

AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, MAY 6, 2013, 7:00 P.M.

- 1) Call to Order**
- 2) Invocation**
Elder Dean DeHoog, Newhall Christian Fellowship
- 3) Pledge of Allegiance**
- 4) Roll Call**
- 5) Student Recognition**
- 6) Approval of Minutes**
From the regular meeting of April 15, 2013
- 7) Approval of Agenda**
- 8) Public Hearings**
 - 7:01 p.m.** To Consider the Vacation of a Portion of an Alley Located Between Rathbone Street and Chicago Drive and Extending West from Freeman Avenue for a Distance of 195.31 Feet
 - 7:02 p.m.** Proposed City of Wyoming Budget for 2013-2014
 - 7:03 p.m.** To Consider Approval of an Application for an Industrial Facilities Exemption Certificate for Undercar Products Group, Inc.
- 9) Public Comment on Agenda Items** (3 minute limit per person)
- 10) Presentations and Proclamations**
 - a) Presentations
 - b) Proclamations
 1. Be Nice Day (May 17, 2013)
- 11) Petitions and Communications**
 - a) Petitions
 - b) Communications
- 12) Reports from City Officers**
 - a) From City Council
 1. Expense Report for Councilmember Bolt – Michigan Municipal League Capital Conference
 2. Expense Report for Councilmember Vanderwood – Michigan Municipal League Capital Conference
 - b) From City Manager
- 13) Budget Amendments**
- 14) Consent Agenda**

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

 - a) To Set a Public Hearing for the Approval of an Application for an Industrial Facilities Exemption Certificate for Middleton Printing, Inc. in the City of Wyoming (May 20, 2013 at 7:01 p.m.)

15) Resolutions

- b) To Approve the Application of Undercar Products Group, Inc. for an Industrial Facilities Exemption Certificate in the City of Wyoming for a New Facility and Authorizing the Mayor and City Clerk to Sign the IFT Agreement
- c) To Vacate a Portion of an Alley Located Between Rathbone Street and Chicago Drive and Extending West from Freeman Avenue for a Distance of 195.31 Feet, in the City of Wyoming, Kent County, Michigan
- d) To Authorize Vacation of a Portion of Mantle Street in the City of Wyoming and to Authorize the City Attorney to File the Appropriate Action in the Kent County Circuit Court
- e) To Authorize the Destruction of Bond Certificates and Coupons
- f) To Approve the 2013-2021 Street and Utility Capital Improvements Program
- g) To Authorize the Mayor and City Clerk to Execute an Agreement with LINC Community Revitalization
- h) To Consider Approval of a New Class C Liquor License for Latyn Rhythm Entertainment LLC and to Consider Waivers of the Ordinance if Necessary

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

- i) To Authorize the Mayor and City Clerk to Execute an Agreement with the Michigan Department of Transportation for Concrete Overlay Work on Kenowa Avenue Bridge Over I-196 (Budget Amendment No. 40)
- j) To Authorize Payment for Repairs to the Roys Creek Drain (Budget Amendment No. 41)
- k) To Accept a Quotation for the Purchase of Two Portable Message Board Trailers
- l) To Authorize the Purchase of Cisco Equipment from Netech
- m) To Authorize the Purchase of Liquid Sodium Hypochlorite
- n) For Award of Bids
 - 1. Work Uniforms & Carhartt Clothing Items
 - 2. Disposable Paper Products
 - 3. Trash Pick-Up Service
 - 4. Two Heavy In Ground Truck Lifts—Phase One & Two

17) Ordinances

- 4-13 To Amend Section 90-32 of the Code of the City of Wyoming by Adding Subsection (92) Thereto to Rezone 0.84 Acres from R-2 Single Family Residential to B-1 Local Business (Southwest Corner of Rathbone Street and Freeman Avenue) (FINAL READING)
- 5-13 To Amend that Portion of Table 90-646 Entitled “Drive-Through Restaurant” to the Code of the City of Wyoming (Drive-Through Restaurants) (FIRST READING)
- 6-13 To Add Division 6, Article IV to the Code of the City of Wyoming Entitled “Property Tax Exemptions” (LINC Community Revitalization) (FIRST READING)

18) Informational Material

19) Acknowledgment of Visitors

20) Closed Session (as necessary)

21) Adjournment

PROCLAMATION

BE NICE DAY

May 17, 2013

WHEREAS, nearly one out of three young people in the United States is directly impacted by bullying, increasing the likelihood of depression, loneliness, anxiety, low self esteem, and suicide; and

WHEREAS, the Mental Health Foundation of West Michigan seven years ago created a program called Live Laugh Love, this program educates teens about mental illness. Lessons include stigma, the effect that bullying has on mental health, recognizing the signs of depression and anxiety, recognizing the signs of suicide, and educating how friends can help friends get help; and

WHEREAS, in 2011, the Mental Health Foundation created the “be nice” program to bring the importance of anti-bullying and treating people with respect into schools and the community; to educate teens that how you treat someone has an effect on how they think, act and feel and a direct impact on their mental health; and

WHEREAS, “be nice” Day will provide an opportunity to focus attention on the devastating effects of bullying and to provide positive avenues to minimize bullying.

NOW, THEREFORE, I, JACK A. POLL, Mayor of the City of Wyoming, Michigan do hereby proclaim May 17, 2013 as

Be Nice Day

in the City of Wyoming, and urge all of our citizens, businesses and school districts within the community to support and promote civility and kindness among peers.

JACK A. POLL, MAYOR
City of Wyoming, Michigan

RESOLUTION NO. _____

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

WHEREAS:

1. The City established Industrial Development District Number 143, under Act 198, Public Acts of 1974, as amended, by adopting Resolution Number 13091 on October 16, 1989.
2. Middleton Printing has filed an application for an Industrial Facilities Exemption Certificate under Act 198 with respect to a new facility to be acquired and installed within Industrial Development District 143, with an estimated cost of \$300,000.00 to be located at 200 32nd Street SE.
3. Act 198 requires the City to hold a public hearing on the approval of this application.

NOW, THEREFORE, BE IT RESOLVED:

1. A public hearing on whether to approve the application by Middleton Printing for an Industrial Facilities Exemption Certificate shall be held at 7:01 p.m. on May 20, 2013, in the City Council Chambers, City Hall, 1155 28th Street SW, Wyoming, Michigan.
2. Notice of this hearing shall be given to the applicant, the City Assessor, and a representative of each affected taxing unit, and shall be published in a newspaper of general circulation in the City and posted in City Hall.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENT: Staff Report
 Exhibit A – Legal Description

Resolution No. _____

Staff Report

Date: 05/01/2013
Subject: Middleton Printing
From: Kelli VandenBerg, Assistant to the City Manager
Meeting Date: May 6, 2013 City Council Meeting

Recommendation:

Staff recommends a seven (7) year IFT abatement be granted to Middleton Printing, Inc., based on the City of Wyoming's Economic Development Policy.

Sustainability Criteria:

Environmental Quality – Middleton Printing has proven to be responsible and cooperative in its efforts to be environmentally responsible. Furthermore, approval of the expansion on this industrial site is consistent with the City's Land Use Plan.

Social Equity – Approval of this application does not significantly impact social equity.

Economic Strength – Approval of this application will help retain and expand a local manufacturer, encourage continued investment by Middleton Printing and provide additional employment opportunities to the area.

Discussion:

Middleton Printing has been operating and growing in the City of Wyoming for 53 years and is requesting the approval of an Industrial Facilities Exemption Certificate (IFT). Staff has reviewed the IFT application, which is summarized below:

Address of project:	200 32 nd Street SE Wyoming, MI 49548
Personal Property:	\$300,000.00
Real Property:	\$ 0.00
Estimated Jobs:	5 new jobs 9 retained jobs
Starting date of project:	June 2013

Middleton Printing seeks this abatement to expand the capacity of its operation in the City of Wyoming. In addition to the planned equipment purchase, the company seeks to hire an additional 5 employees to support its operations.

Budget Impact:

The estimated first year tax savings for Middleton Printing, which is located in the Godwin Public School District, is \$4,604.72.

EXHIBIT A

Legal Description

Address: 200 32nd Street SE, Wyoming, MI 49548

Tax Parcel No.: 41-18-18-326-001

Legal Description:

LOT 7. KENT INDUSTRIAL CENTER

RESOLUTION NO. _____

RESOLUTION TO APPROVE THE APPLICATION OF UNDERCAR PRODUCTS GROUP, INC.
FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
IN THE CITY OF WYOMING FOR A NEW FACILITY AND
AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN THE IFT AGREEMENT

WHEREAS:

1. The City established Plant Rehabilitation District Number 2, under Act 198, Public Acts of 1974, as amended, by adopting Resolution Number 23706 on October 18, 2010.
2. Undercar Products Group, Inc., has filed an application for an Industrial Facilities Exemption Certificate under PA 198 of 1974, with respect to a new facility to be acquired and installed within Plant Rehabilitation District Number 2, with an estimated cost of \$5,166,102.00 for real property and \$24,279,581.00 for personal property to be located at 4247 Eastern Avenue SE.
3. Before acting on this application, the City Council held a public hearing on April 15, 2013, in the Council Chambers, City Hall, 1155 28th Street SW, Wyoming, Michigan, at 7:03 p.m., at which hearing the applicant, the Assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on this application.
4. Construction of the facility and installation of new machinery and equipment had not begun earlier than six (6) months before April 10, 2013, the date of acceptance of the application for the Industrial Facilities Exemption Certificate.
5. Completion of the facility is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Wyoming.
6. The aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Wyoming, after granting this certificate, will not exceed 5% of an amount equal to the sum of SEV of the unit, plus SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificate previously granted and currently in force under PA 198 of 1974, as amended and PA 225 of 1978, as amended shall not have the effect of substantially impeding the operation of the City of Wyoming, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Wyoming.
2. The application from Undercar Products Group, Inc., for an Industrial Facilities Exemption Certificate, with respect to a new facility on the following described parcel of real property situated within Plant Rehabilitation District 2, to wit:

Address: 4247 Eastern Avenue SE, Wyoming, MI 49548

Parcel No.: 41-18-19-426-007

Legal Description:

PART OF SE 1/4 COM AT E 1/4 COR TH S 2D 55M 30S E ALONG E SEC LINE 1175.56 FT TO BEG OF THIS DESC – TH S 87D 04M 00S W 190.37 FT TH N 2D 55M 30S W 17.0 FT TH S 87D 04M 00S W 765.0 FT TO ELY LINE OF KENT INDUSTRIAL CENTER NO.2 TH S 0D 00M 00S E ALONG ELY LINE OF SD PLAT 675.40 FT TO NE COR OF LOT 73 OF KENT INDUSTRIAL CENTER NO.2 TH S 89D 55M 00S W ALONG N LOT LINE 130.70 FT TH S 6D 00M 00S E TO A PT 130.67 FT S 89D 51M 40S W FROM NW COR OF POTTER PLAT TH N 89D 51M 40S E TO NW COR OF POTTER PLAT TH ELY ALONG N LINE OF POTTER PLAT 914.84 FT TO E SEC LINE TH N ALONG E SEC LINE 809.87 FT TO BEG * SEC 19 T6N R11W 17.90 A.

be the same as hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall remain in force for a period of twelve (12) years.
4. The Mayor and City Clerk are authorized to sign the IFT agreement with Undercar Products Group, Inc.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENT: Staff Memo
 IFT Agreement

Resolution No. _____

INDUSTRIAL FACILITIES TAX ABATEMENT AGREEMENT

This Industrial Facilities Tax Abatement Agreement is made as of May 6, 2013, pursuant to 1974 PA 198, as amended, MCL 207.552 *et seq.* (“Act 198”) between the City of Wyoming, a local governmental unit as defined in Act 198, the address of which is 1155 – 28th Street SW, PO Box 905, Wyoming, MI 49509-0905 (the “City”) and Undercar Products Group, Inc., a Delaware corporation, the address of which is 4247 Eastern Avenue SE, Wyoming, Michigan, 49508 (the “Company”).

RECITALS

- A. The Company applied for an Industrial Facilities Tax Abatement pursuant to Act 198 on the application a copy of which is attached as Exhibit A and incorporated by reference (the “Application”).
- B. Following a public hearing on May 6, 2013, the City Council of the City adopted a resolution to approve the tax abatement for a period of 12 years conditional upon the parties entering into this Agreement (the “Abatement”) for the property located at 4247 Eastern Avenue SE, in the City (the “site of the Abatement”).
- C. The City Council did so upon the Company’s representations in the Application and upon the understanding that doing so would enhance the City’s employment and tax base as indicated in the application and as stated at the public hearing which enhancements would exceed the term of the tax abatement.

TERMS AND CONDITIONS

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

- 1. The Company affirms the statements in the application and the statements at the public hearing that it will invest not less than \$29,445,683.00 in improvements to its property in the City and that at least 158 new job(s) will be created and at least 358 jobs will be retained as a result of that investment. The Company further pledges that those improvements will remain in place or be replaced by comparably valued improvements for at least 2 years after the expiration of the term of the Abatement and the jobs created and maintained will remain in existence within the City for at least 2 years after the expiration of the term of the Abatement.
- 2. The City is relying upon and the Company agrees the City may rely upon the representations in the preceding paragraph, in the Application, and at the public hearing, for purposes of determining the length of the Abatement, the amount of the Abatement, and other terms of the Abatement.
- 3. Beginning on December 31 of the year which is 2 years after the Abatement is granted (*i.e.*, 2015) and each December 31 thereafter the Company shall submit a letter to the City, stating:
 - (a) The number of new jobs projected in the Application to be created and retained upon the project’s completion and the actual number of new jobs created.
 - (b) The number of employees at the time of the Application and the current number of employees.
 - (c) The estimated project cost stated in the Application and the actual project cost.
- 4. Upon receipt of the letter provided for in the preceding paragraph:
 - (a) The City may either:
 - (1) Apply the criteria in the City Act 198 Tax Abatement Policy in effect as of the date of this Agreement and increase or decrease the term of the Abatement to the maximum number of years allowable under that Policy based on the Company's actual employment levels and project costs as stated in the letter, or

- (2) If the number of new jobs or the cost of the project is substantially below that stated in the application for reasons within the control of the Company, the City Council may recommend revocation of the Abatement.
 - (b) The City may, in its discretion, waive its right to reduce the term of the years of the Abatement or to revoke the Abatement if:
 - (1) The Company has substantially met its stated goals, with only minor deviations which are not expected to reduce the anticipated benefits of the City, or
 - (2) Upon a finding of changed circumstances not reasonably anticipated by the Company at the time it made Application.
 - (c) The City shall provide the Company written notice of and an opportunity to address the City Council prior to formally considering any such actions.
5. The Company intends to continue operations within the City for the time period at least equal to two years beyond the expiration of the term of the Abatement as granted.
 - (a) If, at any time during the term of the Abatement or two years following the expiration or early termination of the Abatement, the City determines based on a Company announcement or other reasonably reliable information that the Company is intending to discontinue or substantially curtail its operations on the site of the Abatement, or the City determines that the company has discontinued or substantially curtailed its operations on the site of the Abatement, or the no longer employs on the Site of the Abatement the number of employees represented in the Application and in this Agreement:
 - (1) The City Council may, in its sole discretion, request revocation of the Abatement; and
 - (2) The City Council, in its sole discretion, may require the Company to pay the City an amount equal to the total taxes abated by the City under the Abatement.
 - (b) In making any decision under the preceding subparagraph (a) the City Council shall consider whether:
 - (1) Due to events or conditions which were unforeseeable by either party on the date of this Agreement, and absent the fault of either party, it has become impossible or commercially impractical for the Company to continue its operation on the site of the Abatement; or
 - (2) The Company has substantially complied with all requirements of this Agreement, such that the Company's failure to comply fully with all requirements was neither willful nor intentional, and the City has reasonably received the benefits anticipated from granting the Abatement.
 - (c) The City shall provide the Company written notice of and an opportunity to address the City Council prior to formally considering any such actions.
6. This Agreement is entered into according to Section 22 of Act 198, as amended, MCL 207.572, is in addition to the other requirements of Public Act 198, and does not modify or waive any requirements of Act 198.
7. This is the entire agreement between the parties as to its subject matter. No unwritten agreements shall have any effect. This Agreement may be modified only with a written agreement signed by both parties following approval of the City Council.

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

CITY OF WYOMING

UNDERCAR PRODUCTS GROUP, INC.

By: _____
Jack A. Poll, Mayor

By: _____
Dan Steffler, Controller

By: _____
Heidi A. Isakson, City Clerk

Date signed: _____, 2013

Date signed: _____, 2013

Staff Report

Date: 04/15/2013
Subject: Undercar Products Group
From: Kelli Vandenberg, Assistant to the City Manager
Meeting Date: May 6, 2013 City Council Meeting

Recommendation:

Staff recommends a twelve (12) year IFT abatement be granted to Undercar Products Group, Inc., based on the City of Wyoming's Economic Development Policy.

Sustainability Criteria:

Environmental Quality – Undercar Products Group has proven to be responsible and cooperative in its efforts to be environmentally responsible. Furthermore, approval of the expansion on this industrial site is consistent with the City's Land Use Plan.

Social Equity – Approval of this application does not significantly impact social equity.

Economic Strength – Approval of this application will help retain and expand a local manufacturer, encourage continued investment by Undercar Products Group and provide additional employment opportunities to the area.

Discussion:

Undercar Products Group has been operating and growing in the City of Wyoming for 3 years and is requesting the approval of an Industrial Facilities Exemption Certificate (IFT). Staff has reviewed the IFT application, which is summarized below:

Address of project:	4247 Eastern Avenue SE Wyoming, MI 49548
Personal Property:	\$24,279,581.00
Real Property:	\$ 5,166,102.00
Estimated Jobs:	158 new jobs 358 retained jobs
Starting date of project:	November 2012

Undercar Products Groups seeks this abatement to expand its operation in the City of Wyoming, including an 80,000 square foot building expansion. In addition to the building expansion, this

abatement will allow for the purchase of additional equipment to support the needs of its customers in the automotive parts industry. Through this expansion the company seeks to hire an additional 158 employees to support its operations.

Budget Impact:

The estimated first year tax savings for Undercar Products Group, which is located in the Godwin Public School District, is \$475,036.43.

RESOLUTION NO. _____

RESOLUTION TO VACATE A PORTION OF AN ALLEY LOCATED
BETWEEN RATHBONE STREET AND CHICAGO DRIVE AND
EXTENDING WEST FROM FREEMAN AVENUE FOR A DISTANCE
OF 195.31 FEET, IN THE CITY OF WYOMING, KENT COUNTY, MICHIGAN

WHEREAS:

1. The Wyoming Planning Commission has recommended that a portion of an alley located between Rathbone Street and Chicago Drive and extending west from Freeman Avenue for a distance of 195.31 feet, Section 2, be vacated.
2. The Planning Commission held a public hearing on March 19, 2013, and following the hearing voted unanimously to recommend the vacation to the City Council.
3. McDonald's USA requested vacation of the portion of the alley to facilitate a proposed commercial redevelopment project.
4. The alley vacation will facilitate the redevelopment of several obsolete properties and provide much needed investment in the Chicago Drive corridor.
5. The alley will be reconfigured and will continue to provide access to all adjoining properties.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby vacate the portion of said alley, located in the City of Wyoming, Kent County, Michigan according to the attached legal description, subject to provision of a highway easement for the alley reconfiguration and its construction prior to removal.

BE IT FURTHER RESOLVED:

1. The City Clerk shall record a certified copy of this resolution with the Kent County Register of Deeds and provide a copy to the State of Michigan Departments of Natural Resources, Economic Development and Licensing and Regulatory Affairs.

Moved by Councilmember:
Seconded by Councilmember:
Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENTS:
Exhibit A

Resolution No. _____



Planning & Development Department

Telephone (616) 530-7258

1155 - 28th Street, S.W., Box 905 Wyoming, Michigan 49509-0905

Web: www.wyomingmi.gov



April 23, 2013

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

Ms. Heidi A. Isakson
City Clerk
Wyoming, MI

Subject: Public hearing to consider the request to vacate a portion of an alley located between Rathbone Street and Chicago Drive and extending west from Freeman Avenue for a distance of 195.31 feet.

Recommendation: To approve the subject alley vacation request.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on March 19, 2013. The City Council authorized the public hearing for this request on April 1, 2013. McDonald's USA desires to construct a drive-through restaurant at the northwest corner of Chicago Drive and Freeman Avenue. The existing commercial property (most recently a Dollar Store) at that location is not of sufficient size to accommodate the proposed development. McDonald's has optioned the residences north of the alley and has a companion request to rezone those properties to B-1 Local Business. The second reading for the rezoning will be under consideration by the City Council on May 6, 2013. McDonald's also needs to vacate the public alley between these parcels to allow construction of the restaurant over this area. The alley would be reconfigured to bend north to Rathbone Street. If the rezoning and alley vacation are approved, McDonald's will then submit detailed plans for Special Use and Site Plan Approvals from the Planning Commission for the drive through restaurant. Staff had the following additional comments:

1. The 16 foot wide alley serves many commercial and residential properties between Freeman Avenue and Nagel Avenue. The reconfiguration of the alley to bend north to Rathbone Street requires a permanent highway easement from McDonald's to the City of Wyoming. An easement is preferred rather than right-of-way dedication as McDonald's will be maintaining landscaping and fencing along the length of the reconfigured alley. The reconfigured alley will need to be constructed before the vacated portion is removed. At a minimum, a six foot privacy fence will be required between the reconfigured alley and the adjoining two family residence. Due to the businesses and homes that the alley serves, staff does not believe the alley vacation should be extended beyond that proposed.

2. When right-of-way is vacated, it is split with each half assigned to the adjoining property fronting along it. The adjoining Taco Bell property has approximately 30 feet of frontage along the proposed alley vacation. The land area that would be assigned to the Taco Bell property is approximately 240 sq. ft. and would be behind that property's fence. To prevent a potential maintenance nuisance, it would be desirable for Taco Bell to transfer ownership of this small area to McDonald's so they may include it with their development.
3. The vacation of the alley is dependent upon approval of the rezoning. If the rezoning is denied the McDonald's development will not go forward.
4. At a minimum, a six foot high privacy fence will be required along the property line west of the relocated alley with the McDonald's development.
5. There are no City utilities within the proposed alley vacation. Electric power lines will need to be relocated.
6. Right-of-way vacations require the City Council to set, and hold, a public hearing.

Conformance with the City of Wyoming sustainability principals:

Sustainability: The advancement and promotion, with equal priority, of environmental quality, economic strength, and social equity so that a stable and vibrant community can be assured for current and future generations.

The proposed alley vacation will allow for the redevelopment of several properties. The resulting restaurant development will infuse vital investment into the Chicago Drive corridor. It will also contribute to the economic strength of the City by providing many new jobs. The proposed alley vacation conforms to the City of Wyoming sustainability principals.

The Development Review Team suggested the Planning Commission recommend to the City Council the proposed alley vacation, subject to the provision of the permanent highway easement and construction of the relocated alley outlet.

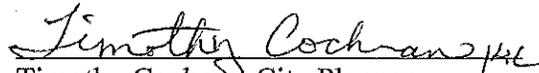
At the public hearing, five nearby residents spoke. Their concerns pertained to traffic, buffering of nearby residences and property values. A planning consultant, hired by a nearby property owner, also spoke against the alley vacation.

A motion was made by Hegyi, supported by Bueche, to recommend to City Council the subject alley vacation. After discussion, the motion carried unanimously. Additional explanation regarding this proposal may be obtained

from the Planning Commission minutes of March 19, 2013.

The appropriate resolution to authorize the alley vacation is attached.

Respectfully submitted,

Handwritten signature of Timothy Cochran in cursive script.

Timothy Cochran, City Planner
Planning and Development Department

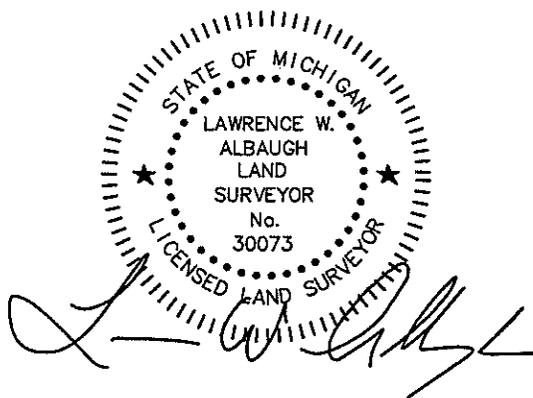
cc: Curtis Holt, City Manager

Rebecca Rynbrandt, Director of Community Services

EXHIBIT A

Proposed Legal Description
for Alley Vacation
Godfrey's Second Addition
in Section 2, T.6 N., R. 12 W.,
to the City of Grand Rapids, Kent County, Michigan

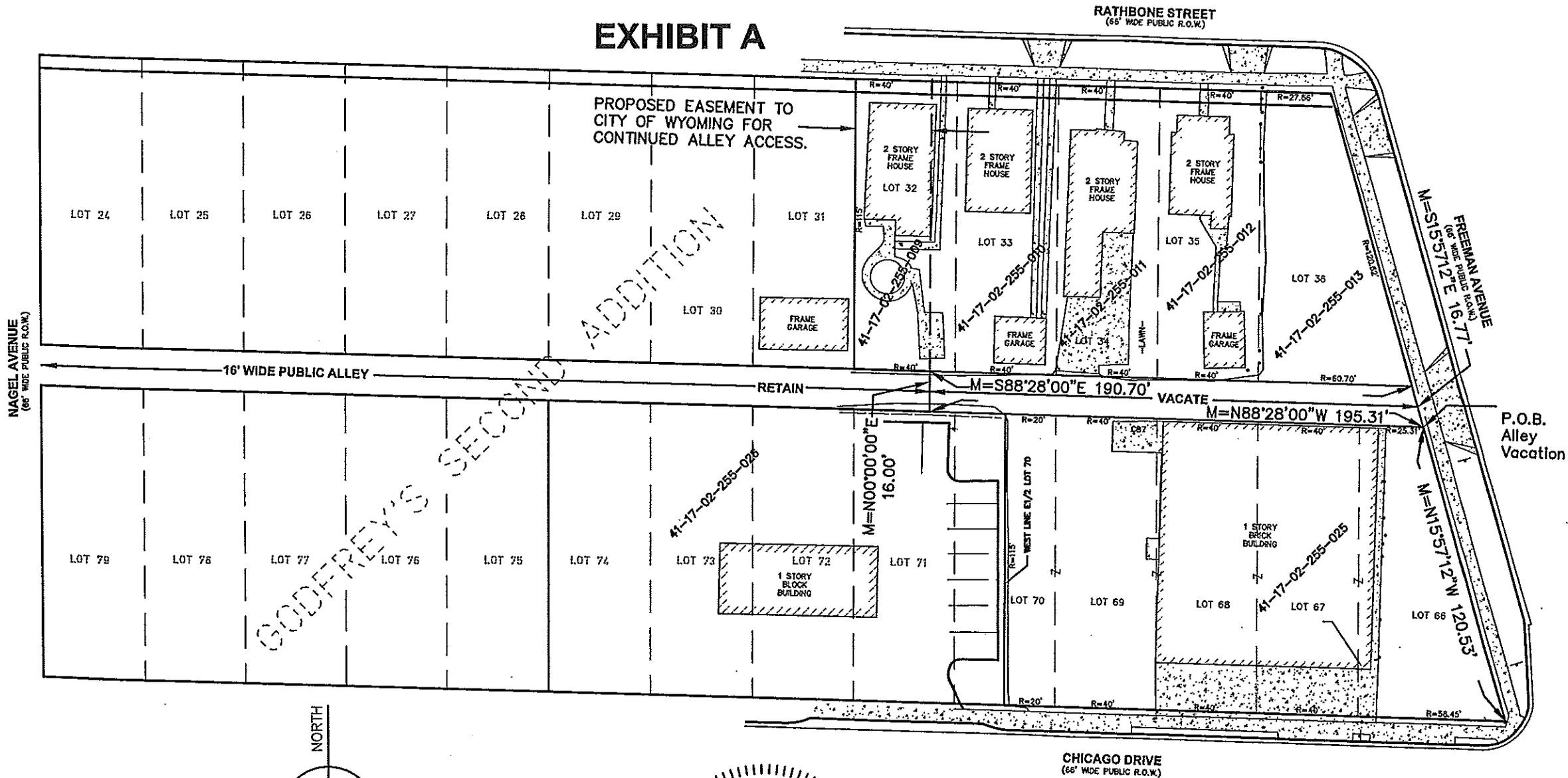
All that part of the 16 foot wide East–West alley adjoining Lots 66 through 71, inclusive, and Lots 32 through 36, inclusive, of Godfrey's Second Addition in Section 2, T.6 N., R. 12 W., to the City of Grand Rapids, Kent County, Michigan, as recorded in Liber 22 of Plats, Rage 30, Kent County Records, described as:
Commencing at the southeasterly corner of said Lot 66, thence North 15°57'12" West 120.53 feet, along the easterly line of said Lot 66, to the southerly line of said East–West alley, for the PLACE OF BEGINNING OF THIS DESCRIPTION: Thence North 88°28'00" West 195.31 feet, along the southerly line of said East–West alley, to a line 30.0 feet Easterly of and parallel with the westerly line of said Lot 32 extended southerly; thence North 00°00'00" East 16.00 feet, along said line to the northerly line of said East–West alley; thence South 88°28'00" East 190.70 feet, along the northerly line of said East–West alley, to the easterly line of said Lot 36; thence South 15°57'12" East 16.77 feet, to the place of beginning of this description.
Containing 3,087 Square Feet, more or less.



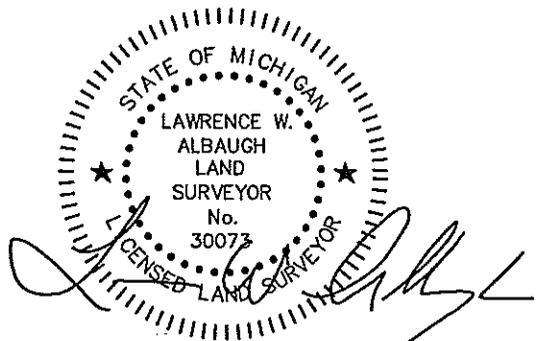
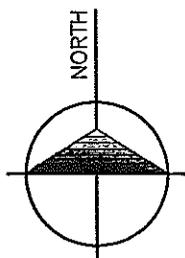
Williams & Works
engineers . planners . surveyors *a tradition of service*

616.224.1500 phone . 616.224.1501 facsimile
549 Ottawa Ave NW . Grand Rapids, MI 49503

EXHIBIT A



GODFREY'S SECOND



Williams & Works
engineers . planners . surveyors *a tradition of service*

616.224.1500 phone . 616.224.1501 facsimile
549 Ottawa Ave NW . Grand Rapids, MI 49503

SEE SHEET 2 OF 2
FOR LEGAL DESCRIPTION

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE VACATION OF
A PORTION OF MANTLE STREET IN THE CITY OF WYOMING
AND TO AUTHORIZE THE CITY ATTORNEY TO FILE THE
APPROPRIATE ACTION IN THE KENT COUNTY CIRCUIT COURT

WHEREAS:

1. Adjoining property owners have requested vacation of a portion of Mantle Street in the City of Wyoming located west of Roys Avenue.
2. That portion of Mantle Street is a "paper street" which has never been developed or used by the public.
3. That portion of Mantle Street is located within 25 meters of the general course of a stream (Roys Creek).
4. Under the provisions of the Land Division Act, specifically section 255a, MCL 560.255a, in addition to Council Resolution Circuit Court action is required to vacate a portion of land dedicated to the public for vehicular travel.

NOW, THEREFORE, BE IT RESOLVED:

1. The City hereby authorizes the City Attorney to commence the appropriate action in the Kent County Circuit Court to vacate that portion of Mantle Street located west of Roys Avenue in the City of Wyoming as shown on the map attached hereto as Exhibit A.

Moved by Councilmember:
Seconded by Councilmember:
Motion Carried Yes
 No

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

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENTS:

Exhibit A

Resolution No. _____

Staff Report

Date: May 1, 2013

Subject: Mantle Street Vacation

From: Russ Henckel, Assistant Director of Public Works - Engineering

Meeting Date: May 6, 2013

Recommendation:

Staff recommends the vacation of Mantle Street west of Roys Avenue in the City of Wyoming.

Sustainability Criteria:

Environmental Quality – Vacation of the street right of way will allow neighboring properties to own and maintain the land as residential property.

Social Equity – This vacation has no impact on Social Equity of the area.

Economic Strength – This street is a paper street which will never be developed. Vacation of the right of way is the best future use of the land.

Discussion:

The Engineering Department was asked by neighboring property owners to vacate a portion of Mantle Street west of Roys Avenue. The street is a paper street that can no longer be developed as originally platted due to other existing residential streets and lack of connectivity. The best use of the land is to vacate the property to neighboring parcels to own and maintain. An easement for storm sewer main is required to be maintained to allow future access for maintenance of said storm sewer.

It is recommended that the City Council vacate Mantle Street west of Roys Avenue in the City of Wyoming.

Budget Impact:

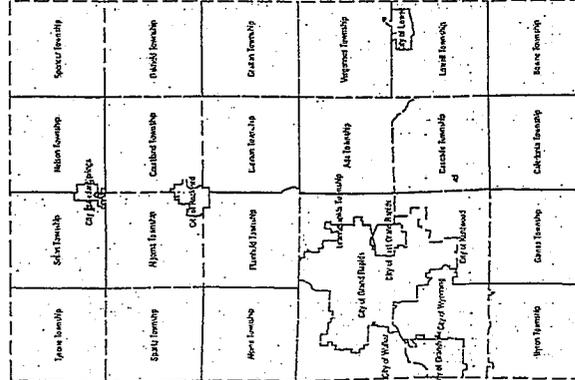
None.

Attachments:

CITY OF WYOMING

W 1/2 SE 1/4 SECTION 09
TOWN 6 NORTH
RANGE 12 WEST

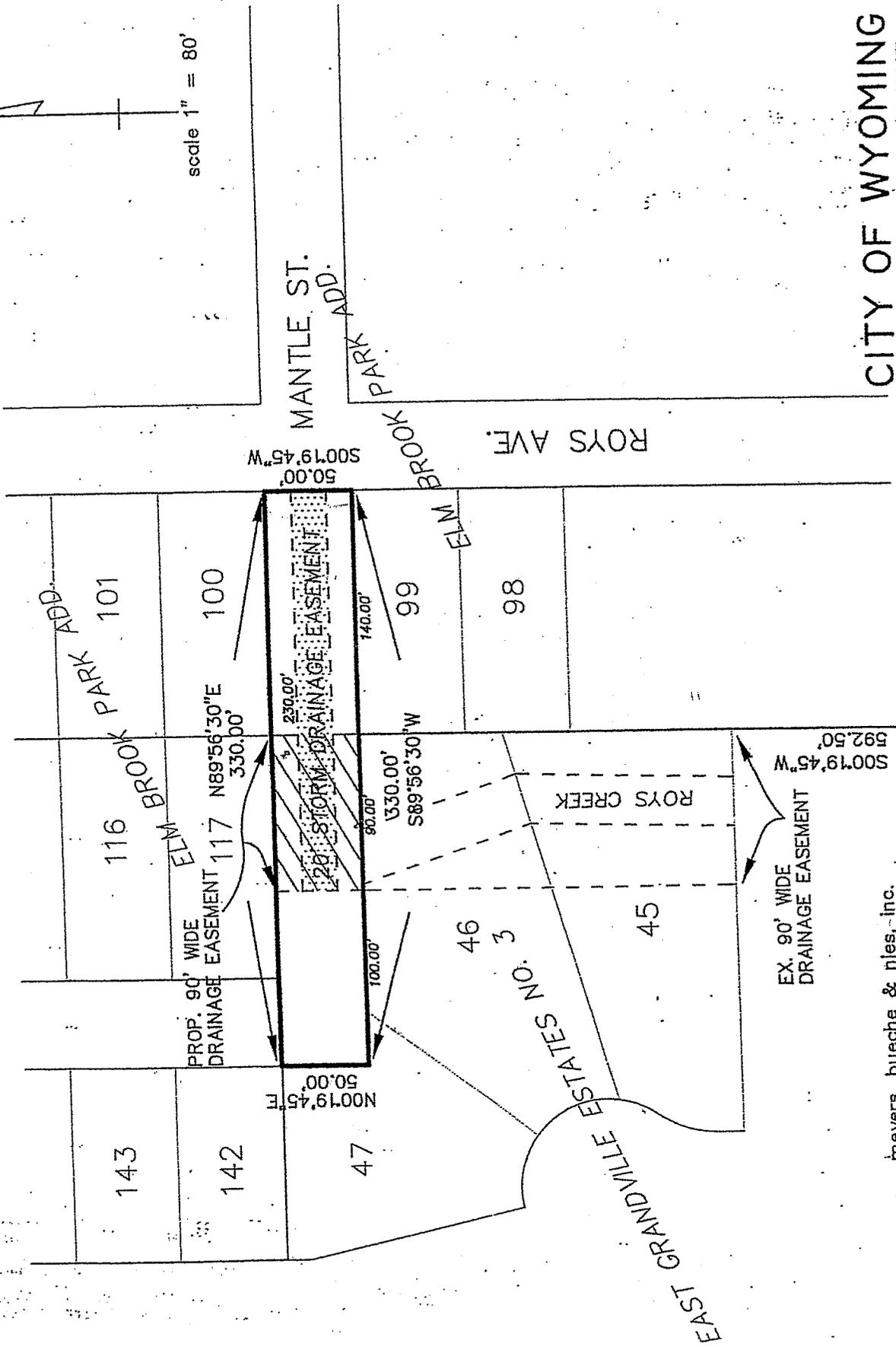
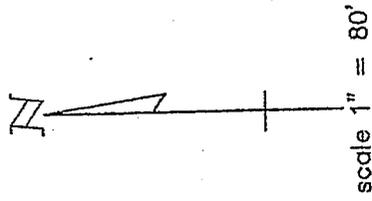
Reference Locator Map



- Map Legend**
- Survey Monuments
 - Survey Monuments
 - Historical Lot Lines
 - Historical Lot Lines
 - Railroad Tracks
 - Railroad Tracks
 - Street Centerlines
 - Street Centerlines
 - Freeway Ramp
 - Freeway Ramp



PROPOSED VACATION: MANTLE STREET WEST OF ROYS AVE.



CITY OF WYOMING
ENGINEERING DEPARTMENT
DESIGN DIVISION
WYOMING, MICHIGAN

meyers, bueche & nles, inc.
civil engineers/surveyors
1638 leonard street n.w.
grand rapids, mi. 49504
616-457-5030





RESOLUTION NO. _____

TO AUTHORIZE THE DESTRUCTION
OF BOND CERTIFICATES AND COUPONS

WHEREAS:

1. The Treasurer's Office has General Obligation Sewer Disposal System and Water Supply System Bond certificates and coupons in storage.
2. The latest maturity date for the bonds in storage is September 1, 2001.
3. The Bond Cremation Act of the State of Michigan allows for the destruction of these certificates and coupons.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council hereby authorizes the City Clerk to dispose of the bonds in accordance with the established procedures for the destruction of City records and in accordance with the Bond Cremation Act.
2. The City Treasurer will file the appropriate Certificate of Bond Cremation as required by statute.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENTS:



INTEROFFICE MEMORANDUM

To: Curtis Holt, City Manager
From: Andrea Boot, Treasurer
Date: April 30, 2013
Subject: Destruction of Bond Certificates and Coupons

The Treasurer's Office has been keeping the bond certificates and returned bond coupons for the following bond issues:

General Obligation Sewer Disposal Bonds
Series I, Series II, Series III, and Series IV

General Obligation Water Supply System Bonds
1964 Series, Series I, and Series II

The last of these bonds matured and was paid on September 1, 2001. According to the State of Michigan record retention schedule, bond documents need to be kept until the bond matures plus 10 years. Since we are past the required retention period, we would like to dispose of the above listed bond certificates and coupons.

The Bond Cremation Act, Act 56 of 1962, requires the destruction to be witnessed by the public official having custody of the financial records and two additional witnesses. Since cremation is not a feasible option, we are planning on hiring a company to shred these documents on site so we can witness the destruction of the records and file the appropriate certificate as required by the Act. The City attorney has confirmed that shredding these documents will satisfy the intent of the Act.

Since the Act also stipulates that the governing body may authorize the cremation or disintegration of obligations or interest coupons, I am asking to present this to the City Council at the May 6, 2013 meeting for authorization. Please let me know if you need additional information from me or if you would prefer to present this to Council during a different meeting.

CERTIFICATE OF BOND COUPON CREMATION

CITY OF WYOMING

Pursuant to the terms of the Bond Cremation Act, Public Act 56 of 1962, as amended (MCL 129.121 et seq) the City of Wyoming, a Michigan Municipal Corporation of 1155 – 28th Street S.W., Wyoming, Michigan 49509, has authorized the destruction of the bond certificates and bond coupons for the general obligation bonds listed on Exhibit A attached.

The bond certificates and interest coupons were properly destroyed in the presence of the undersigned in accordance with the requirements of Section 4 of the bond Cremation Act, MCL 129.124.

Copies of this certificate shall be filed with the Wyoming City Clerk, the Wyoming City Treasurer and the Michigan Department of Treasury.

Dated: _____, 2013

Heidi A Isakson
Wyoming City Clerk

Dated: _____, 2013

Andrea Boot
Wyoming City Treasurer

Dated: _____, 2013

Name
Witness

Bond Certificates and Bond Coupons currently in Storage

General Obligation Sewer Disposal System Bonds

Series I

Dated November 1, 1961

Principal Due September 1, 2001

General Obligation Sewer Disposal System Bonds

Series II

Dated November 1, 1961

Principal Due September 1, 2001

General Obligation Sewer Disposal System Bonds

Series III

Dated November 1, 1961

Principal Due ?

General Obligation Sewer Disposal System Bonds

Series IV

Dated November 1, 1963

Principal Due September 1, 2001

General Obligation Water Supply System Bonds

Series I

Dated March 1, 1964

Principal Due September 1, 2001

General Obligation Water Supply System Bonds

Series II

Dated March 1, 1964

Principal Due September 1, 2001

General Obligation Water Supply System Bonds

1964 Series

Dated July 1, 1964

Principal Due July 1, 1997

RESOLUTION NO. _____

RESOLUTION TO APPROVE THE 2013-2021
STREET AND UTILITY CAPITAL IMPROVEMENTS PROGRAM

WHEREAS:

1. The City of Wyoming has updated the nine-year Street and Utility Capital Improvement Program.
2. The Capital Improvement Program provides staff direction on project development.
3. The proposed program has been reviewed with the City Council.
4. The program is reviewed, revised and updated by the City Council on an annual basis.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council hereby approves the 2013-2021 Street and Utility Capital Improvements Program.

Moved by Councilmember:
Seconded by Councilmember:
Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENT: 2013-2021 Street and Utility Capital Improvement Program

Resolution No. _____

Revenues and Expenditures (\$000)

	Fund	Millage Rate	Fiscal Year										Total	
			12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21			
	CP 2012	CP 2013	CP 2014	CP 2015	CP 2016	CP 2017	CP 2018	CP 2019	CP 2020					
REVENUES AND OTHER SOURCES														
SSWI Millage	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	26,100
Interest	40	40	40	40	40	40	40	40	40	40	40	40	40	360
Federal Funding (STP, EDF-C, CMAQ)	2,860	1,560	1,500	1,700	1,500	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	13,120
Federal/State Grants (Bridge, EDF-A)	600	0	0	0	0	0	0	0	0	0	0	0	0	600
Other Sources	0	0	300	0	0	0	0	0	0	0	0	0	0	300
Special Assessments	0	0	270	0	150	0	0	0	0	0	0	0	100	520
Street - Revenue (MTF) Bonds	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sewer - Revenue Bonds	0	0	0	100	7,000	0	0	0	0	0	0	0	0	7,100
Sewer - Working Capital	1,150	1,730	1,200	900	200	500	800	800	800	800	800	800	800	8,080
Sewer - Debt Service	4,472	4,482	4,486	4,497	4,496	4,499	4,505	4,512	4,513	4,512	4,513	4,512	4,513	40,462
Water - Revenue Bonds	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Water - Working Capital	2,250	1,820	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	13,870
Water - Debt Service	4,284	4,283	4,279	4,276	4,269	4,268	4,263	4,264	4,256	4,264	4,256	4,256	4,256	38,442
Stormwater Development Fees	0	0	0	40	0	0	0	20	20	20	20	20	20	80
Totals	18,556	16,815	16,375	15,853	21,955	14,607	14,908	14,936	15,029	14,936	15,029	15,029	15,029	149,034
EXPENDITURES														
Administration Fee to General Fund	330	420	340	310	300	290	250	260	250	250	250	250	250	2,750
M/DOT Routes	40	0	0	0	100	0	0	0	0	0	0	0	0	140
Major Streets	4,760	3,640	3,040	3,340	2,960	2,500	2,000	2,000	2,600	2,600	2,600	2,600	2,600	26,840
Local Streets	500	500	500	400	600	600	900	900	800	900	800	800	800	5,700
Stormwater Systems	0	100	300	0	0	0	400	200	200	200	200	200	200	1,200
Sanitary Sewer	1,150	1,730	1,400	1,000	7,200	500	800	800	800	800	800	800	800	15,380
Water Main	2,250	1,820	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	13,870
Debt Service (Street Projects)	871	724	614	618	614	536	422	418	390	418	390	390	390	5,207
Debt Service (Sewer Projects)	4,472	4,482	4,486	4,497	4,496	4,499	4,505	4,512	4,513	4,512	4,513	4,512	4,513	40,462
Debt Service (Water Projects)	4,284	4,283	4,279	4,276	4,269	4,268	4,263	4,264	4,256	4,264	4,256	4,256	4,256	38,442
Totals	18,657	17,699	16,359	15,841	21,939	14,593	14,940	14,754	15,209	14,754	15,209	15,209	15,209	149,991
Excess, -Deficiency	(101)	(884)	16	12	16	14	(32)	182	(180)	182	(180)	(180)	(180)	(957)
Fund	CP 2012	CP 2013	CP 2014	CP 2015	CP 2016	CP 2017	CP 2018	CP 2019	CP 2020					
Fund Balance	1,000	899	15	43	59	73	41	223	43	223	43	43	43	(957)

Project Expenditures (\$000)

Project Number/Title Fund	Fiscal Year										Total
	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	CP 2020	
1 Resurfacing (Federal Funding Amount)	1,000	1,500	700	700	900	1,000	1,000	1,000	1,000	1,000	8,600
2 Signal Upgrades	2,800		40	140	60						7,500
3 Intersection Right-Turn Lanes	80										320
4 Burlingame Bridge over Buck Creek	800										80
5 44th Street, Stafford - Division		2,340									800
6 Division Ave, 54th - 60th (Total)			2,300								2,340
7 Gezon Parkway - Burl to 56th				800							800
8 56th St Byron Center to Ivanrest					2,000						2,000
9 Michael Ave (28 West Construction)						500					500
10 Ivanrest, NCL to 56th									1,600		1,600
				<u>Fed</u>	<u>Local</u>	<u>Total</u>					
	Fed Resurfacing: FY 2013										
		Avail 7/12	520	130	650	Ivanrest, NCL to SCL					
Signal Upgrades:			680	170	850	Division, 28th to 36th					
2013 36th & Byron Center BS (40)			840	210	1,050	Division, 44th to 54th					
32nd & Buchanan BS (40)			380	190	960	36th, Byr Ctr to Burlingame					
2015 36th & Burlingame BS (40)			380	100	480	32nd, Division to Eastern					
2016 Burton & Burlingame BS (60)			2,800	800	3,990						
Burton & Godfrey BS (40)											
Burton & Cleveland BS (40)											
2017 56th & Ivanrest Span (60)			64	16	80	SB Division Ave at 54th St RTL					
	Fed Resurfacing: FY 2016										
		Avail 7/12	900	300	1,200	Roger B Chafee, 32nd to 44th					
			450	150	600	Clyde Pk, Burton to 28th					
			340	110	450	Clyde Pk, 54th to 60th					
			1,690	560	2,250						
TOTALS	4,760	3,640	3,040	3,340	2,960	2,500	2,000	2,000	2,600	2,600	26,840
Federal Funding (STP, EDF-C, CMAQ)	2,860	1,560	1,500	1,700	1,500	1,000	1,000	1,000	1,000	1,000	13,120
Federal/State Grants (Bridge, EDF-A)	600										600
Other Sources (Kentwood)			300								300
Special Assessments			70		150				100		320
Street Revenue (MTF) Bonds											0
											0
CIP Fund Cash	1,300	2,080	1,170	1,640	1,310	1,500	1,000	1,000	1,500	1,500	12,500

CAPITAL IMPROVEMENT PROJECTS

LOCAL STREETS

Project Expenditures (\$000)

Project Number/Title	Fiscal Year										Total
	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	CP 2020	
Fund	CP 2012	CP 2013	CP 2014	CP 2015	CP 2016	CP 2017	CP 2018	CP 2019	CP 2020	CP 2020	
I Resurfacing	500	500	500	400	600	600	900	900	800	800	5,700
<div style="border: 1px solid black; border-radius: 15px; padding: 10px; width: fit-content; margin: 0 auto;"> <p>2007 PCI Unimproved Local Streets:</p> <p>60th St, Kenowa - Canal 60th St, Buringame to Clyde Park (KCRC) Roys Ave, Porter to Chicago Dr. Eden, West of Byron Center Belfield, Martindale - Johanna Martindale, Burton - Belfield Fisher, South of 54th Lee, West of Roys Louisiana, North of 44th Plaster Ck Area, West of Division Hook, North of 28th Leesima, Lee to Chicago Drive Antwerp, South of Burton Roos, South of Burton</p> </div>											
TOTALS	500	500	500	400	600	600	900	900	800	800	5,700
Federal Funding (STP, EDF-C, CMAQ)											0
Federal/State Grants (Bridge, EDF-A)											0
Other Sources											0
Special Assessments											0
Street Revenue (MTF) Bonds											0
CIP Fund Cash	500	500	500	400	600	600	900	900	800	800	5,700

CAPITAL IMPROVEMENT PROJECTS

SANITARY SEWER

Project Expenditures (\$000)

Project Number/Title	Fiscal Year															Total			
	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	CP 2012	CP 2013	CP 2014	CP 2015	CP 2016	CP 2017		CP 2018	CP 2019	CP 2020
1 Slip Lining (Asset Management)	600	300	500	700	700	300	500	400	600	600	300	500	700	700	300	500	400	600	4,600
2 Misc CWP Operating Equipment																			1,680
3 Safety Railing (Roof)	50																		50
4 Lift Station Modems	50																		50
5 SCADA Upgrade	350			500															850
6 Main Bldg HVAC	50	450																	500
7 Laboratory Rehab	50	700																	750
8 Division Ave, 54th to 60th			200																200
9 UV Disinfection				100	2,300														2,400
10 Centrifuge					1,200														1,200
11 Pipe Gallery Rehab					1,000														1,000
12 Final Clarifier Rehab					1,800														1,800
13 Entrance Gate							100												100
14 Blue Building								200											200
15 Bar Screens [delay to 2029]																			0
TOTALS	1,150	1,730	1,400	1,000	7,200	500	800	800	800	800									15,380
Other Sources																			0
Special Assessments											200								200
Sewer Revenue Bonds				100	7,000														7,100
Sewer Working Capital	1,150	1,730	1,200	900	200	500	800	800	800	800									8,080
CIP Fund Cash	0	0	0	0	0	0	0	0	0	0									0

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK
TO EXECUTE AN AGREEMENT WITH LINC COMMUNITY REVITALIZATION

WHEREAS:

1. LINC Community Revitalization is in the process of rehabilitation of a four family apartment building located at 1736 Godfrey S.W.
2. Completion of the project requires vacation of an existing unused right-of-way located immediately South of the parcel.
3. The parties have agreed to a payment in lieu of taxes subject to approval of the required ordinance.
4. An Agreement has been prepared to include the terms of the payment in lieu of taxes and redevelopment of the property.

NOW, THEREFORE, BE IT RESOLVED:

1. The Mayor and City Clerk are hereby authorized to execute the attached Agreement with LINC Community Revitalization.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENTS:

Agreement

Resolution No. _____

AGREEMENT

This Agreement made this ____ day of _____, 2013, between the City of Wyoming, a Michigan Municipal Corporation, of 1155 – 28th St. S.W., Wyoming, MI 49509 (hereinafter “City”) and LINC Community Revitalization of 1167 Madison Ave S.E., Grand Rapids, Michigan 49507 (hereinafter “LINC Community”) the terms of which are as follows:

1. Subject to the terms of the Ordinance amendment to the Code of the City of Wyoming, the City shall grant a property tax exemption and payment in lieu of taxes for the property located at 1736 Godfrey Avenue S.W., Wyoming, Michigan.
2. The City shall take all necessary action to vacate that portion of the public right of way located immediately South of the LINC Community project at 1736 Godfrey Avenue S.W., a portion of Whalen’s Second Interurban Plat, City of Wyoming, Kent County, Michigan.
3. LINC Community shall provide for an improved drive and parking area on the vacated right of way subject to approval of the Planning and Engineering Departments of the City.
4. LINC Community shall provide a landscape plan, parking plan, paving plan, and storm water plan, subject to the approval of the Planning and Engineering Departments of the City.
5. LINC Community shall insure that the property subject to the property tax exemption payment in lieu of taxes shall at all times remain in compliance with all applicable codes of the City of Wyoming. Failure to maintain the property in proper code compliance will subject LINC Community to revocation of the property tax exemption and payment in lieu of taxes upon appropriate action by the Wyoming City Council.
6. That this agreement and the specific ordinance contain the full agreement between the parties and may be modified only in writing.

CITY OF WYOMING

Dated: _____

By: _____
Jack A. Poll, Mayor

By: _____
Heidi A. Isakson, City Clerk

LINC Community Revitalization

Dated: _____

By: _____

STAFF REPORT

Date: May 1, 2013

Subject: LINC Community Revitalization Inc. PILOT
1736 Godfrey Ave SW
(PPN 41-17-02-407-020)

From: Rebecca Rynbrandt, Director of Community Services

Cc: Jack Sluiter, City Attorney
Tom Yore, City Assessor
Jeremy DeRoo, Executive Director, LINC, Inc.

Meeting Date: May 6, 2013

RECOMMENDATION:

It is recommended that the City Council:

1. Approve an ordinance authorizing a PILOT (Payment in Lieu of Taxes) to provide for City of Wyoming participation in securing a match of 25%, as required by HUD regulations, for HOME funding allowing for the LINC Community Revitalization Inc. (LINC) redevelopment of residential property located at 1736 Godfrey Ave SW.
2. Approve the development agreement tie-bared to the PILOT ordinance to ensure improvements to drive and parking areas to the property located immediately south and adjacent to the LINC development project.

SUSTAINABILITY CRITERIA:

Environmental Quality – The residential property located at 1736 Godfrey is a registered Abandoned Structure 4-plex apartment building and is unfit for occupancy. Since 2010 the City of Wyoming Inspections Department has been required to visit the property for code violations 45 times. The Police Department has averaged 15 calls for service annually to this address in a three year time period (2009-2011). Ownership by LINC, and project funding (see Economic Strength below) which requires ongoing property inspections, will improve public safety, habitability of the property and general neighborhood area.

Social Equity – PILOT's for residential developments provide for affordable, quality housing for persons of low and moderate income households. The City, its citizens and neighborhoods will be benefited and improved by such housing.

Economic Strength – Recently, with funding support by Kent County Neighborhood Stabilization Program (NSP) funds, the property has been acquired by LINC as a foreclosure at a

cost of \$55,000. The property is in such disrepair that construction requires LINC to invest over \$234,000 (Building Permit value) to renovate the building for occupancy. This investment funded by NSP dollars and HOME grant funds, both federal resources administered and awarded by Kent County's Community Development Department, is essential to the determination of the economic feasibility of the housing redevelopment. The investment of federal, local, and non-profit resources will result in an improved property value exceeding \$160,000 (projected by the City Assessor) which is designed to be a catalyst in improving and maintaining property values in the immediate adjacent area. Recognizing the net loss of investment over resulting value, the project would not be completed through the for-profit market.

Finally, the City of Wyoming is expected to see savings through the reduction of Police and Inspection calls for service to this address.

DISCUSSION:

HOME funds include a portion of the City of Wyoming entitlement as administered by Kent County. HUD regulations require a 25% match for HOME funds which by HUD regulation may not come from the developer. It is a regular practice that the match is provided through PILOT's authorized by the impacted community. The match required for the LINC project is \$59,000.

On April 15, 2013 the City Council approved a revision to the City of Wyoming code for Property Tax Exemption which allows the City of Wyoming to authorize a PILOT for affordable housing purposes. This revision of the code became effective April 30, 2013.

BUDGET IMPACT:

The City of Wyoming shall contribute to the HUD required 25% match for HOME funds via a PILOT which results in a contribution through the reduction of taxes of \$4,000 per year for 15 years, or a value of \$60,000 over the term.

ATTACHMENTS:

Aerial photo showing subject parcel
LINC, Inc. brochure



MULE, JOSEPH & ROBIN
1740
GODFREY AVE SW

TURNER, KAREN K
1720
GODFREY AVE SW

AMIN, JOSEPH R
1737
GODFREY AVE SW

ALLEN HOMES LLC
1724
GODFREY AVE SW

TORRES, MIGUEL
1733
GODFREY AVE SW

VAN DYKEN, JAMES B
1728
GODFREY AVE SW

VO, THUC HAI
1735
GODFREY AVE SW

MORALES, EFRAM
1730
GODFREY AVE SW

Subject Parcel
Seeking PILOT

DISLA, MARIA
174
GODFREY AVE SW

LINC COMMUNITY REVITALIZATION INC
1736
GODFREY AVE SW

GODFREY LEE PUBLIC SCHOOLS
1716
GODFREY AVE SW

WHEELER ST

PITT, JAMES
1751
GODFREY AVE SW

GARCIA, SUSANA
1746
GODFREY AVE SW

KAUSKAS, WILLIAM & PAMELA
1755
GODFREY AVE SW

MONARREZ, JOSE
1750
GODFREY AVE SW

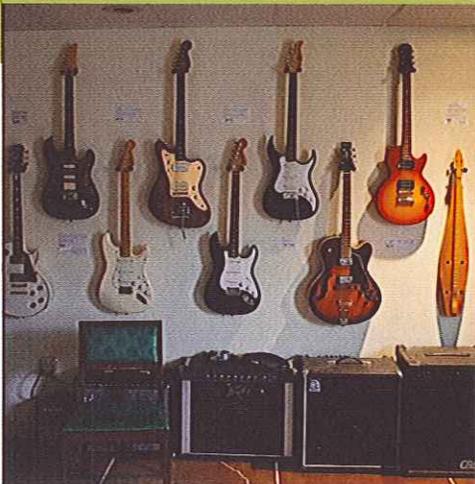
VAN HISE, LARRY
1754
GODFREY AVE SW



Connecting people to opportunities.

Economic Development

- Business incubation
- Cowork space
- Job creation/retention
- Access to capital
- Commercial space
- Trainings

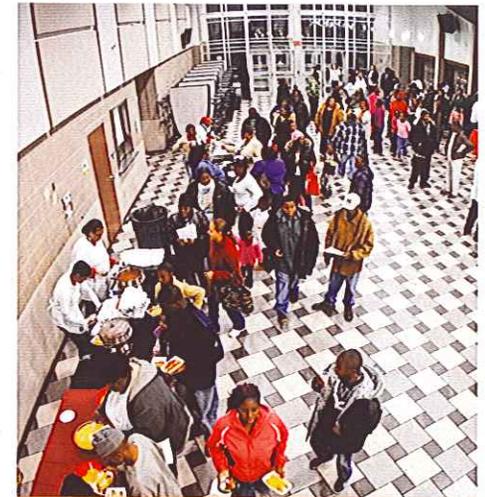
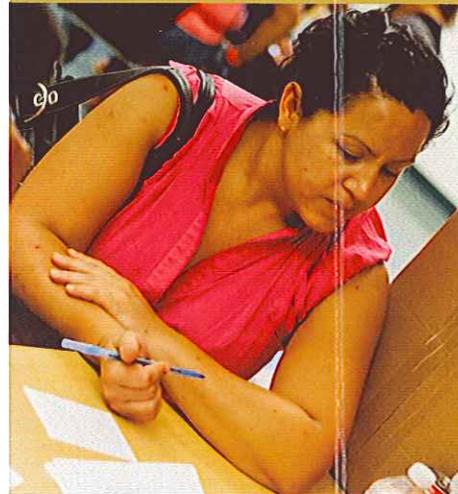


Real Estate Development

- Commercial and residential property rehabilitation
- Quality homes for sale or rent
- Affordable housing development
- Construction training

Resident Services

- Workforce development
- Financial education and coaching
- Public benefits access
- Homebuyer education
- Foreclosure prevention



Neighborhood Services

- Community engagement
- Leadership development
- Capacity building
- Neighborhood news bureau
- Civic engagement
- Educational engagement

Our Mission

"Revitalizing neighborhoods through authentic engagement, stimulating economic development, expanding housing opportunities, creating affordable housing, and developing leadership and capacity to residents and grass-roots organizations."

LINC aligns people, places, and opportunities.

- people through coaching, training, and entrepreneurial activities,
- places through creating quality affordable housing and other place-making activities such as commercial corridor development,
- and opportunities through connecting communities to resources, other organizations, and each other.

LINC brings equitable results across neighborhoods and increased opportunities in the communities that it serves.



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Grand Rapids, MI 49507
p: 616.451.9140 f: 616.451.0615
www.lincrev.org

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community | equip **people** to
lead | promote healthy and
growing commercial districts |



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community revitalization inc.

invest in core infrastructure
improvements in **places** that
need them most | expand
opportunities | assist
families in asset and wealth
creation | build quality homes |
connect and **LINC Up** today

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION

RESOLUTION NO. _____

At a Regular meeting of the City Council
(Regular or Special) (Township Board, City or Village Council)

called to order by Mayor Poll on May 6, 2013 at 7:00 P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request from:

Latyn Rhythm Entertainment, LLC for a new Class C licensed business to be located at 1260 Twenty Eighth Street SW, Wyoming 49509, Kent County

be considered for _____ **“above all others”**
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or not Recommended)

State of Michigan)

County of Kent)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the Wyoming City Council at a Regular
(Township Board, City or Village Council) (Regular or Special)

meeting held on May 6, 2013
(Date)

SEAL

(Signed) _____
(Township, City or Village Clerk)

Heidi A. Isakson, City Clerk
City of Wyoming, Michigan
1155 28th Street SW
Wyoming, MI 49509-0905

Resolution No. _____

MEMORANDUM
City of Wyoming, Michigan

TO : Curtis L. Holt, City Manager

cc: Barbara VanDuren, Deputy City Manager
Jack Sluiter, City Attorney

FROM: Heidi A. Isakson, City Clerk

DATE: May 1, 2013

RE: Application for Class C Liquor License
Latyn Rhythm Entertainment LLC, 1260 28th Street SW

Latyn Rhythm Entertainment LLC has applied for a Class C liquor license for a proposed new business at 1260 28th Street SW.

A review of the application was requested from the Police Department, Treasurer and Chief Building Official. Chief Carmody has approved the applicant, and Treasurer Andrea Boot indicates the applicant is not in arrears. Chief Building Official James DeLange has provided information that indicates the applicant location does not meet the minimum requirements of the ordinance.

A comparison of the ordinance requirements against the application indicates two areas where the business does not meet the minimum requirements:

- The ordinance requires minimum seating for 150 persons with 15 square feet per person. A request for a waiver of Section 14-179(2)(b) from the applicant's attorney indicates they will have seating for 100 persons. The review from the Chief Building Official cites seating for 93 persons.
- The ordinance requires that the kitchen area be 50% of the dining area, but the application indicates a kitchen area of 40% of the dining. The applicant has also requested a waiver of this section.

I have drafted a resolution in the required Liquor Control Commission format, but have left blank whether to recommend "Approval" or "Disapproval". The Councilmember making the motion should state which motion they wish to make. I have also prepared a resolution with the required waivers, should the Council vote to recommend approval. They can take up this resolution if the liquor license is recommended for approval.

For additional information and reference, I reviewed the past three years of Council action on requested waivers of the liquor license restaurant requirements:

10/01/2012	Kuzzin's Inc, 3766 S. Division Avenue, was approved for a change from Tavern to Class C for an existing non-conforming bar.	
	<u>Required:</u>	<u>Approved Waivers:</u>
	Gross Building sq. ft. 3500	2219 sq. ft.
	Total seating at 15 sq. ft./person – 150	108

10/17/2011	Sports Center Café, 3957 56 th street <u>Required:</u> Gross Building sq. ft. 3500 Total seating at 15 sq. ft./person – 150 Kitchen 50% of dining sq. ft.	<u>Approved Waivers:</u> 2250 sq. ft. 90 39%
06/20/2011	Jet’s Pizza at Roger’s Plaza – Denied a request for gross sq. ft. 2762, and total seating at 15 sq. ft./person – 57	
03/21/2011	Manjit Multana (India Town), 3760 S. Division – Denied a request for gross sq. ft. 2816 and 24% kitchen sq. footage	
09/20/2010	Trigo Pizza, 700 44 th Street <u>Required:</u> Total seating at 15 sq. ft./person – 150	<u>Approved Waiver:</u> 116
02/15/2010	Lindo Mexico, 1292 28 th Street SW <u>Required:</u> Total seating at 15 sq. ft./person – 150	<u>Approved Waiver:</u> 122

GRAND RAPIDS LAW GROUP

Elizabeth Reyes
Christopher J. Acklin
Daisy Benavidez

1779 28th St. SW, Wyoming, MI 49509
Ph. 616-530-0101 • Fax 616-777-5232
www.grandrapidslawgroup.com

February 27th, 2013

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

Along with this letter, please find the application for a Class C Liquor License for Latyn Rhythm Entertainment, LLC. The location of such license will be at 1260 28th St SW, Wyoming, MI.

Latyn Rhythm, Entertainment, LLC will be opening up a Mexican and Caribbean Grill and Sports Bar under a DBA that is yet to be determined. The intention of Latyn Rhythm is to provide the City of Wyoming with a family friendly, Hispanic-sports themed restaurant.

Presently, although the City of Wyoming does have Hispanic-themed restaurants, Latyn Rhythm Entertainment, LLC would like to offer the residents of Wyoming a wider variety of food than is typically served in other Hispanic-themed restaurants. Our proposed site is well-located to further the plans of the City of Wyoming to revitalize 28th St.. In addition, we are investing over \$25,000 in restaurant equipment to accommodate the patrons and the menu, and will be providing increased jobs, as well as more tax revenue for the City of Wyoming.

We are requesting the following two variances of Section 14-179 (b) and (d), in order to meet the City of Wyoming's Criteria:

- b. Requires minimum seating capacity of 150 measured at 15 sq ft per person. The proposed dining area will be 1500 sq ft = 100 persons. The seating capacity would be under the requirement. The space currently has a seating capacity of 90 persons. However, our proposed plan would expand the current allotted dining area to accommodate 100 persons.

- d. Requires combined kitchen and storage areas to be equal to or greater than 50% of dining areas. The kitchen area will be 40% of dining area. See diagram attached.

We believe that this plan for the opening of a new Mexican and Caribbean Sports Bar and Grill will not only be an asset to the City of Wyoming, but will also add to the economy. Allowing the opening of our proposed location will permit residents to have a wider variety of cuisine to choose from within the City of Wyoming, and will help save those same patrons from having to go to other neighboring cities to find the same cuisine and experience.

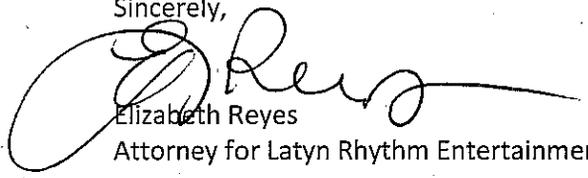
As a resident of Wyoming, the owner of Latyn Rhythm entertainment, LLC would like to open his business within the city and remain a part of the city for many years to come. Additionally, plans are in place to ensure that our proposed location has a family friendly atmosphere, and to not place any additional burden on the City of Wyoming's infrastructure.

GRIG GRAND RAPIDS LAW GROUP

Elizabeth Reyes
Christopher J. Acklin
Daisy Benavidez

1779 28th St. SW, Wyoming, MI 49509
Ph. 616-530-0101 • Fax 616-777-5232
www.grandrapidslawgroup.com

Sincerely,



Elizabeth Reyes
Attorney for Latyn Rhythm Entertainment, LLC.

Cc: Andy Rosario, Member of LRE

CITY OF WYOMING, MICHIGAN
APPLICATION FOR LIQUOR LICENSE

APPLICANT: <u>Latyn Rhythm Entertainment, LLC</u>		<input checked="" type="checkbox"/> SOLE PROPRIETOR <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION
BUSINESS ADDRESS: <u>5433 Sand Dune Ct S.W.</u> <u>Wyoming, MI 49519</u>		TELEPHONE: <u>616-325-3271</u> FAX: _____
LICENSE REQUESTED: <input type="checkbox"/> TAVERN <input checked="" type="checkbox"/> CLASS C <input type="checkbox"/> CLASS B HOTEL		LOCATION OF THE PROPOSED BUSINESS: <u>1260 28th st sw</u> <u>Wyoming, MI 49518</u>
WILL THE PROPOSED BUSINESS OCCUPY A(N): <input checked="" type="checkbox"/> EXISTING BUILDING <input type="checkbox"/> NEW BUILDING		DO YOU: <input type="checkbox"/> OWN BUILDING <input checked="" type="checkbox"/> LEASE BUILDING
ARE FURNITURE & FIXTURES: <input checked="" type="checkbox"/> OWNED <input type="checkbox"/> LEASED		BUILDING OWNER: <u>Meyer C. Weiner Co.</u> <u>700 Mall Drive, Portage, MI 49024</u>
FURNITURE & FIXTURE OWNER: <u>Andy Rosario</u>		
NAME OF PERSON RESPONSIBLE FOR DAILY OPERATION OF BUSINESS: <u>Andy Rosario-member</u>		
NAME OF BANK FOR BUSINESS ACCOUNT:		
FIRM, ACCOUNTANT OR PERSON RESPONSIBLE FOR FINANCIAL RECORDS: NAME: <u>Unico Income Tax</u> ADDRESS: <u>2733 De Hoop Ave, Wyoming, MI 49509</u>		
NAME OF PERSON COMPLETING APPLICATION: <u>Elizabeth Reyes</u>		TITLE OF PERSON COMPLETING APPLICATION: <u>Attorney for Latyn Rhythm</u>
SIGNATURE: <u>[Signature]</u>		DATE: <u>2/5/13</u>

ATTACH:

1. A SCALED DRAWING WHICH SHOWS THE TOTAL SQUARE FOOTAGE, DINING SQUARE FOOTAGE, KITCHEN SQUARE FOOTAGE, TOTAL TABLE SEATING, AND TOTAL COUNTER SEATING.
2. A PERSONAL INFORMATION SHEET FOR EACH OWNER, PARTNER, CORPORATE OFFICER OR MANAGER.
3. APPLICATION FEE OF \$300 PAYABLE TO THE CITY OF WYOMING.

2/28/13 \$300 due roud 2/28/13

COPY AND COMPLETE THIS PAGE FOR EACH OWNER, PARTNER, CORPORATE OFFICER OR MANAGER

NAME: <u>Andy Rosario</u>	TITLE: <u>Member</u>
RESIDENT ADDRESS: <u>5433 Sand Dune Ct S.W. Wyoming, MI 49418</u>	PHONE: <u>616-325-3271</u>
SOCIAL SECURITY NUMBER:	DATE OF BIRTH: <u>-1979</u>
RESIDENT OF THE STATE OF MICHIGAN? <input checked="" type="checkbox"/> YES <u>13</u> YEARS <input type="checkbox"/> NO	
Describe similar business ventures or related experience: <u>El loco hungry take out (mobile unit)</u>	
Do you, a member of your family or your corporation hold a license for the sale of alcoholic beverages at the present time: <input type="checkbox"/> Yes - List type and location of each <input checked="" type="checkbox"/> No	
Have you, a member of your family or your corporation previously held a license for the sale of alcoholic beverages in the State of Michigan? <input checked="" type="checkbox"/> Yes - List type and location of each - <u>Grand Rapids, Michigan but transfer never finalized</u> <input type="checkbox"/> No	
Have you ever been convicted of any criminal act? <input type="checkbox"/> Yes - describe state, county and date of conviction <input checked="" type="checkbox"/> No	

I hereby authorize City officials to investigate any or all information supplied, related to, or implied by this application. I further authorize City officials to secure additional information necessary to complete this application. I understand that this information will be considered by the Wyoming City Council in review of this application, and that the information contained herein may be subject to public disclosure under the Freedom of Information Act.

Signature of owner, partner, corporate officer or manager: X [Signature] HEIDI A. ISAKSON

Notary Public, Muskegon County, Michigan
 My Commission Expires September 11, 2017

State of Michigan
Kent County

Subscribed and sworn to before me on this 11th day of February, 2013

x [Signature]
 Signature of Notary
Heidi A. Isakson
 Printed Name

My commission expires: 9-11-2017

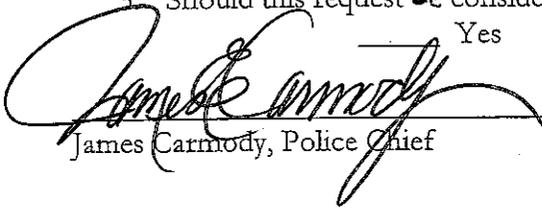
LIQUOR LICENSE APPLICATION - DEPARTMENT REVIEW

APPLICANT(S):	PROPOSED LICENSE LOCATION:
LATYN RHYTHM ENTERTAINMENT LLC	1260 28 TH STREET SW
LICENSE TYPE: CLASS C	

POLICE DEPARTMENT

I have investigated the application and the applicant(s) listed above and make the following recommendation as provided in Section 14-182 of the City Code.

1. Is the applicant qualified to conduct this business in the City of Wyoming if licensed?
 Yes No
2. Is the proposed location satisfactory for this business?
 Yes No
3. Should this request be considered for approval by the City Council?
 Yes No


James Carmody, Police Chief

Date: 3/12/12

CITY TREASURER

I have reviewed the financial records of the City of Wyoming as provided in Section 14-182 of the City Code and find the application(s) are in good standing with the City.

Yes No

The applicant(s) have the following outstanding obligations with the City of Wyoming (list)

Andrea Boot, Treasurer

Date: _____

BUILDING INSPECTOR

I have inspected the location of the proposed liquor license or reviewed plans for the proposed location and have determined that the location IS _____ IS NOT _____ in compliance with Section 14-177 through 14-179 of the City Code.

James DeLange, Chief Building Inspector

Date: _____

LIQUOR LICENSE APPLICATION - DEPARTMENT REVIEW

APPLICANT(S):	PROPOSED LICENSE LOCATION:
LATYN RHYTHM ENTERTAINMENT LLC	1260 28 TH STREET SW
LICENSE TYPE: CLASS C	

POLICE DEPARTMENT

I have investigated the application and the applicant(s) listed above and make the following recommendation as provided in Section 14-182 of the City Code.

1. Is the applicant qualified to conduct this business in the City of Wyoming if licensed?
 _____ Yes _____ No
2. Is the proposed location satisfactory for this business?
 _____ Yes _____ No
3. Should this request be considered for approval by the City Council?
 _____ Yes _____ No

_____ Date: _____
 James Carmody, Police Chief

CITY TREASURER

I have reviewed the financial records of the City of Wyoming as provided in Section 14-182 of the City Code and find the application(s) are in good standing with the City.

_____ Yes _____ No

The applicant(s) have the following outstanding obligations with the City of Wyoming (list)

water bill at personal address
acc # 520868-003 \$107.70 due 3/4/2013 3/07/13

Andrea Boot _____ Date: 3/4/13
 Andrea Boot, Treasurer

BUILDING INSPECTOR

I have inspected the location of the proposed liquor license or reviewed plans for the proposed location and have determined that the location IS _____ IS NOT _____ in compliance with Section 14-177 through 14-179 of the City Code.

_____ Date: _____
 James DeLange, Chief Building Inspector

LIQUOR LICENSE APPLICATION - DEPARTMENT REVIEW

APPLICANT(S):	PROPOSED LICENSE LOCATION:
LATYN RHYTHM ENTERTAINMENT LLC	1260 28 TH STREET SW
LICENSE TYPE: CLASS C	

POLICE DEPARTMENT

I have investigated the application and the applicant(s) listed above and make the following recommendation as provided in Section 14-182 of the City Code.

1. Is the applicant qualified to conduct this business in the City of Wyoming if licensed?
_____ Yes _____ No
2. Is the proposed location satisfactory for this business?
_____ Yes _____ No
3. Should this request be considered for approval by the City Council?
_____ Yes _____ No

_____ Date: _____
James Carmody, Police Chief

CITY TREASURER

I have reviewed the financial records of the City of Wyoming as provided in Section 14-182 of the City Code and find the application(s) are in good standing with the City.

_____ Yes _____ No

The applicant(s) have the following outstanding obligations with the City of Wyoming (list)

_____ Date: _____
Andrea Boot, Treasurer

BUILDING INSPECTOR

I have inspected the location of the proposed liquor license or reviewed plans for the proposed location and have determined that the location IS _____ IS NOT in compliance with Section 14-177 through 14-179, of the City Code. *see email.*

James W. DeLange Date: 3/6/13
James DeLange, Chief Building Inspector

Isakson, Heidi

From: Delange, Jim
Sent: Monday, April 15, 2013 1:18 PM
To: Isakson, Heidi
Cc: Austin, Bob; Rynbrandt, Becky; Bailey, Robert; Dalga, Ken; Hoekwater, Bob; Houghtalin, Jack; Keppel, Jeff; Payne, Jerry; Rupert, Dave; VanderLaan, Tom
Subject: El Patio Mexican Bar & Grill, 1798-28th St SW, Class C review

Hello Heidi

We have completed our review of the above referenced floor plan related to thier Class C liquor license request. The floor plan submitted requires waivers by the City Council in the following areas:

Note---City Code 14-179 (2) (a) requires a minimum building gross floor area of 3,500 sq. ft. The proposed floor plan has a gross area 4,043 sq. ft. which technically complys. However, the revised floor plan submitted now includes a large 731 sq. ft. standalone 'storage room' located off of the larger dining room. The previous floor plan showed this as being used for additional dining area. The additional capacity then resulted in an occupant load of 145 which would have required a sprinkler system. And additional restroom fixtures. The owner / tenant did not desire to incur those expenses so the room designation was changed to 'storage'. That results in a total occupant load of 98 which is just below the threshold of 100 persons which is the trigger for fire suppression. This point is made in order that should Council approve other variance(s) related to the Class C request, it is made very clear to the applicant that occupancy of the total building gross space may not exceed a calculated 98.

One variance is needed from 14-179 (2) (b) which requires seating a minimum seating capacity of 150 persons in the dining area. The proposed dining area capacity is 93 (85 +8 bar sets=93).

James W. De Lange
Chief Building Official
City of Wyoming, MI.
616-530-7292
delangej@wyomingmi.gov

RESOLUTION NO. _____

A RESOLUTION TO WAIVE CERTAIN REQUIREMENTS OF
THE CODE OF THE CITY OF WYOMING
FOR LATYN RHYTHM ENTERTAINMENT LLC IN
APPLICATION FOR A CLASS C LIQUOR LICENSE

WHEREAS:

1. Latyn Rhythm Entertainment LLC has made application for a new Class C licensed business at 1260 28th Street SW, in the City of Wyoming.
2. Section 14-179(2)(b) of the Code of Ordinances requires that a restaurant with a liquor license provide a minimum seating of 150 persons at 15 square feet per person.
3. Section 14-179(2)(d) of the Code of Ordinances requires that a restaurant with a liquor license have a kitchen area equal to 50% of the dining area.
4. Section 14-179(5) of the Code of Ordinances provides that City Council may waive any of the conditions in Section 14-179 if it is in the best interest of the City.
5. The applicant Latyn Rhythm Entertainment LLC has requested a waiver of Sections 14-179(2)(b) and (d) of the Code of the City of Wyoming in its application for a new Class C liquor license;

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council determines that waiving the requirements of Sections 14-179(2)(b) and (d) will benefit the applicant, help create a viable business in the City, and is in the best interest of the City.
2. Sections 14-179(2)(a), (b) and (d) are hereby waived for the purposes of approving an application for a new Class C liquor license for Latyn Rhythm Entertainment LLC at 1260 28th Street SW, Wyoming, Kent County, Michigan.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

Heidi A. Isakson, Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO
EXECUTE AN AGREEMENT WITH THE MICHIGAN DEPARTMENT OF
TRANSPORTATION FOR CONCRETE OVERLAY WORK ON
KENOWA AVENUE BRIDGE OVER I-196

WHEREAS:

1. The Michigan Department of Transportation (MDOT) proposes to perform concrete overlay work on the Kenowa Avenue bridge over I-196 in the City of Wyoming in the summer of 2013.
2. The project includes replacing sections of the concrete deck surface along with other necessary related work on the structure over I-196.
3. MDOT has prepared the attached City-State Agreement for the project, identifying the costs and obligations of each respective party.
4. The City's share of the project is estimated to be \$3,100 and can be financed out of the Capital Improvement Program, but a budget amendment is necessary.

NOW, THEREFORE, BE IT RESOLVED:

1. The Major and City Clerk are hereby authorized to execute the attached City-State Agreement with MDOT for concrete overlay work on Kenowa Avenue bridge over I-196.
2. The attached budget amendment is approved.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENTS: City-State Agreement
 Budget Amendment

CITY OF WYOMING BUDGET AMENDMENT

Date: May 6, 2013

Budget Amendment No. 040

To the Wyoming City Council:

A budget amendment is requested for the following reason: To appropriate \$3,500 of budgetary authority to provide funding for the City's share of Concrete Overlay Work on Kenowa Avenue Bridge Over I-196 per attached resolution.

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
<u>Capital Improvement Fund</u>				
Public Works - Major Street Construction - Capital Outlay 2013CP.Kenowa I-196 Bridge Concrete Overlay 400-441-50200-972.502 2013CP.Kenowa196	\$0	\$3,500		\$3,500
Fund Balance/Working Capital (Fund 400)				\$3,500

Recommended: 
Finance Director


City Manager

Motion by Councilmember _____, seconded by Councilmember _____ that the General Appropriations Act for Fiscal Year 2012-2013 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

FEDERAL AID PROGRESS PAYMENT

DA
Control Section IM 41029
Job Number 109755A; 109755D
Federal Project IM 1341(330);
BHI 1041(077)
Federal Item KK 3140; KK 2451
Contract 13-5078

THIS CONTRACT is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF WYOMING, a Michigan municipal corporation, hereinafter referred to as the "CITY"; for the purpose of fixing the rights and obligations of the parties in agreeing to construction improvements located within the corporate limits of the CITY.

WITNESSETH:

WHEREAS, the parties hereto anticipate that payments by them and contributions by agencies of the Federal Government or other sources will be sufficient to pay the cost of construction or reconstruction of that which is hereinafter referred to as the "PROJECT" and which is located and described as follows:

Concrete overlay work on portions of Structure S20 of 41029 which carries Kenowa Avenue over Highway I-196; together with necessary related work, located within the corporate limits of the CITY; and

WHEREAS, the DEPARTMENT presently estimates the PROJECT COST as hereinafter defined in Section 1 to be: \$247,300; and

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The CITY hereby consents to the designation of the PROJECT as a state trunkline highway. The parties shall undertake and complete the construction of the PROJECT as a state trunkline highway in accordance with this contract. The term "PROJECT COST", as herein used, is hereby defined as the cost of construction or reconstruction of the PROJECT including the costs of preliminary engineering (PE), plans and specifications; acquisition costs of the property for rights of way, including interest on awards, attorney fees and court costs; physical construction necessary for the completion of the PROJECT as determined by the

DEPARTMENT; and construction engineering (CE), legal, appraisal, financing, and any and all other expenses in connection with any of the above.

2. The cost of alteration, reconstruction and relocation, including plans thereof, of certain publicly owned facilities and utilities which may be required for the construction of the PROJECT, shall be included in the PROJECT COST; provided, however, that any part of such cost determined by the DEPARTMENT, prior to the commencement of the work, to constitute a betterment to such facility or utility, shall be borne wholly by the owner thereof.

3. The CITY shall make available to the PROJECT, at no cost, all lands required thereof, now owned by it or under its control for purpose of completing said PROJECT. The CITY shall approve all plans and specifications to be used on that portion of this PROJECT that are within the right of way which is owned or controlled by the CITY. That portion of the PROJECT which lies within the right of way under the control or ownership by the CITY shall become part of the CITY facility upon completion and acceptance of the PROJECT and shall be maintained by the CITY in accordance with standard practice at no cost to the DEPARTMENT. The DEPARTMENT assumes no jurisdiction of CITY right of way before, during or after completion and acceptance of the PROJECT.

4. The parties will continue to make available, without cost, their sewer and drainage structures and facilities for the drainage of the PROJECT.

5. The PROJECT COST shall be met in part by contributions from agencies of the Federal Government. The balance of the PROJECT COST shall be charged to and paid by the DEPARTMENT and the CITY in the following proportions and in the manner and at the times hereinafter set forth:

DEPARTMENT -	87.5%
CITY -	12.5%

The PROJECT COST and the respective shares of the parties, after Federal-aid, is estimated to be as follows:

	TOTAL ESTIMATED <u>COST</u>	FEDERAL <u>AID</u>	BALANCE AFTER <u>FEDERAL AID</u>	DEPT'S <u>SHARE</u>	CITY'S <u>SHARE</u>
Constr. & CE	\$217,900	\$196,100	\$21,800	\$19,100	\$2,700
PE	\$29,400	\$26,400	\$3,000	\$2,600	\$400
TOTAL	\$247,300	\$222,500	\$24,800	\$21,700	\$3,100

The PE costs will be apportioned in the same ratio as the actual construction award and the CE costs will be apportioned in the same ratio as the actual direct construction costs.

Participation, if any, by the CITY in the acquisition of trunkline right-of-way shall be in accordance with 1951 P.A. 51 Subsection 1d, MCL 247.651d. An amount equivalent to the federal highway funds for acquisition of right-of-way, as would have been available if application had been made thereof and approved by the Federal government, shall be deducted from the total PROJECT COST prior to determining the CITY'S share. Such deduction will be established from the applicable Federal-Aid matching ratio current at the time of acquisition.

6. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT. The DEPARTMENT may submit progress billings to the CITY on a monthly basis for the CITY'S share of the cost of work performed to date, less all payments previously made by the CITY. No monthly billings of a lesser amount than \$1,000 shall be made unless it is a final or end of fiscal year billing. All billings will be labeled either "Progress Bill Number _____", or "Final Billing". Upon completion of the PROJECT, payment of all items of PROJECT COST and receipt of all Federal Aid, the DEPARTMENT shall make a final billing and accounting to the CITY.

7. In order to fulfill the obligations assumed by the CITY under the provisions of this contract, the CITY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. The CITY shall be billed for their share of the preliminary engineering costs upon award of the PROJECT. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the CITY will be based upon the CITY'S share of the actual costs incurred less Federal Aid earned as the work on the PROJECT progresses.

8. Pursuant to the authority granted by law, the CITY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its required payments as specified herein.

9. If the CITY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the CITY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such moneys thereafter allocated by law to the CITY from the Michigan transportation Fund sufficient moneys to remove the default, and to credit the CITY with payment thereof, and to notify the CITY in writing of such fact.

10. The DEPARTMENT shall secure from the Federal Government approval of plans, specifications, and such cost estimates as may be required for the completion of the PROJECT; and shall take all necessary steps to qualify for Federal Aid such costs of acquisition of rights of way, construction, and reconstruction, including cost of surveys, design, construction engineering, and inspection for the PROJECT as deemed appropriate. The DEPARTMENT may elect not to apply for Federal Aid for portions of the PROJECT COST.

11. This contract is not intended to increase or decrease either party's liability, or immunity from, tort claims.

12. All of the PROJECT work shall be done by the DEPARTMENT.

13. In connection with the performance of the PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

14. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the CITY and for the DEPARTMENT; upon the adoption of a resolution approving said contract and authorizing the signatures thereto of the respective officials of the CITY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

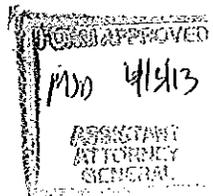
CITY OF WYOMING

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:



APPROVED AS TO FORM:
Jack Shoate

APPROVED BY
Robert Whaley

Administrator
Real Estate
for Matt DeLong
Date 4-4-13

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE PAYMENT FOR
REPAIRS TO THE ROYS CREEK DRAIN

WHEREAS:

1. The Kent County Drain Commission operates a storm drain system throughout the county and the City of Wyoming is responsible for costs to maintain the system within the city.
2. A storm drain connected to Roys Creek was discovered in late November 2012 to have failed.
3. The storm drain failure lead to the partial obstruction of the Roys Creek flow channel.
4. The Kent County Drain Commission repaired the damaged storm drain for \$40,234.12.
5. The costs of the repairs will be charged equally to the Major Street Fund and Local Street Fund.
6. Insufficient funds are available in the Major Street, Maintenance account, 202-441-46300-930000, and the Local Street, Maintenance account, 203-441-46300-930000.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council authorizes the payment of \$40,234.12 to the Kent County Drain Commission.
2. A budget amendment of \$20,117.06 from the Major Street Fund to the Major Street Maintenance account, 202-441-46300-930000.
3. A budget amendment of \$20,117.06 from the Local Street Fund to the Local Street Maintenance account, 203-441-46300-930000.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENTS:

Staff Report

Invoice, Kent County Drain Commission

CITY OF WYOMING BUDGET AMENDMENT

Date: May 6, 2013

Budget Amendment No. 04 1

To the Wyoming City Council:

A budget amendment is requested for the following reason: To appropriate \$40,240 of budgetary authority to provide funding for Repairs to the Roys Creek Drain 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 Maintenance - Repairs and Maintenance 202-441-46300-930.000	\$40,370	\$20,120		\$60,490
Fund Balance/Working Capital (Fund 202)			\$20,120	
<u>Local Streets Fund</u>				
Public Works - Street Maintenance - Repairs and Maintenance 203-441-46300-930.000	\$51,120	\$20,120		\$71,240
Fund Balance/Working Capital (Fund 203)			\$20,120	

Recommended: 
Finance Director


City Manager

Motion by Councilmember _____, seconded by Councilmember _____
that the General Appropriations Act for Fiscal Year 2012-2013 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

STAFF REPORT

DATE: April 11, 2013
SUBJECT: Authorization to pay for Storm Drain Repair
FROM: W. Scott Zastrow, Assistant Director of Public Works
Date of Meeting: May 6, 2013

RECOMMENDATION

It is recommended that the City Council authorize payment of \$40,234.12 to the Kent County Drain Commission for the repair of a storm drain and a portion of Roys Creek.

SUSTAINABILITY CRITERIA

Environmental Quality

The Public Works Department is ardently involved in the protection of Michigan's natural resources and the public's health and welfare. In the endeavor to protect the environment, the City repairs the storm drain system in cooperation with the Kent County Drain Commission.

Social Equity

The repair of the storm drain system within the City provides the same high quality service to all residents without regard to income level or socio-economic status. All of the City's residents enjoy equal access to the benefits of the City's storm drain system.

Economic Strength

Repairing the storm drain system insures the City's economic vitality and preserves the aesthetics of the City. The City's storm drain system is a vital economic resource.

DISCUSSION

In late November 2012, a portion of the storm drain system connected to Roys Creek was found to have failed. The failure led to a portion of an embankment adjacent to Prairie Parkway to collapse. The embankment collapsed into the flow channel of Roys Creek. Because the storm drain failed and caused the embankment to collapse, the Kent County Drain Commission repaired the storm drain and embankment, and restored the Roys Creek flow channel.

The repair of the storm drain, embankment, and flow channel was a cooperative effort between the City and the Kent County Drain Commission. The Drain Commission took the lead in the repair by hiring a contractor to complete the repair. The City provided the design and as-built drawings. The work was completed by Velting Contractors in March 2013. With the completion of the repairs, the City needs to reimburse the Kent County Drain Commission.

BUDGET IMPACT

The cost of the repair is \$40,234.12. The cost of the repair and improvements will be split between the Major Street Funds, 202-441-46300-930000, and the Local Street Funds, 203-441-46300-930000. Additionally, a budget amendment will be necessary to transfer the funds from the Fund Balance to the appropriate funds.

RESOLUTION NO. _____

RESOLUTION TO ACCEPT A QUOTATION
FOR THE PURCHASE OF TWO PORTABLE MESSAGE BOARD TRAILERS

WHEREAS:

1. The State of Michigan Office of Highway Safety Planning (OHSP) provides grant funds to units of local government designated for overtime patrols to enforce safety restraint and operating while intoxicated violations.
2. As detailed in the attached Staff Report, this enforcement includes scheduling and providing portable messaging boards from local vendors on an "as needed" basis.
3. The OHSP has found that outright purchases of the portable message boards is more cost effective and has allowed a transfer of funds from overtime to equipment.
4. It is recommended the City Council authorize the purchase of two portable message board trailers from the low quotation received from Give 'Em A Brake Safety in the total amount of \$24,910.00.
5. Funds for the purchase are available with the OHSP Strategic Traffic Enforcement Grant.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby accept the quotation from Give 'Em A Break Safety for the purchase of two portable message board trailers in the amount of \$24,910.00.
2. The Wyoming City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

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

ATTACHMENTS:
Staff Report
Quotations

Heidi A. Isakson, Wyoming City Clerk

Resolution No. _____

Interdepartmental Correspondence

TO: James E. Carmody, Chief of Police
FROM: Sgt. Mark Easterly
DATE: April 26, 2013
SUBJECT: Strategic Traffic Enforcement Program Grant Equipment Purchase



Administrative Services

Over the past eleven (11) years the City of Wyoming Police Department has participated with the State of Michigan Office of Highway Safety Planning (OHSP) to bring strategic traffic enforcement grant programs to Kent County. The Wyoming Police Department has served as the host agency and fiduciary for the grant program that entire time.

Our department, along with many of other law enforcement agencies within the county complete safety belt and Operating While Intoxicated enforcement patrols. Part of this enforcement activity is High Visibility OWI Enforcement (HVE). The OHSP was scheduling and providing the portable messaging boards from local vendors throughout the State for each county on an "as needed" basis. This proved to be very expensive and a time consuming endeavor. The OHSP cost out the on-demand versus purchase of the portable message boards and found that the outright purchase was more cost effective and less time consuming for all.

This year the OHSP has allowed a \$26,996 grant transfer from overtime wages / fringes to equipment to allow the purchase of two (2) portable message board trailers. A copy of the approved grant budget revision is attached and was dated March 29, 2013, from the OHSP financial management section chief. The grant revision has been processed by the City of Wyoming Accounting Department administratively and the funds are now ready to be expended.

We would like to propose the purchase of two of the following:

Solar Tech Silent Messenger IV trailer mount portable changeable message board. Full matrix, 32 X 72 19mm amber display. 30" X 60" display panel, 85 watt solar panel, 2 each standard batteries, 45 amp on board battery charger, with a 2" ball hitch.

The Holland Department of Public Safety has already purchased these exact messaging boards and find them a good value for the money, dependable, highly transportable, and with the capability of changeable messages they have utilized the boards for the aforementioned High Visibility Enforcement activity, but also for serious and fatal crash scenes, temporary road closures, parades and festivals. We too can see many uses for the portable message boards above the HVE patrols. We envision utilizing them for the Metro Cruise, National Night Out, and crash scenes. They would have also been perfect for the latest flood event within the city.

We have received two quotes for the portable messaging boards and would recommend the purchase to be from Give 'Em A Brake Safety, which happens to be a local company.

Total cost for two portable messaging boards is: \$24,910

READ AND APPROVED
A handwritten signature in black ink, appearing to read "J. E. Carmody", is written over a horizontal line. The signature is written in a cursive style.

Approved Budget - Revised	FISCAL YEAR: 2013
PROJECT TITLE: Strategic Traffic Enforcement Program	GRANT NUMBER: PT-13-05
APPLICANT: Wyoming Police Department	APPROVED GRANT PERIOD: 10/8/12 through 09/30/2013
PROJECT DIRECTOR AND ADDRESS: Sgt. Mark Easterly Wyoming Police Department 2300 Dehoop SW Wyoming, Michigan 49509	REVISION NUMBER: #1
	Forward Copies to: Mr. Tim Smith Mr. Curtis Holt

The Michigan Office of Highway Safety Planning has approved the following revision(s) to the above referenced grant. All requirements, conditions and due dates of the original grant remain in effect.

- \$26,996 was transferred from Personnel Costs to Equipment to support the purchase of a portable message trailer. The net reduction in Personnel Costs was split among several sub-agencies.

FUNDING BREAKDOWN

FUND TYPE-CFDA #	PAP	TASK	FEDERAL FUNDS COMMITTED
402 - 20.600	13:03	1	\$ 265,000

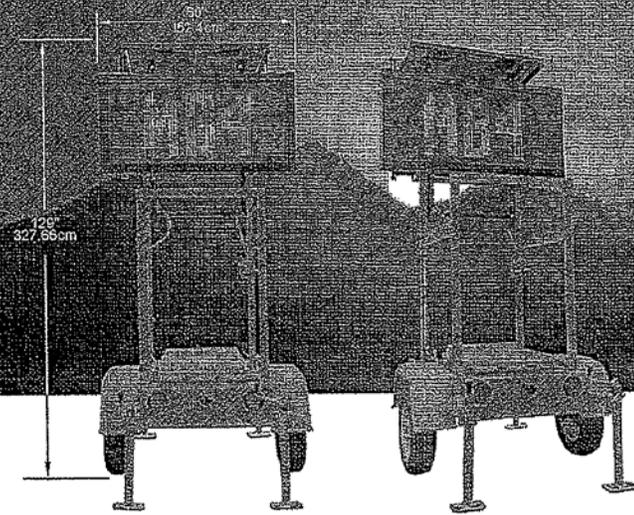
Cost Category	Previously Approved Federal Budget	Revisions	Revised Federal Budget	Non-Federal Match
Personnel	\$265,000	(\$26,996)	\$238,004	
Contractual				
Operating				
Equipment		26,996	\$26,996	
Indirect				
Total Approved Costs	\$265,000	\$0	\$265,000	

SIGNATURE <i>Kim W Kelly</i>	TITLE Financial Management Section Chief	DATE APPROVED 3/29/13
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Harness the Power of the Sun

SILENT MESSENGER IV DYNAMIC MESSAGE SIGNS



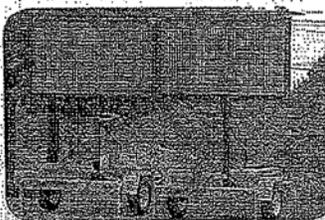
**Shown with NEW high-resolution 19mm (.75") pixel pitch display

MEGA-TECH TOUCHSCREEN CONTROLLER



- Intuitive, 10.4" LCD touch-screen GUI.
- So easy to operate that no instructions are needed!
- Multi-lingual capability allowing use throughout the world.
- Message scheduler for time and event-based messages.
- NTCIP compatibility for fast, simple integration into standard ITS installations.
- Integrated GPS receiver.
- USB thumb drive interface for fast, easy software updates (via the SolarTech website), as well as data collection with optional Radar!

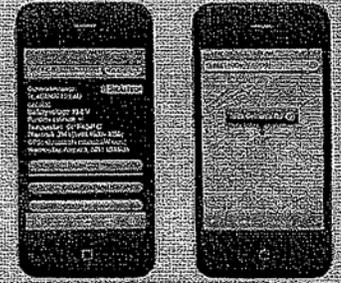
MEGA-FLUX LED DISPLAY TECHNOLOGY



Left: Standard LEDs Right: Mega-Flux LEDs
**Unaltered photograph showing 60° angularity as viewed from 30° off axis

- A patented wide-angle lens is fitted to each LED, increasing the viewing angle from 23° to 60°.
- Increased visibility at wider angles results in longer viewing times in speed-critical situations such as on-ramps, off-ramps, on curves and in residential use.

Smartphone Control



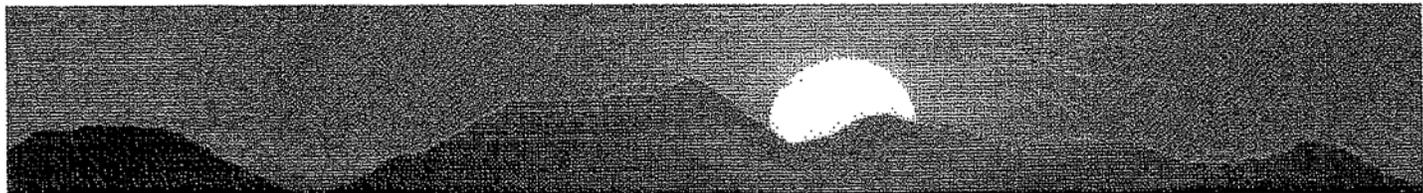
- Full control of your message board from your smartphone.
- No additional software required.
- Totally secure. IP Address, username & password required.
- Messaging, system status, geo-location and diagnostics accessible from anywhere that your smartphone works.



*Modem option required for remote access.

SOLAR TECHNOLOGY, INC.
www.solartech.com

(800) 475-5442
(610) 391-8600 (outside US)



MESSAGE PANEL

Panel Size	60" W x 30" H (152 cm W x 76 cm H) 78" W x 30" H (198 cm W x 76 cm H) 78" W x 33" H (198 cm W x 84 cm H)
Panel Construction	All aluminum, modular construction
Pixel Size	1.5" x 1.5" (38mm x 38mm) 0.75" x 0.75" (19mm x 19mm)
Matrix Size	16 x 36 pixels - 38mm/60" x 30" panel 16 x 48 pixels - 38mm/78" x 30" panel 18 x 48 pixels - 38mm/78" x 33" panel 32 x 72 pixels - 19mm/60" x 30" panel 32 x 96 pixels - 19mm/78" x 30" panel
Characters per Line	9 max. for 38mm/60" W panel 12 max. for 38mm/78" W panel 18 max. for 19mm/60" W panel 24 max. for 19mm/78" W panel
Number of Lines	Up to: (2) for 38mm or (4) for 19mm
Number of Fonts	Twelve (12)
Character Height	7.5 to 24 in. (19 cm to 76 cm) - 38mm 3.75 to 24 in. (9.5 cm to 76 cm) - 19mm
Graphics Capability	Full-Matrix with Animation
Display Technology	LED (Amber, 592 nm)
Display Life Expectancy	10 years typical
Lifting Mechanism	1,000 lb. capacity winch & cable
Viewing Angle	23° horizontal (minimum)
Sign Panel Height (Operating).....	7 ft (214cm) to bottom of sign panel

PHYSICAL

Length Overall	117" (298 cm) - Towing 75" (191 cm) - Deployed/Storage
Width Overall	60" (152cm) or 78" (198 cm)
Width Across Fenders	56" (142 cm)
Height Traveling	90" (229 cm)
Height Operating	129" (328 cm)
Ground Clearance	13" (33 cm) min.
Weight	1,100 lbs. (500 kg) approx. (max)
Coupler (Class III)	2" (5.1 cm) ball or 2-1/2" (6.4 cm) pintle ring
Axle/Suspension	Torq-Flex - independent

ENERGY SOURCE

Operating Voltage	12 Volts DC (nominal)
Battery Type	6-Volt Heavy Duty, Deep Cycle (GC-2)
Number of Batteries	Two (2)
w/Aux. Battery Pack	Four (4)
Battery Bank Capacity	260 Amp Hours
w/Aux. Battery Pack	520 Amp Hours
Battery Status Indicator	Displays full-charge, normal and, low battery condition
Solar Array Construction	Top-mounted solar panels in aluminum frame
Solar Array Power Output	Standard - 80W (nominal) - 85 W (peak) 160W (nominal) - 170W (peak)
Solar Charge Controller.....	Automatic, temperature compensated
Auxiliary Automatic Battery Charger	115 VAC line-powered, 30 Amp

MEGA-TECH CONTROL CONSOLE

Console Circuitry	Ultra-low power solid state
Console Touchscreen	Waterproof, backlit, full-color GUI, intuitive icon-driven, multi-lingual
Programming Software	Proprietary, field upgradable
Message Capacity	Pre-programmed and user-programmed greater than 250 each*
Time-Date Control	Real-time clock/calendar (365-day)
Message Display Time	User-selectable (0.1 to 99 seconds)
Display Update Time	Instantaneous
Non-Volatile Memory	512MB Compact Flash
Password Protection	User-selectable, multi-level
Operator Interface	Easy-to-use icons (no manual required)
Connectivity	Networkable (wired or wireless) and NTCIP compatible (Ethernet and RS-232)

RADAR DETECTOR (optional)

Operating Frequency	24.150 GHz (K-Band)
Antenna Beamwidth	12 degrees circular
Capture Angle	16.5 degrees
Target Speed Range	5 to 199 MPH (8 to 199 KPH)
Speed Accuracy	1 MPH typical
Detection Distance	1,500 feet
Data Collection.....	Included with Statistical Analysis Package

OPTIONAL FEATURES AND UPGRADES

Radar Speed Monitor - Measure and display speed of oncoming vehicles & record traffic statistics

Wireless Remote Control - Includes antenna, cables, cellular modem and GPS receiver & antenna

Auxiliary Battery Pack - Increases energy storage capacity and autonomy

Solar Array Upgrades - Increases energy generation capacity and run-time

Auxiliary Battery Charger Upgrade - 45 Amp

Other SolarTech Products

SILENT MESSENGER

Full-Size Trailer-Mount Message Boards

SILENT MESSENGER II

Mid-Size Trailer and Vehicle Mount Message Boards

SILENT MESSENGER III

Small-Size Trailer and Vehicle Mount Message Boards

SILENT SENTINEL

Trailer and Truck Mount Arrow Boards

SILENT ADVISOR

Low and High-Speed Application Radar Speed Trailers

INCIDENT RESPONSE TRAILER

Work Zone Trailer with Cones and Barrels

SOLAR-POWERED PORTABLE TOWER TRAILER

Versatile Tower Platform for Rapid Deployment

All models meet or exceed the standards for Portable Changeable Message Signs as listed in the U.S. Federal Highway Administration (FHWA) Manual or Uniform Traffic Control Devices (MUTCD).
Specifications subject to periodic updates as required without notice.



SOLAR TECHNOLOGY, INC.
7620 Cetronia Rd. Allentown, PA 18106
Phone: 800-475-5442 ~ 610-391-8600
www.solartechtechnology.com



2610 Sanford Ave Grandville, MI 49418
Ph. 616-531-8705 / Fx. 616-531-8703
Traverse City / Marquette / Saginaw

QUOTATION

Fax

To: Sgt. Mark Easterly / Wyoming Police Dept. From: Larry Booth

E-mail: easterlym@wyoming mi.gov

Fax: 616-531-8703

Phone: 616-530-7308

Phone: 616-531-8705

Date: 03-21-13

Pages: 3

Subject: Portable Changeable Message board Sale Quote.

Good afternoon Mark. Here are the numbers you were looking for.
2 ea. Solar Tech Silent Messenger IV trailer mount portable changeable
message board, full matrix, 32 x 72 19mm amber display, 30" x 60" display
panel, 85 watt solar panel, 2 ea. standard batteries, 45 amp on board battery
charger, and 2" ball hitch. \$12,455.00 per unit.

Attached are a cut sheet and specification sheet.

Please feel free to give me a call with any questions.

Thank you very much for showing interest in our products.

\$ 24,910.00

Sincerely,

Larry Booth



SOLAR TECHNOLOGY, INC

7620 Cetrionia Road, Allentown, PA 18106
 Phone: 610-391-8600 Fax: 610-391-8601
 Internet: www.solartechnology.com

Quote

Order Number: 13-1060	Customer: 00-QQ
Order Date: 4/10/2013	WYOMING POLICE DEPARTMENT
Expire Date: 6/10/2013	ADMIN. SERVICES DIVISION
Terms: Upon Credit Approval	2300 DEHOOP SW
Customer P.O.: QUOTE	GRAND RAPIDS, MI 49509
Confirm To Ship VIA: SGT. MARK EASTERLY PREPAID & ADD	ALL PRICES IN US DOLLARS
F.O.B.: ALLENTOWN PA	Phone: 616-530-7308
Freight Terms: PREPAID & ADD	Fax:
Salesperson: STI	E-Mail: easterlym@wyomingmi.gov

Sold To:
 WYOMING POLICE DEPARTMENT
 ADMIN. SERVICES DIVISION
 2300 DEHOOP SW
 GRAND RAPIDS, MI 49509

Ship To:
 WYOMING POLICE DEPARTMENT
 ADMIN. SERVICES DIVISION
 2300 DEHOOP SW
 WYOMING, MI 49509

Item Number	Unit	Ordered	Shipped	Back Order	Price	Amount
SILENT MS 4	EA	2.00	0.00	0.00	14,390.00	\$28,780.00
SOLAR PWR FULL MATRIX PCMS Whse: 900						
32x72 Pixel 19mm Amber Display 30"x60" Case, Vertical						
80 Watt Solar Array						
2 Standard Batteries						
Battery Charger 45amp 115VAC 50/60 Hz						
2" Ball Coupler						

ACKNOWLEDGMENT - PLEASE SIGN & RETURN VIA FAX: (610)391-8601
 Please verify billing and shipping address.
 Terms & Conditions of Sale are attached. This order is accepted as entered above.

ACCEPTED BY _____ TITLE _____ DATE _____
 Enter Purchase Order Number if not shown above. Purchase Order # _____

Net Order:	\$28,780.00
Less Discount:	0.00
Freight:	1,000.00
Deposit:	0.00
Sales Tax:	0.00
Order Total:	\$29,780.00
Order Balance:	\$29,780.00

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE PURCHASE
OF CISCO EQUIPMENT FROM NETECH

WHEREAS:

1. As detailed in the attached Staff Report from the City's Director of Information Technology, Cisco equipment is required for the continued wireless network expansion for the Police Department and replacement of older equipment required to standardize the Clean Water Plant with the remainder of the City's wireless infrastructure.
2. It is recommended that the City Council authorize the purchase of the Cisco equipment using the Kent County Reverse Auction System in the total amount of \$11,300.00.
3. The Funds for the purchase of the Cisco equipment are available in the General Fund/Information Technology/Capital Outlay Computer Equipment account number 101-258-25800-984017.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby authorize the purchase of Cisco equipment from Netech utilizing the Kent County Reverse Auction System in the total amount of \$11,300.00.
2. The City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

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

ATTACHMENTS:
Staff Report
Kent County Reverse Auction Pricing

Heidi A. Isakson, Wyoming City Clerk

Resolution No. _____

STAFF REPORT

DATE: April 30, 2013
SUBJECT: City Enterprise / Cisco Equipment - RA1846
FROM: Gail Sheppard, Director of Information Technology
MEETING DATE: May 06, 2013

Recommendation:

It is recommended that the City Council authorize payment to Netch for the purchase of Cisco equipment, which will provide for an upgrade and expansion to existing wireless equipment. Prior to us participating with the Kent County reverse auction, we would have put this equipment out to bid as part of our regular spring bid.

Sustainability Criteria:

Environmental Quality - Approval of this bid does not significantly impact environmental quality.

Social Equity - Information Technology staff continues efforts toward expanding its wireless network throughout City facilities in order to keep pace with the mass adoption of mobile technology and the widespread use of social media.

Economic Strength - Today's information networks are exposed to an increasing demand for mobile information. Expanding and/or updating wireless technologies introduces many benefits to users of information networks, some of which are: increased efficiency of users' access to information while not at their principal places of operations, ease of use in sharing information and increased productivity due to the accessibility of information, regardless of the individual's location. Expanding and upgrading equipment is also consistent with our goal of maintaining our IT infrastructure to support technology solutions, facilitate interoperability and connectivity, and support technologies/processes that increase service to our employees and/or citizens.

Discussion:

The Cisco equipment includes a continued wireless network expansion for the Police department, as requested by Police administration, covering areas of the building previously lacking wireless. Another portion of the wireless equipment is for the Clean Water Plant, which was the first wireless install in the City, and can no longer keep up with modern security requirements. This older Cisco equipment forces the CWP to be non-standardized with the remainder of the City's wireless infrastructure.

The IT department has been utilizing Kent County's reverse auction at no cost to the City of Wyoming since October of 2010. This innovative way of purchasing works like a real-time auction where the price is bid down by sellers who are competing to sell goods and services for progressively lower prices. The reverse auction increases competition and transparency for commodity purchases and streamlines the procurement process. Kent County sent our bid out to whoever is registered as a potential bidder and advertised it on the County website. Eight (8) bids were received from two (2) bidders registered to participate at a maximum price of \$12,500. Netch provided the low bid at \$11,300 and is pending the award.

Budget Impact:

Funding (\$11,300) for the purchase of the Cisco equipment through Netch is budgeted and available in the General Fund/Information Technology/Capital Outlay Computer Equipment account #101-258-25800-984.017.

PROCUREMENT COLLABORATION

Sponsored by Kent County, Michigan



Note: Using your browser's 'Back' or 'Refresh' buttons may result in loss of information. Please use the navigation options provided on the screen below.

Reverse Auction RA1846

[Back to Reverse Auctions](#)

Specifications

Start Date & Time: 04/29/2013, 10:00 AM local time (ET)

End Date & Time: 04/29/2013, 10:05 AM local time (ET)
Note: This auction might extend

Description: One (1) Lot of Cisco Equipment - City of Wyoming

Additional Requirements: Lot detail attached (below)

Quantity: 1 **Unit:** Lot

Required Date: 06/14/2013

Bid Comments: All equipment must be new, not refurbished and supplied through the Cisco distribution channels. Award subject to City of Wyoming approval on May 20, 2013.

Contact Name: Calvin Brinks
(616) 632-7719
purchasing@kentcountymi.gov

Name File

Attachments: Specifications [RA1846_1846_detail.pdf](#)

Buyer Comments:

Bidding Information

User ID:

End Date & Time: 04/29/2013, 10:05 AM local time (ET)

Current Server Time: 10:33:52 AM local time (ET)

Max. Starting Bid: \$12500 000

Current Low Bid: No Bids

Min. Bid Decrement: \$10 000

Freight: FOB Destination

Unit Bid: \$

Quantity: 1 **Unit:** Lot

Extension: \$

To view updates:

Automatically Refresh:



Kent County Purchasing
616.632.7720

Part Number	Description	Qty.
AIR-CAP1602E-A-K9	802.11 a/g/n Ctrlr-based AP Ext Ant A Reg Domain <i>Includes the following: (AIR-AP-T-RAIL-R) Ceiling Grid Clip for Aironet APs - Recessed Mount (Default); (AIR-AP-BRACKET-1) 802.11n AP Low Profile Mounting Bracket (Default); (SWAP1600-RCOVRY-K9) Cisco 1600 Series IOS Wireless LAN Recovery</i>	8
AIR-CAP1602I-A-K9	802.11 a/g/n Ctrlr-based AP A Reg Domain <i>Includes the following: (AIR-AP-T-RAIL-R) Ceiling Grid Clip for Aironet APs - Recessed Mount (Default); (AIR-AP-BRACKET-1) 802.11n AP Low Profile Mounting Bracket (Default); (SWAP1600-RCOVRY-K9) Cisco 1600 Series IOS Wireless LAN Recovery</i>	4
AIR-ANT2524DW-R	2.4 GHz 2 dBi/5 GHz 4 dBi Dipole Ant. White RP-TNC	24
AIR-CT2504-15-K9	2504 Wireless Controller with 15 AP Licenses <i>Includes the following: (AIR-CT2504-K9) 2504 Wireless Controller with 0 AP Licenses (AIR-CT2504-SW-7.4) Cisco 2504 Wireless Controller SW Rel. 7.4 (CAB-AC2) AC Power cord North America (AIR-CT2504-CCBL) 2504 Wireless Controller Console Cable (LIC-CT2504-5) 5 AP Licenses for 2504 WLAN Controller (Qty. 3) (LIC-CT2504BASE) Base Software License</i>	2
CON-SNT-CT2515	SMARTNET 24x7x4 2504 Wireless LAN Controller with 15 AP	2
AIR-CT2504-RMNT	2504 Wireless Controller Rack Mount Bracket	2
AIR-PWRINJ4=	Power Injector - AP-3600 Series w/Modules-SPARE <i>Includes the following: (AIR-PWR-CORD-NA) Air Line Cord North America</i>	13
AIR-SAP2602E-A-K9	802.11n Auto; 3x4:3SS; Mod; Ext Ant; A Reg Domain <i>Includes the following: (S2G1K9W7-15202JA) Cisco 2600 Series IOS Wireless LAN (AIR-AP-BRACKET-1) 802.11n AP Low Profile Mounting Bracket (Default) (AIR-AP-T-RAIL-R) Ceiling Grid Clip for Aironet APs - Recessed Mount (Default)</i>	1
AIR-ANT2524DW-R	2.4 GHz 2 dBi/5 GHz 4 dBi Dipole Ant. White RP-TNC	4
WS-G5486=	Cisco GBIC 1000BASE-LX/LH - GBIC transceiver module	1
WS-C2960G-8TC-L	Cisco Catalyst 2960G-8TC - switch - 8 ports - managed - desktop	1

From: purchasing@kentcountymi.gov
Sent: Tuesday, April 30, 2013 7:00 AM
To: Purchasing; beth@webtecsinc.com
Subject: ifbt RA1846

RA1846 closed yesterday at 10:17 AM.

Bid summary results:

Awarded Vendor	User ID	Date/Time Submitted	Amount	Unit
Netch	1846hpG	04/29/2013 10:11 AM	\$11,300.00	Lot
Secant Technologies	1846mCM	04/29/2013 10:09 AM	\$11,380.00	Lot
Netch	1846hpG	04/29/2013 10:07 AM	\$11,400.00	Lot
Secant Technologies	1846mCM	04/29/2013 10:07 AM	\$11,450.00	Lot
Netch	1846hpG	04/29/2013 10:06 AM	\$11,500.00	Lot
Secant Technologies	1846mCM	04/29/2013 10:05 AM	\$11,900.00	Lot
Netch	1846hpG	04/29/2013 10:03 AM	\$12,057.00	Lot
Secant Technologies	1846mCM	04/29/2013 10:01 AM	\$12,262.00	Lot

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE PURCHASE OF
LIQUID SODIUM HYPOCHLORITE

WHEREAS:

1. As detailed in the attached staff report from the Drinking Water Plant Superintendent the City of Holland accepted formal bids for liquid sodium hypochlorite.
2. The City of Holland also included an option for the cities of Wyoming, Muskegon, and Muskegon Heights to purchase the liquid sodium hypochlorite as a cooperative purchase.
3. It is recommended the City of Wyoming purchase the liquid sodium hypochlorite from the low bidder K.A. Steel Chemical, Inc. at a cost of \$135.72 per ton.
4. Funds for the purchase of the liquid sodium hypochlorite are budgeted in account numbers 591-591-55300-740000, 590-590-54300.740000 and 590-590-54800-740000.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby authorize the purchase of the liquid sodium hypochlorite from K.A. Steel Chemical, Inc. as summarized in the attached staff report.
2. The City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes

 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on: May 6, 2013.

ATTACHMENTS:
Staff Report
Bid Form

Heidi A. Isakson, Wyoming City Clerk

Resolution No. _____

STAFF REPORT

Date: April 18, 2013
Subject: Purchase of Liquid Sodium Hypochlorite
From: Gerald H. Caron, Superintendent
Meeting Date: May 6, 2013

Recommendation:

I recommend that the City accept the bid price from the City of Holland cooperative purchase for Liquid Sodium Hypochlorite from K.A. Steel Chemicals at a cost of \$135.72/ton.

Sustainability Criteria:

Environmental Quality – The use of Liquid Sodium Hypochlorite is necessary to insure the production of safe drinking water and properly treated waste water.

Social Equity – The utility function within the City of Wyoming provides the same high quality service to all areas of the City without regard to income level or social economic status. All residents enjoy access to services provided by our water and waste water utilities.

Economic Strength – By utilizing the cooperative bid with other communities, the Utilities Department is insuring that we get the best value for this necessary service. This results in the lowest rates possible for our residents and customers.

Discussion:

The City of Holland accepted bids on March 25, 2013, for Liquid Sodium Hypochlorite (NaOCL). As part of the bid, the City of Holland requested an option for the Cities of Wyoming, Muskegon, and Muskegon Heights to also purchase Liquid Sodium Hypochlorite as a cooperative purchase. The intent of this cooperative purchase is to maintain cooperation between the cities and to realize a benefit of reduced cost for all of the included municipalities.

After evaluation of the bids, it is my recommendation that we continue to participate in the cooperative purchase for Liquid Sodium Hypochlorite. The low bid for Liquid Sodium Hypochlorite is from K.A. Steel Chemicals at a cost of \$135.72 per ton/\$.679 per gallon. This price represents a decrease of \$17.83 per ton from last year. Liquid Sodium Hypochlorite is used at both the Drinking Water Plant and Clean Water Plant.

Budget Impact:

Adequate funds were budgeted in accounts 591-591-55300-740.000 and 590-590-54300-740.000 and 590-590-54800.740000.

Liquid Sodium Hypochlorite - March 25, 2013

Rowell Chemical KA Steel Chemical Alexander Chemical Haviland Chemical

CO-OP includes:

Cities of Holland, Wyoming, Muskegon,
Muskegon Heights and Grand Haven

Cost Per Ton:	\$	153.89	\$	135.72	\$	135.80	not reported
Cost Per Gallon:		0.7743		0.679		0.679	0.735
Lead-time ARO		1-2 days		1-2 days		3-5 days	2-3 days

Term: April 16, 2013 - April 15, 2014

**CHEMICAL PURCHASE
Liquid Sodium Hypochlorite
BID FORM**

**BID OPENING: Monday, March 25, 2:00 p.m. local time (Late bids will not be accepted.)
Holland Board of Public Works, 625 Hastings Avenue, Holland, Michigan 49423 Attn:
Tamara Poppe**

Sealed bids are requested for a one-year term for providing liquid sodium hypochlorite on an "as needed" basis per the specifications contained herein. Quantities stated herein are approximate per year and shall not be considered as minimums or maximums.

ITEM QUANTITY DESCRIPTION

Cities of Holland, Wyoming, Muskegon, Muskegon Heights & Grand Haven: Delivered Cost
1. 3550 Tons Liquid Sodium Hypochlorite, \$ 135.72 /ton 135.72/ton
(\$.679/gallon) 679/gal
Tank Truck
Specify common carrier or company owned truck KAS or various
Specify Manufacturer: K.A. Steel Chemicals. Product Name Liquid Sodium Hypochlorite 15%

Any and all costs associated with providing the liquid sodium hypochlorite as specified are to be included in the above delivered cost.

BIDDERS ARE REQUIRED TO SUBMIT MATERIAL SAFETY DATA SHEETS AND ANS/NSF CERTIFICATION WITH THEIR BID. FAILURE TO PROVIDE ALL INFORMATION REQUIRED HEREIN MAY RESULT IN THE BID BEING REJECTED AS NON-RESPONSIVE.

DELIVERY/COMPLETION TIME 1-2 days F.O.B. Delivered, Freight included. CASH DISCOUNTS will be allowed for prompt payment as follows: 0 % cash discount if paid within 0 days or less from delivery and acceptance of goods or completion of service. Net 30 days

I hereby state that: 1) all of the information I have provided is true, accurate and complete, and 2) that I have authority to submit this bid, which will become a binding contract, if accepted by the Cities, 3) that I have not communicated with, nor accepted anything of value from an official or employees of the Cities that would tend to destroy or hinder free competition, and 4) that I have read, and understand and agree to be bound by all of the terms in this bid document.

K.A. Steel Chemicals, Inc.
Name of Company, Corporation, etc.
1001 21st Street Downers Grove, IL 60515
Street Name & Number City/State/Zip
Date: 3/19/13 Phone: 630-243-2265

BIDDER SHALL SIGN HERE
By: Lisbeth Todner
Name: Lisbeth Todner
Title: Account Manager

RESOLUTION NO. _____

RESOLUTION FOR AWARD OF BIDS

WHEREAS:

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

NOW, THEREFORE, BE IT RESOLVED:

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

Item	Recommended Bidder	Cost
Work Uniforms & Carhartt Clothing Items	Arrow Uniform	Bid prices as shown on the attached tabulation sheet
Disposable Paper Products	Miner Supply Company, Nichols & Paper Central	Bid prices as shown on the attached tabulation sheets
Trash Pick-Up Service	Kamps Wood Shavings & Refuse Disposal Inc., Arrowwaste Inc., & Waste Management of Michigan, Inc.	Bid prices as shown on the attached tabulation sheets
Two Heavy In Ground Truck Lifts – Phase One & Two	American Hoist, Air & Lube Equipment, Inc.	\$76,900.00 – Phase One \$79,600.00 – Phase Two

Moved by Councilmember:
Seconded by Councilmember:
Motion Carried Yes
 No

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

ATTACHMENTS:
Staff Reports
Tabulation Sheets

Heidi A. Isakson, Wyoming City Clerk

Resolution No. _____

STAFF REPORT

Date: April 18, 2013

Subject: Work Uniforms & Carhartt Clothing Items

From: Kim Oostindie, Director of Human Resources

Meeting Date: May 6, 2013

Recommendation:

It is recommended the City Council award the bid for work uniforms & Carhartt clothing items to the low bidder Arrow Uniform in the discounted amounts as shown on the attached tabulation sheet.

Sustainability Criteria:

Environmental Quality – Does not significantly impact this criterion.

Social Equity – Does not significantly impact this criterion.

Economic Strength – Does not significantly impact this criterion.

Discussion:

On April 16, 2013, four bids were received in answer to our invitation to bid on work uniforms and Carhartt clothing items. Fifty-five invitations to bid were sent to prospective bidders.

The bid specifications requested all bidders to submit a percentage discount from Red Kap Industries (owned by VF Imagewear, Inc.) and Carhartt Inc.'s list prices as they appear in the manufacturers' current standard published catalog or price list.

In accordance with the employment contract between the Wyoming City Employees Union and the City of Wyoming, a minimum of four work uniforms are to be provided by the City to each General Union Employee required to wear uniforms. Carhartt clothing items are provided to City employees who are required to wear work uniforms and work outside in the winter months. The Carhartt clothing items are purchased on an as needed basis for new employees and as replacements for existing worn out items.

Budget Impact:

Work uniforms and Carhartt clothing items are purchased as required throughout the year and funds are budgeted in the various departmental accounts. The estimated expenditure during the coming year is expected to total approximately \$22,500.00.

CITY OF WYOMING, MICHIGAN

TABULATION OF BIDS

Work Uniforms & Carhartt Clothing Items

Opened By City Clerk On April 16, 2013 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.

Company	Name of Catalog	Work Uniforms		Carhartts		Minimum Orders	Service Charge for orders less than the minimum per order requirement	Number of Days Required for Deliveries			Offer Online Ordering & Online Account Monitoring
		% Discount Offered	Embroidery	% Discount Offered	Embroidery			Number of Clothing Items			
								1-20	20-100	100 or More	
Arrow Uniform	Red Kap Industries (owned by VF Imagewear, Inc.)	32%	\$5.50	25%	\$5.50	\$20.00	\$2.00	15	15	20	Yes
Cintas Location 301	Red Kap Industries (owned by VF Imagewear, Inc.)	15%	\$5.95	15%	\$7.40	\$0.00	\$0.00	16-18	16-18	20-22	Yes
	Cintas Source Book	30%	\$5.95								
	Cintas Apparel Bags & Caps	15%	\$5.95								
Executive Threads	Red Kap Industries (owned by VF Imagewear, Inc.)	20%	\$18.00	20%	\$18.00	\$250.00	\$50.00	21	21	21	Yes - company store available for \$75.00/ monthly maintenance fee
Tele-Rad	5.11	20%	\$14.00	No Bid		\$200.00	\$10.00	35	45	45	No

STAFF REPORT

Date: April 22, 2013
Subject: Disposable Paper Products
From: Kim Oostindie, Director of Human Resources
Meeting Date: May 6, 2013

Recommendation:

It is recommended the City Council award the bid for disposable paper products to the low bidders: Miner Supply Co., Inc., Nichols and Paper Central in the amounts as shown on the attached tabulation sheets.

Sustainability Criteria:

Environmental Quality – Does not significantly impact this criterion.

Social Equity – Does not significantly impact this criterion.

Economic Strength – Does not significantly impact this criterion.

Discussion:

On March 26, 2013, five responses were received in answer to our invitation to bid on disposable paper products. Fifty-one invitations to bid were sent to prospective bidders.

The disposable paper products are purchased on an as needed basis for the City buildings and parks facilities. Each location uses different products to meet their dispensing equipment requirements. Based on individual departmental needs, it is recommended the City Council award the bid to the low bidders: Miner Supply Co., Inc., Nichols and Paper Central.

Budget Impact:

Disposable paper products are purchased as required throughout the year and funds are budgeted in the various departmental accounts. The estimated expenditure for the coming year is expected to total approximately \$18,000.00.

CITY OF WYOMING, MICHIGAN
 TABULATION OF BIDS
 ON DISPOSABLE PAPER PRODUCTS

Opened By City Clerk on March 26, 2013 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.

Product Code	Product Description	Case Size	P.B. Gast (Allied- Eagle Supply Co.)	Miner Supply Co., Inc.	Staples Advantage	Nichols	Paper Central
			Bid Price Per Case				
21606	Kleenex Facial Tissue	48 Boxes			\$45.70	\$55.10	\$45.54
Substitute items:							
6100	BayWest Dubi-Soft	30 boxes	\$18.05				
TF6920	Premium Facial Sheets			\$24.80			
69500	Boardwalk F.T. 30/100	30 Boxes		\$18.00			
425948	Brighton Facial Tissue	48 Boxes			\$34.95		
34721	Kaydry Wiper	15 Boxes		\$129.00	\$68.42	\$68.25	\$60.39
64103	Advantage Light Tissue	15 Boxes	\$61.00				
47011	WYPALL L20 Wipers (Brown/Tan)	12 Boxes		\$52.00		\$55.65	\$26.631
3380	BayWest Dubl-Tough	20 Boxes					
35025	WYPALL L20 Wipers (White)	12 Boxes		\$37.18		\$27.20	\$47.025
812384	WyPall L30 Wipers	1 Case			\$34.89		
01500	Kleenex® C-Fold Towels	16 Packs			\$34.21	\$32.88	\$28.71
49	Dublsoft (BayWest)	12 Packs	\$20.25				
P-100	Putney P-100	16 Packs		\$18.80			
NETS22223	Netchoice White	16 Packs				\$ 19.47	
CB520	Coronet C-Fold Towel	16 Packs		\$19.99		\$29.84	
49190	Dubl-Nature (Bay West)	12 Packs	\$16.95				
P-100	Putney P-100	16 Packs		\$18.80			
365381	Brighton C-Fold 1Ply	16 Packs			\$21.81		
NETS22223	Netchoice White C-Fold	16 Packs				\$ 19.47	
8N210	Response C-Fold White	16 Packs					\$21.7800
NETS22215	Net Choice Multifold Towel	16 Packs				\$20.75	
48500	Bay West Eco Soft	20 Packs	\$17.50				
Putney #200B	White 9.5 x 9.125	16 Packs		\$17.90			
365374	Brighton Multifold	16 Packs			\$20.11		
8N215	Response Multi-Fold	16 Packs					\$20.7900
MB550A	Tork Advanced Hand Towel Multifold	16 Packs		\$20.70	\$25.74	\$29.85	
48500	Eco-Soft (Bay West)	20 packs	\$17.50				
Tork MB540A	9.5 x 9.125	16 Packs		\$18.40			
Putney #200B	White 9.25 x 9.5	16 Packs		\$17.90			
NETS222215	NetChoice Multifold	16 Packs				\$20.75	
8N215	Response Multi-Fold	16 Packs					\$20.7900

Product Code	Product Description	Case Size	P.B. Gast (Allied- Eagle Supply Co.)	Miner Supply Co., Inc.	Staples Advantage	Nichols	Paper Central
			Bid Price Per Case				
RB350A	Tork Advance Hand Roll Towel	6 Rolls		\$21.90		\$31.89	
45500	Bay West Eco Soft	12 Rolls	\$22.10				
365382	Brighton Hardwound	12 Rolls			\$25.76		
NET25053	Netchoice White Roll	12 Case				\$23.75	
8N301	Response Roll Towel	12 Rolls					\$21.6810
RB800	Tork Advanced Hand Roll Towel	6 Rolls		\$24.90		\$36.32	
45700	Bay West Eco Soft	6 Rolls	\$22.10				
RB8002	Tork Advance	6 Rolls		\$ 22.02			
365385 White	Brighton Professional	6 Rolls			\$27.80		
NETS25052	Netchoice White Roll	6 Rolls				\$28.65	
8N303	Response Roll Towel	6 Rolls					\$23.7600
TJ0922A	Tork Universal Bath Tissue	12 Rolls		\$24.64		\$34.00	
10020	Eco-Soft (Bay West)	12 Rolls	\$22.90				
MSJRT 1000	12 /2 Ply 100' Roll	12 Rolls		\$23.20			
365379	Brighton Professional	12 Rolls			\$21.41		
	Netchoice 2 Ply Jumbo	12 Rolls				\$ 29.00	
8N19920	Response Jumbo Bath	12 Rolls					\$24.5520
TM6120S	Tork Advanced Bath Tissue	96 Rolls		\$35.40	\$47.04	\$46.41	
54000	Bay West - White 2 Ply	96 Rolls	\$33.45				
AMP 2500	AMP 2500 (GEN 500)	96 Rolls		\$35.00			
8N12375	Response Bath Tissue	96 Rolls					\$37.1250
TM1616S	Tork Universal Bath Tissue	96 Rolls		\$35.00	\$47.04	\$43.08	
54000	Bay West - White 2 Ply	96 Rolls	\$33.45				
APM 250	APM 2500 (Gen 2500)	96 Rolls		\$35.00			
NETS11904	Netchoice 2 Ply	96 Rolls				\$34.56	
4221090	Spring Grove	96 Rolls					\$34.6500
NETS11904	Net Choice Tissue	96 Rolls				\$34.56	
54000	Bay West	96 Rolls	\$33.45				
APM 250	APM 250 (Gen 500)	96 Rolls		\$35.00			
365377	Brighton Bath Tissue	96 Rolls			\$39.99		
4221090	Spring Grove	96 Rolls					\$34.6500
17713	Kleenex Cottonelle Bathroom Tissue	60 Rolls			\$39.49	\$35.60	\$36.63
59890	Dubl-Nature (Bay West)	80 Rolls	\$31.00				
TM6511S	Rork Premium	96 Rolls		\$48.80			
Percentage discount from the manufacturer's list price for other miscellaneous disposable paper products:		Kimberly Clark			25%	38%	
		Net Choice				38%	
		SCA		30% - 40%		38%	
		Tork		30% - 40%			
		Georgia Pacific			25%	38%	
		Bay West				38%	
		Boardwalk/Gen		30% - 40%			
Minimum Order for deliveries (# of days)			1 Day	1-5	1	2-3	1-3

STAFF REPORT

Date: April 22, 2013
Subject: Trash Pick-Up Service
From: Kim Oostindie, Director of Human Resources
Meeting Date: May 6, 2013

Recommendation:

It is recommended the City Council award the bid for trash pick-up service to the low bidders Kamps Wood Shavings & Refuse Disposal Inc., Arrowwaste Inc., & Waste Management of Michigan, Inc. in the amounts as shown on the attached tabulation sheets.

Sustainability Criteria:

Environmental Quality – The collection and disposal of trash helps to improve the environment and protects our natural resources while promoting a better quality of life for our community.

Social Equity – Does not significantly impact this criterion.

Economic Strength – Does not significantly impact this criterion.

Discussion:

On April 2, 2013, four responses were received in answer to our invitation to bid on trash pick-up service for City buildings and parks facilities. Thirty-nine invitations to bid were sent to prospective bidders.

The bid proposal form requested all bidders bid a price per pick up and total monthly rate based on the number of containers, size of container(s) and number of pick-ups per each location. Arrowwaste Inc. and Republic Services bid an per haul plus per ton for the 20 cu. yd. containers at the Clean Water Plant and Public Service Building.

The maintenance supervisors for each location have reviewed the bids and recommend the bid be awarded to the following bidders meeting the bid specifications, at the bid prices as shown on the attached tabulation sheets.

Kamps Wood Shavings & Refuse Disposal Inc.- 62A District Court, City Hall, Library,
Clean Water Plant & Public Service Building

Arrowwaste Inc. – Gezon Booster Station, Parks, Police Building, Senior Center &
Water Treatment Plant

Waste Management of Michigan, Inc. – Fire Station #1, #2, #3 & #4

Budget Impact:

Funds for the trash pick-up service are budgeted in various departmental accounts. The estimated expenditure for the three year period will total approximately \$184,000.00 over the three year period.

CITY OF WYOMING, MICHIGAN
TABULATION OF BIDS

On Trash Pickup Service

Opened By The City Clerk on April 2, 2013 At 11:00 O'clock a.m.

All bid prices firm for orders placed within one year from date of award of bid.

Year	Number of Containers	Size of Container (cu. yd.)	Times (Per Week/Month)	Arrowwaste Inc.			Kamps Wood Shavings & Refuse Disposal Inc.			Waste Management of Michigan, Inc.			Republic Services		
				Price Per Pick Up	Monthly Rate	Total Price Per Year	Price Per Pick Up	Monthly Rate	Total Price Per Year	Price Per Pick Up	Monthly Rate	Total Price Per Year	Price Per Pick Up	Monthly Rate	Total Price Per Year
62A DISTRICT COURT															
1st	1	8	1/Week	\$25.60	\$110.85	\$1,330.20		\$92.66	\$1,111.92	\$35.16	\$152.00	\$1,824.00	\$26.10	\$113.00	\$1,356.00
2nd				\$26.50	\$114.73	\$1,376.76		\$94.51	\$1,134.12	\$37.87	\$164.00	\$1,968.00	\$26.88	\$116.39	\$1,396.68
3rd				\$27.43	\$118.75	\$1,425.00		\$96.40	\$1,156.80	\$40.88	\$177.00	\$2,124.00	\$27.96	\$121.05	\$1,452.60
CITY HALL															
1st	1	8	1/Week	\$25.60	\$110.85	\$1,330.20		\$92.66	\$1,111.92	\$35.10	\$152.00	\$1,824.00	\$26.10	\$113.00	\$1,356.00
2nd				\$26.50	\$114.73	\$1,376.76		\$94.51	\$1,134.12	\$37.87	\$164.00	\$1,968.00	\$26.88	\$116.39	\$1,396.68
3rd				\$27.43	\$118.75	\$1,425.00		\$96.40	\$1,156.80	\$40.88	\$177.00	\$2,124.00	\$27.96	\$121.05	\$1,452.60
1st	1	1.5 (Cardboard & Recyclable Paper)	1/Week	\$4.62	\$20.00	\$240.00		\$22.00	\$264.00	\$5.00	\$20.00	\$240.00	\$8.09	\$35.00	\$420.00
2nd				\$4.78	\$20.70	\$248.40		\$22.00	\$264.00	\$5.10	\$22.00	\$264.00	\$8.33	\$36.05	\$432.60
3rd				\$4.95	\$21.42	\$257.04		\$22.00	\$264.00	\$5.53	\$24.00	\$288.00	\$8.66	\$37.49	\$449.88
CLEAN WATER PLANT															
1st	1	20 (Roll-Off Type)	2/Week	\$115.00/Haul \$36.00/Ton				\$1,880.00	\$22,560.00	\$448.00	\$3,879.68	\$46,556.16	\$130.00/Haul \$22.00/Ton		
2nd				\$119.00/Haul \$37.26/Ton			\$1,937.00	\$23,244.00	\$484.00	\$4,191.44	\$50,297.28	\$133.00/Haul \$22.66/Ton			
3rd				\$123.00/Haul \$38.56/Ton			\$1,995.00	\$23,940.00	\$523.00	\$4,529.18	\$54,350.16	\$139.26/Haul \$23.57/Ton			
1st	1	8	1/Week	\$25.60	\$110.85	\$1,330.20		\$116.04	\$1,392.48	\$35.10	\$152.00	\$1,824.00	\$26.10	\$113.00	\$1,356.00
2nd				\$26.50	\$114.73	\$1,376.76		\$118.36	\$1,420.32	\$37.87	\$164.00	\$1,968.00	\$26.88	\$116.39	\$1,396.68
3rd				\$27.43	\$118.75	\$1,425.00		\$120.73	\$1,448.76	\$40.88	\$177.00	\$2,124.00	\$27.96	\$121.05	\$1,452.60
1st	1	4	1/Week	\$12.80	\$55.42	\$665.04		\$65.38	\$784.56	\$17.55	\$76.00	\$912.00	\$17.09	\$74.00	\$888.00
2nd				\$13.25	\$57.36	\$688.32		\$66.69	\$800.28	\$18.93	\$82.00	\$984.00	\$17.60	\$76.22	\$914.64
3rd				\$13.71	\$59.37	\$712.44		\$68.02	\$816.24	\$20.55	\$89.00	\$1,068.00	\$18.30	\$79.22	\$950.64
1st	1	4 (Cardboard & Recyclable Paper)	1/Week	\$4.62	\$20.00	\$240.00		\$22.00	\$264.00	\$7.00	\$30.00	\$360.00	\$8.78	\$38.00	\$456.00
2nd				\$4.78	\$20.70	\$248.40		\$22.00	\$264.00	\$7.63	\$33.00	\$396.00	\$9.04	\$39.14	\$469.68
3rd				\$4.95	\$21.42	\$257.04		\$22.00	\$264.00	\$8.31	\$36.00	\$432.00	\$9.28	\$40.17	\$482.04

				Arrowwaste Inc.			Kamps Wood Shavings & Refuse Disposal Inc.			Waste Management of Michigan, Inc.			Republic Services		
Year	Number of Containers	Size of Container (cu. yd.)	Times (Per Week/ Month)	Price Per Pick Up	Monthly Rate	Total Price Per Year	Price Per Pick Up	Monthly Rate	Total Price Per Year	Price Per Pick Up	Monthly Rate	Total Price Per Year	Price Per Pick Up	Monthly Rate	Total Price Per Year
FIRE STATION #1															
1st	1	2	1/Week	\$12.80	\$55.42	\$665.04		\$45.00	\$540.00	\$8.80	\$38.00	\$456.00	\$11.78	\$51.00	\$612.00
2nd				\$13.25	\$57.36	\$688.32		\$46.00	\$552.00	\$9.50	\$41.00	\$492.00	\$12.13	\$52.53	\$630.36
3rd				\$13.71	\$59.37	\$712.44		\$47.00	\$564.00	\$10.40	\$45.00	\$540.00	\$12.62	\$54.63	\$655.56
FIRE STATION #2															
1st	1	2	1/Week	\$12.80	\$55.42	\$665.04		\$45.00	\$540.00	\$8.80	\$38.00	\$456.00	\$11.78	\$51.00	\$612.00
2nd				\$13.25	\$57.36	\$688.32		\$46.00	\$552.00	\$9.50	\$41.00	\$492.00	\$12.13	\$52.53	\$630.36
3rd				\$13.71	\$59.37	\$712.44		\$47.00	\$564.00	\$10.40	\$45.00	\$540.00	\$12.62	\$54.63	\$655.56
FIRE STATION #3															
1st	1	2	1/Month	\$16.00	\$16.00	\$192.00		\$24.00	\$288.00	\$10.00	\$20.00	\$240.00	\$6.93	\$30.00	\$360.00
2nd				\$16.56	\$16.56	\$198.72		\$25.00	\$300.00	\$11.00	\$22.00	\$264.00	\$7.14	\$30.90	\$370.80
3rd				\$17.14	\$17.14	\$205.68		\$26.00	\$312.00	\$12.00	\$24.00	\$288.00	\$7.42	\$32.14	\$385.68
FIRE STATION #4															
1st	1	2	1/Week	\$12.80	\$55.42	\$665.04		\$45.00	\$540.00	\$8.80	\$38.00	\$456.00	\$11.78	\$51.00	\$612.00
2nd				\$13.25	\$57.36	\$688.32		\$46.00	\$552.00	\$9.50	\$41.00	\$492.00	\$12.13	\$52.53	\$630.36
3rd				\$13.71	\$59.37	\$712.44		\$47.00	\$564.00	\$10.40	\$45.00	\$540.00	\$12.62	\$54.63	\$655.56
GEZON PUMPING STATION															
1st	1	2	As Needed	\$16.00			\$25.00			\$20.00			\$35.00		
2nd				\$16.56			\$25.00			\$22.00			\$35.00		
3rd				\$17.14			\$25.00			\$24.00			\$40.00		
WYOMING LIBRARY															
1st	1	8	1/Week	\$25.60	\$110.85	\$1,330.20		\$92.66	\$1,111.92	\$35.10	\$152.00	\$1,824.00	\$26.10	\$113.00	\$1,356.00
2nd				\$26.50	\$114.73	\$1,376.76		\$94.51	\$1,134.12	\$37.87	\$164.00	\$1,968.00	\$26.88	\$116.39	\$1,396.68
3rd				\$27.43	\$118.75	\$1,425.00		\$96.40	\$1,156.80	\$40.88	\$177.00	\$2,124.00	\$27.96	\$121.05	\$1,452.60
POLICE DEPARTMENT															
1st	1	6	2/Week	\$19.20	\$166.27	\$1,995.24		\$168.87	\$2,026.44	\$26.22	\$227.00	\$2,724.00	\$39.26	\$170.00	\$2,040.00
2nd				\$19.87	\$172.09	\$2,065.08		\$172.25	\$2,067.00	\$28.30	\$245.00	\$2,940.00	\$40.44	\$175.10	\$2,100.00
3rd				\$20.57	\$178.11	\$2,137.32		\$175.70	\$2,108.40	\$30.60	\$265.00	\$3,180.00	\$42.05	\$182.10	\$2,184.00
PUBLIC SERVICE BUILDING															
1st	1	30	1/Week	\$115.00/Haul \$36.00/Ton				\$860.00	\$10,320.00	\$351.00	\$1,519.83	\$18,237.96	\$110.00/Haul \$47.50/Ton		
2nd				\$119.00/Haul \$37.26/Ton			\$870.00	\$10,440.00	\$379.00	\$1,641.07	\$19,692.84	\$113.00/Haul \$47.50/Ton			
3rd				\$123.00/Haul \$38.56/Ton			\$880.00	\$10,560.00	\$409.00	\$1,770.97	\$21,251.64	\$117.84/Haul \$47.50/Ton			

STAFF REPORT

DATE: April 17, 2013

SUBJECT: Bid Award, Motor Pool Heavy Hoist Replacement

FROM: Ted Seil, Motor Pool Supervisor

Date of Meeting: May 6, 2013

RECOMMENDATION

It is recommended that the City Council award the bid for the emergency replacement of two heavy hoists, to American Hoist, Air and Lube Equipment, Inc.

SUSTAINABILITY CRITERIA

Environmental Quality

The Public Works Department is ardently involved in the protection of Michigan's natural resources and the public's health and welfare. The new hoist is an advanced design which prevents the leakage of hydraulic fluid.

Social Equity

The hoist supports the maintenance of the vehicle fleet which allows the City to provide the same high quality of service to all the residents without regard to income level or socio-economic status.

Economic Strength

The hoist increases the Motor Pool efficiency thereby reducing the overall cost of the fleet operations insuring the City's economic vitality.

DISCUSSION

One of three heavy hoists has become mechanically unsafe to operate. The hoist is required to perform routine and emergency maintenance on the heavy fleet. Because the hoist is unsafe to operate and required on a daily basis, the hoist needs to be replaced as soon as possible.

The Motor Pool operates three heavy hoists. The hoists are used to lift equipment with weights up to 75,000 pounds. The equipment includes Fire Department and Public Works equipment.



Inground Design

The two older hoists are in excess of 20-years old. The hoists are of the in ground design which lifts the truck from the axles. This design allows for the servicing of the brakes and wheels of the vehicles. The servicing of brakes and wheels is a major task for the motor vehicle fleet due to type of use the City's fleet is exposed to.

The newer hoist is approximately 13-years old. The hoist is of the four post design which lifts the truck from the wheels instead of the axles. This design does not allow for the servicing of the brakes and wheels. Additionally the design and location of the four post hoist limits the servicing of vehicles to the dump trucks and shorter vehicles. Fire trucks are difficult to service on the four post design.



In January of 2013, the hoist repair company recommended that the two older hoists be replaced because the hoists are worn-out. The equipment has been worn out by daily use and exposure to salt and chemicals. The two hoists were budgeted to be replaced in Fiscal Year 2014. The replacement of the two hoists was to include the removal of the four post hoist to provide additional floor space.

In February, one of the older hoists broke down again. The hoist repair company indicated they could no longer service the hoist with confidence. The hoist was taken out of service to protect the staff and equipment.

The Motor Pool has begun annual overhauls of the snowplow fleet. Because one of the older hoists has failed, the Motor Pool needs to replace the hoist as soon as possible to insure the snowplow fleet can be overhauled before next fall.

The new hoist is designed with sealed cylinders. The sealed cylinders reduce the risk of corrosion due to exposure to salt and chemicals. The sealed cylinders will also prevent the leakage of hydraulic fluid thus protecting the environment.

On Tuesday April 16, 2013, the City received one bid for the replacement of the hoists. Fourteen requests for bid were sent out. The bid provided for the replacement of the two hoists and the removal of the third hoist in two phases. The first phase would be to replace the broken hoist as soon as possible. The second phase would be to replace the second hoist and remove the third hoist.

The bidding of the two phases allows the Motor Pool to reorganize some priorities within the budget for fiscal year 2013, replace the first hoist as soon as possible, and remain under budget for Fiscal Year 2013.

American Hoist, Air and Lube Equipment, Inc. of Grand Rapids submitted a bid of \$76,900 for the first phase. With some reorganizing of the priorities for Fiscal Year 2013, sufficient funds will be available in the Motor Pool, Capital Outlay Account 662 441 58500 987000.

The second phase in the amount of \$79,600 will be completed after July 1, 2013, pending the requested budget approval for 2014-15. American Hoist, Air and Equipment submitted a bid of \$79,600.00 to complete the second phase.

ORDINANCE NO. 4-13

AN ORDINANCE TO AMEND SECTION 90-32 OF THE CODE
OF THE CITY OF WYOMING BY ADDING
SUBSECTION (92) THERETO

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-32 of the Code of the City of Wyoming is hereby amended by adding Subsection (92) thereto, to read as follows:

- (92) To rezone 0.84 acres from R-2 Single Family Residential to B-1 Local Business (Southwest corner of Rathbone Street and Freeman Avenue)

LEGAL DESCRIPTION:

All that part of Lots 32 through 36, inclusive, the northerly one-half of the 16 foot wide East-West alley adjoining said lots, the southerly one-half of Rathbone Street, as platted, and the westerly one -half of Freeman Avenue, as platted, of Godfrey's Second Addition in Section 2, T.6 N., R. 12 W., to the City of Grand Rapids (now City of Wyoming), Kent County, Michigan, as recorded in Liber 22 of Plats, Rage 30, Kent County Records, described as: Commencing at the southeasterly corner of Lot 66, of said Godfrey's Second Addition, thence North 15°57'12" West 128.92 feet along the easterly line of said Lot 66, to the centerline of said East-West alley, for the PLACE OF BEGINNING OF THIS DESCRIPTION: Thence North 88°28'00" West 223.00 feet, along said centerline to the southerly extension of the lot line common to Lots 31 and 32 of said Godfrey's Second Addition; thence North 00°00'00" East 156.00 feet, along said lot line and the extensions thereof, to the centerline of said Rathbone Street; thence South 88°28'00" East 212.65 feet, along said centerline, to the centerline of said Freeman Avenue; thence South 15°57'12" East 163.51 feet, along said centerline to the easterly extension of the centerline of said East-West alley; thence North 88°28'00" West 34.60 feet, along said extension to the place of beginning.

Containing 36,668 Square Feet, more or less.

Section 2. This ordinance shall be in full force and effect the ____ day of _____, 2013.

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 _____ day of _____, 2013.

Heidi A. Isakson, Wyoming City Clerk



March 26, 2013

Ms. Heidi A. Isakson
City Clerk
Wyoming, MI

Subject: Request to rezone 0.84 acres from R-2 Single Family Residential to B-1 Local Business. The properties are located at the southwest corner of Rathbone Street and Freeman Avenue.

Recommendation: To approve the subject rezoning.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on March 19, 2013. Staff had the following comments:

McDonald's USA desires to construct a drive-through restaurant at the northwest corner of Chicago Drive and Freeman Avenue (see attached exhibit). The existing commercial property (most recently a Dollar Store) at that location is not of sufficient size to accommodate the proposed development. McDonald's proposes to rezone the five parcels north of the property to B-1 Local Business. McDonald's has purchase options on all the parcels. In addition to the rezoning request, there is a companion request to vacate the public alley between the residences and the commercial building. The alley would be removed and relocated to outlet north on Rathbone Street. If the rezoning and alley vacation are approved by City Council, McDonald's will then submit detailed plans for Special Use and Site Plan Approvals from the Planning Commission for the drive through restaurant. The provided exhibit is a representation of how the property is intended to be developed.

The City of Wyoming Land Use Plan 2020 was adopted in 2006. It identifies these properties as suitable for Low-Medium Density Residential use, which is in keeping with the existing residential development. However, the Plan recognizes that north Wyoming is in great need of rejuvenation and has many buildings that are underutilized or vacant. The overall recommendation for this area is that employee intensive uses are desirable to encourage a labor force that can live nearby and provide walk-to-work opportunities for these economically constrained residential neighborhoods. The development of a McDonald's restaurant at this location would support this recommendation.

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

The nonconforming commercial parking lot at the corner of Rathbone Street and Freeman Avenue has for decades established a commercial activity in this neighborhood. The parking lot has served the various business uses that have occupied the commercial building fronting on Chicago Drive. It is highly doubtful that the parking lot site would be redeveloped into a residence.

The rezoning and subsequent development of a McDonald's at this site would affect the residential character of this area of Rathbone Street. To gain a deeper understanding of this proposed change, City staff undertook a nearby door-to-door outreach in December. A large number of the homes in this area are rentals. Those residents contacted were supportive, or had no opinion, of the proposed McDonald's. Most had knowledge of the proposed McDonald's before the City outreach. As part of the recent rezoning notification process, public hearing notices were sent to both property owners and residents within a 600 foot radius. With the development of a McDonald's at this location, care must be taken to provide suitable buffering, lighting controls, and building facades to integrate the development with the neighborhood.

Conformance with the City of Wyoming sustainability principals:

Sustainability: The advancement and promotion, with equal priority, of environmental quality, economic strength, and social equity so that a stable and vibrant community can be assured for current and future generations.

The proposed rezoning will allow for the redevelopment of several underutilized properties. The resulting McDonald's will provide much needed investment along Chicago Drive and will provide many new jobs for area residents. The rezoning will enhance the economic strength of the City and contribute to an overall vibrant community. The proposed rezoning conforms to the City of Wyoming sustainability principals.

Recommendation:

The Development Review Team suggested the Planning Commission recommend to the City Council the subject rezoning.

At the public hearing, seven nearby residents spoke. Most were in opposition to the rezoning citing increased traffic, lighting and litter concerns. A planning consultant, hired by a nearby property owner, also spoke against the rezoning. One resident spoke in favor of the rezoning and one letter of support was received.

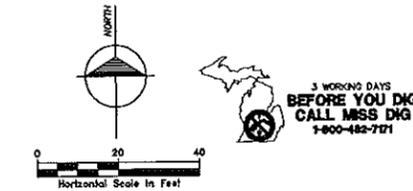
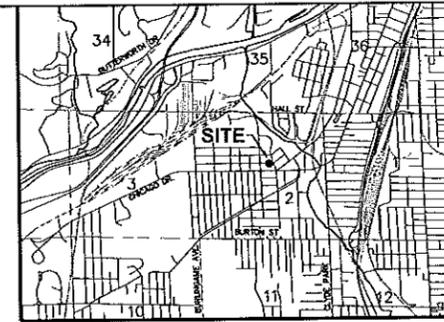
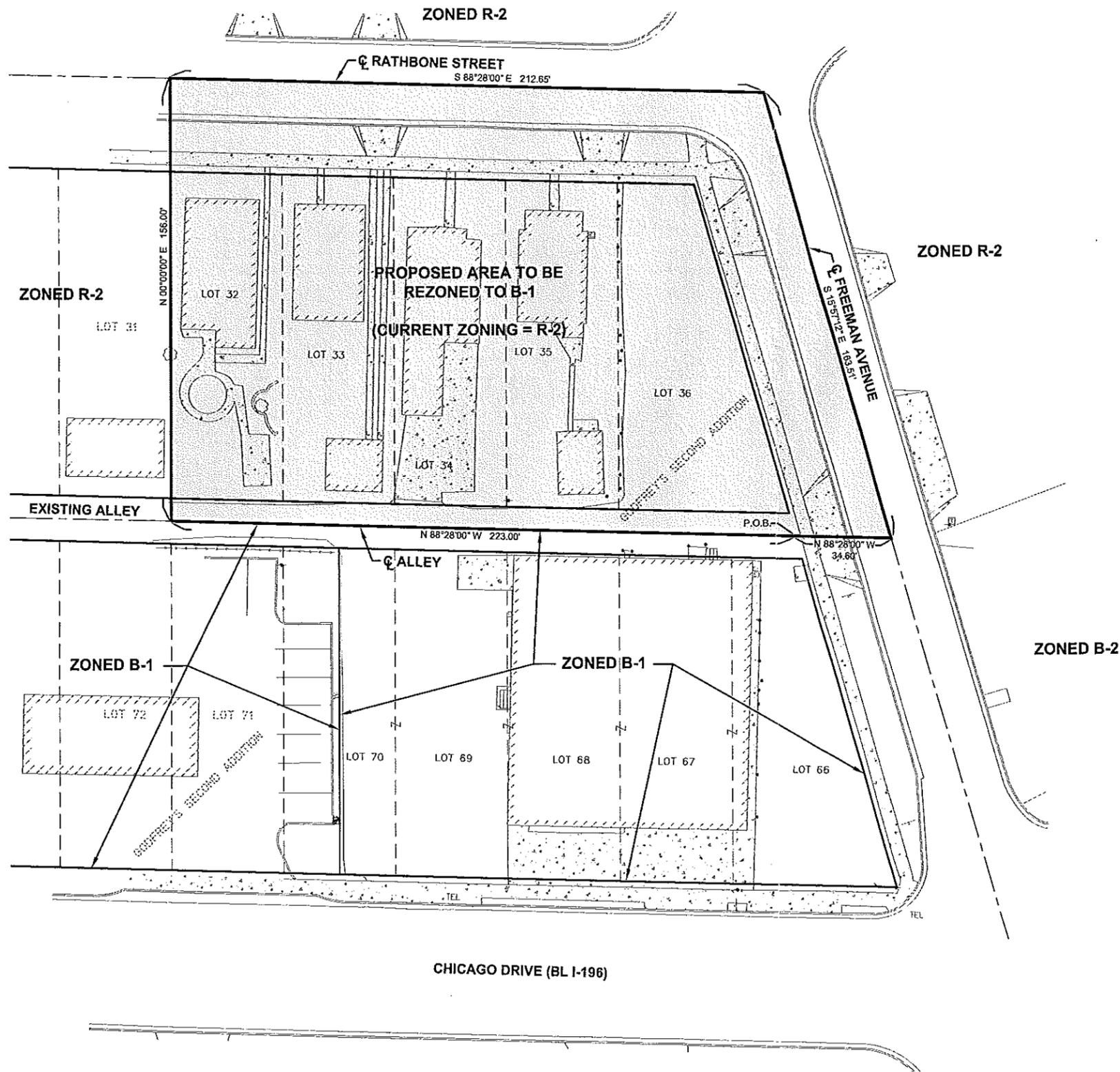
A motion was made by Arnoys, supported by Bueche, to recommend to City Council the subject rezoning. After discussion, the motion carried unanimously. Additional explanation regarding this proposal may be obtained from the Planning Commission minutes of March 19, 2013.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Timothy Cochran", written over a horizontal line.

Timothy Cochran, City Planner
Planning and Development Department

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



LEGAL DESCRIPTION FOR AREA TO BE RE-ZONED:

GODFREY'S SECOND ADDITION IN SECTION 2, T.6 N., R. 12 W., TO THE CITY OF GRAND RAPIDS, KENT COUNTY, MICHIGAN

ALL THAT PART OF LOTS 32 THROUGH 36, INCLUSIVE, THE NORTHERLY ONE-HALF OF THE 16 FOOT WIDE EAST-WEST ALLEY ADJOINING SAID LOTS, THE SOUTHERLY ONE-HALF OF RATHBONE STREET, AS PLATTED, AND THE WESTERLY ONE-HALF OF FREEMAN AVENUE, AS PLATTED, OF GODFREY'S SECOND ADDITION IN SECTION 2, T.6 N., R. 12 W., TO THE CITY OF GRAND RAPIDS, KENT COUNTY, MICHIGAN, AS RECORDED IN LIBER 22 OF PLATS, PAGE 30, KENT COUNTY RECORDS, DESCRIBED AS: COMMENCING AT THE SOUTHEASTERLY CORNER OF LOT 66, OF SAID GODFREY'S SECOND ADDITION, THENCE NORTH 15°57'12" WEST 128.92 FEET ALONG THE EASTERLY LINE OF SAID LOT 66, TO THE CENTERLINE OF SAID EAST-WEST ALLEY, FOR THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 88°28'00" WEST 223.00 FEET, ALONG SAID CENTERLINE TO THE SOUTHERLY EXTENSION OF THE LOT LINE COMMON TO LOTS 31 AND 32 OF SAID GODFREY'S SECOND ADDITION; THENCE NORTH 00°00'00" EAST 156.00 FEET, ALONG SAID LOT LINE AND THE EXTENSIONS THEREOF, TO THE CENTERLINE OF SAID RATHBONE STREET; THENCE SOUTH 88°28'00" EAST 212.65 FEET, ALONG SAID CENTERLINE, TO THE CENTERLINE OF SAID FREEMAN AVENUE; THENCE SOUTH 15°57'12" EAST 163.51 FEET, ALONG SAID CENTERLINE TO THE EASTERLY EXTENSION OF THE CENTERLINE OF SAID EAST-WEST ALLEY; THENCE NORTH 88°28'00" WEST 34.60 FEET, ALONG SAID EXTENSION TO THE PLACE OF BEGINNING. CONTAINING 36,668 SQUARE FEET, MORE OR LESS.

Williams & Works
engineers, planners, surveyors
a tradition of service
616.224.1500 phone • 616.224.1501 fax
649 Ottawa Ave NW • Grand Rapids, MI 49503
248.684.7985 phone • 248.684.7648 fax
1042 N. Millard Road • Millport, MI 49861-1941

NO.	REVISIONS	BY	DATE

PROPOSED RE-ZONING MAP
PART OF GODFREY'S SECOND ADDITION, SECTION 2, T6N, R12W
CITY OF WYOMING, KENT COUNTY, MICHIGAN
AS PREPARED FOR
McDonald's USA, LLC

SUBMITTED BY	J. MATTHEW	DATE	11/02/12
DRAWN BY	J. CAPPON	DATE	1/25/13
CHECKED BY	L. ALBAUGH	DATE	1/12/13
212064			
212064-BM.DWG			

JRS/sak
4/23/13

ORDINANCE NO. 5-13

AN ORDINANCE TO AMEND THAT PORTION OF
TABLE 90-646 ENTITLED "DRIVE-THROUGH RESTAURANT"
TO THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That the portion of Table 90-646 entitled "Drive-through restaurant" is hereby amended to read as follows:

Drive-through restaurant: 1.25 for every 3 persons allowed within the maximum occupancy as established by the city fire and building code, plus a minimum of 5 stacking spaces for each pickup window. The queuing of vehicles shall not interfere with public rights-of-way or with on or off site circulation and parking.

Section 2. This ordinance shall be in full force and effect on the _____ day of _____, 2013.

I hereby certify that the above-entitled Ordinance was adopted by the City of Wyoming at a _____ session of the City Council held on the _____ day of _____, 2013.

Heidi A. Isakson
Wyoming City Clerk

Ordinance No. 5-13



April 23, 2013

Web: www.wyomingmi.gov

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

Ms. Heidi A. Isakson
City Clerk
Wyoming, MI

Subject: Request to amend Zoning Code Section 90-646 regarding required vehicle parking and stacking for drive-through restaurants.

Recommendation: To approve the subject Zoning Code amendments.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on April 16, 2013. Staff had the following comments:

This request was initially considered by the Planning Commission on March 19, 2013. The request was deferred to obtain additional information regarding alternative parking requirements. The following provides a comparison of respective drive-through restaurant parking requirements for area communities:

City of Wyoming: 1 parking space / 50 sq. ft. gross floor area
City of Grand Rapids: 1.25 parking spaces / 3 person occupancy (suburban districts)
City of Kentwood: 1 parking space / 50 sq. ft. useable floor area
City of Grandville: 1.5 parking spaces / 3 seats
City of Walker: 1 parking space / 2 seats plus 1 space / employee at peak hours

A parking comparison report prepared by William & Works (a local planning and engineering firm who provides consulting services to numerous area communities) was also provided. It identified the various design parameters for a typical McDonald's restaurant of 4,200 sq. ft. This information was then used to determine the respective parking requirement in each community.

City of Wyoming: 4200 sq. ft. divided by 50 = 84 parking spaces
City of Grand Rapids: 108 person occupancy divided by 3 x 1.25 = 45 parking spaces
City of Kentwood: 1,444 sq. ft. divided by 50 = 29 parking spaces
City of Grandville: 70 seats divided by 3 x 1.5 = 35 parking spaces
City of Walker: 70 seats divided by 2 plus 12 employees = 47 parking spaces

With further consideration, staff continues to recommend that due to the wide range of drive-through businesses and their individuality, it would be best to derive a parking requirement based on the occupancy of the use. The City of Grand Rapids (in suburban settings), requires 1.25 parking spaces for every 3 people occupancy, as determined by the Building Code. Applying this standard to Wyoming is reasonable and promotes consistency in the region. Additional conversations with the Chief Building Official confirmed that calculations of occupancy is relatively simple with the provision of a floor plan. Changes in fast food franchises or seating arrangements at a particular facility should not substantially amend the parking requirements. As you are aware, the Zoning Code also permits the Planning Commission to grant up to a 25% reduction in required parking where it can be justified based on ordinance standards. In addition, to help diminish the amount of underutilized pavement areas, the Zoning Code limits parking on a property to no more than 20% above that required.

As was also identified to the Planning Commission in March, it was found that a minimum requirement of five stacking spaces for drive through restaurants is a common standard. This is half of what our Zoning Ordinance requires. Those businesses that require additional stacking based on historical operation would provide as many as needed. However, it would be prudent to require the queuing of vehicles to not interfere with public right-of-ways or with on or off site circulation and parking. The following provides a comparison of the stacking requirements for the same area communities:

City of Wyoming:	10 stacking spaces
City of Grand Rapids:	To be determined by review of the Traffic Safety Department
City of Kentwood:	4 stacking spaces
City of Grandville;	10 stacking spaces
City of Walker:	5 stacking spaces

Adoption of the proposed amendments would essentially reduce the parking and vehicle stacking by 50% required under the current Zoning Code.

PROPOSED ORDINANCE AMENDMENT:

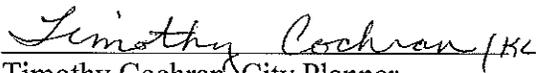
Section 90-646:

Drive-through restaurant: 1.25 for every 3 persons allowed within the maximum occupancy as established by the city fire and building code, plus a minimum of 5 stacking spaces for each pickup window. The queuing of vehicles shall not interfere with public rights-of-way or with on or off site circulation and parking.

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendments to Sections 90-646 regarding required vehicle parking and stacking for drive-through restaurants.

A motion was made by Arnoys, supported by Hegyi, to recommend to City Council the Zoning Code amendments as recommended by the DRT. After discussion the motion carried 8-1 (Postema). Additional explanation regarding this proposal may be obtained from the Planning Commission minutes of March 19, 2013 and April 16, 2013.

Respectfully submitted,


Timothy Cochran, City Planner
Planning and Development Department

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

ORDINANCE NO. 6-13

AN ORDINANCE TO ADD DIVISION 6, ARTICLE IV
TO THE CODE OF THE CITY OF WYOMING
ENTITLED "PROPERTY TAX EXEMPTIONS"

THE CITY OF WYOMING ORDAINS:

Section 1. That Division 6, is hereby added to Article IV of the Code of the City of Wyoming to read as follows:

DIVISION 6
PROPERTY TAX EXEMPTIONS

Sec. 2-305. Authorization.

In accordance with the general terms of Division 3 of Article IV of this Chapter, the City hereby authorizes property tax exemptions and payment in lieu of taxes for the following projects in accordance with the specific terms provided for each project:

(1) LINC Community Revitalization (Godfrey Avenue project).

(a) Establishment. The purpose of this subsection is to provide for payment in lieu of taxes for LINC Community Revitalization (Godfrey Avenue project) at 1736 Godfrey Avenue S.W., Wyoming, Michigan. The City acknowledges that the project falls within the purposes of the State Housing Development Authority Act of 1966 and Division 3 of this Article.

(b) Annual service charge. The LINC Community Revitalization project at 1736 Godfrey Avenue S.W. and the property on which it is constructed shall be exempt from all property taxes from January 1, 2014 for a period of 15 years. The annual service charge shall be equal to 5% of the annual shelter rents.

(c) Property maintenance. Failure to maintain the property in proper code compliance will subject LINC Community to revocation of the property tax exemption and payment in lieu of taxes upon appropriate action by the Wyoming City Council.

Section 2. This ordinance shall be in full force and effect on the _____ day of _____, 2013.

I hereby certify that the above-entitled Ordinance was adopted by the City of Wyoming at a _____ session of the City Council held on the _____ day of _____, 2013.

Heidi A. Isakson
Wyoming City Clerk