintaining an accessory building (i.e. garage) that is compatible with the Form Based Code corridor development patterns and typical lot sizes.

Following the recent conversation by City Council, staff has created a Sketch-Up model to demonstrate how different sized accessory buildings may or may not be compatible within the allowable Form Based Code areas based on average lot size, buildable area, setback requirements, and maximum permitted lot coverage.

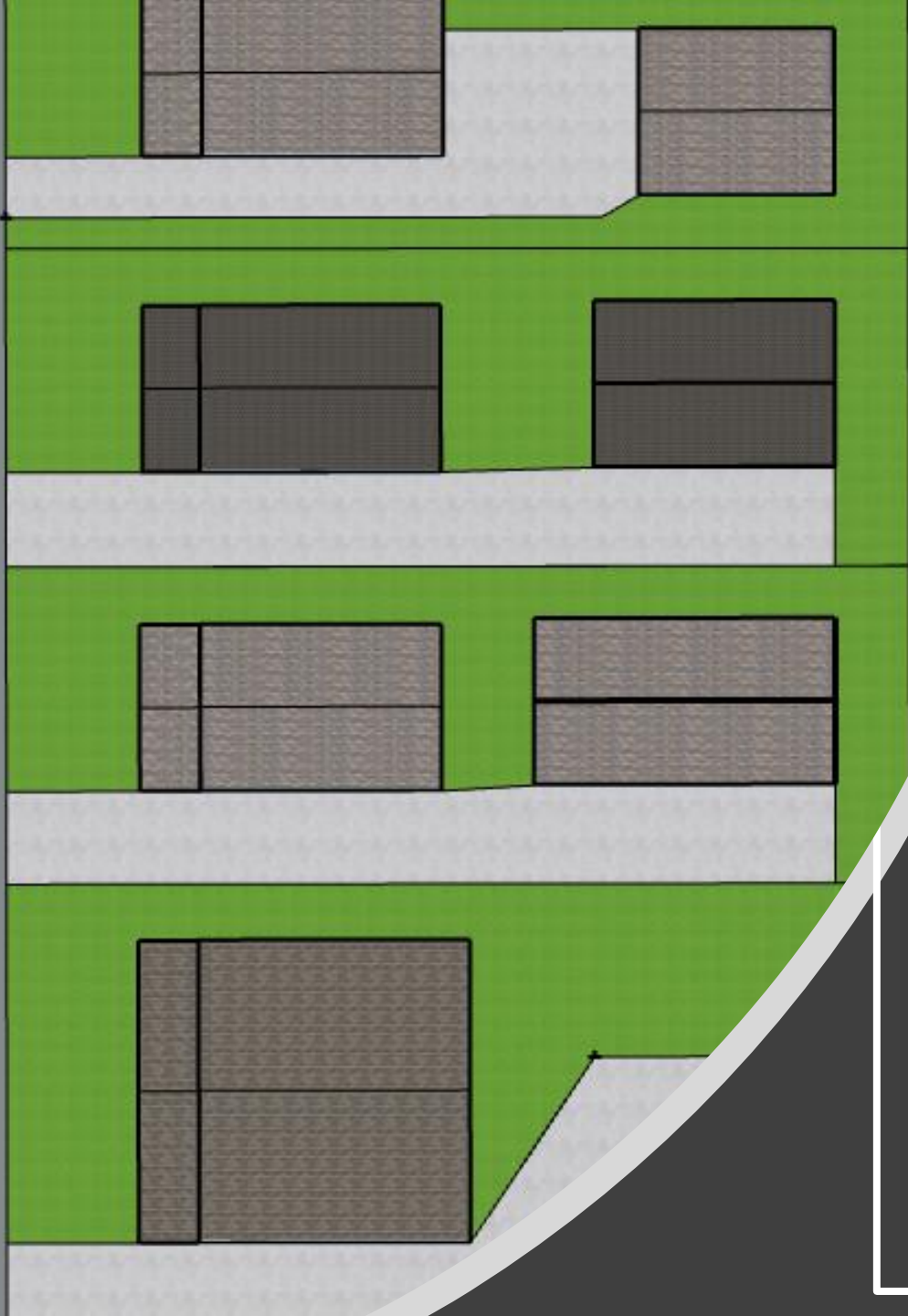
The model is meant to visually support Council members as they explore possible changes to the proposed Section 90-1605 text amendments at the second reading on June 1st. The attached exhibit explains the components that make up the model and provide points for the Council members to consider.

###

Recommended Provisions if City Council wanted to amend the Planning Commission recommended Sec. 90-1605 Text Amendment.

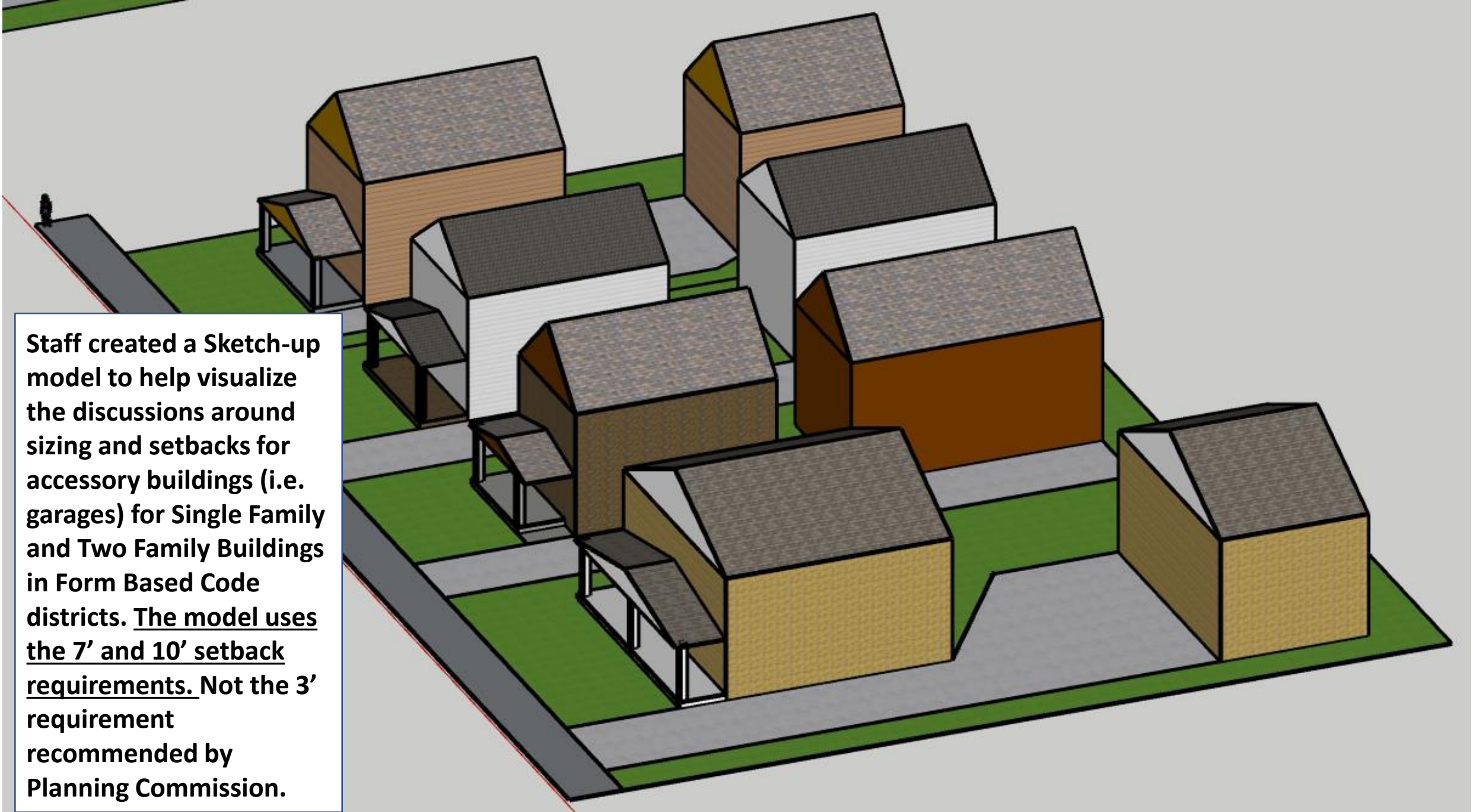
Should Council choose to adopt changes to the proposed Section 90-1605 zoning ordinance, staff strongly recommends the following provisions be considered:

1. If the allowable size for accessory buildings is increased beyond 600 sf, it is recommended that the buildings be required to comply with the setback requirements for the primary structure. The proposed a 3' setback requirement would be struck.
2. If larger accessory buildings are considered, it is recommend that a tiered approach with smaller buildings permitted on smaller lots be adopted.
 - a. Single Family Building Types should be limited to a two-car garage or _____sf.
Staff recommends 600 sf, but no more than 720 sf.
 - b. Two Family Building Types should be limited to a three-car garage or _____sf.
Staff recommends 600 sf, but no more than 960 sf.
3. It is also recommended that a statement should be added which clarifies that no accessory building can be more than 80% of the size of the primary structure.
 - a. For example: "Accessory building ground floor area shall be limited to no more than 80% of the size of the primary building."



Accessory Buildings and Setbacks

A model reflective of Council inquires on larger allowances for accessory buildings as well as revised setback requirements.



Staff created a Sketch-up model to help visualize the discussions around sizing and setbacks for accessory buildings (i.e. garages) for Single Family and Two Family Buildings in Form Based Code districts. The model uses the 7' and 10' setback requirements. Not the 3' requirement recommended by Planning Commission.

This model and presentation is illustrative only. It is designed to help provide a feel of how different sized garages on lots might feel. The questions posed are meant to illicit different view points.





Model depicts possible development based on average lot size in eligible areas of the Form Based Code.

Lot size:

- 42' x 120 (5,040 sf)
- 70' x 132' (9,240 sf)

Building Footprint:

- 1,408 sf two-story structure on 5,040 sf lot
- 2,880 sf two story structure on 9,240 sf lot



Model depicts range of accessory building sizes to demonstrate compatibility with average lot size and other zoning requirements (e.g. setbacks, maximum coverage area, etc.).

Accessory Building sizes:

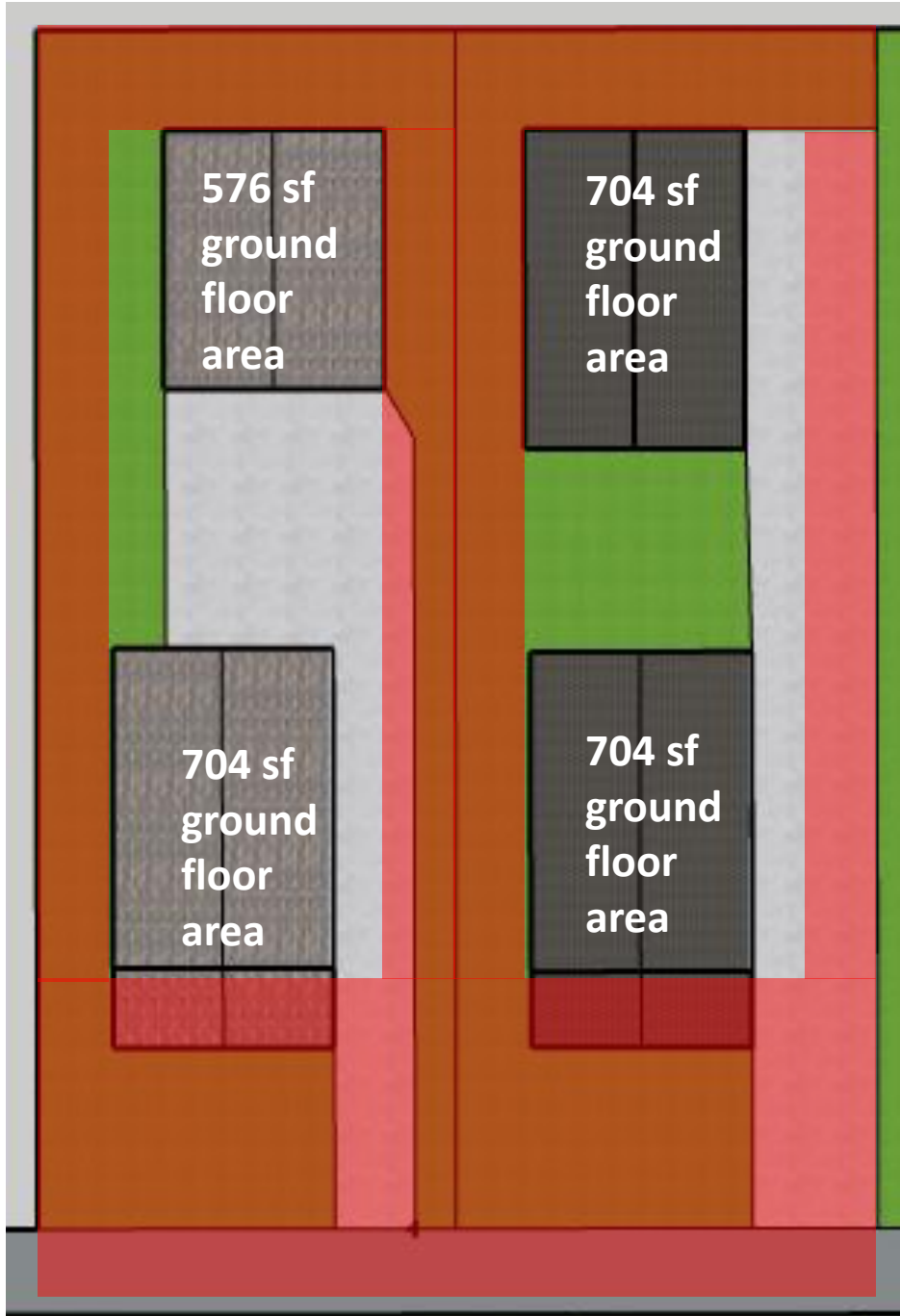
- 576 sf
- 704 sf
- 880 sf
- 960 sf

The proposed code calls for 3' setbacks. With Council's inquiry on larger structures, staff used 7' and 10' setbacks to demonstrate what would be recommended if larger garages were allowed.



Considerations:

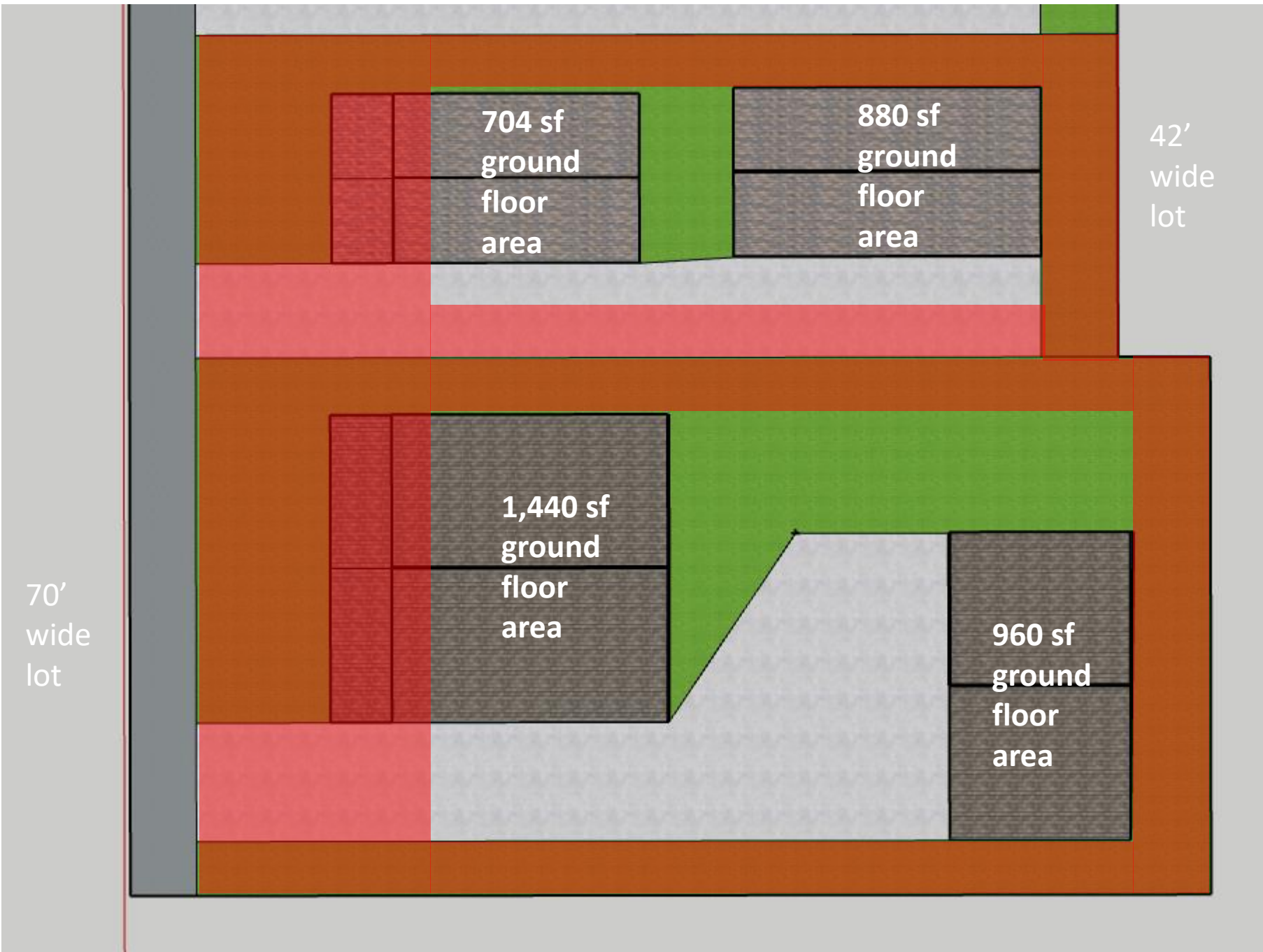
- Buildable Area
 - This area is the space available to build that does not fall within the required setbacks
- Lot Coverage
 - 60% max coverage on Single Family Buildings lots
 - 50% max coverage on Two-Family Building lots



Considerations:

- Building Footprints
 - *Primary* structure (home) should be larger than *accessory* building (garage)

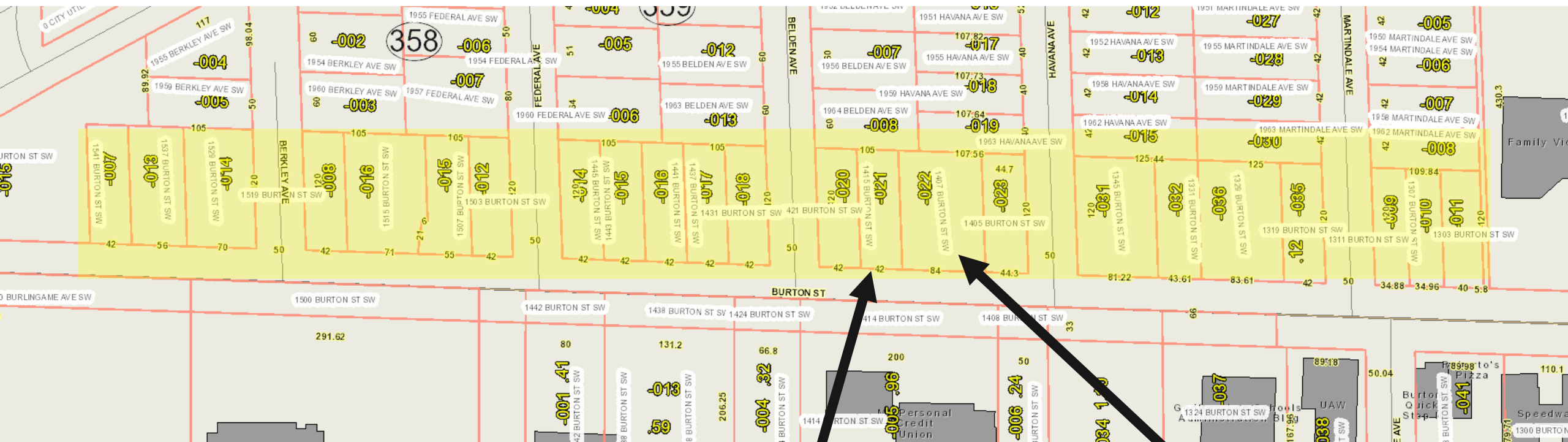
Think of neighborhoods that have garages that dwarf the houses. What do these neighborhoods feel like? Are they pedestrian friendly?



Larger lots are more accommodating to larger garages (accessory buildings). This is because larger and wider lots have more buildable area.

Many lots in FBC areas are 40'-50' wide.

Imagine standing in the drive way of the house with the 880 sf garage? How does it feel? How is that different if you are standing in front of the 960 sf garage?



This is a portion of Burton St. SW. Lots range from 34'-81' feet wide. This is a typical example of Corridor Neighborhood FBC areas.

Single Family Building Types are more appropriate on 40'-50' wide lots.

Two Family Building Types are more appropriate on lots more than 50' wide.

Examples of Garages with Accessory Dwelling Units



This is a roughly 720 sf (24 x 30).



The deck adds private space for the second story dwelling unit and a shaded area for space below. There is a rear door to access the second story.

Examples of Garages with Accessory Dwelling Units



This is a roughly 660 sf (22 x 30).

The second story provides a covered parking spot.

This provides 3 covered parking spaces.

Examples of Garages with Accessory Dwelling Units



Exterior stairs allow for a reduced building footprint. This is a standard 2 car garage, not an oversized 2 car.

Examples Summary

- Exterior stairs and covered spaces are examples of how a resident can maximize space of an accessory building while keeping a building foot print that is appropriately proportioned on the lot and does not dwarf the primary structure (the house).
- A second story deck creates covered parking and turns a two car garage into three covered spaces.
- Exterior stairs greatly reduce the footprint of the garage.

ORDINANCE NO. 14-20

ORDINANCE TO AMEND CHAPTER 45, ARTICLE IV OF THE CODE OF ORDINANCES TO
PROVIDE CERTAIN AUTHORITY TO ACT IN CIVIL EMERGENCIES AND TO PROVIDE
PENALTIES FOR VIOLATIONS

(Adopted, During the COVID-19 Pandemic, as an Emergency Ordinance to Take Immediate Effect)

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 45, Article IV of the Code of Ordinances, City of Wyoming, Michigan, is amended to read as follows:

ARTICLE IV. - CIVIL EMERGENCY

Sec. 46-91. - Definitions.

The following definitions apply to terms used in this article, except where the context clearly indicates a different meaning:

(a) *Civil emergency* means:

- (1) A riot or unlawful assembly characterized by use of actual force or violence or threats to use force accompanied by apparent power of three or more persons acting together, without the authority of law, to act on those threats.
- (2) Any mob action or other civil disobedience causing danger of injury or damages to persons or property.
- (3) Any natural disaster or manmade calamities including, without limitation, flood, cyclone, tornado, blizzard, wild- or other fire, earthquake or explosion within the corporate limits of the city resulting in the death or injury of person or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.
- (4) An epidemic or pandemic recognized by the United States Center for Disease Control, the Michigan Department of Health and Human Services, or the Kent County Health Department as a substantial threat to public health or life of people living or working in the City.

(b) *Curfew* means a prohibition against any person walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the city, except persons officially designated to duty with reference to such civil emergency.

Sec. 46-92. - Proclaimed.

When in the judgment of the mayor, a civil emergency is deemed to exist, the mayor may proclaim in writing the existence of the civil emergency. If the mayor is absent or unable to act, the mayor *pro tem* will have the power to proclaim a civil emergency and to enter any order that the mayor might enter. Such a proclamation may be rescinded by the mayor, or, if the mayor is absent or unable to act, the mayor *pro tem*, at any time.

Sec. 46-93. - General curfew.

After proclamation of a civil emergency, the mayor may order a general curfew applicable to such geographical area of the city, or to the city as a whole, as the mayor deems advisable, and applicable during such hours of the day or night as the mayor deems necessary in the interest of the public safety and welfare.

(a) A curfew order may also provide that it will not be applicable to any person who, upon trial charged with a violation of the curfew order, submits competent evidence that at the time of arrest that the person was going to or from the person's place of employment by the most direct route, with a period of not exceeding one hour immediately preceding or immediately following the hours of employment.

(b) A curfew order may also provide that it shall not be applicable to any person who secures a consent of the city manager, the chief of police or either of their designee for specific traveling and who, at the alleged violation, is traveling within the provisions of that consent.

Sec. 46-94. - Orders.

(a) After proclamation of a civil emergency, the mayor or, if the mayor is absent or unable to act, the mayor *pro tem*, may also, in the interest of public safety and welfare, make any or all of the following orders:

(1) The closing of all retail liquor stores.

(2) The closing of all bars, taverns, restaurants, private clubs (or portions thereof) serving alcohol, and the discontinuance of the sale of beer, wine and alcoholic liquor.

(3) Discontinuance of the sale of gasoline or other combustible liquids except in a gasoline tank built as part of a motor vehicle.

(4) During an epidemic or pandemic, closing of businesses and curtailing of activities to slow or lessen the spread of any illness, disease or contagion.

(5) During an epidemic or pandemic, requiring practices and use of special clothing or equipment to slow or lessen the spread of any illness, disease or contagion.

(6) Suspending or partially suspending the enforcement of provisions of specified ordinances to lessen the effects of the civil emergency or to accommodate activities and operations consistent with restrictions or requirements imposed by state, county or other governmental authorities.

(7) Other orders as reasonably necessary for the protection of life and property.

(b) Any such order may be rescinded by the mayor, or, if the mayor is absent or unable to act, the mayor *pro tem*, at any time.

Sec. 46-94. – Violations.

Violations of any order issued pursuant to section 46-94 are violations of this article punishable as provided in section 1-26 of this Code.

Sec. 46-95. – Council Action.

(a) To remain in effect for more than 30 days, any proclamation or order issued by the mayor pursuant to this article must be confirmed by resolution adopted by the city council that is approved by a majority of council members elected and serving.

(b) By a resolution approved by a majority of council members elected and serving, the city council may repeal any proclamation or order issued by the mayor pursuant to this article.

Section 2. This ordinance shall take immediate effect, having been declared by a two-thirds vote of the City Council to be an emergency in order to accommodate the re-engagement of business and other activities consistent with restrictions or requirements imposed by state, county or other governmental authorities.

I certify that this ordinance was adopted by the City of Wyoming at a regular session of the City Council held on _____, 2020.

Kelli A. Vandenberg,
Wyoming City Clerk

Ordinance No. 14-20

STAFF REPORT

Date: May 27, 2020
Subject: Amendment to Civil Emergency Ordinance Provisions
From: Scott Smith, City Attorney
Meeting Date: June 1, 2020

RECOMMENDATION:

Adopt the proposed Ordinance to Amend Chapter 45, Article IV of the Code of Ordinances, City of Wyoming, Michigan to Provide Certain Authority to Act in Civil Emergencies and to Provide Penalties for Violations.

COMMUNITY, SAFETY, STEWARDSHIP:

The ordinance will enable the mayor to proclaim emergencies and issue related orders in times of civil emergencies to provide for extraordinary services, to ensure order, and/or to remove procedural impediments to needed responses,

Community –Doing so may maximize services available to the community.

Safety – Doing so will protect area residents and businesses, as well as their property, during times of civil emergencies.

Stewardship – Doing so will support the financial viability of residents, businesses and the city.

BUDGET IMPACT:

The ordinance will have no impact on the budget. But, if orders issued during a civil emergency help preserve city property or the city tax base, those measures may lessen the budgetary impacts of civil emergencies.

DISCUSSION:

The civil emergency provisions of the City Code are outdated, especially because they do not recognize emergencies resulting from pandemics or other public health situations. While that normally might warrant a normal review, current thoughts about “reopening the economy” seem to warrant more immediate action.

The Governor’s executive orders during the COVID-19 pandemic have closed many businesses. As changes in those executive orders enable businesses to reopen, there may be ongoing restrictions that require changes in business operations, but which might be partially offset by relief from some state regulations. However, some changes may conflict with existing ordinances making it difficult for businesses seeking to avail themselves of the temporary relaxation of state regulations. If adopted, this ordinance would allow the mayor to proclaim an emergency and issue emergency orders temporarily suspending local ordinance requirements during an emergency.

The ordinance limits the length of such mayoral proclamation and orders to 30 days unless confirmed by City Council resolution. It also allows the City Council to repeal any mayoral proclamation or order.

May 26, 2020

Ms. Kelli A. VandenBerg
City Clerk
Wyoming, MI

Subject: Planning Commission 2019 Annual Report

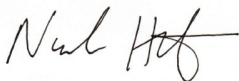
Dear Ms. VandenBerg,

The above referenced report was reviewed by the Wyoming Planning Commission at its regular meeting on May 19, 2020. The report was provided in compliance with the Michigan Planning and Enabling Act (Act 33 of 2008), which stipulates that:

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

A motion was made by DeLange, supported by Arnoys, to accept the Planning Commission 2019 Annual Report as presented and forward it to City Council. The motion passed unanimously following discussion. A detailed review of the request is available in the attached Planning Commission minutes. The report is attached.

Respectfully submitted,



Nicole Hofert, City Planner
Department of Community Services

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



CITY COUNCIL

Sheldon DeKryger

Dan Burrill

Kent Vanderwood

Marissa Postler

Robert Postema

Sam Bolt

Jack A. Poll, Mayor

Goodheart asked the developer to confirm that the project is zero lot line. Additionally, Goodheart wanted confirmation on who would own the ground under and around the unit and garage. The developer responded that the homeowner would own the land.

The developer added that they have successfully used this model before and had consulted with their attorneys to make sure they understand who was responsible for maintaining each part of the property.

Hofert shared that the City was aware of the shared lot lines in the project, have worked with Linc Up on this, and are supportive of the plans as they are presented.

Goodheart had a question about whether the units had basements or if they were slab on grade. The developer replied that the units had basements. Goodheart asked if the units were two stories above grade and Hofert replied that they were.

Arnoys asked if the garages are all single stall and owned by the individuals and who is responsible for maintaining those units. Hofert replied that the garages are owned by the homeowners, who are responsible for their maintenance.

The motion to approve the site plan and condominium for 135 and 137 36th street subject to conditions #1-7 passed unanimously.

AGENDA ITEM NO. 2

Planning Commission Annual Report (Wyoming Planning)

Hofert asked that the Commission accept the report and send it on to Council. She relayed the history behind these reports as well as the requirement with state law. Hofert presented a summary of the report, including a brief listing of the total number of site plan reviews, rezonings, and text amendments undertaken by the Commission in 2019. Hofert also identified trends of interest for the Commissioners. She stated that while there was a decrease in rezoning applications compared to 2018, there was an increase in site plan reviews and special use reviews compared to 2018.

Chair DeLange shared that there was a wealth of information contained in the report.

DeLange entered a motion that was supported by Arnoys to recommend the report be accepted and sent onto City Council. A vote on the motion carried unanimously.



City of Wyoming Planning Commission Annual Report

2019



2019 Planning Commission

James DeLange, *Chairperson*

David Micele, *Vice Chairperson*

William Hegyi, *Secretary*

Robert Arnoys

John Bueche

Sarah Chatterley (*joined Nov. 2019*)

Robert Goodheart

Barbara VanDuren (*joined July 2019*)

Chris Weller

Sherrie Spencer, *Former Chairperson (last meeting June 2019)*

Alex Smart, *Former Vice Chairperson (last meeting Oct. 2019)*

William Hegyi, *Secretary*
Wyoming Planning Commission

2019 Annual Report

This report is a summary of City of Wyoming Planning Commission actions taken during 2019, as a requirement of the Michigan Zoning Enabling Act of 2008.

The Planning Commission held 12 meetings in 2019, including 24 public hearings and a special session on October 1, 2019.

For additional information, please contact the City Planner at 616-530-3170.

Following is a summary of actions taken by Planning Commission in 2019.

Site Plan Reviews

2/19/2019

Approved Site Plan for a Memory Care Facility. The property is located at 5281 Wilson Avenue SW. (Section 31) (Ellipsis Partners)

2/19/2019

Approved Site Plan for Continental Apartments at the Reserve. The property is generally located at Wilson Avenue and 56th Street SW. (Section 32) (Continental 484 Fund, LLC)

4/16/2019

Approved Site Plan for Metro Health Village 5 Unit 54. The property is located at 2300 Health Drive SW. (Section 24) (Granger Group)

6/18/2019

Deferred a request for Site Plan Approval for Metro Health Village Unit 51. The property is located at 2300 Health Drive. (Section 24) (Granger Group)

7/16/2019

Approved Site Plan for an industrial spec building. The property is located at 6147 Valduga Court. (Section 21) (First Companies, Inc.)

11/19/2019

Approved Site Plan for Rivertown Valley Amenities. The property is located at 5972 Wilson Avenue SW. (Section 32) (TMGB Wilson LLC)

11/19/2019

Approved Site Plan for Redwood Residential Development. The property is located at 5972 Wilson Avenue SW. (Section 32) (Redwood USA, LLC).

Special Use Reviews

3/19/2019

Approved Special Use for College Hunks Hauling Junk and Moving. The property is located at 2167 Beverly Avenue SW. (Section 17) (College Hunks Hauling Junk and Moving) (Includes Site Plan Approval)

4/16/2019

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

4/16/2019

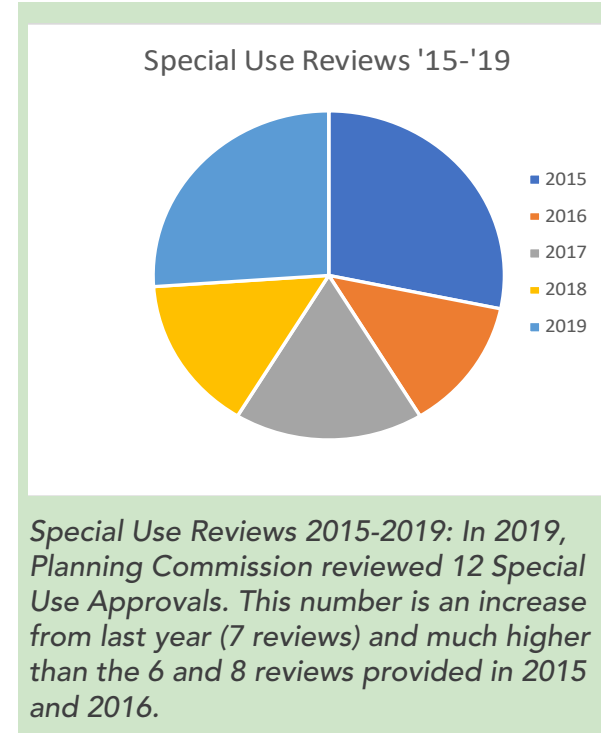
Approved Special Use for Living Word Christian Center. The property is located at 165 54th Street SW. (Section 36) (Daniel Oglesby) (Includes Site Plan Approval)

5/21/2019

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

5/21/2019

Deferred Special Use Approval for a carwash at a proposed Auto Detail Business. The property is located at 2691 Division Avenue S. (Section 12) (Jose Quintana)



6/18/2019

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

6/18/2019

Approved Special Use for a carwash at a proposed auto detail business. The property is located at 2691 S Division Avenue (Section 12) (Jose Quintana) (Includes Site Plan Approval)

7/16/2019

Approved Special Use for a used car dealer for JD Byrider Auto Sales. The property is located at 2675 28th Street SW. (Section 9) (Marsh Brother Holding Co., LLC) (Includes Site Plan Approval)

7/16/2019

Approved Special Use of a drive-through at Chateau Center Mall. The property is located at 1740 44th Street SW. (Section 27) (John Koetje) (Includes Site Plan Approval)

10/15/2019

Approved Special Use for a drive-through. The property is located at 5500 Clyde Park Avenue SW. (Section 36) (Alrig Wyoming)

11/19/2019

Approved Special Use for a recreational vehicle storage yard. The property is located at 2167 Beverly Avenue SW (Section 10) (Mark Cusack)

11/19/2019

Approved Special Use for an athletic training facility. The property is located at 3233 Eastern Avenue SE. (Section 18) (Benjamin Wickstrom)

Plat Approvals

4/16/2019

Recommended to City Council Final Plat Approval for Buck Creek Hill. The property is located at 5361 Burlingame Avenue SW. (Section 34) (EL2 Development, LLC)

7/16/2019

Recommended to City Council Preliminary Plat - Final Approval for Chapel Estates. The property is located at 1585 36th Street SW. (Section 14) (Grandview Ventures)

8/20/2019

Recommended to City Council Final Plat Approval for Chapel Estates. The property is located at 1585 36th Street SW. (Section 14) (Grandview Ventures)

8/20/2019

Recommended to City Council Preliminary Plat - Final Approval for Greens of Wyoming Phases 1 and 2. The property is located at 1207 56th Street SW. (Section 35) (Westview Capital, LLC)

9/17/2019

Recommended to City Council Final Plat Approval for the Greens of Wyoming Phase I. The property is located at 1207 56th Street SW. (Section 35) (Westview Capital, LLC).

10/1/2019

Recommended to City Council Final Plat Approval for Rivertown Valley Phase IV. The property is generally located at Wilson Avenue and 56th Street SW. (Section 32) (The Granger Group).

11/19/2019

Recommended to City Council Preliminary Plat - Tentative Approval for Rivertown Valley Phase V. The property is generally located at Wilson Avenue and 56th Street. (Section 32) (TMGB Wilson LLC)

Rezoning

5/21/2019

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

6/18/2019

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

The Planning Commission reviewed 7 plat requests in 2019. This is the same number of requests that were reviewed in 2018, and almost double the reviews from 2017 (4).

10/1/2019

Recommended to City Council a Rezone from B-1 to PUD-4. The property is located at 5160 and 5190 Byron Center Avenue SW. (Section 27) (American Kendall Property Group, LLC)

10/15/2019

Recommended to City Council a Rezone from B-2 to R-2. The property is located at 2720 Hazelwood Avenue SW. (Section 10) (Glen Kellogg)

Condominium Plans

2/19/2019

Approved amendments to the Site Condominium Master Deed for Metro Health Village. The property is generally located at Byron Center Avenue and Gezon Parkway SW. (Section 34) (The Granger Group)

Resolutions, Reports & Correspondence

2/19/2019

Approved the Wyoming Planning Commission 2018 Annual Report and forwarded it to City Council. (Wyoming Planning)

Text Amendments

2/19/2019

Recommended to City Council to Amend the Zoning Code to revise Procedures for Planned Unit Developments and create a new general PUD District. (Section 90-510 and Article 4C) (Wyoming Planning)

3/19/2019

Deferred Recommendation to City Council to Amend the Zoning Code to revise Off-Premises Advertising Signs (Section 90-709) (Wyoming Planning)

4/16/2019

Deferred Recommendation to City Council to Amend the Zoning Code to revise Off Premises Advertising Signs. (Section 90-709) (Wyoming Planning)

5/21/2019

Recommended to City Council to Amend the Zoning Code to include Standards for Radio, Television, Microwave, or Wireless Communications Towers. (Section 90-329) (Wyoming Planning)

5/21/2019

Recommended to City Council to Amend the Zoning Code to revise Off-Premises Advertising Signs. (Section 90-709) (Wyoming Planning)

6/18/2019

Recommended to City Council to Amend the Form Based Code to revise Corridor Edge Area Special Land Uses. (Section 90-1410 (4.0)) (Wyoming Planning)

8/20/2019

Approved revised Subdivision Design Standards (Wyoming Engineering)

11/1/2019

Recommended to City Council to Amend the Zoning Code to revise the regulation of Off-Premises Advertising Signs. (Section 90-709) (Wyoming Planning)

11/1/2019

Recommended to City Council to Amend the Zoning Code to revise Permitted Uses after Special Use Approval in B-1 Districts to include Urgent Care Facilities. (Section 90-402B) (Wyoming Planning)

Election of Officers/Appointments

6/18/2019

Elected Chairperson James DeLange

6/18/2019

Elected Vice Chairperson Alex Smart

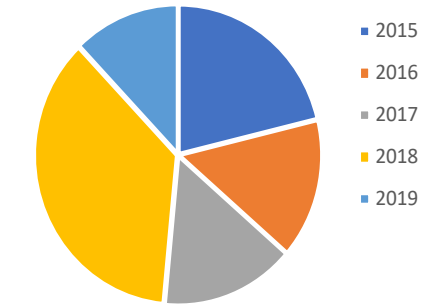
6/18/2019

Elected Secretary William Hegyi

6/18/2019

Resignation of Chairperson Sherrie Spencer from the Planning Commission

Rezoning Applications '15 -'19



Rezoning Applications 2015-2019: 2019 saw a drop in rezoning applications compared to 2018 (12), but compared more consistently with the number of applications received between 2015-2017.

7/16/2019

Appointed Barbara VanDuren

10/1/2019

Resignation of Vice Chairperson Alex Smart from the Planning Commission

11/19/2019

Appointed Sarah Chatterley

11/19/2019

Elected Vice Chairperson David Micele

Presentations to Planning Commission

2/19/2019

Planning Commission 2018 Annual Report (City Planner Hofert)

2/19/2019

Master Plan Update (City Planner Hofert)

7/16/2019

Master Plan Update (City Planner Hofert)

11/19/2019

Introduction of City Engineering Staff (Assistant Director of Public Works/Engineering Russ Henckel)

Right-of-Way/Alley Vacation

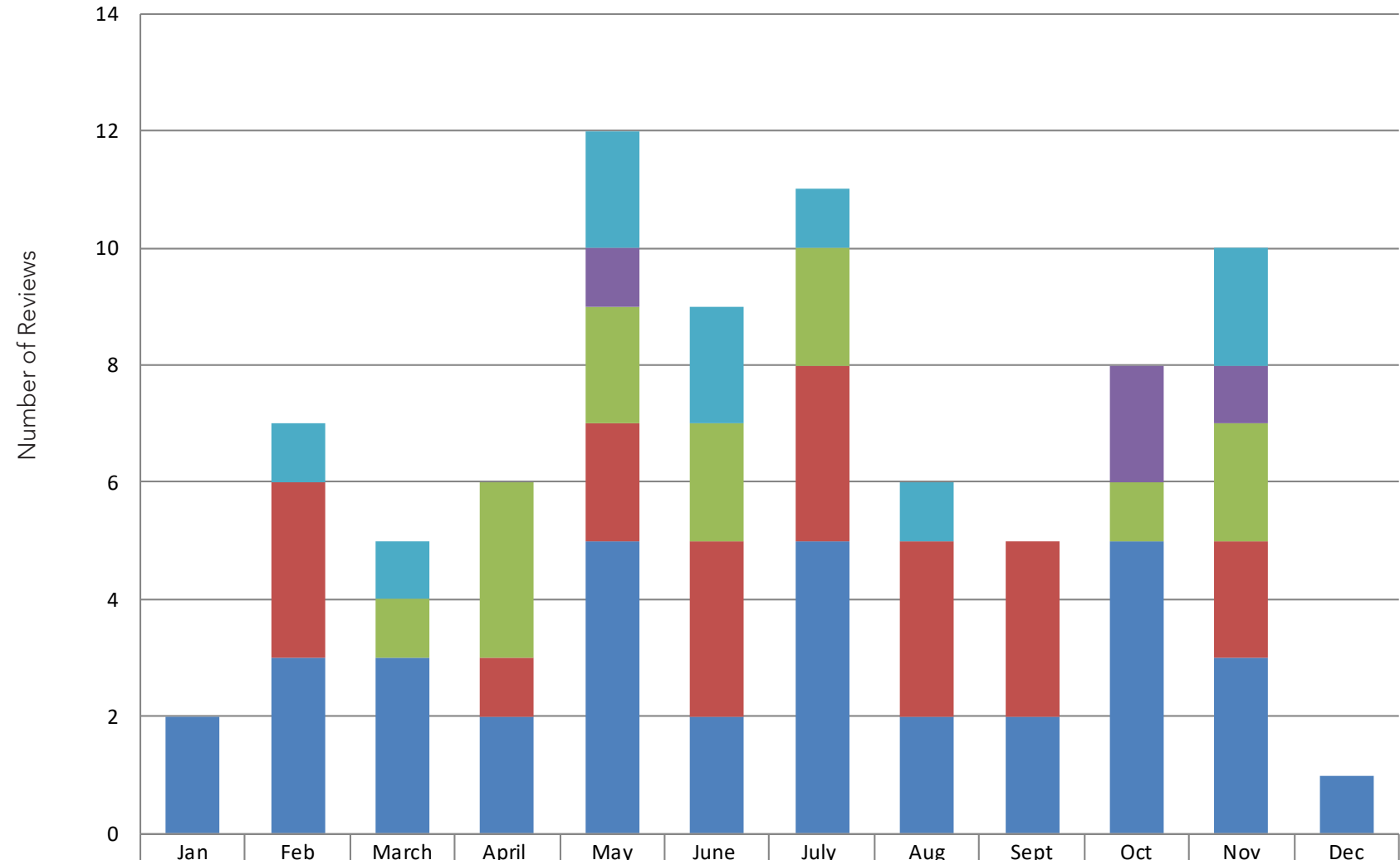
5/21/2019

Recommended to City Council approval of the vacation of an alley south of 39th Street and west of Division Avenue adjacent to 3945 S. Division Avenue. (Section 24) (Wyoming Engineering)

Planning Staff

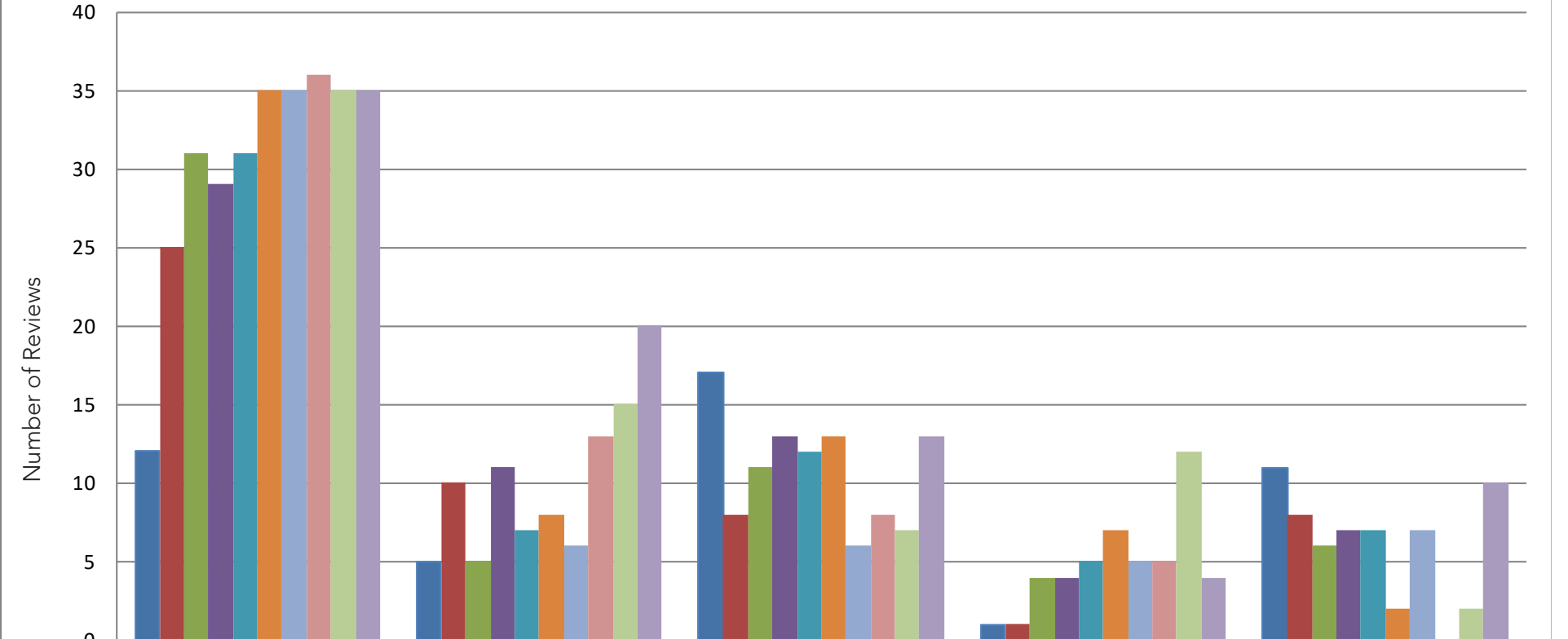
Planning staff performed 35 administrative site plan reviews in 2019. This is comparable to the number of reviews performed over the last four years.

2019 Planning Activity



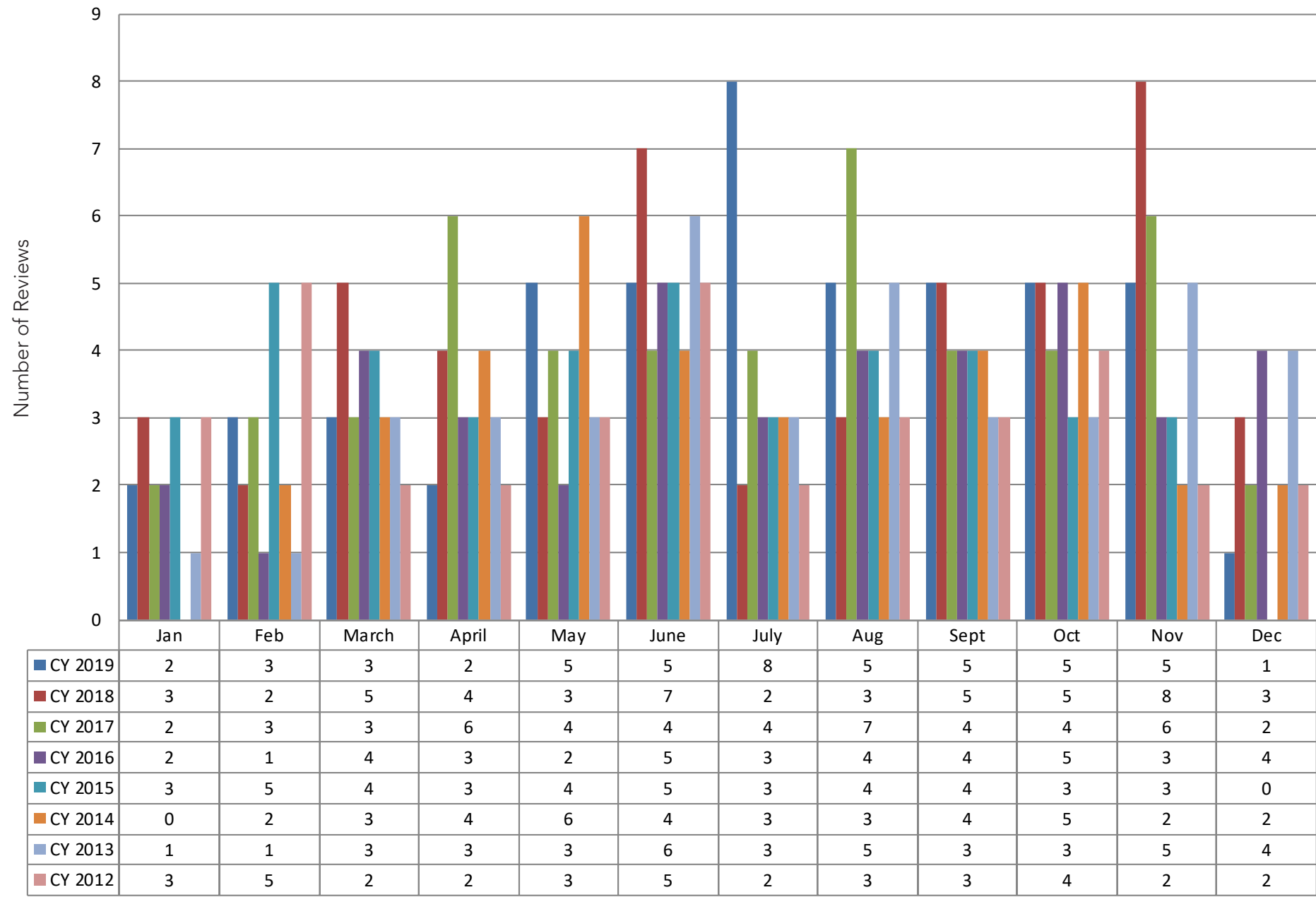
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Zoning Code Text		1	1		2	2	1	1			2	
Rezoning					1					2	1	
Special Use Reviews			1	3	2	2	2			1	2	
Site Plan Reviews - PC		3		1	2	3	3	3	3		2	
Site Plan Reviews - Staff	2	3	3	2	5	2	5	2	2	5	3	1

Planning Activity 2010-2019



	Site Plan Reviews - Staff	Site Plan reviews - PC	Special Use Reviews	Rezoning	Zoning Code Text
2010	12	5	17	1	11
2011	25	10	8	1	8
2012	31	5	11	4	6
2013	29	11	13	4	7
2014	31	7	12	5	7
2015	35	8	13	7	2
2016	35	6	6	5	7
2017	36	13	8	5	0
2018	35	15	7	12	2
2019	35	20	13	4	10

Site Plan Reviews: Staff and Planning Commission Combined



*For additional information, please contact
the City Planner at 616-530-3170 or
planning_info@wyomingmi.gov.*

