

AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, FEBRUARY 7, 2011 AT 7:00 P.M.

- 1) Call to Order**
- 2) Invocation**
Pastor Bill Couchenour, Clyde Park Church of the Nazarene.
- 3) Pledge of Allegiance**
- 4) Roll Call**
- 5) Student Recognition**
- 6) Approval of Minutes**
From the regular meeting of January 17, 2011.
- 7) Approval of Agenda**
- 8) Public Hearings**
7:01 p.m.: To Consider the Establishment of an Industrial Development District in the City of Wyoming for Michigan Foam Products, Inc.
- 9) Public Comment on Agenda Items** (3 minute limit per person)
- 10) Presentations and Proclamations**
 - a) Presentations
 1. Steve Schroff, Gordon Food Service Store Manager, to present a donation to the Greater Wyoming Resource Alliance from their Change for Change Program.
 - b) Proclamations
- 11) Petitions and Communications**
 - a) Petitions
 - b) Communications
- 12) Reports from City Officers**
 - a) From City Council
 - b) From City Manager
- 13) Budget Amendments**
- 14) Consent Agenda**
 - a) To Reappoint Councilmember Sam Bolt to the Kent County Waste-to-Energy Advisory Committee
 - b) To Confirm the Appointment of Douglas Vandenberg as a Member of the Board of Directors of the City of Wyoming Downtown Development Authority
 - c) Of Appreciation to Alfred Mainwaring for his Service as a Member of the Officers Compensation Commission for the City of Wyoming
 - d) Of Appreciation to Jason Israels for his Service as Member of the Downtown Development Authority for the City of Wyoming
 - e) To Approve Traffic Control Order No. 1.01-11
 - f) To Authorize the Mayor and City Clerk to Execute an Amendment to the Streetlighting Contract with Consumers Energy Co.
 - g) To Set a Public Hearing to Consider the Application for Exemption of New Personal Property in the City of Wyoming for Kellogg Company (March 7, 2011 at 7:01 p.m.)

15) Resolutions

- h) Establishing Industrial Development District Number 285 Pursuant to Act 198, Public Acts of 1974, as Amended for Michigan Foam Products, Inc.
- i) To Set a Public Hearing for the Approval of an Application for an Industrial Facilities Exemption Certificate in the City of Wyoming for Michigan Foam Products, Inc. (February 21, 2011 at 7:01 p.m.)
- j) To Support the Gordon Foods Headquarters Building Project Located on the South Side of Gezon Parkway between Burlingame Avenue and Clyde Park Avenue in Wyoming, Michigan
- k) To Authorize the Write-Off of Delinquent 2004 City Property Taxes
- l) To Approve Revisions of the Policy Manual for the Neighborhood Stabilization Program

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

- m) To Award a Bid for the Wyoming Senior Center Game Room Renovation and Authorize the Mayor and City Clerk to Execute a Contract
- n) To Accept a Proposal for Printing Services for Parks and Recreation Brochures
- o) To Authorize the Mayor and City Clerk to Execute an Agreement for Property Acquisition Services to Land Matters, LLC
- p) To Approve Payment of the Grand Valley Metro Council Dues (Budget Amendment No. 28)
- q) To Participate in the Ongoing Operation and Maintenance of the Regional Geographical Information System (REGIS)
- r) To Authorize Payment of Kent Trails Operation and Maintenance Fees
- s) To Extend the Proposal for Presort Services
- t) To Authorize the Purchase of Appliances
- u) To Authorize the Purchase of Structural Firefighter Coats and Bunker Pants
- v) For Award of Bid and to Authorize the Mayor and City Clerk to Execute the Contract
1. Two Copy Machines

17) Ordinances

- a) 1-11: To Amend Sections 90-791(6), 90-792, 90-794, 90-795, 90-796(2)(a)(1), 90-798, Table 90-799-2, Table 90-799-4, Footnotes to Table 90-799-4 and to Add Section 90-799(1)(c) of the Code of the City of Wyoming (Signs) FINAL READING

18) Informational Material

19) Acknowledgment of Visitors

20) Closed Session (as necessary)

- 1. Labor Contract Negotiations and Pending Litigation.

21) Adjournment

RESOLUTION NO. _____

RESOLUTION TO REAPPOINT COUNCILMEMBER SAM BOLT TO THE KENT
COUNTY WASTE-TO-ENERGY ADVISORY COMMITTEE

WHEREAS, the City of Wyoming is entitled to representation on the Kent County Waste-to-Energy Advisory Committee, and

WHEREAS, it is the desire of the Wyoming City Council to reappoint Councilmember Sam Bolt as a Wyoming representative to the Kent County Waste-to-Energy Advisory Committee, now therefore,

BE IT RESOLVED, that the City Council for the City of Wyoming, Michigan, does hereby reappoint Councilmember Sam Bolt as a member of the Kent County Waste-to-Energy Advisory Committee.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas _____ Nays

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 the 7th day of February, 2011.

Heidi A. Isakson
Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

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

WHEREAS, Douglas Vandenberg has submitted an application requesting appointment as a member of the Board of Directors of the City of Wyoming Downtown Development Authority, and

WHEREAS, there is a vacancy in a regular term ending January 1, 2014 on the Board of Directors of the City of Wyoming Downtown Development Authority, and

WHEREAS, Mayor Jack Poll has recommended that Douglas Vandenberg be appointed as a member of the Board of Directors of the City of Wyoming Downtown Development Authority, now therefore

BE IT RESOLVED, that the City Council for the City of Wyoming, Michigan, does hereby confirm the appointment of Douglas Vandenberg as a member of the Board of Directors of the City of Wyoming Downtown Development Authority for a term ending January 1, 2014.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas _____ Nays

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 the 7th day of February, 2011.

Heidi A. Isakson
Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

RESOLUTION OF APPRECIATION TO ALFRED MAINWARING FOR HIS SERVICE
AS A MEMBER OF THE OFFICERS COMPENSATION COMMISSION
FOR THE CITY OF WYOMING

WHEREAS, Alfred Mainwaring was appointed to the Officers Compensation Commission on December 6, 1999, and

WHEREAS, Alfred Mainwaring, as a member of the Officers Compensation Commission gave generously of his time and talent to the citizens of Wyoming, now, therefore,

BE IT RESOLVED, the City Council for the City of Wyoming, Michigan, on behalf of the citizens of the City of Wyoming, does hereby express its sincere appreciation to Alfred Mainwaring for his dedicated service as a member of the Officers Compensation Commission.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas _____ Nays

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 the 7th day of February, 2011.

Heidi A. Isakson
Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION OF APPRECIATION TO JASON ISRAELS FOR HIS SERVICE
AS A MEMBER OF THE DOWNTOWN DEVELOPMENT AUTHORITY
FOR THE CITY OF WYOMING

WHEREAS, Jason Israels was appointed to the Downtown Development Authority on August 4, 2008, and

WHEREAS, Jason Israels, as a member of the Downtown Development Authority gave generously of his time and talent to the citizens of Wyoming, now therefore,

BE IT RESOLVED, the City Council for the City of Wyoming, Michigan on behalf of the citizens of the City of Wyoming, does hereby express its sincere appreciation to Jason Israels for his dedicated service as a member of the Downtown Development Authority.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas _____ Nays

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 the 7th day of February, 2011.

Heidi A. Isakson
Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

RESOLUTION TO APPROVE
TRAFFIC CONTROL ORDER NO. 1.01-11

WHEREAS, Traffic Control Order No. 1.01-11 as set forth in exhibit attached hereto and made a part of this Resolution, has been proposed in the City of Wyoming, and

WHEREAS, it is recommended by the City Traffic Engineer, as required by the Uniform Traffic Code for Cities, Townships and Villages, Part 2, Section R 28.1153, issued in October 2002 by the Commissioner of the Michigan State Police, and adopted by the City of Wyoming, that said Traffic Control Order should be approved by the City Council as permanent; now, therefore,

BE IT RESOLVED that such final approval be and is hereby granted that the aforesaid Traffic Control Order No. 1.01-11 be made a permanent part of the Traffic Control Order Files of the City of Wyoming.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

HEIDI A. ISAKSON
Wyoming City Clerk

Attachments

Resolution No. _____



MAYOR
Jack A. Poll

AT-LARGE COUNCILMEMBER
Sam Bolt

AT-LARGE COUNCILMEMBER
Dan Burrill

AT-LARGE COUNCILMEMBER
Kent Vanderwood

1ST WARD COUNCILMEMBER
William A. VerHulst

2ND WARD COUNCILMEMBER
Richard K. Pastoor

3RD WARD COUNCILMEMBER
Joanne M. Voorhees

CITY MANAGER
Curtis L. Holt

February 7, 2011

**PERMANENT
TRAFFIC CONTROL ORDER NO. 1.01-11**

Pursuant to provisions of Wyoming City Code, Chapter 78, Article II, adopting Sections R 28.1125 and R 28.1153 of the Michigan Uniform Traffic Code, the following regulatory order has been issued and shall take effect immediately:

1. LOCATION:

Martindale Avenue at its intersection with Engle Street

2. REGULATION:

A. All traffic on Martindale Avenue shall stop before entering the intersection of Engle Street

B. Intersection of Martindale Avenue and Engle Street shall be a four-way stop

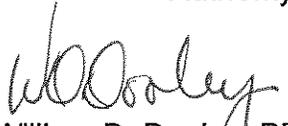
3. SIGNS:

"Stop"

4. EFFECTIVE:

Immediately

Authority,


William D. Dooley, PE
Traffic Engineer

WDD:kh

cc: Police Dept

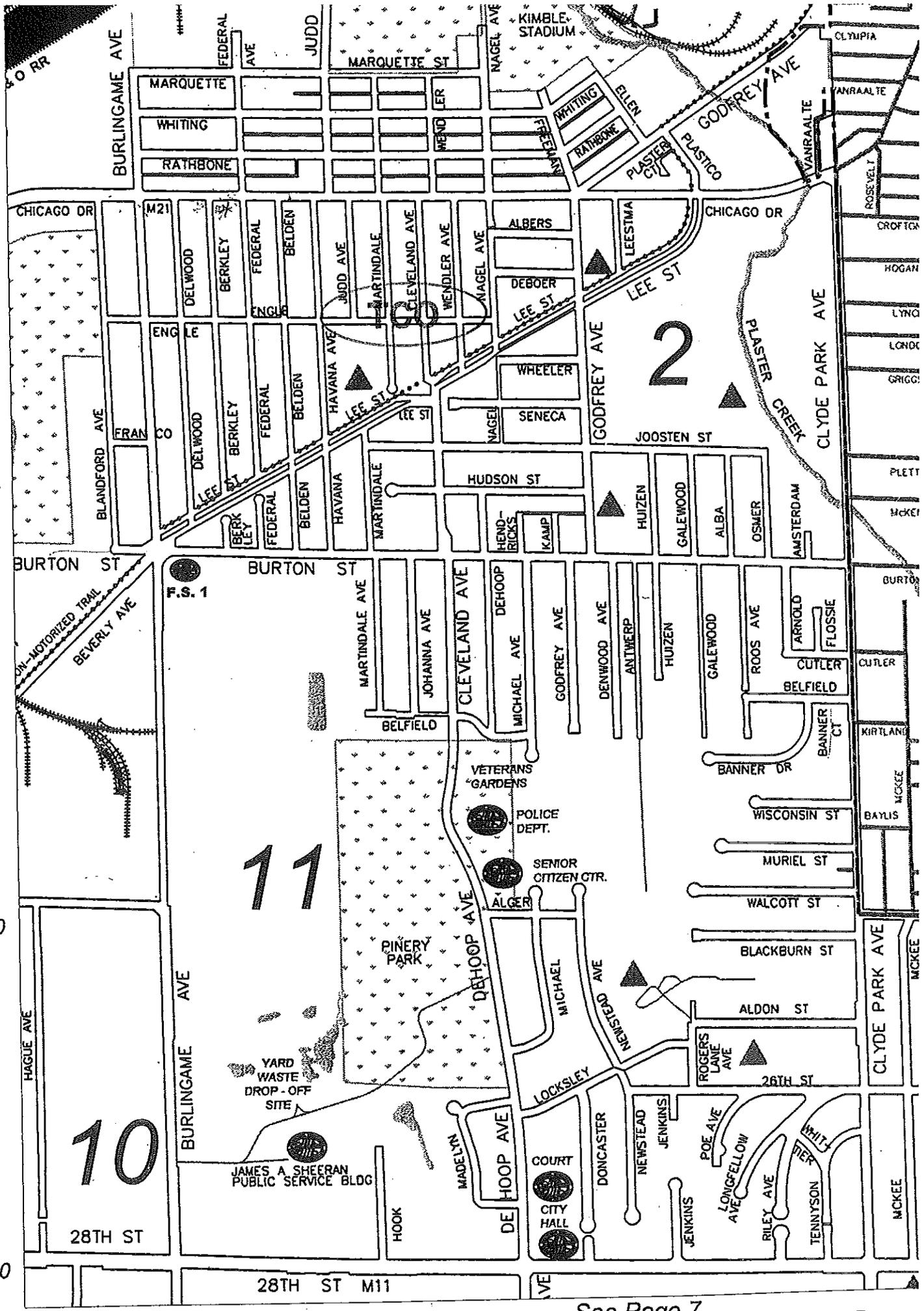
See Page 2

1600

2000

2400

2800



600

200

See Page 7

800

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK
TO EXECUTE AN AMENDMENT TO THE STREETLIGHTING
CONTRACT WITH CONSUMERS ENERGY COMPANY

WHEREAS, the City has entered into a contract with Consumers Energy Company which provides for a Consumers Energy Company owned streetlighting system within certain parts of the City, and

WHEREAS, the City desires to have Consumers Energy Company install a 8,500 lumen high pressure sodium streetlight located at 52nd Street SW and Olsen Springs Court SW; now, therefore,

BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute the attached "Authorization for Change in Standard Streetlighting Contract" and the accompanying Consumers Energy Resolution.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

HEIDI A. ISAKSON
Wyoming City Clerk

Attachments

Resolution No. _____

AUTHORIZATION FOR CHANGE IN STANDARD STREETLIGHTING CONTRACT

Consumers Energy Company is hereby authorized as of the _____ day of _____, _____, by the City of Wyoming, to make changes, as listed below, in the streetlighting system(s) covered by the existing Standard Streetlighting Contract between the Company and the City of Wyoming, dated October 20, 1986.

- Energy-Only Streetlighting Rate L-1
- Customer-Owned Streetlight System Rate L-2
- Company-Owned Streetlight System Rate L-3

<u>Number of Luminaires</u>	<u>Nominal Lumen Rating</u>	<u>Light Source</u>	<u>Installation or Removal</u>	<u>Voltage Service</u>	<u>Point of Attachment With Company's Dist System</u>	<u>Location</u>
1	8500	HPS	Installation	120/240		52 nd & Olsen Springs Ct SW

Notification Number #1009293829

Construction Work Order Number _____

Except for the changes in the streetlighting system(s) as herein authorized, all provisions of the aforesaid Standard Streetlighting Contract dated October 20, 1986, shall remain in full force and effect.

By: _____
Its Clerk, Heidi A Isakson

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the streetlighting service as provided in the Standard Streetlighting Contract between the Company and the City Village Township of Wyoming, dated October 20, 1986, in accordance with the Authorization for Change in Standard Streetlighting Contract dated as of _____, heretofore submitted to and considered by this Commission Council Board; and

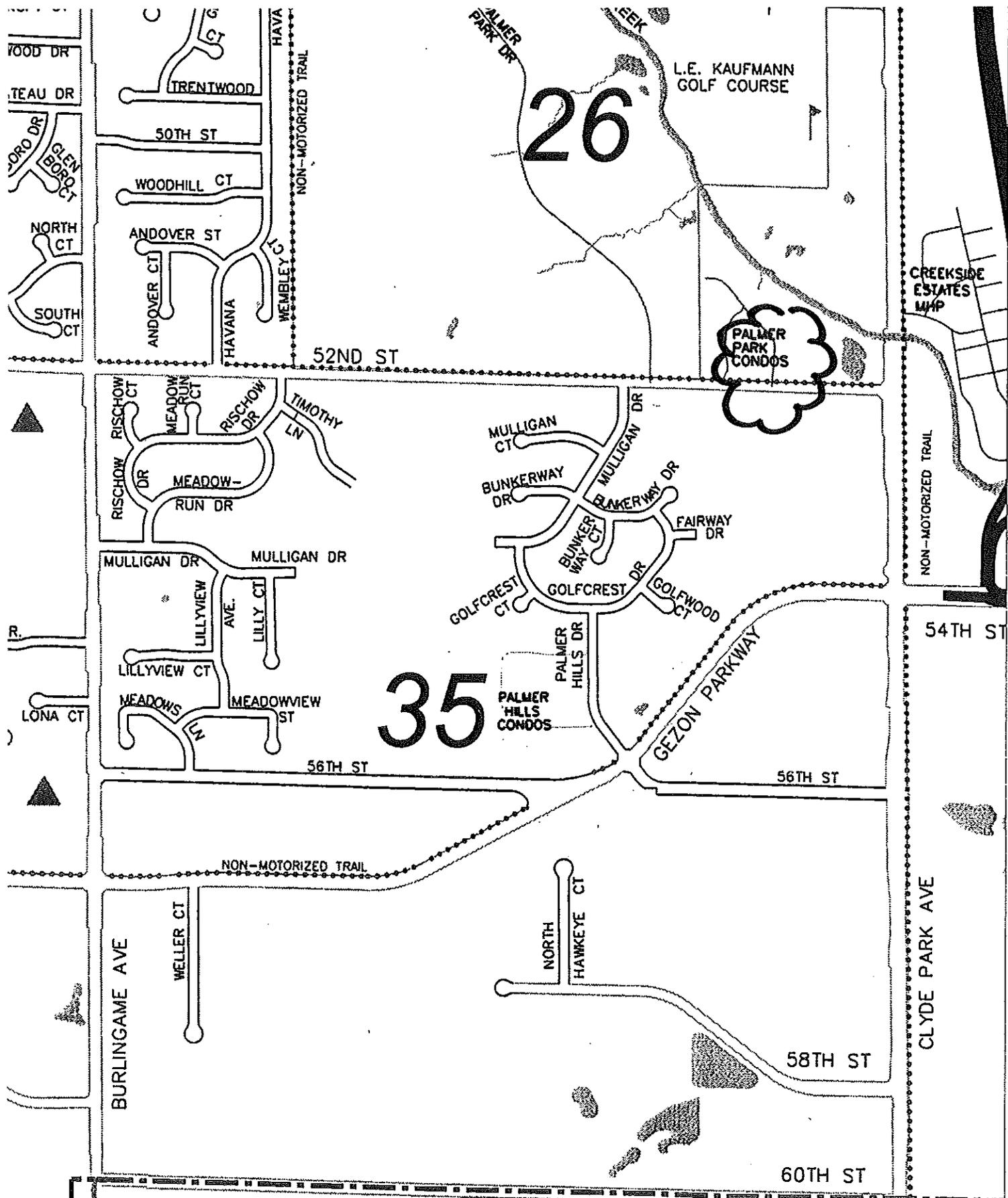
RESOLVED, further, that the Mayor, Jack Poll and Heidi A Isakson, Clerk be and are authorized to execute such authorization for change on behalf of the City Village Township.

STATE OF MICHIGAN)
) ss
COUNTY OF Kent)

I, Heidi A. Isakson, Clerk of the City Village Township of Wyoming do hereby certify that the foregoing resolution was duly adopted by the Commission Council Board of said municipality, at the meeting held therein on the _____ day of _____.

City Village Township Clerk

Dated:



1600

1200

800

RESOLUTION NO. _____

RESOLUTION TO SET A PUBLIC HEARING TO CONSIDER THE APPLICATION FOR
EXEMPTION OF NEW PERSONAL PROPERTY IN THE CITY OF WYOMING FOR
KELLOGG COMPANY

WHEREAS, in accordance with Michigan Public Act 198 of 1974, as amended, the City established Industrial Development District Numbers 36, established by Resolution 8948 on June 19, 1978; 93, by Resolution 11082 on March 5, 1984; 165, by Resolution 14025 on May 18, 1992; and 260 by Resolution 20312 on September 17, 2001, for the property at 3300 Roger B. Chaffee SE, Wyoming, MI 49548, and Industrial Development District Number 182, by Resolution 17055 on May 15, 1995, for 3750 Roger B. Chaffee SE, Wyoming, MI 49548, and

WHEREAS, after the districts were established, Kellogg Company filed an application for an exemption of new personal property under Michigan Public Act 328 of 1998, as amended, for machinery and equipment having an estimated cost of \$25,000,000.00 to be installed at 3300 and 3750 Roger B. Chaffee SE, Wyoming, Michigan, and

WHEREAS, Act 328 requires the City to hold a public hearing on the approval of this application; now therefore,

BE IT RESOLVED, that the Wyoming City Council takes the following action:

1. A public hearing to consider the application submitted by Kellogg Company for Exemption of New Personal Property for its facilities at 3300 and 3750 Roger B. Chaffee SE, Wyoming, Michigan shall be held at 7:01 p.m. on March 7, 2011 in the City Council Chambers, City Hall, 1155 28th Street, SW, Wyoming, Michigan.
2. Written notice of this hearing shall be given to the applicant, the City Assessor, and a representative of each affected taxing unit, and shall be published in a newspaper of general circulation in the City and posted in City Hall.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

Heidi A. Isakson
Wyoming City Clerk

Attachment

Resolution No. _____

**CITY COUNCIL
CITY OF WYOMING
Kent County, Michigan**

**NOTICE OF PUBLIC HEARING TO CONSIDER AN APPLICATION FOR
EXEMPTION OF NEW PERSONAL PROPERTY FOR
KELLOGG COMPANY**

The Wyoming City Council will hold a public hearing on March 7, 2011, at City Hall, 1155 28th Street, SW, Wyoming, MI 49509, at 7:01 p.m., local time, to consider the application for an Exemption of New Personal Property submitted by Kellogg Company, in accordance with Act 328 of the Public Acts of Michigan of 1998, as amended, for its facilities located at 3300 Roger B. Chaffee SE, Wyoming, MI 49548, located within City of Wyoming Industrial Development District Numbers 36, 93, 165 and 260, and 3750 Roger B. Chaffee SE, Wyoming, MI 49548, located within City of Wyoming Industrial Development District Number 182.

Materials and related information will be available for inspection at the office of the City Clerk, 1155 28th Street, SW, Wyoming, MI 49509, during normal City business hours, 7:00 a.m. to 5:00 p.m., Monday through Thursday, excluding City holidays. Written comments may be submitted to the City Clerk by first class mail or in person up to the meeting time.

Heidi A. Isakson, Clerk

PROPERTY TAX EXEMPTION AGREEMENT

This Property Tax Exemption Agreement is made as of _____, 2011, by the City of Wyoming, a Michigan municipal corporation the principal business address of which is 1155 28th Street, SW, PO Box 905, Wyoming, MI 49509-0905 (the “**City**”) and Kellogg Company, a Delaware corporation the principal business address of which is One Kellogg Square, Battle Creek, MI 49016, by and through its subsidiary Keebler Company (“**Kellogg**”).

RECITALS

- A. Kellogg plans to acquire and install new personal property in its facility at 3300 and 3750 Roger B. Chaffee in the City (the “**Kellogg Site**”) consisting of that machinery and equipment and other personal property to be installed at the Kellogg Site after _____, 2011 (the “**New Personal Property**”).
- B. The New Personal Property is anticipated to cost as much as \$25 million.
- C. When the New Personal Property is installed and operational, Kellogg anticipates 36 full-time equivalent jobs will be added at the Kellogg Site which currently employs 353 full-time equivalents.
- D. The addition of the New Personal Property at the Kellogg Site will enable Kellogg to add and enhance the production of an additional product line at the Kellogg Site and enhance the Kellogg Site’s competitive position in relation to plants owned by other manufacturers and plants in Latin America and the Southern part of the United States.
- E. On or about _____, 2011, Kellogg filed with the City an “Application for Exemption of New Personal Property,” Michigan Department of Treasury Form 3427 (Rev. 5-06), seeking, pursuant to 1998 P.A. 328, as amended, MCL 211.9f (“**Act 328**”), an exemption of all personal property taxes that would otherwise be levied against the New Personal Property (the “**Application**”).
- F. For the reasons provided above, the City is amenable to granting a tax exemption on the New Personal Property but seeks assurance that the anticipated Kellogg investment and job growth occurs.

TERMS AND CONDITIONS

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

1. **Kellogg’s Acknowledgements, Representations and Covenants.** The City Council’s approval of the Application by a resolution adopted at its regular meeting of _____, 2011, was based in significant part on each of the following representations and covenants such that, if Kellogg had not made each of them, the City would not approve the Application.
 - (a) Kellogg expects to invest about \$25,000,000.00 in acquiring and installing the New Personal Property within the Kellogg Site.
 - (b) Kellogg expects to add not less than 36 full-time equivalent manufacturing jobs (the “**New Kellogg Jobs**”) at the Kellogg Site as a result of installing the New Personal Property within the Kellogg Site.
 - (c) Kellogg’s investment in the Kellogg Site by installing the New Personal Property will make the Kellogg Site more competitive in the global market place, better ensuring its long-term sustainability.
 - (d) Kellogg expects that all of the New Personal Property (or replacements for it) and all of the New Kellogg Jobs will remain at the Kellogg Site for not less than 10 years in addition to the 353 current full-time equivalent positions.
2. **Annual Certification and Record Keeping.**

(a) Personal Property Statements. Kellogg will file a separate personal property statement in the form required under Michigan law for all New Personal Property for each year that the exemption is in effect. These statements will be filed no later than February 20 following each year of the exemption.

(b) Asset Record Keeping. Kellogg will keep sufficient personal property fixed asset records to determine which items of personal property on the Kellogg Site are covered by the exemption and which are not.

(c) Job Reports. No later than February 20 following each year that the exemption is in effect, Kellogg will file an annual letter certifying as of the previous December 31, the number of full-time equivalent jobs created since the date the City adopted a resolution approving the exemption, an indication of the annual pay range (without revealing confidential information), and the total number of full-time equivalent jobs located at the Kellogg Site. The first letter will be due on February 20, 2012 and the last one will be due on February 20 following the year in which the exemption expires or is terminated. Each letter shall include a certification that its contents are true to the best knowledge of the person signing the letter.

3. Term and Termination.

(a) This agreement shall terminate on the last day the exemption is effective, but no later December 31, 20__.

(b) If at least \$22 million of the New Personal Property was installed on the Kellogg Site by December 1, 2013, and employment at the Kellogg Site totals at least 375 full-time equivalent jobs as of December 1, 2014, the City Council will act before December 31, 2014 to extend this Agreement and the Act 328 personal property tax exemption for two years until December 31, 2016. Otherwise, the exemption and this Agreement will terminate on December 31, 2014.

(c) If at least \$22 million of the New Personal Property was installed on the Kellogg Site not later than December 31, 2013, and it or replacements for it remain on the Kellogg site on December 1, 2016, and employment at the Kellogg Site totals at least 375 full-time equivalent jobs as of December 1, 2016, the City Council will act before December 31, 2016, to extend this Agreement and the Act 328 personal property tax exemption for three years until December 31, 2019. Otherwise, the exemption and this Agreement will terminate on December 31, 2016.

(d) If at least \$22 million of the New Personal Property was installed on the Kellogg Site not later than December 31, 2013, and it or replacements for it remain on the Kellogg site on December 1, 2019, and employment at the Kellogg Site totals at least 375 full-time equivalent jobs as of December 1, 2019, the City Council will act before December 31, 2019, to extend this Agreement and the Act 328 personal property tax exemption for two years until December 31, 2021. Otherwise, the exemption and this Agreement will terminate on December 31, 2019.

4. Miscellaneous.

(a) This is the entire agreement between the parties as to its subject. It shall not be amended or modified except in writing signed by all the 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.

(b) This Agreement and the rights and obligations under this Agreement are unassignable and non-transferable without the consent of the other party. It shall, however, be binding upon any successors or permitted assigns of the parties.

(c) This Agreement shall terminate when all reimbursements required under this Agreement have been made or upon the expiration of the obligation to make such reimbursements, whichever occurs first.

(d) 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 Agreement 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.

(e) Notices shall be made by personal delivery or by FED EX, UPS or some other delivery service that provides notification to the sender of the delivery date and time sent to the address first given above or such other address as is provided by notice to the other party. If made to the City, notice shall be addressed to the City Manager with a copy to the City Clerk. If made to Kellogg, it shall be addressed to General Counsel, with a copy to Vice President, Corporate Taxes.

(f) The City's ability to refuse an extension of the Act 328 personal property tax exemption is the City's sole remedy against Kellogg for any breach of this Agreement or failure by Kellogg to achieve the capital investment or job creation requirements as required by this Agreement.

(g) The City's reviews at the end of years

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

CITY OF WYOMING

KELLOGG COMPANY

By: _____
Jack Poll, Mayor

By: _____
_____, _____

By: _____
Heidi Isakson, City Clerk

Date signed: _____, 2011

Date signed: _____, 2011

RESOLUTION NO. _____

RESOLUTION ESTABLISHING INDUSTRIAL DEVELOPMENT
DISTRICT NUMBER 285 PURSUANT TO ACT 198, PUBLIC ACTS OF 1974,
AS AMENDED FOR MICHIGAN FOAM PRODUCTS, INC.

WHEREAS, the City of Wyoming has the authority to establish Industrial Development Districts within the City of Wyoming under the provisions of Act 198 of Public Acts of 1974, as amended, and

WHEREAS, Michigan Foam Products, Inc., has requested that the City establish an Industrial Development District for its property located at 1650 Laville Avenue SW, Wyoming, Michigan and legally described on the attachment, and

WHEREAS, staff reviewed the request and found that the project to be located within the district will promote the economic health of the community by encouraging private capital investment and creating new employment opportunities in the City of Wyoming, and

WHEREAS, staff has recommended that the City Council establish this district, and

WHEREAS, a public hearing was held on February 7, 2011, at 7:01 p.m. at which time the property owners of real property within the proposed district and all residents and taxpayers of the City of Wyoming were afforded the opportunity to be heard, and

WHEREAS, the City Council believes it is in the public interest of the City of Wyoming to establish the district, now therefore,

BE IT RESOLVED, that the Wyoming City Council establishes Industrial Development District Number Two Hundred Eighty-Five (285) in the City of Wyoming, Kent County, Michigan, under the provisions of Act 198 of the Public Acts of 1974 as amended, for personal property at 1650 Laville Avenue SW, Wyoming, Michigan and legally described on the attachment.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

HEIDI A. ISAKSON
Wyoming City Clerk

Attachment

Resolution No. _____

MEMORANDUM

To: Wyoming City Council
Curtis L. Holt, City Manager

From: Barbara VanDuren, Deputy City Manager

Date: January 31, 2011

Subject: Michigan Foam Products, Inc.

The City has received a letter from Michigan Foam Products, Inc., requesting the approval of an Industrial Facilities Exemption Certificate (IFT). Staff has reviewed the IFT application for the project, which is summarized below:

Address of project: 1650 Laville SW
Wyoming, MI 49519

Personal Property: \$850,000.00
Real Property: \$0.00

Estimated Jobs: 3 new jobs
10 jobs retained

Starting date of the project: March 2011

Michigan Foam Products, Inc., has been growing in the City of Wyoming since 1972. Michigan Foam Products creates various foam products and currently employs 10 people. The planned investment for the facility will allow the company to diversify its product offering and increase output, allowing the company to add an additional 3 employees.

Staff is recommending a ten year IFT be granted to Michigan Foam Products, Inc., based on the City of Wyoming's Economic Development Policy. The calculation of the years of the IFT is summarized as follows:

Scoring Factors	Points
Firm Commitment	3.691
Quantity of Jobs	1.500
Retention of Jobs	2.500
Quality of Jobs	2.833
Citizenship	8.580
Diversification	10.000
Business Life	9.750
Redevelopment	0.000
Total points	<u>38.850</u>

It is estimated the City's percentage of the IFT would become 13.32%. The estimated first year tax savings for Stockwell Manufacturing Co., which is located in the Godfrey Lee Public School District, is \$15,791.17.

**City of Wyoming
IFT Years of Abatement Calculation**

Business Name: Michigan Foam Products

Firm Commitment

Real	\$0.00			
Personal (investment/2)	\$425,000.00	Calculation	\$850,000.00	\$425,000.00
Total Commitment	<u>\$425,000.00</u>			
Total Cash Value (AV x 2)	\$1,151,400.00	Calculation	\$575,700.00	\$1,151,400.00
Total Commitment/TCV (convert to %)	<u>36.91</u>			
x 10% = Points this Section	3.691			

Quantity of Jobs

Number of New Jobs	3
x 50%	<u>0.50</u>
Points this Section	1.500

Retention of Jobs

Jobs Retained	10
x 25%	<u>0.25</u>
Points this Section	2.500

Quality of Jobs

Proposed Investment Amount	\$850,000.00	
Number of New Jobs (if zero leave blank)	3	
	\$283,333	Divide C25 by New Jobs - if zero jobs, leave blank)
Divided by \$100,000	2.833	(max 10 points)

Point System - enter a 1 or 0 based on answer

Citizenship

		<u>Yes</u>	<u>No</u>
Pays taxes on time (last year)	Yes	1	0
Files personal property taxes on time	Yes	1	0
Has current business license	Yes	1	0
Outstanding zoning issues	No	0	1
Outstanding Code violations	No	0	1
Tax tribunal in last 10 years	Yes	0	1
Wyoming Address	Yes	1	0
Total of Citizenship		6	
x 1.43 (10/7)		<u>1.43</u>	
Points this Section		8.580	

Diversification Points Total

10.000

Business Life

Years of Business in Wyoming	39
x 25%	<u>0.25</u>
	9.75

Redevelopment Points Total

0.000

Total Points (Score)	38.85
Number of Years (see chart below)	10

<u>Total Score</u>		<u>Years</u>
25 - 26.99	Four	(04) years
27 - 28.99	Five	(05) years
29 - 30.99	Six	(06) years
31 - 32.99	Seven	(07) years
33 - 34.99	Eight	(08) years
35 - 36.77	Nine	(09) years
37 - 38.99	Ten	(10) years
39 - 40.99	Eleven	(11) years
41 and up	Twelve	(12) years

EXHIBIT A

Legal Description

Address: 1650 Laville Avenue SW, Wyoming, MI 49509

Tax Parcel No.: 41-17-03-403-025

Legal Description:

PART OF TRAVISTA PARK & PART OF SE 1/4 SEC 3 T6N R12W COM AT SW COR OF SEC TH N 1D 30M 55S E ALONG W SEC LINE 598.64 FT TO CL OF CHICAGO DR TH N 68D 18M 55S E ALONG SD CL 2989.02 FT TH N 68D 24M 00S E 927.96 FT TH S 0D 24M 00S W 35.59 FT TO NWLY LINE OF TRAVISTA PARK & TO BEG OF THIS DESC - TH N 68D 24M 00S E 107.85 FT TO NE COR OF LOT 70 TH S 0D 24M 00S E ALONG W LINE OF LAVILLE AVE 199.29 FT TH S 89D 36M 00S E 50.0 FT TO SWLY COR OF LOT 49 TH S 0D 24M 00S W 50.65 FT TO NWLY COR OF LOT 50 TH N 68D 30M 48S E 115.0 FT TO NELY COR OF SD LOT TH S 0D 24M 00S W ALONG ELY LINE OF TRAVISTA PARK EXT 452.74 FT TH S 81D 10M 00S W 195.80 FT TH N 8D 50M 00S W 425.50 FT TH S 81D 10M 00S W 24.0 FT TH N 8D 50M 00S W 59.70 FT TH N 81D 10M 00S E 38.59 FT TH N 0D 24M 00S E 169.56 FT TO BEG * SPLIT ON 08/28/2009 FROM 41-17-03-403-023;

Manager/KV
02/07/11

RESOLUTION NO. _____

RESOLUTION TO SET A PUBLIC HEARING FOR THE APPROVAL OF AN APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE IN THE CITY OF WYOMING FOR MICHIGAN FOAM PRODUCTS, INC.

WHEREAS, the City established Industrial Development District Number 285, under Act 198, Public Acts of 1974, as amended by adopting a Resolution on February 7, 2011, and

WHEREAS, Michigan Foam Products, Inc., has filed an application for an Industrial Facilities Exemption Certificate under Act 198 for new machinery and equipment having an estimated cost of \$850,000.00 for personal property to be located at 1650 Laville SW, Wyoming, Michigan, and

WHEREAS, Act 198 requires the City to hold a public hearing on the approval of this application; now therefore,

BE IT RESOLVED, that the Wyoming City Council takes the following action:

1. A public hearing on whether to approve the application by Michigan Foam Products, Inc., for an Industrial Facilities Exemption Certificate shall be held at 7:01 p.m. on February 21, 2011 in the City Council Chambers, City Hall, 1155 28th Street SW, Wyoming, Michigan.

2. Written notice of this hearing shall be given to the applicant, the City Assessor, and a representative of each affected taxing unit, and shall be published in a newspaper of general circulation in the City and posted in City Hall.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

Heidi A. Isakson
Wyoming City Clerk

Attachments

Resolution No. _____

EXHIBIT A

Legal Description

Address: 1650 Laville Avenue SW, Wyoming, MI 49509

Tax Parcel No.: 41-17-03-403-025

Legal Description:

PART OF TRAVISTA PARK & PART OF SE 1/4 SEC 3 T6N R12W COM AT SW COR OF SEC TH N 1D 30M 55S E ALONG W SEC LINE 598.64 FT TO CL OF CHICAGO DR TH N 68D 18M 55S E ALONG SD CL 2989.02 FT TH N 68D 24M 00S E 927.96 FT TH S 0D 24M 00S W 35.59 FT TO NWLY LINE OF TRAVISTA PARK & TO BEG OF THIS DESC - TH N 68D 24M 00S E 107.85 FT TO NE COR OF LOT 70 TH S 0D 24M 00S E ALONG W LINE OF LAVILLE AVE 199.29 FT TH S 89D 36M 00S E 50.0 FT TO SWLY COR OF LOT 49 TH S 0D 24M 00S W 50.65 FT TO NWLY COR OF LOT 50 TH N 68D 30M 48S E 115.0 FT TO NELY COR OF SD LOT TH S 0D 24M 00S W ALONG ELY LINE OF TRAVISTA PARK EXT 452.74 FT TH S 81D 10M 00S W 195.80 FT TH N 8D 50M 00S W 425.50 FT TH S 81D 10M 00S W 24.0 FT TH N 8D 50M 00S W 59.70 FT TH N 81D 10M 00S E 38.59 FT TH N 0D 24M 00S E 169.56 FT TO BEG * SPLIT ON 08/28/2009 FROM 41-17-03-403-023;

RESOLUTION NO. _____

RESOLUTION TO SUPPORT THE GORDON FOODS HEADQUARTERS
BUILDING PROJECT LOCATED ON THE SOUTH SIDE OF GEZON
PARKWAY BETWEEN BURLINGAME AVENUE AND CLYDE PARK
AVENUE IN WYOMING, MICHIGAN

WHEREAS, Gordon Foods Service has committed to relocate their United States and Canadian World Headquarters to a new campus of buildings proposed along the south side of Gezon Parkway, between Burlingame Avenue and Clyde Park Avenue in Wyoming, Michigan, and

WHEREAS, Gordon Foods Service projects approximately 500 new jobs to be added to the area within the next five years associated with the development, and

WHEREAS, Gordon Foods Service is seeking assistance with the State of Michigan Economic Development Fund to help finance some of the necessary street improvements associated with the project, and

WHEREAS, the City of Wyoming will be responsible for twenty percent of construction costs in support of the street improvements necessary for the development, and

WHEREAS, the City of Wyoming will own and maintain the necessary street improvements associated with the development, and

WHEREAS, it is in Wyoming's best interest to support Gordon Food Service for the addition of the new employees and added infrastructure; now, therefore,

BE IT RESOLVED that the City Council hereby supports the Gordon Foods Headquarters building project located along the south side of Gezon Parkway in Wyoming.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

HEIDI A. ISAKSON
Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE THE WRITE-OFF
OF DELINQUENT 2004 CITY PROPERTY TAXES

WHEREAS, delinquent personal property taxes remain outstanding for the 2004 tax year,
and

WHEREAS, delinquent personal property taxes that have been outstanding five years or
more may be written off per Public Act 206 (Property Tax Act) of the State of Michigan, and

WHEREAS, the City of Wyoming has made a diligent attempt to collect the outstanding
balances, and

WHEREAS, it is believed that the delinquent amounts will not be recovered, and

WHEREAS, the Treasurer's Office is requesting City Council approve the write-off of
\$4,926.24 in delinquent 2004 personal property taxes, now therefore,

BE IT RESOLVED, that the Wyoming City Council does hereby authorize the write-off
of \$4,926.24 in delinquent 2004 personal property taxes.

Councilmember _____ moved, seconded by Councilmember
_____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays

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 the 7th day of February, 2011.

Heidi A. Isakson
Wyoming City Clerk

Resolution No. _____



INTEROFFICE MEMORANDUM

To: Curtis Holt, City Manager
From: Andrea Boot, Treasurer
Date: January 26, 2011
Subject: Write-off of 2004 Delinquent Personal Property Taxes

Delinquent personal property taxes may be written off after being delinquent for five years. The write-off procedure requires a resolution from each taxing jurisdiction granting its permission.

I am seeking permission to write off the delinquent 2004 city taxes in the amount of \$4,926.24. An itemized listing is attached for your reference. Once City Council has passed a resolution, the documentation must be approved by the District Court per Public Act 206 (Property Tax Act) of the State of Michigan. Rather than burden the Court with petitions from each jurisdiction, the Kent County Treasurers Association compiles the resolutions from each unit and presents it as one approval by the Judge.

I would like to have this presented, subject to your approval, to the City Council meeting on February 07, 2011.

01/26/2011
12:22 PM
By: snydert

TAX SPREAD REPORT FOR KENT COUNTY

Page: 1/2
DB: Wyoming

Tax Year: 2004 Calculated As of: 1/26/2011
POPULATION: All Records

SCHOOL: 41020 YEAR: 2004

TAX TYPE	TAX NAME	MILLS	BILLED	PAID	DUE
STATE ED	State Educ. Tax	6.00000	27,129.13	26,772.13	357.00
SCHOOL TAX	School Operating	10.50000	116,629.29	115,293.69	1,335.60
TOTALS: SCHOOL 41020 2004			143,758.42	142,065.82	1,692.60

Godwin

SCHOOL: 41026 YEAR: 2004

TAX TYPE	TAX NAME	MILLS	BILLED	PAID	DUE
STATE ED	State Educ. Tax	6.00000	14,901.98	13,121.32	1,780.66
SCHOOL TAX	School Operating	22.70000	56,379.26	49,642.42	6,736.84
TOTALS: SCHOOL 41026 2004			71,281.24	62,763.74	8,517.50

Wyoming

SCHOOL: 41040 YEAR: 2004

TAX TYPE	TAX NAME	MILLS	BILLED	PAID	DUE
STATE ED	State Educ. Tax	6.00000	25.20	25.20	0.00
SCHOOL TAX	School Operating	12.99170	109.14	109.14	0.00
TOTALS: SCHOOL 41040 2004			134.34	134.34	0.00

Byron Center

SCHOOL: 41120 YEAR: 2004

TAX TYPE	TAX NAME	MILLS	BILLED	PAID	DUE
STATE ED	State Educ. Tax	6.00000	1,367.73	1,157.13	210.60
SCHOOL TAX	School Operating	29.90000	6,815.87	5,766.38	1,049.49
TOTALS: SCHOOL 41120 2004			8,183.60	6,923.51	1,260.09

Godfrey Lee

SCHOOL: 41130 YEAR: 2004

TAX TYPE	TAX NAME	MILLS	BILLED	PAID	DUE
STATE ED	State Educ. Tax	6.00000	547.40	517.40	30.00
SCHOOL TAX	School Operating	24.11300	2,199.92	2,079.36	120.56
TOTALS: SCHOOL 41130 2004			2,747.32	2,596.76	150.56

Grandville

SCHOOL: 41140 YEAR: 2004

TAX TYPE	TAX NAME	MILLS	BILLED	PAID	DUE
STATE ED	State Educ. Tax	6.00000	9,231.96	8,883.36	348.60
SCHOOL TAX	School Operating	11.75000	37,780.96	36,399.17	1,381.79
TOTALS: SCHOOL 41140 2004			47,012.92	45,282.53	1,730.39

Kelloggville

SCHOOL: 41160 YEAR: 2004

TAX TYPE	TAX NAME	MILLS	BILLED	PAID	DUE
STATE ED	State Educ. Tax	6.00000	22.20	0.00	22.20
SCHOOL TAX	School Operating	11.84610	87.64	0.00	87.64
TOTALS: SCHOOL 41160 2004			109.84	0.00	109.84

Kentwood

UNIT: 00000 YEAR: 2004

TAX NAME	MILLS	BILLED	PAID	DUE	
VILLAGE TAX	0.00000	0.00	0.00	0.00	
CVT	11.73730	104,118.00	98,741.07	5,376.93	
LOCAL ADMIN	0.00000	5,175.95	4,926.77	249.18	
LOCAL INTRST	0.00000	6,134.99	4,918.17	1,216.82	
TOTALS: UNIT 00000 2004			115,428.94	108,586.01	6,842.93

City = 4926.24
450.69 transit
5376.93

County Tax YEAR: 2004

TAX NAME	MILLS	BILLED	PAID	DUE	
COUNTY TAX	5.31400	72,230.40	69,494.90	2,735.50	
TOTALS: County Tax 2004			72,230.40	69,494.90	2,735.50

State Ed
2749.06

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By: snydert

TAX SPREAD REPORT FOR KENT COUNTY

Page: 2/2
DB: Wyoming

Tax Year: 2004 Calculated As of: 1/26/2011
POPULATION: All Records

College Tax YEAR: 2004

TAX NAME	MILLS	BILLED	PAID	DUE
COLLEGE TAX	1.78650	15,847.33	15,029.02	818.31 ✓
TOTALS: College Tax 2004		15,847.33	15,029.02	818.31

I.S.D. Tax YEAR: 2004

TAX NAME	MILLS	BILLED	PAID	DUE
KISD	4.53330	40,213.99	38,137.17	2,076.82 ✓
TOTALS: I.S.D. Tax 2004		40,213.99	38,137.17	2,076.82

Library Tax YEAR: 2004

TAX NAME	MILLS	BILLED	PAID	DUE
LIBRARY	0.88000	11,961.03	11,508.07	452.96 ✓
TOTALS: Library Tax 2004		11,961.03	11,508.07	452.96

TOTALS (361 PARCELS) 528,909.37 502,521.87 26,387.50

01/26/2011
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 By: snydert

DELINQUENT TAXES DUE FOR KENT COUNTY

Page: 1/4
 DB: Wyoming

Tax Year: 2004 Calculated As of: 1/26/2011
 POPULATION: All Records

Owner Parcel #	Tax Year	Tax Due	Intrst Due	Admin Due	Penalty	Other Fees	Total Due
ACTION VENDING CO 2845 VINELAND AVE SE GRAND RAPIDS MI 49508-1452							
41-50-93-021-000	2004S	1,449.46	86.98	14.49	0.00		1,550.93
	2004W	192.00	5.76	1.92	5.76		205.44
TOTAL		1,641.46	92.74	16.41	5.76	0.00	1,756.37
APOLLO GALILEO USA PO BOX 27713 HOUSTON TX 77227-7713							
41-50-93-070-635	2004S	98.14	5.89	0.98	0.00		105.01
	2004W	0.00	0.00	0.00	0.00		0.00
TOTAL		98.14	5.89	0.98	0.00	0.00	105.01
BOB'S FOODLAND 3556 BYRON CENTER AVE SW WYOMING MI 49519-3260							
41-50-93-155-500	2004S	1,874.90	112.49	18.75	0.00		2,006.14
	2004W	248.37	176.34	2.48	7.45		434.64
TOTAL		2,123.27	288.83	21.23	7.45	0.00	2,440.78
ATEL BUSINESS CREDIT CORP 1875 S BASCOM AVE STE 116 CAMPBELL CA 95008-2357							
41-50-93-213-475	2004S	0.00	0.00	0.00	0.00		0.00
	2004W	111.83	79.40	1.12	3.35		195.70
TOTAL		111.83	79.40	1.12	3.35	0.00	195.70
CAREN'S FURNITURE RENTALS 823 28TH ST SW WYOMING MI 49509-2848							
41-50-93-232-750	2004S	243.11	14.59	2.43	0.00		260.13
	2004W	32.19	22.85	0.32	0.97		56.33
TOTAL		275.30	37.44	2.75	0.97	0.00	316.46
CASEY'S EXPRESS 55 28TH ST SW WYOMING MI 49548-1109							
41-50-93-236-500	2004S	374.04	22.44	3.74	0.00		400.22
	2004W	49.54	35.17	0.50	1.49		86.70
TOTAL		423.58	57.61	4.24	1.49	0.00	486.92
CROWN AUTOMOTIVE, INC 1409 28TH ST SW WYOMING MI 49509							
41-50-93-319-100	2004S	701.33	42.08	7.01	0.00		750.42
	2004W	0.00	0.00	0.00	0.00		0.00
TOTAL		701.33	42.08	7.01	0.00	0.00	750.42
PALPENOS PIZZA 1261 CHICAGO DR SW WYOMING MI 49509-1076							
41-50-93-335-500	2004S	480.16	28.81	4.80	0.00		513.77
	2004W	55.11	39.13	0.55	1.65		96.44
TOTAL		535.27	67.94	5.35	1.65	0.00	610.21
TACQUERIA MEXICO LLC 01100 CHICAGO DR SW WYOMING MI 49509							
41-50-93-421-850	2004S	183.42	11.01	1.83	0.00		196.26
	2004W	21.05	14.95	0.21	0.63		36.84
TOTAL		204.47	25.96	2.04	0.63	0.00	233.10
GUISEPPE'S PIZZA 3545 BYRON CENTER AVE SW WYOMING MI 49509-3259							
41-50-93-529-300	2004S	17.63	1.06	0.18	0.00		18.87
	2004W	0.00	0.00	0.00	0.00		0.00
TOTAL		17.63	1.06	0.18	0.00	0.00	18.87
GRAND VALUE HOMES 5115 ALPINE AVE NW COMSTOCK PARK MI 49321-9729							
41-50-93-568-300	2004S	96.88	5.81	0.97	0.00		103.66
	2004W	48.69	34.57	0.49	1.46		85.21
TOTAL		145.57	40.38	1.46	1.46	0.00	188.87
KINDRA MFG 3753 BASSWOOD DR SW GRANDVILLE MI 49418							
41-50-93-760-150	2004S	4,226.80	253.61	42.27	0.00		4,522.68
	2004W	559.92	397.54	5.60	16.80		979.86
TOTAL		4,786.72	651.15	47.87	16.80	0.00	5,502.54
MIDAS MUFFLER SHOPS 5243 S DIVISION AVE WYOMING MI 49548-5605							
41-50-93-922-500	2004S	938.12	56.29	9.38	0.00		1,003.79
	2004W	470.12	333.79	4.70	14.10		822.71
TOTAL		1,408.24	390.08	14.08	14.10	0.00	1,826.50

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By: snydert

DELINQUENT TAXES DUE FOR KENT COUNTY

Page: 2/4
DB: Wyoming

Tax Year: 2004 Calculated As of: 1/26/2011
POPULATION: All Records

Owner Parcel #	Tax Year	Tax Due	Intrst Due	Admin Due	Penalty	Other Fees	Total Due
NEUMAN & ASSOCIATES 1415 GODFREY AVE SW WYOMING MI 49509							
41-50-93-984-250	2004S	91.67	5.50	0.92	0.00		98.09
	2004W	10.51	7.46	0.11	0.32		18.40
TOTAL		102.18	12.96	1.03	0.32	0.00	116.49
LEGEND GRILL RESTAURANT PO BOX 67 GRANDVILLE MI 49418							
41-50-93-985-004	2004S	240.82	14.45	2.41	0.00		257.68
	2004W	30.96	21.98	0.31	0.93		54.18
TOTAL		271.78	36.43	2.72	0.93	0.00	311.86
SURETEL 510A 28TH ST SE WYOMING MI 49548-1204							
41-50-93-985-015	2004S	280.51	16.83	2.81	0.00		300.15
	2004W	37.16	26.38	0.37	1.11		65.02
TOTAL		317.67	43.21	3.18	1.11	0.00	365.17
CUB HOUSE II 3219 EASTERN AVE SE WYOMING MI 49508-2459							
41-50-93-985-130	2004S	0.00	0.00	0.00	0.00		0.00
	2004W	25.04	17.78	0.25	0.75		43.82
TOTAL		25.04	17.78	0.25	0.75	0.00	43.82
ARROW ROOFING 2147 MARTINDALE AVE SW WYOMING MI 49509-1837							
41-50-93-985-147	2004S	1,003.57	60.21	10.04	0.00		1,073.82
	2004W	115.19	81.78	1.15	3.46		201.58
TOTAL		1,118.76	141.99	11.19	3.46	0.00	1,275.40
C & N CHINESE 825 28TH ST SW WYOMING MI 49509-2848							
41-50-93-985-382	2004S	0.00	0.00	0.00	0.00		0.00
	2004W	29.72	21.10	0.30	0.89		52.01
TOTAL		29.72	21.10	0.30	0.89	0.00	52.01
MUGS, EMBROIDER, ETC 3221 DIVISION AVE SW WYOMING MI 49548							
41-50-93-985-417	2004S	69.09	4.15	0.69	0.00		73.93
	2004W	33.38	23.70	0.33	1.00		58.41
TOTAL		102.47	27.85	1.02	1.00	0.00	132.34
NORTHERN WHOLESALE SUPPLY 730 HARDWICK ST SE KENTWOOD MI 49548							
41-50-93-985-504	2004S	172.76	10.37	1.73	0.00		184.86
	2004W	83.46	59.26	0.83	2.50		146.05
TOTAL		256.22	69.63	2.56	2.50	0.00	330.91
GERLINGER 3993 ROGER B CHAFFEE SE WYOMING MI 49548-3404							
41-50-93-985-508	2004S	103.64	6.22	1.04	0.00		110.90
	2004W	50.08	35.56	0.50	1.50		87.64
TOTAL		153.72	41.78	1.54	1.50	0.00	198.54
DFS-SPV LP ONE DELL WAY PL35B ROUND ROCK TX 78682-0001							
41-50-93-985-543	2004S	0.00	0.00	0.00	0.00		0.00
	2004W	5.94	4.22	0.06	0.18		10.40
TOTAL		5.94	4.22	0.06	0.18	0.00	10.40
MERRIMAK CAPITAL CO LLC 4151 BELT LINE RD STE 124 ADDISON TX 75001-4358							
41-50-93-985-544	2004S	196.92	11.82	1.97	0.00		210.71
	2004W	95.14	67.55	0.95	2.85		166.49
TOTAL		292.06	79.37	2.92	2.85	0.00	377.20
DATA CENTER OPERATIONS LLC 1200 JUDD AVE SW WYOMING MI 49509-1019							
41-50-93-985-647	2004S	0.00	0.00	0.00	0.00		0.00
	2004W	322.08	228.68	3.22	9.66		563.64
TOTAL		322.08	228.68	3.22	9.66	0.00	563.64
NINO'S PIZZA 2307 LEE ST SW WYOMING MI 49519-1620							
41-50-93-985-720	2004S	0.00	0.00	0.00	0.00		0.00
	2004W	50.16	35.61	0.50	1.50		87.77
TOTAL		50.16	35.61	0.50	1.50	0.00	87.77

01/26/2011
03:48 PM
By: snydert

DELINQUENT TAXES DUE FOR KENT COUNTY

Page: 3/4
DB: Wyoming

Tax Year: 2004 Calculated As of: 1/26/2011
POPULATION: All Records

Owner Parcel #	Tax Year	Tax Due	Intrst Due	Admin Due	Penalty	Other Fees	Total Due
REDLINE PERFORMANCE 5063 RAVINE DR MIDDLEVILLE MI 49333-8233							
41-50-93-985-833	2004S	70.09	4.21	0.70	0.00		75.00
	2004W	9.29	6.60	0.09	0.28		16.26
TOTAL		79.38	10.81	0.79	0.28	0.00	91.26
BAD GUYS PIZZA & GRINDERS 1885 28TH ST SW WYOMING MI 49519-2505							
41-50-93-985-835	2004S	0.00	0.00	0.00	0.00		0.00
	2004W	63.04	44.68	0.59	1.86		110.17
TOTAL		63.04	44.68	0.59	1.86	0.00	110.17
PRIVATE CHEF CAFE' 3350 MICHAEL AVE SW WYOMING MI 49509-3420							
41-50-93-985-840	2004S	467.55	28.05	4.68	0.00		500.28
	2004W	61.93	43.97	0.62	1.86		108.38
TOTAL		529.48	72.02	5.30	1.86	0.00	608.66
AUGO GAGE OF MI 3562 ROGER B CHAFFEE SE WYOMING MI 49548-2328							
41-50-93-985-841	2004S	172.76	10.37	1.73	0.00		184.86
	2004W	83.46	59.26	0.83	2.50		146.05
TOTAL		256.22	69.63	2.56	2.50	0.00	330.91
JEUNIQUE DISTRIBUTOR 1016 CHICAGO DR SW WYOMING MI 49509-1108							
41-50-93-985-855	2004S	53.93	3.24	0.54	0.00		57.71
	2004W	6.19	4.39	0.06	0.19		10.83
TOTAL		60.12	7.63	0.60	0.19	0.00	68.54
WOODEN SPOOL QUILTS 1760 44TH ST SW WYOMING MI 49519-6422							
41-50-93-985-878	2004S	233.76	14.03	2.34	0.00		250.13
	2004W	1.18	0.84	0.01	0.04		2.07
TOTAL		234.94	14.87	2.35	0.04	0.00	252.20
T-3 DANCE ELITE 2495 BURLINGAME AVE SW WYOMING MI 49509							
41-50-93-985-902	2004S	140.24	8.41	1.40	0.00		150.05
	2004W	18.58	13.19	0.19	0.56		32.52
TOTAL		158.82	21.60	1.59	0.56	0.00	182.57
LESLIE DIVERSIFIED SERVICES 3059 HILLCROFT AVE SW WYOMING MI 49548							
41-50-93-985-905	2004S	467.55	28.05	4.68	0.00		500.28
	2004W	61.93	43.97	0.62	1.86		108.38
TOTAL		529.48	72.02	5.30	1.86	0.00	608.66
UP CLOSE & PERSONAL 1943 PORTER ST SW WYOMING MI 49519-2289							
41-50-93-985-911	2004S	224.39	13.46	2.24	0.00		240.09
	2004W	29.72	21.10	0.30	0.89		52.01
TOTAL		254.11	34.56	2.54	0.89	0.00	292.10
GRAPHIC IDENTITY SOLUTIONS PO BOX 68621 GRAND RAPIDS MI 49516							
41-50-93-985-926	2004S	0.00	0.00	0.00	0.00		0.00
	2004W	25.11	17.83	0.25	0.75		43.94
TOTAL		25.11	17.83	0.25	0.75	0.00	43.94
FOUR SEASONS 637 ACORN CHASE DR ORANGE PARK FL 32065							
41-50-93-985-941	2004S	86.35	5.18	0.86	0.00		92.39
	2004W	41.73	29.63	0.42	1.25		73.03
TOTAL		128.08	34.81	1.28	1.25	0.00	165.42
DFO VENDING 3530 GOODMAN AVE SW WYOMING MI 49519-3152							
41-50-93-985-959	2004S	140.24	8.41	1.40	0.00		150.05
	2004W	18.58	13.19	0.19	0.56		32.52
TOTAL		158.82	21.60	1.59	0.56	0.00	182.57
SHIP SHAPE CARPET SALES///AND 2141 MARTINDALE AVE SW WYOMING MI 49509-1837							
41-50-93-985-967	2004S	80.89	4.85	0.81	0.00		86.55
	2004W	9.29	6.60	0.09	0.28		16.26
TOTAL		90.18	11.45	0.90	0.28	0.00	102.81

01/26/2011
03:47 PM
By: snydert

DELINQUENT TAXES DUE FOR KENT COUNTY

Page: 4/4
DB: Wyoming

Tax Year: 2004 Calculated As of: 1/26/2011
POPULATION: All Records

Owner Parcel #	Tax Year	Tax Due	Intrst Due	Admin Due	Penalty	Other Fees	Total Due
RIVERTOWN HEATING & COOLING 823 28TH ST SW STE B WYOMING MI 49509-2848							
41-50-93-985-987	2004S	313.22	18.79	3.13	0.00		335.14
	2004W	0.00	0.00	0.00	0.00		0.00
TOTAL		313.22	18.79	3.13	0.00	0.00	335.14
ONAGER LLC 11060 VERGENNES ST LOWELL MI 49331-9645							
41-50-93-985-992	2004S	247.00	14.82	2.47	0.00		264.29
	2004W	123.80	87.90	1.24	3.71		216.65
TOTAL		370.80	102.72	3.71	3.71	0.00	480.94
PBCC 27 WATERVIEW DR SHELTON CT 06484-4301							
41-50-93-994-505	2004S	1,254.37	75.26	12.54	0.00		1,342.17
	2004W	605.98	430.25	6.06	18.18		1,060.47
TOTAL		1,860.35	505.51	18.60	18.18	0.00	2,402.64
PBCC 27 WATERVIEW DR SHELTON CT 06484-4301							
41-50-93-994-510	2004S	895.16	53.71	8.95	0.00		957.82
	2004W	448.59	318.50	4.49	13.46		785.04
TOTAL		1,343.75	372.21	13.44	13.46	0.00	1,742.86
PARIS PRESS PO BOX 409 GRANDVILLE MI 49468-0409							
41-50-93-994-610	2004S	2,552.91	153.17	25.53	0.00		2,731.61
	2004W	338.18	240.11	3.38	10.15		591.82
TOTAL		2,891.09	393.28	28.91	10.15	0.00	3,323.43
GREAT AMERICAN HOME CENTER PO BOX 79 COOPERSVILLE MI 49404							
41-50-93-995-705	2004S	35.87	2.15	0.36	0.00		38.38
	2004W	18.03	12.80	0.18	0.54		31.55
TOTAL		53.90	14.95	0.54	0.54	0.00	69.93
2004	45	24,921.50	4,382.14	249.18	139.23	0.00	29,692.05
DLQ PARCEL COUNT	45	24,921.50	4,382.14	249.18	139.23	0.00	29,692.05

RESOLUTION NO. _____

RESOLUTION TO APPROVE REVISIONS OF THE POLICY MANUAL FOR THE
NEIGHBORHOOD STABILIZATION (NSP) PROGRAM

WHEREAS, the City Council approved Resolution #23353 explaining the policies to be used for execution of the Neighborhood Stabilization program, and

WHEREAS, since the Council approval of the manual the City of Wyoming has been audited by the Michigan State Housing and Development Authority (MSHDA) which has suggested that our policy affirm the use of program income per MSHDA regulation and formally affirm a program applicant appeals process, now therefore,

BE IT RESOLVED, the Wyoming City Council hereby approves the revised Neighborhood Stabilization Homeownership Program Policy Manual as presented.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays

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 the 7th day of February, 2011

Heidi A. Isakson
Wyoming City Clerk

Resolution No. _____

NEIGHBORHOOD STABILIZATION HOMEOWNERSHIP PROGRAM 1
POLICY MANUAL

City of Wyoming
Community Services

Original Adoption: 7/13/09
Revised: 9/22/09
Revised by MSHDA 11/16/09
Revised: 2/7/11

NEIGHBORHOOD STABILIZATION HOMEOWNERSHIP PROGRAM 1
POLICY MANUAL

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NEIGHBORHOOD STABILIZATION HOMEOWNERSHIP PROGRAM 1

A. GENERAL:

The City of Wyoming is dedicated to building a vibrant community comprised of strong, healthy neighborhoods. In accomplishing this goal, the City recognizes the importance of eliminating vacant housing and providing affordable home ownership opportunities for all its residents. The Neighborhood Stabilization Homeownership Program – 1, which allows the City to purchase and rehabilitate vacant or abandoned homes that can later be sold at reduced prices, will serve both of these needs as it restores properties and makes them available and affordable to qualifying families. The City will be receiving funding for this program from HUD through the State of Michigan's allocation. This program is limited to households making at or below 120% of the Area Median Income (AMI), with at least 25% of the funds benefiting households making at or below 50% of the AMI. Adherence to the following policies and guidelines will ensure a successful experience for all those involved, thereby leading to a dynamic community that we all desire to live in.

B. ACQUISITION:

1. Finding Properties:

Available properties can be provided by HUD through their HUD Dollar Home Sales Program, banks and mortgage companies.

2. Property Eligibility:

a. Vacant or Abandoned:

Only vacant and abandoned homes will be eligible for purchase.

b. Location:

The property shall be within the City limits and within a residential zoning district.

c. Type:

The property shall be a single or two-family residence. In order to sell the property in a timely manner and to provide a marketable property, it is preferred that the property meets the following minimum qualities:

- At least 3 bedrooms
- Closets in each bedroom
- Adequate cabinet (39.5 cu. Ft.) and countertop (10 sq. ft.) space (5 ft of upper and lower cabinets)
- Proper layout of rooms
- A bath tub and shower
- Adequate laundry space
- Dry basement
- Gas forced air heat
- Connected to city water and sewer
- No flat roofs
- No steep hills on property
- No dangerous trees or limbs
- Paved driveway

- Sidewalk to front and rear entrances
- Surrounded by well maintained properties

Properties which do not meet all of these requirements may still be chosen, at the City's discretion.

3. Acquisition Discounted Price:

The acquisition price must be at a discount of at least 15% of a third-party appraised value. The appraisal cost is an eligible expense of NSP funding.

4. Approval Authority:

The Director of Community Services, or assigned designee, shall approve the properties on which to obtain an option to purchase. Final acquisition approval shall be by the City Manager, or assigned designee.

C. REHABILITATION:

1. Performance of Repairs and Improvements:

A work list will be drafted by City staff and completed by a contractor from the City's pre-approved Rehabilitation Contractor's List. The work will be supervised by the City's CDBG staff and will be funded through the City's NSP funds from HUD, through the State of Michigan, and from program income created by the sale of these properties.

2. Eligible Repairs and Improvements:

Repair items and improvements may include those noted under the HUD Minimum Property Standards and the International Property Maintenance Code, as revised and adopted by the City. A lead based paint inspection has already been completed through the HUD Dollar Home Sales Program. This lead based paint inspection includes the repairs needed for federal compliance. Energy conservation items will also be eligible.

3. Approval Authority:

Full approval authority for this rehabilitation section will be held by the City's Director of Community Services, or assigned designee.

D. BUYERS:

1. Finding Buyers:

The City of Wyoming will utilize an outreach plan that seeks to inform those residents and individuals who will most benefit from the opportunity of affordable home ownership. To this end, informational flyers, letters, packets and press releases will be distributed to the following entities within the City and surrounding areas:

- Wyoming Housing Commission
- Fair Housing Center
- Home Repair Services
- Churches in Wyoming
- Wyoming/KDL Library
- Full media contact list
- Grand Rapids Housing Commission
- Grand Rapids Urban League
- Habitat for Humanity of Kent County
- Inner City Christian Federation (ICCF)
- United Way

2. Buyer Eligibility

a. Limit:

The Buyer may receive only one property through this or any other City of Wyoming homeownership program.

b. Citizenship:

The Buyer must meet the HUD citizenship requirements for programs using federal funding.

c. Good Standing With The City:

The Applicant and household members must demonstrate they are in good standing with the City of Wyoming, with no past due accounts or unpaid fines.

D: Household Size:

The household size must match the property's number and size of bedrooms, according to the International Property Maintenance Code.

e. Income:

For this program, the gross household income limit shall be 120% of the Area Median Income (AMI) adjusted for household size. These figures shall be provided by the Economic Market and Analysis Division of HUD. Income calculations shall be determined by averaging the total previous tax year's income with the current projected year's income, based on a normal week's salary. However, if the current projected year's income exceeds the program's income standards, the Buyer is ineligible.

f. Mortgage Pre-Approval:

The Buyer/Applicant must possess a conventional mortgage pre-approval letter from a financial institution, in an amount of at least the Buyer's first mortgage, as explained in the Sales Section below.

g. Homeownership Training:

The Buyer/Applicant must have completed 8 hours of an approved homeownership training course, prior to closing on the property, as documented by written statement from the agency providing the training.

h. Criminal Background Checks:

Eligibility will be limited to households that pass criminal background checks as defined in Wyoming Housing Commission's Admission and Continued Occupancy Policy. The Buyer must sign a Waiver of Liability and Release of Claims which authorizes the City to obtain information from law enforcement agencies and other sources when doing a criminal background check.

i. Applications:

Persons may apply any time after a Notice of Availability of Sale for this program is published in the Wyoming Advance newspaper. Valid applications are those that follow all rules in this policy for this program. All applications will be held and processed on a first come first served basis with exceptions based on HUD

guidelines. Applications must be complete within 30 days, of a written letter listing the deficiencies, or the application will be terminated. Once the information stated on the application has been researched and verified, by staff, the application shall be considered certified. The applicant, with a certified application, will then be notified that they will have 5 business days to select an available property. If the applicant does not accept any of 3 offered properties, they will be removed from the program.

j. City's Authority to Reject:

The City reserves the right to accept or reject any application or to waive formalities in any manner deemed to be in the best interest of the City.

3. Approval Authority:

Full approval authority for this Buyer's section will be held by the City's Director of Community Services, or assigned designee.

E. SALES:

1. Sale Price:

The sales price will be the after rehabilitation appraised value (rev., MSHDA 11/16/09).

2. Closing Costs:

Certain closing costs will be paid by the City as Seller. See the list of closing costs below.

a. Buyer's Closing Costs (and similar items, but not limited to):

- Loan fees: Origination fees, loan discount, appraisal fees, credit report, lender's application fee, mortgage insurance application fee and assumption fees.
- Pre-paid items and reserves: Pre-paid interest, MIP payments, hazard insurance, mortgage insurance, taxes and assessments.
- Other: lender and owner title insurance fees, survey and pest inspection.

b. Seller's Closing Costs (and similar items, but not limited to):

- Title Charges: Settlement/Closing fee, title exam, document preparation, notary fees, attorney fees, seller's title insurance fee and recording fee, city/county/state transfer stamp fees.
- Other: Utility fees to date and taxes to date.

3. First Mortgage:

The first mortgage must be an affordable conventional mortgage, with an adequate escrow account set up to pay taxes and insurance.

4. Affordability:

The first mortgage amount and other housing costs must be affordable with a monthly housing expense amount of no more than 30% of the Buyer's monthly income.

5. Downpayment Requirement:

Any downpayment is determined by the first mortgage institution.

6. Second Mortgage Requirements:

a. City Mortgage:

The City will provide a zero percent interest, monthly decreasing, second mortgage, as needed to make the property affordable to the Buyer. Affordability is explained in paragraphs 7 and 8 below.

b. Term:

The term of the second mortgage shall be for 15 years.

c. If Sold:

If the property is sold during the term of the second mortgage, the balance of the second mortgage shall be immediately due and payable, unless the household buying the property also meets these qualifications. The balance due of the second mortgage shall decrease by 1/180 each month. A household buying the property from the first qualified Buyer may also continue the benefit of the second mortgage provided they also meet the 120% AMI limit.

d. Primary Residence Only:

The Buyer must not rent any part of the property for the term of the second mortgage. The Buyer must continue to use this property as their primary residence for the entire term of the second mortgage. The Buyer may rent a portion of the property, if the property is a legal duplex, and the Buyer lives in the other unit.

e. Adequate Insurance:

The Buyer must maintain adequate property and casualty insurance in the full amount, or greater, of sale price of the property. The insurance policy shall name the City of Wyoming as an additional insured. The Buyer shall provide proof of these items, to the City upon request.

f. Property Maintenance Requirements:

The Buyer must maintain the property in compliance with all City codes. The Buyer shall not damage the property or allow the property to deteriorate with the exception of reasonable wear and tear. No garbage, branches, yard waste or debris shall accumulate on the property.

7. Closing Example:

The sale price and Buyer's closing costs will be paid with a downpayment, a first and second mortgage. Example:

NO SECOND MORTGAGE DISCOUNT:

	<u>Amount</u>	<u>Balance</u>
Appraised Value:	\$85,000	\$85,000
Required Acquisition Discount (15%)	\$12,750	\$72,250
Sale Price:	NA	\$72,250
Buyer's Closing Costs	+\$ 4,000	\$76,250
Lender's Required Downpayment (3%)	- \$ 2,168	\$74,082
First Mortgage	- \$74,082	\$0

This first mortgage amount of \$74,082 is considered affordable to a household making

about \$32,688 annually. The monthly housing expenses would be about \$818, which is 30% of the monthly income of \$2,724. Monthly housing costs, totaling \$818 in this case, would consist of about \$543 for the mortgage, \$175 for taxes and insurance and \$100 for utilities.

SECOND MORTGAGE AT 50% DISCOUNT:

	<u>Amount</u>	<u>Balance</u>
Appraised Value:	\$85,000	\$85,000
Required Acquisition Discount (15%)	\$12,750	\$72,250
Sale Price:	NA	\$72,250
Buyer's Closing Costs	+\$ 4,000	\$76,250
Lender's Required Downpayment (3%)	- \$ 2,168	\$74,082
Second Mortgage (50%)	- \$36,125	\$37,857
First Mortgage	- \$37,857	\$0

This first mortgage amount of \$22,104 is considered affordable to a household making about \$22,104 annually. The monthly housing expenses would be about \$553, which is 30% of the monthly income of \$1,842. Monthly housing costs, totaling \$553 in this case, would consist of about \$278 for the mortgage, \$175 for taxes and insurance and \$100 for utilities.

8. Refinancing and Equity Loans:

Refinancing of the first mortgage and new equity loans are allowable only with approval by the City (holder of the second mortgage). The 30% affordability factor shall apply when considering any refinancing or equity loan approval.

9. Approval Authority:

Full approval authority for this sales section will be held by the Director of Community Services, Deputy City Manager or City Manager, with reporting to City Council, as needed.

F. SALES PROCEEDS:

Any proceeds remaining after the rehabilitation, sale and administration of the property shall be considered program income and shall be placed into NSP accounts as required by Federal NSP and City policies. Any program income received will be spent prior to requesting NSP grant funds.

G. RECORDS AND REPORTS:

1. Separate Records:

The City will keep records of all revenues, expenses and transactions separate from other programs, based on Federal NSP and City policies.

2. Accounting Practices:

Generally accepted accounting principles and practices will be followed, as required by NSP and City policies.

3. Annual Audit:

This program will be audited annually as a part of the City's regular independent audit.

4. Annual Report:

The City will submit an annual report to HUD in a form prescribed by HUD.

5. Records Available:

All accounts and reports will be available for public inspection at the City Offices in the Planning Office located at 1155 28th St SW, Wyoming, MI, 49509. All documentation shall be kept in a file for a minimum length of the second mortgage plus three additional years. All records shall comply with the City's records retention policy. The file shall contain:

- A copy of the sales contract to purchase the property
- A copy of the acquisition deed
- The list of repairs
- The original application completed by the family
- Documentation supporting the family's eligibility to purchase
- The Property Appraisal
- Buy-sell Agreement
- Settlement Statement
- Property Deed
- The Second Mortgage
- Any and all paperwork generated at the closing of the sale
- A copy of the resolution to sell the property by the City Council
- Documentation of the distribution of the Proceeds from the sale
- Any inspections performed for the sale
- Documentation regarding recapture of the property
- The Second Mortgage Discharge
- Documentation of any unusual occurrence regarding the property

H. APPEALS PROCEDURE

1. PURPOSE:

This Section describes an appeals procedure for anyone not satisfied with decisions made by the City Staff involving a NSP or Community Development Block Grant program.

2. BASIC RIGHTS AND RULES:

a. Right to Appeal:

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

b. Right to Representation:

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

c. Order of Appeal:

The appellant's request for an appeal must be in writing. It should be presented to the person or group who made the decision (see Appeals Chart below). The

appellant may appeal a decision up the tier, one tier at a time, to the level deemed necessary.

d. Timing of Appeal:

Appeals of decisions made in the NSP or Community Development Program should be made within 30 days of the decision.

e. Content of Appeal:

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

f. Review of Files:

The Community Development office shall permit the person making a complaint or appeal to inspect and copy all files and records pertinent to his/her case, except materials deemed by the Director to be confidential. The Community Development office shall send copies of pertinent information to higher tier persons or groups.

3. REVIEW, DETERMINATION AND NOTIFICATION:

a. Scope of Review:

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

1. All applicable rules and regulations.
2. All material submitted.
3. All material upon which the appeal is based.
4. Any other available information needed to insure a fair and full review.

b. Scope of Determination:

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

1. The person's or group's decision.
2. The basis upon which the decision was made.
3. A statement on how any relief will be provided, if applicable.

c. Timing and Notification:

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

4. JUDICIAL REVIEW:

Nothing in this section shall in any way preclude or limit an appellant from

seeking judicial review of an appeal after exhaustion of such administrative remedies as are available under this Section.

APPEALS CHART

Michigan State Housing and Development Authority (MSHDA)



City Manager



Director of Community Services



Community Development Staff Person



Appellant

RESOLUTION NO. _____

RESOLUTION TO AWARD A BID
FOR THE WYOMING SENIOR CENTER GAME ROOM RENOVATION
AND AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT

WHEREAS, on January 18, 2011, twelve bids were received for renovation of the Wyoming Senior Center game room, thirty-eight invitations to bid were sent to prospective bidders, and

WHEREAS, the Director of Community Services and staff worked with Design Plus, Inc. Architects in identifying the architectural needs and specifications for this project, and

WHEREAS, as detailed in the letter, submitted by Design Plus, Inc, the low bid submitted by Fritz Wahlfield Construction Co., Inc. was found to be acceptable, and

WHEREAS, funding for the renovation project is available in accounts in the Community Development Block account number 256-400-69211-956.060 and the Parks & Recreation – Wyoming Senior Center account number 208-752-75800-975.225, now therefore

BE IT RESOLVED, that the Wyoming City Council does hereby award the bid for the Senior Center game room renovation to Fritz Wahlfield Construction Co., Inc. in the amount of \$72,900.00, and

BE IT FURTHER RESOLVED, that the Wyoming City Council does hereby authorize the Mayor and City Clerk to execute a contract with Fritz Wahifield Construction Co, Inc. for the project.

Councilmember _____ moved, seconded by Councilmember _____, that the above resolution be adopted.

Motioned carried: _____ Yeas, _____ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan, at a _____ session held on the _____ day of _____, 2011.

Attachments: Letter
Tabulation Sheets
Contract

Heidi A. Isakson
Wyoming City Clerk

Resolution No. _____



230 East Fulton Street
Grand Rapids, Michigan
49503-3211
p 616.458.0875
f 616.458.2806

Architecture +
Landscape Architecture & Land Planning +
Interior Design +
Mechanical & Electrical Engineering +
Construction Administration +

January 25, 2011

Rebecca Rynbrandt
Director of Community Services
City of Wyoming
P.O. Box 905
Wyoming, MI 49509-0905

Project: City of Wyoming Senior Center Game Room Addition
Project No.: 06103C
Re: Recommendation for Award of Bid

Dear Becky:

The attached Bid Tab provides a summary of the bids received for the City of Wyoming Senior Center Game Room Addition project. We have been working with bidders over the last week to qualify their bids.

The resulting low bidder has provided us with all requested supplemental information, complying with the City of Wyoming's requirements. The list of subcontractors and the proposed schedule are appropriate for the work to be done.

We recommend the City of Wyoming engage Fritz Wahlfield Construction as the Contractor for the Senior Center Game Room Addition project. Design Plus has a good working relationship with this company and has successfully completed a reference check.

Sincerely,

DESIGN PLUS, INC.

Michelle D. Hoffner

MDH

cc: City of Wyoming – Laura Jackson, Molly Remenap, Eric Tomkins
Design Plus – Jim Horman

P:\2006Pro\06103\Documents\Bid Info\GAME ROOM\110125-BidAwardRecommendation-mdh.doc

Bid Tabulation (continued)

Note: The following bidders were excluded because the bid was not for the entire project

Buckeye Construction	---	\$ 5,429.58	2 weeks	N/A	Demolition only	X	X	X	X	X
Wilderness Electric Inc.	X	\$ 33,352.00	---	N/A	Electrical only	X	X	X	X	

Note: The following bidder has withdrawn its bid

Vander Kodde Construction	X	\$ 55,451.00	4 weeks	N/A		X				
---------------------------	---	--------------	---------	-----	--	---	--	--	--	--



FRITZ WAHLFIELD
CONSTRUCTION CO.

4475 WESTSHIRE DR.
SUITE B
COMSTOCK PARK, MI 49321

PH: (616) 784-5833
FAX: (616) 784-5834

www.wahlfieldconstruction.com

1/20/11

Design Plus
230 E. Fulton
Grand Rapids, MI 49503

Attention: Ms. Michelle Hoffner

RE: List of Major Sub-Contractors

Dear Ms. Hoffner,

Fritz Wahlfield Construction Company, Inc. is pleased to provide the following list of Major Subcontractors that we are purposing to use for the Wyoming Senior Center Addition/ Renovation Project.

- | | |
|----------------------|----------------------------------|
| 1. Earthwork: | Fritz Wahlfield Construction Co. |
| 2. Demo: | Fritz Wahlfield Construction Co. |
| 3. Concrete: | Hoonhorst |
| 4. Masonry: | VJ Construction |
| 5. General Trades: | Fritz Wahlfield Construction Co. |
| 6. Storefronts: | Vos Glass |
| 7. Drywall/ Ceiling: | Heyboer and Bolt |
| 8. Flooring: | Heyboer and Bolt |
| 9. Painting: | Eckhoff and DeVries |
| 10. HVAC: | R&R Mechanical |
| 11. Electric: | AllState Electric |

If you have any questions feel free to call me.

Respectfully Submitted,
FRITZ WAHLFIELD CONSTRUCTION COMPANY, INC.

Fritz Wahlfield Jr.
CEO/ President

CONSTRUCTION
MANAGEMENT

GENERAL
CONTRACTOR

DESIGN/BUILD

FACILITY
MAINTENANCE

DEVELOPMENT

1/20/11

Design Plus
230 E. Fulton
Grand Rapids, MI 49503

Attention: Ms. Michelle Hoffner

RE: Construction Schedule

The following is a purposed construction Schedule. This is based on receiving a signed contract from the City of Wyoming by March 14th, 2011. FWC estimates about a week to get the signed contracts out and back along with the submittal process being started. Actual construction would not begin until the week of March 21, 2011.

1. Set up Barricades, Temporary Fencing, Temporary Walls (Interior), and Mobilization.
Start the week of March 21, 2011.
2. Interior Demolition and Demolition of Coat Rack area.
During the week of March 21, 2011.
3. Earthwork
Start on the week of April 4th, 2011. (This should help with out having to pay for winter conditions)
4. Concrete Footing and Foundation
During the week of April 4th, 2011.
5. Masonry
Start on the week of April 11, 2011.
6. New Glass and Storefront Entrance
Between the week of April 18, 2011 and April 25, 2011
7. Metal Studs and Drywall
Start up May 2, 2011
8. Painting, Ceiling, and Carpet
To be completed during May 9 to May 20
9. Final Clean up
May 23, 2011
10. Final review and walk thru with owner
Week of May 23, 2011

This schedule may change due to weather conditions and or delays in approvals, and or delay in start date.

Thanks,

Fritz Wahlfeld Construction Co.



FRITZ WAHLFIELD
CONSTRUCTION CO.

4475 WESTSHIRE DR.
SUITE B
COMSTOCK PARK, MI 49321

PH: (616) 784-5833
FAX: (616) 784-5834

www.wahlfeldconstruction.com

CONSTRUCTION
MANAGEMENT

GENERAL
CONTRACTOR

DESIGN/BUILD

FACILITY
MAINTENANCE

DEVELOPMENT

CONTRACT

THIS CONTRACT AWARDED on February 7, 2011 by and between the CITY OF WYOMING, Kent County, Michigan, party of the first part, hereinafter called the "City" and

Fritz Wahlfield Construction Co., Inc.
4475 Westshire Dr. Ste. B
Comstock Park, MI 49321

Party of the second part, hereinafter called the "Contractor."

Witnesseth, that the City and Contractor, for the considerations hereinafter mentioned, agree as follows:

ARTICLE I – THE CONTRACT

The following shall be deemed to be part of this Contract:

- A. Resolution from Board of Directors
- B. Information for Bidders
- C. Bid Proposal Form
- D. Award of Bid
- E. Certificate of Insurance (Naming the City of Wyoming as additionally insured)
- F. Subcontract Provision
- G. Equal Employment Opportunity Statement
- H. All provisions required by law to be inserted in this contract, whether actually inserted or not.

CITY OF WYOMING

FRITZ WAHLFIELD CONSTRUCTION CO., INC.

By: _____
Jack A. Poll, Its Mayor

BY: _____

Date: _____
Heidi A. Isakson, Its Clerk

Title: _____

By: _____

Date: _____

Date: _____

Approved as to form: _____
Jack Sluiter, City Attorney

RESOLUTION NO. _____

RESOLUTION TO ACCEPT A PROPOSAL FOR PRINTING SERVICES
FOR PARKS AND RECREATION BROCHURES

WHEREAS, as detailed in the attached memorandum, in December of 2009, City Council adopted a Resolution authorizing acceptance of a three year proposal from Inco Graphics for printing services for the Parks and Recreation brochures, and

WHEREAS, in December of 2010, the City was notified that Inco Graphics was ceasing operations, and

WHEREAS, proposals were requested for printing the Spring and Summer issues of the Parks and Recreation brochures and News Web provided the lowest pricing, in the amount of \$4,578.40 for each issue, and

WHEREAS, because of the timeline required for designing, printing and distributing the brochure, the City accepted the proposal of \$4,578.40 for the printing of the Spring issue, and

WHEREAS, it is recommended City Council accept the proposal from News Web for the printing of the Summer issue in the amount of \$4,578.40 bringing the combined cost of both issues to \$9,156.80, and

WHEREAS, funds for the brochure printing are available in account number 208-752-75200-900000, now therefore

BE IT RESOLVED, that the Wyoming City Council does hereby accept the proposal from News Web for printing services for the Parks and Recreation brochures.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays

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 the 7th day of ebruary, 2011.

Attachments: Memorandum
Proposal

Heidi A. Isakson
Wyoming City Clerk

Resolution No. _____



Interoffice Memorandum

Date: January 13, 2011
To: Kim Oostindie, Purchasing
From: Nancy Parent, Parks and Recreation *NP*
RE: **PARKS AND RECREATION BROCHURE PRINTING**

On December 7, 2009, a three-year bid for printing of the Parks and Recreation brochure was awarded to Inco Graphics. On December 8, 2010, an e-mail was received from Inco Graphics stating that their company was going to cease operations the last week of December and would be unable to print the next (spring) issue of the Parks and Recreation brochure. Because of the short time frame for locating another printer, several quotes were obtained. News Web, a company we have done business with before for this print job, was able to print this issue of the Parks and Recreation brochure and honor the bid price of \$4,578.40 that we had from Inco Graphics. Of the three bids we obtained, plus reviewing the next lowest price from the original bid, no other company could honor this price. The other quotes were Acragraphics \$11,200 and McKay \$12,302. The second lowest price from the bid was from Pioneer Printing Company at \$5,850.

News Web has given us a proposal to provide the printing of the Parks and Recreation brochure for the spring and summer 2011 issues for \$4,578.40 per issue, printing a quantity of 30,000 for each issue. This price matches the price bid from Inco Graphics. Due to time constraints we have accepted the proposal from News Web to move forward with the printing of the brochures at a cost of \$4,578.40 for the spring brochure. We are requesting the City Council approve acceptance of the proposal from News Web for the 2011 summer brochure for \$4,578.40.

The brochure printing services will be charged to the Parks and Recreation Administration Printing & Advertising Account #208-752-75200-900000.

If you agree with this recommendation, please have this put on the City Council agenda.

I concur with this recommendation.

Handwritten signature of Rebecca Rynbrandt in cursive script.

Rebecca Rynbrandt
Director of Community Services

1.14.11
Date



December 16, 2010

1005 E Fairplains
Greenville, MI 48838
1-866-262-4449
John Moy

Nancy Parent
City of Wyoming
Parks and Recreation
1155 28th St SW
Wyoming, MI 49509
Phone: 616.261.3521
Fax: 616.249.3400

Estimate

Description:	Parks and Rec Newsletter
Pages:	32 (self-cover)
Final Trim Size:	8 x 10.5
Ink:	4 color all
Paper:	60# offset
Quantity:	30,000
Binding:	saddle stitched two staples
Supplied:	PDF files to FTP folder
Printing price:	

32 pgs.....30,000.....\$4578.40

Note: This price above is good for only the Spring and Summer 2011 issues.

Additional charges:

Digital proof:	included
Delivery:	included (two locations in Grand Rapids, MI area)
Stitch and trim:	included

Other charges may apply if above specifications change.

Our current prices are based upon the description above and may be revised to reflect future cost increases of labor, paper and other materials.(SEE NOTE ABOVE) Electronic file manipulations charges will be billed at \$35.00 per hour with a minimum \$35.00 charge. Downtime at press due to customer error will be billed at \$100 per hour with a minimum \$100 charge. Downtime at post-press due to customer error will be billed at \$50 per hour with a \$50 minimum charge. Sales tax may apply.

Terms: Net 30 days

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO
EXCECUTE AN AGREEMENT FOR PROPERTY ACQUISITION
SERVICES TO LAND MATTERS LLC

WHEREAS, Wyoming periodically acquires property for right-of-way and other miscellaneous reasons, and

WHEREAS, Wyoming requested proposals from two firms to acquire right-of-way on behalf of the City, and

WHEREAS, on December 9, 2010, the firms responded with their qualifications and proposals to perform the acquisition services, and

WHEREAS, the firm of Land Matters LLC, submitted the most competitive proposal combined with qualified personnel for services of acquiring right-of-ways and easements, and

WHEREAS, based upon qualifications and competitive rates, it is in the best interest of Wyoming that the property acquisition services be performed by Land Matters LLC from January 1, 2011, through December 31, 2013; now, therefore,

BE IT RESOLVED that the City Council hereby authorizes the Mayor and Clerk to execute an Agreement with Land Matters LLC for property acquisition services from January 1, 2011, through December 31, 2013.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

HEIDI A. ISAKSON
Wyoming City Clerk

Attachments: Agreement
Proposal

Resolution No. _____

AGREEMENT

This Agreement made this _____ day of _____, 2011, between the City of Wyoming, a municipal corporation of 1155 - 28th Street, SW, Wyoming, Michigan 49509 (hereinafter "City") and Land Matters LLC a corporation located at 0-703 Lake Michigan Drive, NW, Suite B, Grand Rapids, Michigan 49534 (hereinafter "Consultant") the terms of which are as follows:

1. City hereby hires Consultant to provide property and right-of-way acquisition services on behalf of City for the period of January 1, 2011 through December 31, 2013.
2. The work to be performed shall be in accordance with the proposal dated December 9, 2010.
3. Payment for services provided shall be made in accordance with the proposal and upon billing for work completed.
4. City may terminate the Agreement upon 30 days written notice.
5. Consultant is an independent contractor and City is hiring Consultant for professional services. All officers, agents and employees of Consultant shall at all times be considered employees of Consultant and not of the City.
6. This Agreement contains the entire Agreement between the parties and may not be modified except in writing by mutual consent.

CITY OF WYOMING

LAND MATTERS LLC

Jack Poll
Mayor

Heidi A. Isakson
City Clerk

Approved:



Jack R. Sluiter
City Attorney

Hourly Rates

Principal in Charge	\$ 90.00
Project Manager / Land Acquisition Agent	\$ 62.50
Support Staff	\$ 45.00 - \$50.00
Mileage:	Federal Rate
Copies:	\$0.12 / legal
.....	\$0.10 / letter
.....	at cost / oversize
Postage and Mailing:	at cost
Subconsultants.....	0% - 5% Administration

RESOLUTION NO. _____

RESOLUTION TO APPROVE PAYMENT OF THE
GRAND VALLEY METRO COUNCIL DUES

WHEREAS, the Grand Valley Metropolitan Council (GVMC) is the area's designated Metropolitan Planning Organization, and as such, determines the distribution of Federal Highway Funds, and

WHEREAS, it is in the best interest of the City of Wyoming to be actively included in this decision making process, and

WHEREAS, the City of Wyoming must pay annual GVMC dues in order to be involved, and

WHEREAS, said dues for 2010 – 2011 are in the amount of \$35,770, and

WHEREAS, a budget amendment is necessary for sufficient funds to be available in the Public Works Major Street Administration account 202-441-48300-956000; now therefore,

BE IT RESOLVED that the City Council hereby authorizes payment of the 2010 – 2011 GVMC dues in the amount of \$35,770 and authorizes the attached budget amendment.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

HEIDI A. ISAKSON
Wyoming City Clerk

Attached: Budget Amendment

Resolution No. _____

CITY OF WYOMING BUDGET AMENDMENT

Date: February 7, 2011

Budget Amendment No. 028

To the Wyoming City Council:

A budget amendment is requested for the following reason: To appropriate \$6,000 of funds to increase budget to pay Grand Valley Metro Council (GVMC) dues for 2011 per attached resolution.

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
<u>Major Streets Fund</u>				
Public Works - Street Administration - Other Services 202-441-48300-956.000	\$30,000	\$6,000		\$36,000
Fund Balance/Working Capital				\$ 6,000

Recommended: _____
Finance Director

City Manager

Motion by Councilmember _____, seconded by Councilmember _____ that the General Appropriations Act for Fiscal Year 2010-2011 be amended by adoption of the foregoing budget amendment.

Motion carried: _____ yeas, _____ nays

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

City Clerk

RESOLUTION NO. _____

RESOLUTION TO PARTICIPATE IN THE ONGOING
OPERATION AND MAINTENANCE OF THE REGIONAL
GEOGRAPHICAL INFORMATION SYSTEM (REGIS)

WHEREAS, the City of Wyoming is a member of the area's Regional Geographic Information System, and

WHEREAS, the ongoing operation and maintenance is determined by an oversight committee of member communities (REGIS), a committee of the Grand Valley Metro Council, and

WHEREAS, the continued operation and maintenance of the system requires members to pay predetermined fees to REGIS, and

WHEREAS, the fees for the City of Wyoming for the REGIS Fiscal Year 2010 – 2011 are estimated to be \$124,120, and

WHEREAS, funds have been appropriated in the following budgets: 101-305-32500-807000; 202-441-46300-807000; 203-441-46300-807000; 590-441-54200-807000; 591-441-56200-807000, 208-752-75200-807000 and 249-372-37200-807000; now, therefore,

BE IT RESOLVED that the City Council does hereby authorize payment of the operation and maintenance fees to REGIS for Fiscal Year 2010-2011.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

HEIDI A. ISAKSON
Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE PAYMENT OF
KENT TRAILS OPERATION AND MAINTENANCE FEES

WHEREAS, on July 9, 1991, the City of Wyoming entered into a 20-year Agreement for the payment of Kent Trails Operation and Maintenance Fees, and

WHEREAS, in accordance with said agreement the Kent County Parks Department has invoiced the City of Wyoming for its portion of the 2010 fees in the amount of \$5,437.53, and

WHEREAS, this fee can be financed equally from the Major and Local Street Funds, 202-441-46300-930000 and 203-441-46300-930000; now, therefore,

BE IT RESOLVED that the City Council hereby authorizes payment of \$5,437.53 to the Kent County Parks Department for the 2010 Kent Trails Fees for operation and maintenance expenses.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays.

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 the 7th day of February, 2011.

HEIDI A. ISAKSON
Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

RESOLUTION TO EXTEND THE PROPOSAL FOR PRESORT SERVICES

WHEREAS, as detailed in the attached memorandum, Presort Services provided the City with a letter offering to extend their proposal for presort and related services for an additional one year period at the original proposal prices, and

WHEREAS, funds for the presort and related services are budgeted in the various department budgets, now therefore,

BE IT RESOLVED, that the Wyoming City Council does hereby extend the proposal for presort and related services to Presort Services through February 16, 2012 at the original prices as shown on the attached tabulations sheet.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays

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 the 7th day of February, 2011

Attachments: Letter from Presort Services
Memorandum

Heidi A. Isakson
City Clerk

Resolution No. _____

MEMORANDUM

TO: Curtis Holt, City Manager

FROM: Kimberly Oostindie, Human Resources Supervisor

DATE: January 24, 2011

RE: Acceptance of Proposal for Presort Services

On Tuesday, January 27, 2009, two responses were received in answer to our invitation to submit a proposal for presort services and relates services. Twenty-five invitations to submit proposals were sent to prospective bidders and the results are shown on the attached tabulation sheet.

The request for proposal for presort services included picking up the City's mail, weighing, metering and presorting the mail and delivery of the mail to the USPS. The proposal also requested pricing for data processing, addressing, inserting and various other services. The USPS rate for first class postage is \$0.02 less per parcel for companies that use the services of a presort services company.

In February of 2009, City Council adopted a Resolution accepting a proposal for presort services from the low bidder, Presort Services and in January of 2010 authorized extending the proposal. On January 14, 2011, Presort Services provided the City with a proposal offering to extend their February 16, 2009 prices for an additional one year period.

It is recommended the City Council accept the proposal from Presort Services to continue to provide presort and related services in the amounts listed on the attached tabulation sheet for an additional one year period, through February 16, 2012. It is estimated the annual expenditure for presort and related services will total approximately \$20,000.00.



Corporate Office:

PO Box 24096
Lansing, MI 48909-4096

Lansing Facility:

4908 Contec Dr
Lansing, MI 48910
Ph: 517.887.7545
Fx: 517.887.2602

Customer Service:

1.800.887.1959

Grand Rapids Facility:

3594 Roger B Chaffee Dr SE
Grand Rapids, MI 49548
Ph: 616.247.1177
Fx: 616.247.6853

Customer Service:

1.800.968.3737

January 14, 2011

Laura Jackson
City of Wyoming
1155 28th ST SW
Wyoming, MI 49509

Dear Laura,

Thank-you for offering the opportunity to grant a one year extension to our existing Mail Services contract, based upon the existing rate schedule submitted in bid form on 1/26/09. Presort Services appreciates this offer and would like to accept and extend our contractual agreement with the City of Wyoming.

Presort Services appreciates our relationship and looks forward to the next year together.

Please confirm in writing the date in 2012 which this extension will expire.

Cordially,

David Hytinen
Account Executive

CITY OF WYOMING, MICHIGAN

TABULATION OF BIDS

On Presort Services Proposal

Opened By City Clerk On January 27, 2009 At 11:00 a.m. o'clock

All bid prices reduced to net. All bid prices shown are firm for orders placed within one year from date of award of bid.

	Presort Services Inc.			Kent Communications Inc.			
	Price	Unit of Measure	Turn Around Time	Price	Minimum Price	Unit of Measure	Turn Around Time
DATA PROCESSING							
File Conversion	\$25.00	per file	1 day or less	\$30.00	\$30.00	each	1 to 3 days
National Change of Address	\$1.87	per thousand	1 day or less	\$2.00		per thousand	1 to 3 days
Address Standardization, Zip Code Correction, Barcode Generation, Carrier route/Zip + 4 Coding	\$2.00	per thousand	1 day or less	\$5.00	\$30.00	per thousand	1 to 3 days
Cass & Sort	\$2.00	per thousand	1 day or less	\$5.00	\$30.00	per thousand	1 to 3 days
Merge/Purge	\$2.00	per thousand	1 day or less	\$3.00	\$30.00	per thousand	1 to 3 days
Data Entry – Per Line	\$0.10	per thousand	1 to 3 days	\$0.20	\$30.00	per thousand	1 to 3 days
Laser Printing - Sheet Fed – One Sided (8.5 x 11)	\$32.00	per thousand	1 to 3 days	\$45.00	\$45.00	per thousand	1 to 3 days
ADDRESSING							
Ink-Jet Printing w/Sort	\$20.00	per thousand	1 to 3 days	\$21.00	\$30.00	per thousand	1 to 3 days
Cheshire Labeling	\$30.00	per thousand	1 to 3 days	\$30.00	\$45.00	per thousand	1 to 3 days
INSERTING							
Machine Inserting(up to 6 x 9 Envelope)	\$15.00	per thousand	1 to 3 days	\$22.00	\$30.00	per thousand	1 to 3 days
Machine Match Inserting (Per Match – In addition to Inserting Cost)	\$7.00	per thousand	1 to 3 days	\$7.00		per thousand	1 to 3 days
PRESORTING SERVICES							
MLOCR Processing(Commingling and Barcoding of 1st Class and/or Standard)	\$18.00	per thousand	same day	\$20.00		per thousand	1 to 3 days
Reject Processing	\$30.00	per thousand	same day	\$54.00		per thousand	1 to 3 days
FASTforward and Mail Processing (Per Hit)	No Charge						
Weight & Meter	\$20.00	per thousand	same day	\$20.00 - \$40.00		per thousand	1 to 3 days
OTHER SERVICES							
Machine Folding(V,C Z, or Legal V)	\$8.00	per thousand	1 to 3 days	\$8.00	\$30.00		1 to 3 days
Machine Tabbing(1st Position – White Tab)	\$6.50	per thousand	1 to 3 days	\$15.00			1 to 3 days
2 nd Position – White Tab	\$3.00	per thousand	1 to 3 days	\$5.00			1 to 3 days
Stamping(Via Machine)	\$15.00	per thousand	1 to 3 days	\$15.00			1 to 3 days
Collating	Quote Per Project		1 to 3 days	To Be Determined			
Specialty Hand Work	Quote Per Project		per project	To Be Determined			
Mailing List Rental	\$6.00 - \$150.00	per thousand	next day	\$15.00 - \$150.00			1 to 3 days
International Shipping	Actual Postage	each	same day	Actual Postage			
Delivery Into Canadian Postal Service	Actual Postage	each	same day	Actual Postage			
Delivery to USPS(Grand Rapids or Wyoming)	No Charge			\$0 to \$11.00			

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE PURCHASE OF APPLIANCES

WHEREAS, as detailed in the attached memorandum from the City’s Director of Community Services and Community Development Coordinator, the City has purchased homes through the City’s Neighborhood Stabilization Program (NSP) and purchases and installs new appliances in the homes through the NSP, and

WHEREAS, in February of 2010, City Council adopted a Resolution awarding the bid for appliances to the low bidder, Potter Distributing, in the amounts as shown on the attached tabulation sheet, and

WHEREAS, Potter Distributing has offered to extend their bid for appliances, with the cost remaining the same for the microwave and dishwasher and a with a minor increase of \$10 per refrigerator and \$10 per range, and

WHEREAS, it is recommended the City Council authorize the continued purchase of appliances from Potter Distributing through May 31, 2011 in the amounts as summarized on the attached memorandum, as needed for homes purchased through the NSP, and

WHEREAS, funds for the appliances are budgeted in the NSP account number 256-401-69210-956041, now therefore

BE IT RESOLVED, that the Wyoming City Council does hereby authorize the purchase of appliances from Potter Distributing through May 31, 2011 in the amounts as summarized on the attached memorandum, and

BE IT FURTHER RESOLVED, that the Wyoming City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays

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 the 7th day of February, 2011.

Attachments: Memorandum
Tabulation Sheet

Heidi A. Isakson
City Clerk

Resolution No. _____

MEMORANDUM

DATE: January 19, 2011

TO: Kim Oostindie, Human Resources Supervisor

FROM: Rebecca L. Rynbrandt, Community Services Director
Patrick T. Gaffney, Community Development Coordinator

SUBJECT: Accept a Proposal to Continue a Purchase Agreement

Over the past 12 months, Potter Distributing has provided kitchen appliances to 14 homes purchased through the City's Neighborhood Stabilization Program (NSP). Originally, twenty-four (24) invitations to bid were sent to prospective bidders and seven (7) bids were received. On February 1, 2010, City Council approved Potter Distributing to provide appliances for the NSP program, with resolution #23507.

The original one year purchase agreement expires on February 1, 2011. Potter Distributing has offered to continue providing kitchen appliances for the NSP program with increases of only \$10 per refrigerator and \$10 per range, through May 31, 2011. The proposed prices for each appliance are \$553 per refrigerator, \$463 per range, \$191 per over-the-range microwave and \$296 per dishwasher. We have not had any problems with this vendor over the past 12 months. The vendor works well with our rehab contractors and with new home owners.

It is recommended that City Council accept the proposal from Potter Distributing to continue providing kitchen appliances for the NSP program, with increases of \$10 per refrigerator and \$10 per range, through May 31, 2011.

CITY OF WYOMING, MICHIGAN

TABULATION OF BIDS

On Appliances

Opened By The City Clerk On January 12, 2010 At 11:00 O'clock a.m.

All bid prices firm through delivery.

BIDDER:		Potter Distributing		Standard Kitchens		Brummel's Sales		Nawara Brothers Appliance		Gerrit's Appliance, Inc.		Nawara Brothers Appliance		The Home Depot	
REFRIGERATORS	Model	Price for 1	Total Price for 14	Price for 1	Total Price for 14	Price for 1	Total Price for 14	Price for 1	Total Price for 14	Price for 1	Total Price for 14	Price for 1	Total Price for 14	Price for 1	Total Price for 14
Frigidaire 20.5 Cu. Ft. Top Mount Refrigerator	FRT21HS6JW	\$543.00	\$7,602.00	\$603.00	\$8,442.00	\$583.00	\$8,162.00			\$599.00	\$8,386.00				
GE 21.0 Cu. Ft. E-Star Top Mount Refrigerator	GTH21KBXWW											\$725.46	\$10,156.44	\$684.95	\$9,589.30
Maytag 21 Cu. Ft. E-Saar Top Mount Refrigerator	MITXEMMWW							\$637.32	\$8,922.48						
RANGES															
Frigidaire 30-Inch Freestanding Gas Range	FGF368GS	\$453.00	\$6,342.00	\$527.00	\$7,378.00	\$470.00	\$6,580.00			\$497.00	\$6,958.00				
GE Self-Clean Gas Range	JGB280DENWW											513.10	\$7,183.40		
Maytag Self-Clean Gas Range	MGR7661WW							\$502.85	\$7,039.90						
GE 30-Inch Free Standing Gas Range	JGB300DEPWW													\$709.85	\$9,937.90
DISHWASHERS															
Frigidaire 24-Inch Built-In Dishwasher	FDB1100RHS	\$296.00	\$4,144.00	\$327.00	\$4,578.00	\$374.00	\$5,236.00			\$299.00	\$4,186.00				
GE Tall-Tub E-Star Dishwasher	GLD4404RWW											\$345.78	\$4,840.92	\$457.80	\$6,409.20
Maytag Tall-Tub E-Star Dishwasher	MDB4630AWW							\$320.10	\$4,481.40						
MICROWAVES															
Frigidaire 1.5 Cu. Ft. Over-The-Range Microwave	MWV150KW	\$191.00	\$2,674.00	\$187.00	\$2,618.00	\$239.00	\$3,346.00			\$169.00	\$2,366.00				
GE 1.5 Cu. Ft. Over the Range Microwave	JUM1540DNWW											\$181.93	\$2,547.02	\$276.34	\$3,868.76
Maytag 1.5 Cu. Ft. Over the Range Microwave	MMV1153WW							\$185.32	\$2,594.48						
EXCEPTIONS TO BID															
Delivery Charges								\$49.95	\$699.30			\$49.95	\$699.30		
Dishwasher Installs										\$99.00	\$1,386.00				
Microwave Installs										\$45.00	\$630.00				
Total Bid			\$20,762.00		\$23,016.00		\$23,324.00		\$23,737.56		\$23,912.00		\$25,427.08		\$29,805.16

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE PURCHASE OF
STRUCTURAL FIREFIGHTER COATS AND BUNKER PANTS

WHEREAS, as detailed in the attached memorandum from the City’s Fire Chief, the City purchases structural firefighter coats and bunker pants to replace worn out or damaged gear, and

WHEREAS, in April of 2010, City Council adopted a Resolution awarding the bid for structural firefighter coats and bunker pants to the low bidder, Apollo Fire Equipment Company, and

WHEREAS, Apollo Fire Equipment Company has offered to extend their bid through April 6, 2012 with a slight increase due to a manufacturer increase, and

WHEREAS, it is recommended the City Council authorize the continued purchase of structural firefighter coats and bunker pants from Apollo Fire Equipment Company through April 6, 2012, and

WHEREAS, funds for the structural firefighter coats and bunker pants are budgeted in the Fire Fighting Uniform account number 101-337-33900-744000, now therefore,

BE IT RESOLVED, that the Wyoming City Council does hereby authorize the purchase of structural firefighter coats and bunker pants from Apollo Fire Equipment Company as summarized in the attached memorandum and in accordance with the attached quotation, and

BE IT FURTHER RESOLVED, that the Wyoming City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Councilmember _____ moved, seconded by Councilmember _____, that the above Resolution be adopted.

Motion carried: _____ Yeas, _____ Nays

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 the 7th day of February, 2011.

Attachments: Memorandum
Letter
Tabulation Sheet

Heidi A. Isakson
City Clerk

Resolution No. _____

MEMO



TO: Kim Oostindie, Purchasing Department

FROM: Robert C. Austin, Fire Chief

DATE: January 26, 2011

SUBJECT: Bid Extension for Structural Firefighter Coats and Bunker Pants

For the past three years, Apollo Fire Equipment Company has been the low bidder for providing structural firefighter coats and bunker pants to the Fire Department. As such, Apollo has been awarded this bid for the past three years. Apollo has always provided exceptional customer service and products. The representative who specifically serves our Department is extremely accommodating and always willing to travel to our office to personally measure individuals for the coats and pants to ensure the correct sizes are ordered.

For those reasons stated above, Apollo was contacted to inquire about an extension of this bid for an additional year. The response contained quoted prices which have increased approximately 4 percent due to an increase from the manufacturer which has not occurred within the last two years. The new price for a structural firefighter coat is \$777.00 (\$35.00 increase) while a pair of bunker pants is \$549.00 (\$20.00 increase). These prices are guaranteed for an additional year unless the manufacturer experiences another increase.

When the bid results were received last year, it was determined that there was only one other company that could provide the type of turnout gear used by this Department, being 5 Alarm Fire & Safety, LLC. Last year's bid responses have been reviewed which showed that 5 Alarm quoted nearly 40 percent higher prices than Apollo. Based on the manufacturer's increase, it is assumed that 5 Alarm would also have to increase their prices if bid again this year.

Therefore, it is the recommendation of this Department that a bid extension be granted, with the above referenced increases, to Apollo Fire Equipment Company for the purchase of Structural Firefighter Coats and Bunker Pants. It is estimated that our annual expenditure for replacing worn/damaged gear to be approximately \$20,000. Sufficient funds have been allocated in the Fire Fighting Uniform account 101-337-33900-744.000.



JAN 24, 2011

Janesville didn't have a price increase for two years. The new pricing starts March 1, 2011. If you are looking to purchase between now and the end of the contract, it would help me out to purchase before March 1, 2011.

I can extend our contract with you through April 6, 2012 at the following pricing with the option of a possible small increase if Janesville has another increase during April 6, 2011 and April 6, 2012. New pricing to extend the contract is – COAT = \$777.00 [\$35.00 increase]
PANT = \$549.00 [\$20.00 increase]

All I can do is hope to hold this pricing through April 6, 2012. In all the time I've sold Janesville they go at least a year between price changes, but they have informed us that they are going to look at their costs more closely this year. By my past 25 years of selling Janesville this is more than a fair price for the quality of gear you are purchasing. The pricing above is what I would bid if you went through a new bid process.

Ronn Griffis
APOLLO FIRE EQUIPMENT

**CITY OF WYOMING, MICHIGAN
TABULATION OF BIDS**

On Structural Firefighter Coats and Bunker Pants

Opened By The City Clerk On March 23, 2010 At 11:00 O'clock a.m.

All bid prices firm through delivery.

Bidder	Coat (each)	Bunker Pants (per pair)	Additional Cost for larger waist sizes (per pair)	Additional Cost for longer inseams (per pair)
Apollo Fire Equipment Company	\$742.00	\$529.00	\$ -	\$ -
West Shore Fire, Inc.	\$889.00	\$622.00	\$186.00	\$ -
Time Emergency Equipment	\$910.00	\$645.00	\$ -	\$ -
5 Alarm Fire & Safety LLC	\$1,024.62	\$735.93	\$195.00	\$65.00
Morning Pride Manufacturing	\$1,115.19	\$766.31	\$ -	\$ -

RESOLUTION NO. _____

RESOLUTION FOR AWARD OF BID AND TO AUTHORIZE THE
MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT

WHEREAS, formal bids have been obtained on the below listed item, and

WHEREAS, the bids received have been reviewed and evaluated as per the attached memorandum,
now therefore

BE IT RESOLVED, that the Wyoming City Council does hereby award the bid for the purchase of
the listed item as recommended in the attached memorandum and summarized below:

	<u>ITEM</u>	<u>RECOMMENDED BIDDER</u>	<u>COST</u>
1.	Two Copy Machines	Technology Partners Group	\$7,800.00 for two

BE IT FURTHER RESOLVED, that the Wyoming City Council does hereby authorize acceptance
of the copy machine maintenance agreement with Technology Partners Group, Inc. through February 7,
2014 and authorizes the City Manager to execute the maintenance agreement.

Councilmember _____ moved, seconded by Councilmember
_____, that the above resolution be adopted.

Motioned carried: _____ Yeas, _____ Nays

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of
Wyoming, Michigan, at a _____ session held on the _____ day of _____, 2011.

Attachments: Memorandum
Tabulation Sheet
Maintenance Agreement

Heidi Isakson
Wyoming City Clerk

Interdepartmental Correspondence

TO: Chief James Carmody
FROM: Linda M. Burton, Records Manager
DATE: February 1, 2011
SUBJECT: New Copy Machines, Records/Patrol



Records Management

The Police Department is looking to replace two existing Ricoh 1085 copiers (Records' and Patrol's), which were purchased "used" on 10/20/05 and 08/03/06 respectively, with two Sharp MX-M550N (or comparable) copiers. This recommended copier can handle the demands of this division, along with enhanced network scanning capabilities. Approximately 80,000 copies are made per year on each machine and the current copy machines have been out of service repeatedly and are no longer adequate or productive for full-time use, due to the cost to repair and scarcity of replacement parts. The Records' copier experienced a significant failure in early October of 2010, whereas Technology Partners advised the repair to this copier was so significant, it was not worth repairing. Technology Partners ultimately removed the machine from the premises.

On January 25, 2011, eighteen (18) responses were received in answer to our invitation to bid on the Police Department's two copy machines (forty-nine (49) invitations to bids were mailed). The justification for the award of the bid is based upon the lowest bid received for the type of copy machine that meets our bid specifications. It is our recommendation that we accept the bid from Technology Partners Group, Inc., in the amount of \$3,900 each (for a total of \$7,800) and the per copy maintenance agreement cost of \$0.0069, with an approximate yearly cost of \$552 each.

An administrative Budget Amendment is in process, which will provide adequate funds for the purchase of the Records' copier in account 101-305-30700-727000 and adequate funds are available for the purchase of the Patrol copier in account 101-305-31500-740000. Accounts 101-305-30700-930000 and 101-305-31500-930000 have adequate funds to cover resulting maintenance.

Please advise if additional information is required to continue processing this request.

Attachment: Tabulation Sheet

TABULATION OF BIDS
On Two Copy Machines
Opened By The City Clerk On January 25, 2011 at 11:00 O'clock a.m.
All bid prices firm through delivery.

							Maintenance/Operating Supplies Contract Bid Prices (Per Copy)		
Bidder	Make & Model	Bid Price (Each)	Total Bid Price for Two	Trade-In	New or Used Machine	Demo Machine (Per Copy)	1st Year	2nd Year	3rd Year
Technology Partners Group	Sharp MX-550N	\$3,900.00	\$ 7,800.00		Used		0.0069		
Applied Imaging	Ricoh MP4001SP	\$4,252.00	\$ 8,504.00	\$ -	New	0.0069	0.0069		
Noordyk Business Equipment	Canon 5065	\$4,971.00	\$ 9,942.00		Used	0.0075	0.0075		
Michigan Office Solutions	Xerox WorkCenter 5150PT	\$4,985.00	\$ 9,970.00		Used		0.0049	0.0051	0.0054
Konica Minolta Business Solutions	Konica Minolta Bizhub 423	\$6,663.00	\$13,326.00	\$ -	New	0	0.0049		
Adams Remco	Toshiba e-Studio 555	\$6,904.00	\$13,808.00	\$ -	New	0.0049	0.0049		
Konica Minolta Business Solutions	Konica Minolta Bizhub 501	\$7,110.00	\$14,220.00	\$ -	New	0	0.0049		
Applied Imaging	Ricoh MP6001	\$7,621.00	\$15,242.00	\$ -	New	0.0049	0.0049		
Michigan Office Solutions	Xerox WorkCentre 5755PT	\$7,795.00	\$15,590.00	\$ -	New	0	0.0049	0.0051	0.0054
Technology Partners Group	Sharp MX-M503N	\$8,376.20	\$16,752.40	\$ -	New	0.0059	0.0059		
Hasselbring-Clark	Canon IR6055	\$8,495.00	\$16,990.00	\$ -	New	0	0.01		
Noordyk Business Equipment	Canon iR5055	\$8,498.00	\$16,996.00	\$ -	New	0.0075	0.0075		
Kraft Business Systems	Sharp MX-M503N	\$8,826.00	\$17,652.00	\$ -	New	0.0065	0.0065	0.0072	0.0079
Canon Business Solutions	Canon ImageRunner Advance 6055	\$8,878.00	\$17,756.00	Included	New	0.0078	0.0078		
Ikon Office Solutions	Ricoh MP 6001	\$9,184.00	\$18,368.00	\$ -	New	0.0067	0.0067		
Advanced Imaging Solutions, Inc.	Lanier LD655C	\$9,544.00	\$19,088.00	\$ -	New	.0059 B/W & .054 Color	.0059 B/W & .054 Color		
Konica Minolta Business Solutions	Konica Minolta Bizhub 601	\$9,710.00	\$19,420.00	\$ -	New	0	0.0049		
Kraft Business Systems	Sharp MX-M623N	\$11,478.00	\$ 22,956.00	\$ -	New	0.0065	0.0065	0.0072	0.0079



Technology Partners Group, Inc.

88 - 54th Street SW • Wyoming, MI 49548
(616) 301-3430 • Fax: (616) 301-3431
www.technologypartnersgroupinc.com

Copier Maintenance Agreement

Equipment: Sharp MX-M550N

Serial Number: _____

Beginning Meter; B/W: _____

Customer: City of Wyoming Police Dept., Records Management Address: 2300 DeHoop Ave. SW

City/State/Zip: Wyoming, MI 49509 Contact: Linda Burton

Phone: 616-530-7320 Fax: _____ email: _____

Billing Cycle: Monthly Program Type: TSMF Effective Date: 90 days from date of installation

Monthly Charge: CPC Includes: all pages Cost Per Page: \$.0069

Notes: _____

1. **Technology Partners Group** will provide on-site service for the covered equipment at the stated price for a term of three (3) years from the effective date of this agreement. Contracts for new copiers are price guaranteed for an initial term of three (3) years. This agreement may be cancelled by the customer for non-performance or other cause, by providing 30 days written notice to TPGI. Technology Partners Group, Inc. currently guarantees a 7% cap on annual renewals, regardless of inflationary demands. Payment terms are Net 30 Days from date of invoice.
2. **Service** will be provided between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except on holidays. TPGI is not responsible for lapses in service due to circumstances beyond its control including, but not limited to, unsafe travel conditions, riots, work stoppages, national emergency or war, and natural disasters.
3. **Included** in this agreement are all parts, labor, maintenance kits, drums, developer, and toner, (except as noted) to keep covered equipment in good working condition. Not covered under this agreement are paper, staples, and service required because of operator error, mischief, neglect, or harm, damage due to vandalism, theft, electrical fluctuations or electrical supply irregularities, and damage caused by destructive natural forces.
4. **Customer** agrees to pay all invoices resulting from this agreement in a timely manner and to provide adequate space and electrical supply to covered equipment. Customer will allow TPGI service personnel access to the equipment during normal working hours. All parts and supplies that may be stored with the machine (toner, ect.) for use by the customer remain the property of TPGI until used in the equipment and any unused portion will be returned to TPGI at the end of this agreement. Customer may cancel this agreement with 30 days written notice.
5. **Loaner** equipment will be provided for customers with "down" machines that cannot be repaired in a reasonable amount of time, usually 48 hours or more.

Accepted By Customer:

_____ Date: / /

_____ Date: / /

City Clerk, Heidi Isakson

_____ Date: / /

Mayor, Jack Poll

Approved by TPGI

Date: 1/26/11

APPROVED AS TO FORM:





Technology Partners Group, Inc.

88 - 54th Street SW • Wyoming, MI 49548
(616) 301-3430 • Fax: (616) 301-3431
www.technologypartnersgroupinc.com

Copier Maintenance Agreement

Equipment: Sharp MX-M550N

Serial Number: _____

Beginning Meter; B/W: _____

Customer: City of Wyoming Police Dept., Patrol Services Address: 2300 DeHoop Ave. SW

City/State/Zip: Wyoming, MI 49509 Contact: Linda Burton

Phone: 616-530-7320 Fax: _____ email: _____

Billing Cycle: Monthly Program Type: TSMP Effective Date: 90 days from date of installation

Monthly Charge: CPC Includes: all pages Cost Per Page: \$.0069

Notes: _____

1. **Technology Partners Group** will provide on-site service for the covered equipment at the stated price for a term of three (3) years from the effective date of this agreement. Contracts for new copiers are price guaranteed for an initial term of three (3) years. This agreement may be cancelled by the customer for non-performance or other cause, by providing 30 days written notice to TPGI. Technology Partners Group, Inc. currently guarantees a 7% cap on annual renewals, regardless of inflationary demands. Payment terms are Net 30 Days from date of invoice.
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3. **Included** in this agreement are all parts, labor, maintenance kits, drums, developer, and toner, (except as noted) to keep covered equipment in good working condition. Not covered under this agreement are paper, staples, and service required because of operator error, mischief, neglect, or harm, damage due to vandalism, theft, electrical fluctuations or electrical supply irregularities, and damage caused by destructive natural forces.
4. **Customer** agrees to pay all invoices resulting from this agreement in a timely manner and to provide adequate space and electrical supply to covered equipment. Customer will allow TPGI service personnel access to the equipment during normal working hours. All parts and supplies that may be stored with the machine (toner, ect.) for use by the customer remain the property of TPGI until used in the equipment and any unused portion will be returned to TPGI at the end of this agreement. Customer may cancel this agreement with 30 days written notice.
5. **Loaner** equipment will be provided for customers with "down" machines that cannot be repaired in a reasonable amount of time, usually 48 hours or more.

Accepted By Customer:

_____ Date: / /

_____ Date: / /

City Clerk, Heidi Isakson

_____ Date: / /

Mayor, Jack Poll

Approved by TPGI

Date: 1/26/11

APPROVED AS TO FORM:



ORDINANCE NO. 1-11

AN ORDINANCE TO AMEND SECTIONS 90-791(6), 90-792,
90-794, 90-795, 90-796(2)(a)(1), 90-798, TABLE 90-799-2,
TABLE 90-799-4 AND FOOTNOTES TO TABLE 90-799-4
AND TO ADD SECTION 90-799(1)(c)
TO THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS.

Section 1. That Section 90-791(6) is hereby amended to read as follows:

Section 90-791. Purpose.

- (6) Preserve and improve the atmosphere of the City by encouraging signs of consistent size and/or nature which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings; and

Section 2. That Section 90-792 is hereby amended to read as follows:

Section 90-792. Definitions.

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

- (1) **Accessory Sign:** A sign that pertains to the use of the premises on which it is located.
- (2) **Animated Sign:** A sign which uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.
- (3) **Awning:** A roof-like structure attached to the side of a building that is intended to provide shelter from the elements over a doorway, window or other parts of a building façade. An awning may or may not be designed to be retractable, generally consists of thin or non-rigid materials and is generally fashioned upon a metal structure that is not an integral part of the building.
- (4) **Awning Sign:** A sign which is painted on, printed on, or attached flat against the surface of an awning, including any writing, representation, symbol, logo or any other figure or similar character intended to be part of the display. The presence of any of the above shall cause the entire awning structure to be considered an awning sign.
- (5) **Back Lit Sign:** A sign illuminated by an internal light source or lighting behind the sign lettering. An example of a back lit sign is a ground sign that is illuminated by several fluorescent bulbs located within the sign cabinet.
- (6) **Banner Sign:** A sign made of fabric, cloth, paper, or other taut material that is typically not enclosed in a frame. A ground mounted banner is attached to a pole, frame or fence or any other similar device. A wall mounted banner is attached to a building. Nongovernmental flags shall be considered banners.
- (7) **Billboards:** See "Off-Premise Advertising Sign."
- (8) **Community Special Event Sign:** A temporary sign announcing a specific event of interest to the general public sponsored by a public, quasi-public, civic, religious, or non-profit organization.

- (9) **Construction Sign:** A sign that identifies the owner, lender, contractor, architect, and/or engineer associated with a project under construction.
- (10) **Directional Sign:** A sign, typically installed at the driveway opening, to direct traffic flow, regulate traffic operations, and provide information to motorists entering and exiting a site in conformance with the Michigan Manual of Uniform Traffic Control Devices.
- (11) **Erect:** To build, construct, attach, hang, place, suspend or affix.
- (12) **Flashing Sign:** A sign that contains an intermittent or sequential flashing light source.
- (13) **Freestanding Sign:** A sign attached to the ground by means of a base or pole.
- (14) **Front Lit Signs:** A sign illuminated by an external light source. An example of a front lit sign is a ground sign that is illuminated by a spot light located in front of and directed toward the sign.
- (15) **Gasoline Price Sign:** A sign that is used to advertise the price of gasoline. In the event that the brand identification sign is attached to or is a part of the sign advertising price, that portion of the sign used for advertising price shall be considered the gasoline price sign.
- (16) **Ground Sign:** A three-dimensional, base-mounted freestanding display sign, that is supported by uprights or braces in or upon the ground surface or mounted on a base, and consisting of two (2) or more sides extending up from the base, and upon which a message, business, group of businesses or center name is affixed.
- (17) **Illegal Sign:** A sign which does not meet the requirements of this Article and which has not received legal nonconforming status.
- (18) **Incidental Sign:** A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises. Examples of incidental signs include credit card signs, signs indicating the hours of business, no smoking signs, signs used to designate bathrooms, and signs providing information on credit cards and business affiliations.
- (19) **LED.** Light Emitting Diode (LED) utilizing technology of diodes arranged in pixels to create narrow spectrum light, sometimes called electroluminescence.
- (20) **Mansard:** A slope roof or roof-like facade.
- (21) **Manual Changeable Copy Sign:** A sign on which the message is changed manually through the manipulation of individual letters.
- (22) **Marquee:** A permanent roof-like structure or canopy, supported by and extending from the face of the building, generally constructed to be an integral part of the building.
- (23) **Menu Board (Options Board):** A freestanding sign oriented to the drive-through lane for a restaurant or other business offering drive-through services that advertises the merchandise or services available, and which has no more than twenty (20) percent of the total area of the sign utilized for business identification. The sign may also incorporate a speaker for ordering items.
- (24) **Moving Sign:** A sign in which the sign itself or any portion of the sign moves or revolves. A "rotating sign" is a type of moving sign. Such motion does not refer to the method of changing the message on the sign. Moving signs include any sign which has any visible moving parts, visible revolving parts, visible mechanical movement, or other visible movement achieved by electrical, electronic, or mechanical means, including intermittent electric pulsations or movement caused by normal wind current.
- (25) **Moving Image Sign:** An electronic changeable message sign that includes the presentation of text, animation, pictorials and graphics that are displayed, or are capable of being displayed, in a

progression of frames which give the illusion of motion, including but not limited to the illusion of moving text or objects, moving patterns or bands of light, or expanding or contracting shapes. This does not include signs that indicate only time, temperature or date, or a flashing sign as herein defined.

- (26) **Mural:** A design or representation which is painted or drawn on the wall of a structure and which does not advertise a business, product, service, or activity.
- (27) **Nameplate:** A on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.
- (28) **Neon Sign:** A sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it.
- (29) **Nonconforming Sign:**
A sign that is prohibited under the terms of this Article, but was erected lawfully and was in use on the date of enactment of this Article, or amendment thereto. OR
A sign that does not conform to the requirements of this Article, but for which a variance has been granted.
- (30) **Obsolete Sign:** A sign that advertises a product that is no longer made or that advertises a business that has closed.
- (31) **Off-Premise Advertising Sign:** A sign that contains a message unrelated to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where such sign is located. A “Billboard” is a type of off-premise advertising sign.
- (32) **On-Premise Advertising Sign:** A sign that contains a message related to a business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where the sign is located.
- (33) **Parapet:** The extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.
- (34) **Pedestrian Sign.** A temporary sign, including by way of example, placards, sandwich boards or costumes held or worn by a person, displayed to passing motorists along major streets, and calling attention to a business, product, service, or event.
- (35) **Pole Sign:** A type of freestanding sign that is elevated above the ground on poles or braces and not attached to any building or other structure.
- (36) **Political Sign:** A sign expressing a political opinion or message or relating to matters to be voted on in a local, state, or national election or referendum.
- (37) **Primary Sign:** A sign which has as its principal purpose the advertisement of the use or business conducted on the property.
- (38) **Projecting Sign:** A sign other than a flat wall sign that is affixed to a building or structure, any part of which extends perpendicular more than twelve (12) inches beyond the building wall.
- (39) **Public Sign:** A sign erected in the public interest by or upon orders from a local, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.
- (40) **Real Estate Sign:** An on-premise temporary sign which makes it known that real estate upon which the sign is located is for sale, lease, or rent.

- (41) **Real Estate Development Sign:** A temporary sign that is designed to promote the sale or rental of lots, homes, or building space in a real estate development (such as a subdivision or shopping center) that is under construction on the parcel on which the sign is located. The sign may also identify the designer, contractors and subcontractor, and material suppliers participating in construction on the property on which the sign is located.
- (42) **Roof Line:** The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.
- (43) **Roof Sign:** A display sign that is erected, constructed and maintained above the parapet or the roof line of a building.
- (44) **Secondary Sign:** A sign on the same property as a Primary Sign that serves a secondary purpose other than advertising the business or service conducted on the property.
- (45) **Sign:** Any device, structure, fixture, or placard which uses words, numbers, figures, graphic designs, logos or trademarks for the purpose of informing or attracting the attention of persons. Unless otherwise indicated, the definition of "sign" includes interior and exterior signs which are visible from any public street, sidewalk, alley, park, or public property, but not signs which are primarily directed at persons within the premises upon which the sign is located.
- (46) **Sloping Roof Sign:** a sign mounted on a mansard roof or other roof surface that exceeds forty-five (45) degrees in angle relative to horizontal and which is not erected, constructed or maintained above the roof line of a building.
- (47) **Streamers and Pennants:** A long narrow line of material, comprised of numerous small flags or strips of material, of various shapes and sizes and used for ornamentation and/or attraction. String lights shall not be considered streamers or pennants.
- (48) **Surface:** The part of the sign upon, against or through which the message is displayed or illustrated.
- (49) **Temporary Sign:** A display sign, banner or other advertising device not constructed or intended for long term use constructed of cloth, canvas, paper, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display.
- (50) **Trailer Sign:** A sign of light construction capable of being moved from one location to another usually (but not always) mounted to a chassis with wheels, used for directing attention to a business, commodity, service or entertainment that is conducted, sold or offered on the premises.
- (51) **Vehicle Sign:** a sign painted or mounted on the side of a vehicle, including signs on the face of a truck trailer.
- (52) **Wall Sign:** A display sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof or parapet shall be considered wall signs. Permanent signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall also be considered wall signs.
- (53) **Window Sign:** A sign located in or on and affixed to a window, which is intended to be viewed from the outside.

Sec. 3. That Section 90-794 is hereby amended to read as follows:

Section 90-794. Exempt Signs.

The following signs are specifically exempt from the permit requirements of this Article, provided such signs are outside of the public street right-of-way and are located to ensure adequate sight distance.

TABLE 90-794: EXEMPT SIGNS	
Type of Sign	Requirements
Address Sign	Numeral height no greater than six (6) inches for residences and eighteen (18) inches for businesses.
Athletic Field Signs	Signs in athletic fields on school properties, not exceeding thirty-two (32) square feet in display area, not permanently affixed, and oriented away from public streets. These may be off-premise signs.
Barber Pole	No greater than twenty-four (24) inches in any dimension
Bulletin Board	Not over twenty (20) square feet in area for public, charitable or religious institutions; provided that if such signs are electrically illuminated an electrical permit must be obtained.
Community Special Event Sign	May include ground or wall signs, banners, pennants, or similar displays. The number, size and height of such signs shall be subject to Chief Building Official approval. Permitted for 14 days prior to and for duration of the event and not to exceed a total of 30 days. City authorized banners may be displayed with no maximum duration.
Device Sign	Permanent signs on vending machines, fuel dispensing unit, or ice containers indicating only the contents of such devices, provided that the sign area of each device shall not exceed three (3) square feet in area, limit of one (1) sign per vending machine, fuel dispensing unit, or ice container.
Flag	The maximum height of the flagpole is thirty-five (35) feet, measured from the average surrounding grade. A maximum of three (3) flags comprised of national, state and one community, school, university or corporate are allowed per lot. All other flags shall be regulated as banners. Flags may not exceed sixty (60) square feet in area per flag.
Garage, Yard, and Estate Sale	Garage sale and estate sale signs announcing the sale of household goods, provided the following: there is only one (1) sign per premises; that they are on-premise only, entirely on private property; that they do not exceed six (6) square feet in area; they are removed within one (1) business day after the announced sale; and may be placed no more than six (6) days per calendar year.
Historic Marker	Historical marker including plaques or signs describing a property's official designation as a historical site or structure and containing narrative, not exceeding twelve (12) square feet in area;
Employment Sign	"Help wanted" signs soliciting employees for the place of business where posted, provided that the maximum area for all such signs shall be six (6) square feet with a maximum height of four (4) feet.
Incidental Sign	Incidental signs not exceeding a total of two (2) square feet, a total of two (2) signs per business indicating acceptance of credit cards, the location of public telephones, restrooms, restrictions on smoking and restrictions on building entrances or describing business affiliations and are attached to a permitted sign, exterior wall, building entrance or window.
Interior Sign	Any sign which is located completely within an enclosed building, and which is not visible from outside the building.
Memorial Sign	Memorial signs or tablets not exceeding four (4) square feet in area, having the name of the building and/or the date of erection and cut, cast or engraved into a masonry or metal surface and made an integral part of the structure.
Nameplate	Signs identifying the occupants of the building, the professional or home occupation,

TABLE 90-794: EXEMPT SIGNS	
Type of Sign	Requirements
	provided such sign shall not exceed two (2) square feet in area; the sign must be attached to an exterior building wall.
Painted wall sign	Signs painted on the exterior surfaces of a building or structure and less than twelve (12) square feet in area. Such signs shall not have raised borders, letters, characters, decorations or lighting appliances
Political sign	Limited to six (6) square feet in residential districts; 32 square feet in non-residential districts per street frontage. No more than one (1) sign per candidate or issue. Political signs shall be removed within five (5) days after the election.
Real Estate Sign	<ul style="list-style-type: none"> a. sign shall be no taller than four (4) feet in Residential Districts and eight (8) feet in Non-Residential Districts; b. one (1) sign permitted per lot. However, two (2) signs are permitted if the lot is a corner lot; c. size of each sign to be a maximum of six (6) square feet for residential properties, ten (10) square feet for multiple-family properties, and thirty-two (32) square feet for non-residential properties; d. sign not to be affixed to other signs, utility poles, fire hydrants or trees; e. sign must be located at least five (5) feet from the public right-of-way; and, f. sign to be removed within five (5) days of the property's sale or lease.
Real Estate Open House Sign (on-premise)	<ul style="list-style-type: none"> a. only one (1) on-premise; b. each sign shall be a maximum of six (6) square feet in size and four (4) feet in height above grade; c. signs shall not to be affixed to other signs, utility poles, fire hydrants or trees; and d. signs shall not be located in the public right-of-way.
Real Estate Open House Sign (off-premise)	<ul style="list-style-type: none"> a. only two (2) signs placed off-premise and one (1) on-premise; b. each sign to be maximum of four (4) square feet in size and three (3) feet in height above grade; c. signs not to be affixed to other signs, utility poles, fire hydrants or trees; d. person or firm placing the signs shall obtain the written permission from the owner or occupant of all properties on which such signs are placed; e. signs allowed for a maximum of eight (8) hours per day; and f. sign to be removed within one (1) hour following closing of open house.
Religious Symbols	Recognized religious symbols such as, but not limited to, crosses, crucifixes, Star of David, and statuary.
Traffic Control Sign	Traffic or other municipal signs, legal notices, danger signs and such temporary emergency or non-advertising signs, or private traffic control signs which conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices and as may be approved by the Chief Building Official
Vehicle Sign	Signs on a bus, truck, trailer, or other vehicle while operated and used for transport in the normal course of a business, provided that the primary use of the vehicle displaying the sign shall not be for the purpose of advertising a business on the premises where the vehicle is parked.
Warning Sign	Warning signs, such as no trespassing, high voltage, or dangerous animals; provided such signs shall not exceed two (2) square feet in area and shall be spaced no closer than one hundred (100) feet apart. Governmental agencies and public utilities shall be exempt from these limitations.

Section 4. Section 90-795 is hereby amended to read as follows:

Section 90-795. Prohibited Signs.

Unless otherwise permitted elsewhere in this Article, the following signs are prohibited in all districts:

TABLE 90-795: PROHIBITED SIGNS
Any sign not expressly permitted.
Balloons exceeding twenty-four (24) inches in diameter or other inflated advertisements , or any structure held erect or partially erect by stationary or moving air, except those less than 24 inches in diameter specifically permitted in 90-799-4.
Flags , except that a flag of any nation, government or political subdivision is permitted, not exceeding sixty (60) square feet in area, except as specifically permitted in 90-799-4.
Flashing or Intermittent Lighting , except Moving Image signs, as permitted in this Article.
Illegal Signs. Any sign unlawfully installed, erected, or maintained.
Moving Signs , except Moving Image signs, as permitted in this Article
Obsolete Signs.
Projecting Signs
Roof Signs , not including sloping roof signs.
Signs on public property without express permission of the City , including signs mounted to power poles, etc.
Signs that Obstruct Access. Signs which obstruct free access or egress from any building.
Signs that Confuse Traffic. <ol style="list-style-type: none">Any sign that makes use of the words “stop”, “look”, or “danger”, or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.Signs that are representations of traffic control devices or signals, such as stop signs, railroad crossings, etc.Signs that in any way simulate or could be confused with the lighting of emergency vehicles or traffic signals; there shall be no red, yellow, or green illumination on any sign located in the same line of vision as a traffic control system, nor interference with vision clearance along any highway, street, or road or at any intersection of two or more streets.
Street Furniture Signs. Signs on street furniture, such as benches and trash receptacles.
String Lights. String lights used for commercial purposes, other than holiday decorations between Thanksgiving and New Years day.
Unsafe Signs. Any sign or sign structure that: <ol style="list-style-type: none">is structurally unsafe;constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment;is capable of causing electric shock to person who comes in contact with it; oris not kept in good repair, such that it has broken parts, missing letters, missing panels, or non-operational lights or is sagging, frayed or faded.
Vehicle Signs where the primary purpose of the vehicle (including any trailer) is advertisement

Section 5. That Section 90-796(2)(a)(1) is hereby amended to read as follows:

(2) **Measurement of Signs.**

a. **Sign Area.**

- Sign area shall be measured as the square footage of the sign face within a single, continuous perimeter composed of any straight line or geometric figure which encloses the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign. However, for ground mounted signs, the sign base shall be

calculated as part of the sign area and for pole signs, any supports or shrouds whose width exceeds eighteen (18) inches, shall be calculated as part of the sign area. Pole shrouds shall be painted a neutral color and may only have address numbers placed thereon.

Section 6. That Section 90-798 is hereby amended to read as follows:

Section 90-798. Specific Sign Requirements: Residential Districts

Signs for residential and non-residential uses in the Residential Districts are subject to the following:

- (1) **Sign Setbacks for All Uses:** All signs in a Residential District shall be set back a minimum of five (5) feet from any property line and shall be located so that clear vision is maintained at all intersections (see Section 90-61).
- (2) **Adjacent to properties within a Residential District:**
 - a. Non-illuminated signs: Ten (10) feet from any side or rear property line in an adjacent residential district.
 - b. Illuminated signs: Twenty-five (25) feet from any side or rear property line in an adjacent residential district.
- (3) **Real Estate Development and Construction Signs:** Real estate development signs or construction signs shall not exceed thirty-two (32) square feet in area or ten (10) feet in height. No more than one (1) real estate development sign or construction sign shall be permitted per use. Real estate development signs and construction signs may not be illuminated.
- (4) **Ground Mounted Banners:** One banner, a maximum of 16 sq. ft. and 12 feet in height, shall be permitted in all residential districts, for each street entrance of a parcel. Ground mounted banners on single family residential lots are prohibited. Permits are not required.
- (5) **Illumination of Signs in Residential Districts:**
 - a. Signs permitted in Residential Districts may be front lit only illuminated, unless otherwise prohibited.
 - b. Signs for home occupations may not be illuminated.
- (6) **Specific Sign Requirements by Use:** For uses in Residential Districts, the following signs shall be permitted, subject to the requirements of Table 90-798:

Section 7. That Table 90-799-2 is hereby amended to read as follows:

TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS – NON-RESIDENTIAL DISTRICTS								
Sign Type & Requirement (P =Permitted NP = Not Permitted)	Zoning District							
	B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
Manual Changeable Copy Sign as part of a Wall, Pole or Ground Sign	P	P	P	P	P	P	P	P

TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS – NON-RESIDENTIAL DISTRICTS									
Sign Type & Requirement (P =Permitted NP = Not Permitted)		Zoning District							
		B-1	B-2	B-3	DC	RO-1	I-1	I-2	I-3
Maximum Number (per use)		1	1	1	1	1	1	1	1
		A Manual Changeable Copy Sign is not permitted on a sign that also has a moving image display or a time and temperature sign							
Maximum Area		No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall or projecting sign							
Time & Temperature Sign as a part of a Wall, Pole or Ground Sign		P	P	P	P	P	P	P	P
Maximum Number (per use)		1	1	1	1	1	1	1	1
		A Time and Temperature Sign is not permitted on a sign that also has a moving image display or a manual changeable copy sign							
Maximum Time & Temp. Area		No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall or projecting sign							
Minimum Display Time Maximum Time & Temp. Area		The time and/or temperature message shall be displayed for a minimum of seven (7) seconds before changing No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall or projecting sign							
Moving Image Sign as a part of a Wall, Pole or Ground Sign		NP	P	P	P	NP	P	P	P
Maximum Number per lot		NP	1	1	1	NP	1	1	1
Maximum Moving Image Display Area		No more than 40% of the allowed area of a pole or ground sign or 30% of the allowed area of a wall or projecting sign							
Directional Sign		P	P	P	P	P	P	P	P
Maximum Number (per entrance/exit)	Per Driveway	1	1	1	1	1	1	1	1
	Site Interior	As approved on the site plan by the Building Official							
Maximum Area (square feet)		6	6	6	6	6	6	6	6
Maximum Height (feet)		3	3	3	3	3	3	3	3

TABLE 90-799-2: SECONDARY SIGN REQUIREMENTS – NON-RESIDENTIAL DISTRICTS								
Sign Type & Requirement (P =Permitted NP = Not Permitted)		Zoning District						
		B-1	B-2	B-3	DC	RO-1	I-1	I-2
Window Sign (Permanent)		P	P	P	P	P	P	P
Maximum Total Area for Window Signs (temporary and permanent)	Percent of wall frontage area	The total of all window signs and banners shall not exceed fifteen percent (15%) of the total wall frontage area per business.						
Menu Board or Options Board		P	P	P	P	P	NP	NP
Maximum number per use		One menu/options board and one pre-menu/options board						
Maximum height (feet)		Seven (7)						
Maximum area (square feet)		The menu/options board shall not exceed 44 square feet; the pre-menu/options board shall not exceed 16 square feet						
Location Maximum Total Area for Window Signs Percent of Window Area		Signs shall not be located in the front yard; nor shall the display be visible from any principal street; nor shall the signs be closer than 100 feet to any Residential District						

Section 8. That Table 90-799-4 is hereby amended to read as follows:

- (4) **Temporary Sign Requirements.** Temporary signs shall be permitted in the nonresidential districts per Table 90-799-4:

TABLE 90-799-4: TEMPORARY SIGNS – NON RESIDENTIAL DISTRICTS							
Temporary Sign	Type of Sign Permitted	Max. Size	Max. Height	Max. Number	Setback	Permit Required	Permitted Duration
Trailer Sign	As defined	40	6 ft.	1	(b)	Y	(g)
Construction Sign	Ground or Wall	32 sq. ft. (a)	10 ft.	1	(b)	Y	Date of building permit to 1 week after the last construction trade has left
Window Sign (Temporary)	Paper or Fabric	(e)(i)				N	No maximum (f)
Real Estate - sale or lease of individual business or lot	Ground or Wall	32 sq. ft	6 ft.	1 (c)	(b)	N	During periods of rent, lease, sale or availability

TABLE 90-799-4: TEMPORARY SIGNS – NON RESIDENTIAL DISTRICTS							
Temporary Sign	Type of Sign Permitted	Max. Size	Max. Height	Max. Number	Setback	Permit Required	Permitted Duration
Real Estate Development Sign	Ground	32 sq. ft.	10 ft.	1 (c)	(b)	N	Until 75% of the units or sq. ft. of project are sold and/or leased, whichever comes first
Ground Mounted Banner	Ground	16 sq. ft.	12ft	(h)	(b)	N(h)	(h)
Wall Mounted Banner	Wall	(i)	Building height	(i)		Y	(i)
Streamers and Pennants	As defined		Building height		(b)	Y	(i)
Balloons	As defined	24 inches each	Building height or 35 ft., whichever is less	50(k)	(b)	N(k)	(k)
Pedestrian Sign	As defined	16 sq. ft.	8 ft	1(l)	Must be on private property	Y(l)	(l)
Community Special Event Sign		(d)			(b)	Y	Up to 3 weeks prior to event and not to exceed a total of 30 days

Section 9. That the footnotes to Table 90-799-4 are hereby amended to read as follows:

Footnotes to Table 90-799-4:

- a. In the case of maintenance or repair (e.g. roofing, windows, or siding), the maximum sign area shall be six (6) square feet.
- b. The temporary sign shall be set back at least five (5) feet from any public right-of-way line, easement or private street and twenty-five (25) feet from any residential district property line, and shall be placed to ensure clear sight distances at all intersections.
- c. On a corner parcel two (2) signs, one (1) facing each street, shall be permitted.
- d. Community special event signs may include ground signs and/or displays or wall signs, banners, pennants, or similar displays; the number, size and height of the sign(s) shall be subject to Chief Building Official approval.
- e. The total of all window signs, temporary and permanent, shall not exceed fifteen percent (15%) of the total wall frontage area.
- f. Temporary window signs that are faded, yellowed, ripped, non-taut or otherwise damaged shall be removed immediately.

Trailer Sign Requirements. A permit shall be obtained and placed on the sign for each week, or part thereof, that the sign is displayed. Permits may be obtained for one week or consecutive multiples thereof, except that no property shall contain temporary signs visible from the street for more than eight weeks per calendar year. After the expiration of the permit, the sign shall be removed from the property or stored in a location that is not visible from the street

- g. One ground mounted banner shall be permitted per parcel for each 100 feet of frontage or portion thereof. Two additional ground mounted banners shall be allowed by permit for up to a two week period and up to four times annually. Ground mounted banners shall be taut and kept in good repair, or shall be removed.
- h. Wall banners shall comprise a maximum of fifteen percent (15%) of the wall frontage area for each business served. The total wall frontage area comprised of both window signs and wall banners may not exceed fifteen percent (15%). Wall banners are permitted by permit for a maximum of 12 weeks per year. Permits may be obtained for one week, or consecutive weeks thereof. Wall banners shall be taut and kept in good repair, or shall be removed.
- i. Streamers and pennants are allowed per parcel by permit for up to a two week period and up to four times annually. Property owner or landlord approval is required for multiple tenant properties. Streamers and pennants shall be taut and kept in good repair or shall be removed.
- j. A maximum of 50 balloons are allowed per parcel without permit. Additional balloon displays are permitted by permit for up to a two week period and four times annually.
- k. One (1) pedestrian sign is permitted for each parcel, or up to two on multiple tenant properties, each with an annual permit. Property owner approval is required. Excessive driver distraction is prohibited and shall not constitute an unreasonable hazard to the public.

Section 10. That Section 90-799(1)(c) is hereby added to the Code to read as follows:

Section 90-799(1)(c). Window signs: See Table 90-799-2

Section 11. This ordinance shall be in full force and effect on the 22nd day of February, 2011.

I hereby certify that the above-entitled Ordinance was adopted by the City of Wyoming at a regular session of the City Council held on the 7th day of February, 2011.

Ordinance No. 1-11

Heidi A. Isakson
Wyoming City Clerk



MAYOR
Jack A. Poll

AT-LARGE COUNCILMEMBER
Sam Bolt

AT-LARGE COUNCILMEMBER
Dan Burrill

AT-LARGE COUNCILMEMBER
Kent Vanderwood

1ST WARD COUNCILMEMBER
William A. VerHulst

2ND WARD COUNCILMEMBER
Richard K. Pastoor

3RD WARD COUNCILMEMBER
Joanne M. Voorhees

CITY MANAGER
Curtis L. Holt

December 27, 2010

Ms. Heidi A. Isakson
City Clerk
Wyoming, MI

Subject: Request to amend Zoning Code Chapter 90 Article XXIII
pertaining to temporary signs.

Recommendation: To approve the subject amendments.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on December 21, 2010. Staff had the following comments:

On March 16, 2010 the Planning Commission considered Zoning Code amendments pertaining to the regulation of pedestrian signs. At that meeting, a few business owners took this opportunity to address the Planning Commission and voice their displeasure with the City's restrictions on banners, pennants and streamers. Their desire was to return to the prior City standards, in effect before January 2009. The Planning Commission requested staff prepare the applicable amendments for their review. On April 20, 2010 the Planning Commission recommended the requested temporary sign amendments to the City Council.

Subsequently, the City Council appointed a Sign Ordinance Review Committee of residents, public officials and business representatives to review and recommend sign ordinance amendments. The committee met regularly over the following months, completing their charge on October 6, 2010.

The committee forwarded their recommendations to the City Council on October 11, 2010. Upon review, the City Council directed the proposed amendments to the Planning Commission for evaluation and recommendation.

The attached table summarizes the major proposed amendments to the Zoning Code, along with the final text prepared by the City Attorney. The amendments provide greater options to businesses in promoting their goods, specials and events. Overall, the temporary sign provisions are significantly more liberal than those of nearby communities, and are more generous than what has been permitted

in Wyoming over the last few decades. The underlying theme in the development of the amendments was to accommodate the perceived needs of the business community during these difficult economic times.

The Development Review Team suggested the Planning Commission recommend the subject Zoning Code amendments, as proposed by the Sign Ordinance Review Committee, to the City Council. It was noted that the proposed temporary sign provisions would supersede the prior amendments recommended to the City Council on April 20, 2010.

At the public hearing, three speakers expressed their desire for the proposed temporary sign provisions, citing their advantage to businesses. Chief Carmody spoke to his concern in allowing pedestrian (human) signs and their potential distraction to motorists. A motion was made by Weller, supported by Bueche, to recommend to City Council approval of the Zoning Code amendments. After discussion, the motion was approved 5-3 (Spencer, Postema and Woodruff).

Additional explanation regarding this proposal may be obtained from the Planning Commission minutes of December 21, 2010.

Respectfully submitted,



Timothy Cochran, City Planner
Planning and Development Department

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

The following table summarizes the major amendments to the Sign Ordinance as recommended by the Sign Committee. All signs shall be in good repair.

Temporary Sign Type	Existing Ordinance	Proposed Amendments
Wall mounted banner	Allowed only as part of a grand opening or going out of business sale – 16 sq. ft. and up to building height – maximum of 30 days – permit required	Allowed to be up to 15% (and / or in combination with window signs) of a wall frontage – up to building height – 12 weeks per year – permit required
Ground mounted banner – Non residential districts	Allowed only as part of a grand opening or going out of business sale – 16 sq. ft. and up to 4 ft. in height – maximum of 30 days – permit required	One banner is permitted for each 100 feet of frontage or portion thereof – 16 sq. ft. and 12 ft. in height - no permit required - two additional banners are allowed by permit for up to two weeks and four times annually
Ground mounted banner – Residential districts	Prohibited	One banner is permitted for each drive access – 16 sq. ft. and 12 ft. in height – no permit required – prohibited on single family lots
Window signs	Up to 25 % of individual windows – no permit required	Up to 15% (and / or in combination with wall mounted banners) of total wall frontage – no permit required
Streamers and pennants	Allowed only as part of a grand opening or going out of business sale – 16 sq. ft. and up to building height - permit required	Allowed up to a two week period and four times annually – no size limits and up to building height – permit required
	Allowed only as part of a	Up to 50 balloons allowed without permit –

Balloons	grand opening or going out of business sale – 16 sq. ft. maximum 24 inches and up to building height – permit required	maximum 24 inches and up to building height or 35 ft. whichever is less-- additional balloon displays allowed by permit two week period and four times annually
Pedestrian signs	Prohibited – except as costumed with no signage	Allowed by annual permit – excessive driver distraction prohibited- - 16 sq. ft. and 8 ft. in height