

AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, JULY 21, 2014, 7:00 P.M.

- 1) Call to Order**
- 2) Invocation** – Wayne Ondersma, The Dock Ministries
- 3) Pledge of Allegiance**
- 4) Roll Call**
- 5) Student Recognition**
- 6) Approval of Minutes**
From the regular meeting of July 7, 2014
- 7) Approval of Agenda**
- 8) Public Hearings**
7:01 p.m. To Consider the Establishment of an Industrial Development District for Lumen Flow Corporation in the City of Wyoming
- 9) Public Comment on Agenda Items** (3 minute limit per person)
- 10) Presentations and Proclamations**
 - a) Presentations
 - b) Proclamations
- 11) Petitions and Communications**
 - a) Petitions
 - b) Communications
- 12) Reports from City Officers**
 - a) From City Council
 - b) From City Manager
 1. 14-22 Acceptance of a Non-Motorized Trail Easement for Construction of the Inter-Urban Kentwood Trail Connector for 5039 Division Avenue SW (Carlson Ventures LLC)
- 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 Appoint Anne Kladder as a Member of the Historical Commission for the City of Wyoming
 - b) To Appoint Barbara VanDuren as a Member of the Officers Compensation Committee for the City of Wyoming
- 15) Resolutions**
 - c) To Establish Industrial Development District 298 for Lumen Flow Corporation in the City of Wyoming
 - d) To Close Pinehurst Avenue at 44th Street in the City of Wyoming, Kent County, Michigan
 - e) To Amend a Portion of the City of Wyoming Fee Schedule

- f) To Consider an Application from Tommy Brann's Steak & Seafood, Inc. for a New Class C Licensed Business to be Located at 5316 Clyde Park Avenue SW, Wyoming, Michigan, 49509, Kent County

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

- g) To Authorize the Mayor and City Clerk to Execute a Cost Sharing Agreement with TMGB Wilson, LLC for the Rivertown Valley Phase III Plat (Budget Amendment No. 5)
- h) For Award of Bids
 - 1. Re-Roofing of Maintenance Garage
 - 2. Automated Oil and Grease Extraction Instrument

17) Ordinances

- a) Ordinance 12-14: To Amend Sections 34-108 and 34-109 of the Code of the City of Wyoming (Fireworks Permits) (Final Reading)
- b) Ordinance 13-14: To Add Article VI to Chapter 78 of the Code of the City of Wyoming Entitled "Bus Transit Regulations" (Final Reading)
- c) Ordinance 14-14: To Amend Section 90-44 of the Code of the City of Wyoming (Distance Requirement for Mechanical Appurtenances) (Final Reading)
- d) Ordinance 15-14: To Amend Sections 90-31, 90-55, 90-892(5), 90-892(6), a Portion of Section 90-895 (Table) and to Repeal Section 90-65, Portions of Tables 90-646, 90-799, 90-799-2, 90-891, Sections 90-892(24) and 90-892(25), a Portion of Section 90-893 (Table), Section 90-894(13) and Article XXVII of Chapter 90 of the Code of the City of Wyoming (Final Reading)
- e) Ordinance 16-14: To Amend Section 14-280 of the Code of the City of Wyoming (Permitted Districts for Carnivals) (Final Reading)

18) Informational Material

19) Acknowledgment of Visitors

20) Closed Session (Pending Litigation)

21) Adjournment



July 21, 2014

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

Wyoming City Council
Wyoming, Michigan

City Manager's Report No. 14-22

Subject: Acceptance of a Non-Motorized Trail Easement for
Construction of the Inter-Urban Kentwood Trail Connector for
5039 Division Avenue, SW (Carlson Ventures LLC)

Councilmembers:

Carlson Ventures LLC, owner of 5039 Division Avenue, SW, has submitted the following described Non-Motorized Trail Easement. The Easement conveys permanent access rights to the City of Wyoming for the construction and maintenance of the Inter-Urban and Kentwood Trail Connector. The easement area is shown on the attached Estimate of Just Compensation drawing. The acquisition is for the construction of the Inter-Urban and Kentwood Trail Connector in the fall of 2014.

Grantor:	Carlson Ventures LLC
Parent Parcel:	41-17-25-477-018
Right-of-way Size	1,150 sf – Easement
Consideration:	\$9,900.00

It is recommended that the City Council accept the attached Non-Motorized Trail Easement which has been approved as to form by the City Attorney.

Respectfully submitted,

Curtis L. Holt
City Manager

Attachments: Non-Motorized Trail Easement
Estimate of Just Compensation

**CITY OF WYOMING
NON-MOTORIZED TRAIL EASEMENT
Parcel No. 41-17-25-477-018**

The Grantor, **Carlson Ventures LLC**, a Michigan limited liability company, whose address is 3830 Wilton Drive, SE, Grand Rapids, Michigan, 49508

DOES HEREBY GRANT AND CONVEY TO:

CITY OF WYOMING, a Michigan Municipal corporation, whose address is 1155 28th Street, SW, Wyoming, Michigan 49509 (the "City" herein) an easement for non-motorized trail purposes, including, but not limited to, the construction, use, repair, reconstruction and replacement of a non-motorized trail and appurtenant parts thereof in, under, over, across, through and upon property located in the City of Wyoming, County of Kent, State of Michigan, as follows:

See Exhibit A attached hereto for the Non-Motorized Trail Easement Legal Description, Non-Motorized Trail Easement Area, and Property Legal Description (Parcel No. 41-17-25-477-018)

For the full consideration of Nine Thousand Nine Hundred Dollars and No Cents (\$9,900.00).

The City shall have the right to temporarily use the Grantor's property outside the Easement Area, but immediately adjoining the Easement Area, to accomplish the work; provided however, that the City shall restore the portion of the Grantor's property adjoining the Easement Area to as good or better condition than it was prior to any work having been performed.

Grantor shall not construct, install, or place any fences, buildings, walls, structures, trees, or any obstructions in the Easement Area which would inhibit the intended use of the Easement; however, snow storage from the Grantor's snow plowing operations on the Grantor's property is permitted in the Easement Area. The City has the right, at its discretion, to remove snow from the Easement Area provided that such snow is disposed off the Grantor's property.

Grantor shall not grant an easement to any other party within the Easement Area without the prior written consent of the City of Wyoming.

DATED: June 30, 2014

Approved as a form:



Attorney for the City of Wyoming

GRANTOR:
Carlson Ventures LLC

Glenn Carlson

By: GLENN CARLSON

Its: MEMBER

STATE OF MICHIGAN)
)ss.
COUNTY OF Kent)

The foregoing instrument was acknowledged before me in Kent County, Michigan on this 30th day of June 2014, by Glenn Carlson Member of **Carlson Ventures LLC**, a Michigan limited liability company.

KELLY JACOBSEN
Notary Public, State of Michigan
County of Ottawa
My Commission Expires: 6/21/2017
Acting in the County of Kent

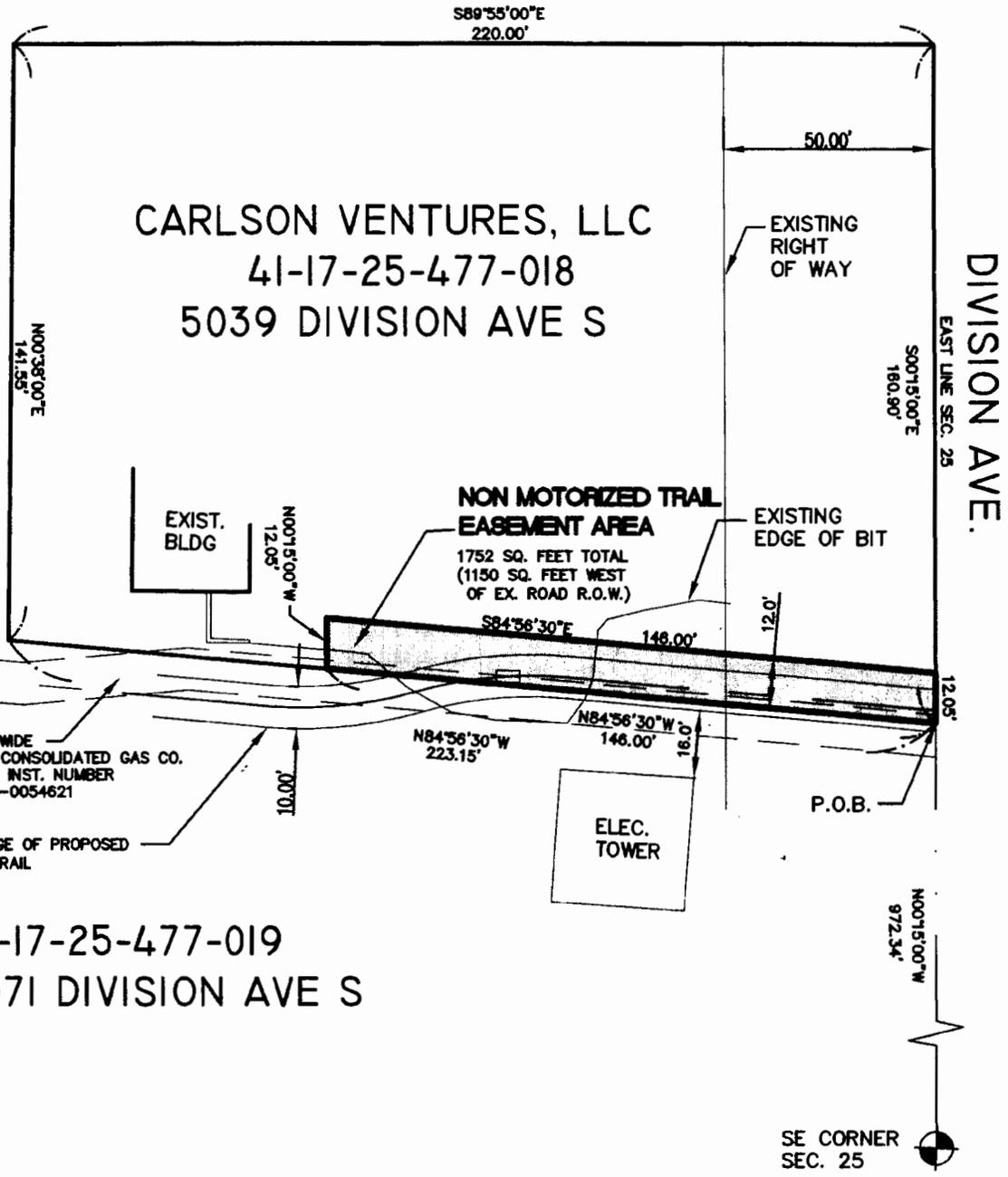
Kelly Jacobsen
Kelly Jacobsen Notary Public
State of Michigan, County of Ottawa
My Commission Expires: 6/21/2017
Acting in the County of Kent

EXHIBIT A

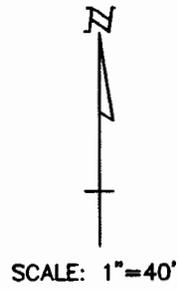
DATE: 6-11-14
PROJECT NO: 13059EX-A

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 25, TOWN 6 NORTH, RANGE 12 WEST, COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING LINE OF SAID SECTION, WHICH IS NORTH FROM THE SOUTHEAST CORNER OF SAID 30"W 223.15 FEET; THENCE N00°38'E 141.55 20 FEET TO THE EAST LINE OF SAID SECTION; FEET TO THE PLACE OF BEGINNING.

MENT LEGAL DESCRIPTION: THAT PART OF THE SOUTHEAST 1/4 OF SECTION 25, TOWN 6 CITY OF WYOMING, KENT COUNTY MICHIGAN, NG AT THE SOUTHEAST CORNER OF SAID W 972.34 FEET ALONG THE EAST LINE OF NT OF BEGINNING; THENCE N84°56'30"W 0°15'00"W 12.05 FEET; THENCE S84°56'30"E T LINE OF SAID SECTION; THENCE S00°15'00"E F OF BEGINNING.



LEGEND
N STAKE (SET)
N STAKE (FOUND)
ICE
ROAD TRACK
EASEMENT AREA
OD STAKE (SET)



NOTE: OVERALL PARCEL LEGAL DESCRIPTION FROM TITLE COMMITMENT NO. 41-14366545-ACM, ATTORNEYS TITLE AGENCY, 4-14-14.

CITY OF WYOMING ESTIMATE OF JUST COMPENSATION

PROJECT: Reconstruction of Division Avenue from 54th Street to 60th Street

PURPOSE OF REPORT: The purpose of this report is to estimate the Fair Market Value of the land to be acquired and to estimate the Just Compensation for the conveyance of land and the granting of permanent and temporary Easements. The compensation will be based upon the land values obtained from the Wyoming Assessor's Records. This method of compensation is authorized by the Wyoming City Council per Resolution No. 18464 (City Policy Manual).

SITE DATA:	Permanent Parcel No.: 41-17-25-477-018
Parcel: Carlson Ventures LLC	Land Use: Commercial Size: 0.77 Ac (total)
Address: 5039 Division Avenue SW	Zoning: 201

<p>ACQUISITION DESCRIPTION:</p> <p><u>Easement:</u> A generally rectangular parcel of land as shown on sketch.</p> <p>Area: 1,150 s.f.</p>	<p>SKETCH:</p> <div style="text-align: right;">North ▲</div> <p style="text-align: center;">CARLSON VENTURES, LLC 41-17-25-477-018 5039 DIVISION AVE S</p> <p style="text-align: center;">NON MOTORIZED TRAIL EASEMENT AREA 1752 SQ. FEET TOTAL (1150 SQ. FEET WEST OF EX. ROAD R.O.W.)</p>
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COMPUTATION OF VALUE:	
RELOCATION/RECONSTRUCTION OF VACUUM/FRAGRANCE STATION AND PAVEMENT RESTORATION – Responsibility of City of Wyoming at project expense	N/A
LAND ACQUISITION, EASEMENT	\$ 9,900.00

REMARKS: The Agreement for Incidental Items is attached hereto and made a part of this Estimate of Just Compensation

Signed:

For information call 616.791.9805

\$9,900.00

Agreement for Incidental Items

Property Owner: Carlson Ventures LLC, a Michigan limited liability company
Property Address: 5039 Division Avenue, SW, Wyoming, MI 49548
Parcel Number: 41-17-25-477-018
Project: Interurban Trail Connector

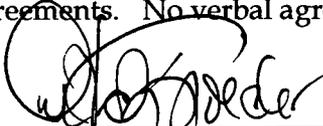
In consideration of the above named Property Owner having granted a Non-Motorized Trail Easement to the City of Wyoming for the above referenced project, the following is agreed:

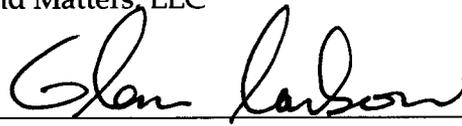
The relocation/reconstruction of the vacuum/fragrance station ("Station") , including electrical facilities, on this parcel in the vicinity of the proposed non-motorized trail will be the responsibility of the City of Wyoming and will be done as part of the above referenced project and paid for at project expense. The Station relocation/reconstruction will be at a location generally as shown on the attached Exhibit A and will be coordinated with the property owner. The design of the new Station will generally match the existing station. The vacuum and fragrance components will be saved from the old structure and installed on the new structure. Said work will be done in such a way that the new foundation and structure will be completed prior to the removal of the old structure, in order that the vacuum and fragrance components can be installed in an effort to minimize downtime of the Station.

The proposed non-motorized trail on this parcel will be constructed contiguous with the existing pavement Northerly of the proposed non-motorized trail (except through the existing lawn area) and will be denoted by pavement markings. Any necessary restoration of existing pavement to blend in with the proposed non-motorized trail will be included with the above referenced project and paid for at project expense.

The Property Owner hereby grants the City of Wyoming and its contractors/subcontractors and designees access to the Property Owner's property as necessary to accomplish the work for the relocation/reconstruction of the Station and restoration of pavement as referenced herein.

It is understood that the above is subject to final approval by the City of Wyoming and the above includes all agreements. No verbal agreements will be considered.

Prepared by:  6.30.14
Deborah S. Poeder Date
Land Matters, LLC

Accepted by:  6/30/14
Carlson Ventures LLC, a Michigan limited liability company Date
By: GLENN CARLSON
Its: MEMBER

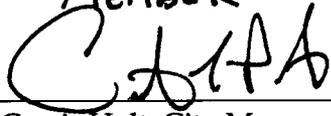
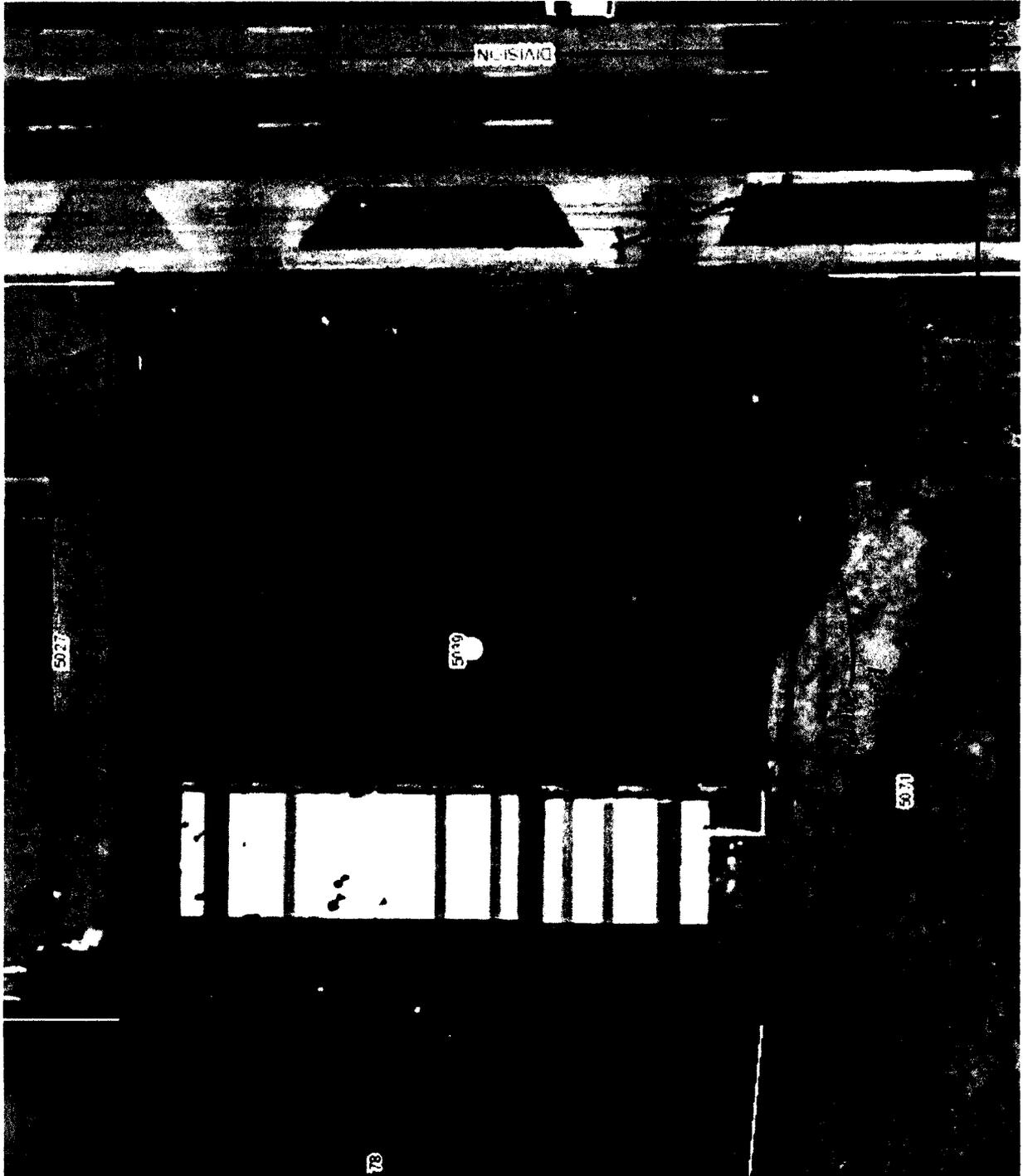
Approved by:  7.17.14

EXHIBIT A



North
No Scale



RESOLUTION NO. _____

RESOLUTION TO APPOINT ANNE KLADDER AS A MEMBER OF THE
HISTORICAL COMMISSION FOR THE CITY OF WYOMING

WHEREAS:

1. Anne Kladder has submitted an application requesting appointment to the Historical Commission for the City of Wyoming.
2. A vacancy exists in an unexpired term ending June 30, 2016.
3. Mayor Jack Poll has recommended that Anne Kladder be appointed as a member of the Historical Commission for the City of Wyoming.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council for the City of Wyoming, Michigan, does hereby confirm the appointment of Anne Kladder to the Wyoming Historical Commission for the unexpired term ending on June 30, 2016.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on July 21, 2014.

Heidi A. Isakson, Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION TO APPOINT BARBARA VANDUREN AS A MEMBER
OF THE OFFICERS COMPENSATION COMMISSION
FOR THE CITY OF WYOMING

WHEREAS:

1. Barbara VanDuren has submitted an application requesting appointment to the Officers Compensation Commission for the City of Wyoming.
2. A vacancy exists in an unexpired term ending June 30, 2021 on the Officers Compensation Commission.
3. It is the desire of Mayor Jack A. Poll that Barbara VanDuren is appointed to serve on the Officers Compensation Commission for the City of Wyoming.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council for the City of Wyoming, Michigan, does hereby confirm the appointment of Barbara VanDuren to the Officers Compensation Commission for the City of Wyoming for a term expiring June 30, 2021.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on July 21, 2014.

Heidi A. Isakson, Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION TO ESTABLISH INDUSTRIAL DEVELOPMENT DISTRICT 298
FOR LUMEN FLOW CORPORATION IN THE CITY OF WYOMING

WHEREAS:

1. The City of Wyoming has the authority to establish Industrial Development Districts within the City of Wyoming under the provisions of Act 198 of Public Acts of 1974, as amended.
2. Lumen Flow Corporation has requested that the City establish an Industrial Development District for its property located at 3685 Hagen Drive SE, Wyoming, Michigan, 49548, and legally described on the attachment.
3. Staff reviewed the request and found that the project to be located within the district will promote the economic health of the community by encouraging private capital investment and creating new employment opportunities in the City of Wyoming.
4. Staff recommends that the City Council establish this district.
5. A public hearing was held on July 21, 2014, at 7:01 p.m., at which time the property owners of real property within the proposed district and all residents and taxpayers of the City of Wyoming were afforded the opportunity to be heard.
6. The City Council believes it is in the public interest of the City of Wyoming to establish the district.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council establishes Industrial Development District Number Two Hundred Ninety-Eight (298) in the City of Wyoming, Kent County, Michigan, under the provisions of Act 198 of the Public Acts of 1974 as amended, for real and personal property at 3685 Hagen Drive SE, Wyoming, Michigan, 49548, and legally described on the attachment.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on July 21, 2014.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENT:

Exhibit A - Legal Description

Resolution No. _____

EXHIBIT A

Legal Description

Address: 3685 Hagen Drive SE, Wyoming, MI 49548

Tax Parcel No.: 41-18-19-126-051

Legal Description:

LOT 99 EX W 120 FT. KENT INDUSTRIAL CENTER #2

RESOLUTION NO. _____

RESOLUTION TO CLOSE PINEHURST AVENUE
AT 44TH STREET IN THE CITY OF WYOMING,
KENT COUNTY, MICHIGAN

WHEREAS:

1. The City of Wyoming is currently reconstructing 44th Street from Hansen Avenue to Division Avenue.
2. The reconstruction project includes various congestion and traffic safety improvements including indirect left-turn bulb-outs to accommodate large vehicles making U-turns.
3. Pinehurst Avenue intersects 44th Street from the south in the location of a turn-around bulb creating a conflict point and potential safety concern.
4. The Engineering Department considered the closure of Pinehurst Avenue and contracted with Progressive AE to perform a traffic study and provide recommendations to staff and the Planning Commission.
5. The Planning Commission held a public hearing on July 15, 2014, and voted unanimously to recommend the closure of Pinehurst Avenue at 44th Street.
6. The Planning Commission recommends City Council close Pinehurst Avenue south of 44th Street in Section 25, in the City of Wyoming.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby close Pinehurst Avenue south of 44th Street in the City of 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 July 21, 2014.

Heidi A. Isakson, Wyoming City Clerk

MAYOR
Jack A. Poll
AT-LARGE COUNCILMEMBER
Sam Bolt
AT-LARGE COUNCILMEMBER
Kent Vanderwood
AT-LARGE COUNCILMEMBER
Dan Burrill
1ST WARD COUNCILMEMBER
William A. VerHulst
2ND WARD COUNCILMEMBER
Richard K. Pastoor
3RD WARD COUNCILMEMBER
Joanne M. Voorhees
CITY MANAGER
Curtis L. Holt

July 16, 2014

Ms. Heidi A. Isakson
City Clerk
Wyoming, MI

Subject: Request to close Pinehurst Avenue at 44th Street.

Recommendation: To approve the subject street closure request.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on July 15, 2014. A motion was made by Bueche, supported by Arnoys, to recommend to City Council the proposed closure of Pinehurst Avenue at 44th Street. After discussion the motion passed unanimously. While a more detailed review is available in the Planning Commission minutes, the following is provided as basic background information:

The City is currently reconstructing 44th Street from Hansen Avenue to Division Avenue to incorporate indirect turnarounds. This is the last remaining section of 44th Street to receive these improvements. These indirect turnarounds will accommodate the existing and future traffic volumes in a more efficient and safe manner. It is anticipated by the year 2035 that 44th Street will carry over 35,000 vehicles per day through this area.

West bound traffic on 44th Street that intends to turn south on Division Avenue will be channeled through the indirect turnaround at Pinehurst Avenue. This turnaround conflicts with the intersection of Pinehurst Avenue. Staff and the engineering traffic consultant determined that the safest street design would be to close Pinehurst Avenue at 44th Street. This will require traffic to shift to adjoining streets.

In January 1991, the Planning Commission adopted a policy (attached) to address street closings proposed by residents. The purpose of this policy was to establish a framework so the impacts of traffic shifts could be more readily understood by the impacted residents and the City. This policy has been followed by the City to address this current proposal. A public informational meeting was held by the Engineering Department on June 25, with notices sent to surrounding residents. A traffic volume comparison was developed for the proposed street closure. As shown, the greatest daily traffic shift occurs on Farnham Street near Division Avenue with an additional 36 cars during the peak hour. This is roughly one

additional car every two minutes along the street. Staff believes the proposed traffic shift will have negligible impact on the nearby residents and properties. Pedestrian access to 44th Street sidewalks will be maintained with the reconstruction.

Typically, development recommendations to the Planning Commission are provided by the Development Review Team. In this instance, due to the necessity of maintaining the construction schedule for 44th Street, this request was expedited and by-passed the full review by the Development Review Team. However, the majority of the DRT members are aware of this request and are supportive.

The Engineering and Community Development Departments suggested the Planning Commission recommend approval for the proposed closure of Pinehurst Avenue at 44th Street to the City Council.

No comments were received at the public hearing. A motion was made by Bueche, supported by Arnoys, to recommend to the City Council the proposed closure of Pinehurst Avenue at 44th Street. After discussion, the motion passed unanimously.

Respectfully submitted,



Timothy Cochran, City Planner
Planning and Development Department

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

PLANNING COMMISSION RESIDENTIAL STREET CLOSING POLICY
CITY OF WYOMING, MICHIGAN*

1. Citizen requests for residential street closings must be in the form of a petition, including the signatures of at least 51% of the property owners in the block where the street closing is proposed; however, should the number of signatures by property be less than 20, additional signatures must be obtained from adjoining affected property owners so that a minimum of 20 is included on the petition. This requirement may be waived by the Planning Director in instances where the Director believes there are insufficient affected residences in the area to meet the 20 signature standard.
2. A street closing application fee of \$75.00 shall be submitted.
3. The Planning Department, with review by the Engineering Department, will prepare a map delineating the project study area based upon its determination of potential impact of the street closing on properties in the vicinity.
4. The Wyoming Traffic Department will conduct traffic counts on the affected streets and compare them with anticipated traffic counts based on land use.
5. Traffic levels on the street proposed for closing must exceed the expected trip level anticipated on said street from adjoining land use by at least 100% to be considered for closing, except that this condition may be waived where the major problem is determined other than volume of traffic.
6. The Traffic Department shall project traffic counts for the possible rerouting of the traffic from this street to other adjoining streets. That potential alternative traffic impact will be considered in the analysis.
7. The Traffic Department shall make a recommendation on the street closing, considering such factors as street design, through traffic, truck traffic, accidents, traffic speed or vehicular or pedestrian safety.
8. A public hearing will be granted by the City of Wyoming Planning Commission, who shall thereafter forward its recommendations to the City Council for final decisionmaking.
9. Street closings will not be considered for any street shown on the City's adopted Thoroughfare Plan.
10. Street closings will not be considered if there is insufficient land or R.O.W. to insure the construction of a proper cul-de-sac or turn-around according to standard Engineering specs or if there is excessive impact on immediately adjoining properties.
11. Street closings will not be considered if emergency vehicle protection service is significantly hampered or reduced or if the closing would significantly increase emergency response time. The Police and Fire Departments will provide recommendations in this regard.
12. Multiple cul-de-sacs or street closings may be considered as part of a neighborhood traffic circulation plan when recommended by City Staff. Said Plan should be subject to a public hearing, but the Planning Commission may choose to waive any of the above conditions in the interests of overall neighborhood betterment.



REMARKS

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN.
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3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES TO REMAIN.

BEFORE ANY WORK BEGINS, THE CONTRACTOR SHALL CONTACT THE CITY ENGINEER TO OBTAIN A PERMIT TO EXCAVATE AND TO PROTECT ALL UTILITIES AND STRUCTURES TO REMAIN.

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ITEM	DESCRIPTION	QUANTITY	UNIT
1.00	ASPHALT, 1 1/2" THICK	1000	SQ. YD.
1.01	ASPHALT, 3/4" THICK	1000	SQ. YD.
1.02	ASPHALT, 1/2" THICK	1000	SQ. YD.
1.03	ASPHALT, 1/4" THICK	1000	SQ. YD.
1.04	ASPHALT, 1/8" THICK	1000	SQ. YD.
1.05	ASPHALT, 1/16" THICK	1000	SQ. YD.
1.06	ASPHALT, 1/32" THICK	1000	SQ. YD.
1.07	ASPHALT, 1/64" THICK	1000	SQ. YD.
1.08	ASPHALT, 1/128" THICK	1000	SQ. YD.
1.09	ASPHALT, 1/256" THICK	1000	SQ. YD.
1.10	ASPHALT, 1/512" THICK	1000	SQ. YD.
1.11	ASPHALT, 1/1024" THICK	1000	SQ. YD.
1.12	ASPHALT, 1/2048" THICK	1000	SQ. YD.
1.13	ASPHALT, 1/4096" THICK	1000	SQ. YD.
1.14	ASPHALT, 1/8192" THICK	1000	SQ. YD.
1.15	ASPHALT, 1/16384" THICK	1000	SQ. YD.
1.16	ASPHALT, 1/32768" THICK	1000	SQ. YD.
1.17	ASPHALT, 1/65536" THICK	1000	SQ. YD.
1.18	ASPHALT, 1/131072" THICK	1000	SQ. YD.
1.19	ASPHALT, 1/262144" THICK	1000	SQ. YD.
1.20	ASPHALT, 1/524288" THICK	1000	SQ. YD.
1.21	ASPHALT, 1/1048576" THICK	1000	SQ. YD.
1.22	ASPHALT, 1/2097152" THICK	1000	SQ. YD.
1.23	ASPHALT, 1/4194304" THICK	1000	SQ. YD.
1.24	ASPHALT, 1/8388608" THICK	1000	SQ. YD.
1.25	ASPHALT, 1/16777216" THICK	1000	SQ. YD.
1.26	ASPHALT, 1/33554432" THICK	1000	SQ. YD.
1.27	ASPHALT, 1/67108864" THICK	1000	SQ. YD.
1.28	ASPHALT, 1/134217728" THICK	1000	SQ. YD.
1.29	ASPHALT, 1/268435456" THICK	1000	SQ. YD.
1.30	ASPHALT, 1/536870912" THICK	1000	SQ. YD.
1.31	ASPHALT, 1/1073741824" THICK	1000	SQ. YD.
1.32	ASPHALT, 1/2147483648" THICK	1000	SQ. YD.
1.33	ASPHALT, 1/4294967296" THICK	1000	SQ. YD.
1.34	ASPHALT, 1/8589934592" THICK	1000	SQ. YD.
1.35	ASPHALT, 1/17179869184" THICK	1000	SQ. YD.
1.36	ASPHALT, 1/34359738368" THICK	1000	SQ. YD.
1.37	ASPHALT, 1/68719476736" THICK	1000	SQ. YD.
1.38	ASPHALT, 1/137438953472" THICK	1000	SQ. YD.
1.39	ASPHALT, 1/274877906944" THICK	1000	SQ. YD.
1.40	ASPHALT, 1/549755813888" THICK	1000	SQ. YD.
1.41	ASPHALT, 1/1099511627776" THICK	1000	SQ. YD.
1.42	ASPHALT, 1/2199023255552" THICK	1000	SQ. YD.
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1.98	ASPHALT, 1/1584562683748260643866113536" THICK	1000	SQ. YD.
1.99	ASPHALT, 1/3169125367496521287732227072" THICK	1000	SQ. YD.
2.00	ASPHALT, 1/6338250734993042575464454144" THICK	1000	SQ. YD.

44TH STREET

ENGINEERING DEPARTMENT

16 OF 77

IN 44TH ST

FROM 200 W WALTON AVE

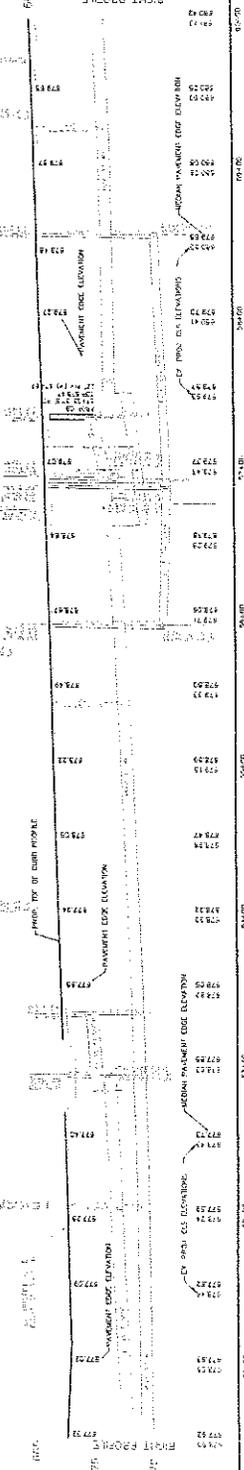
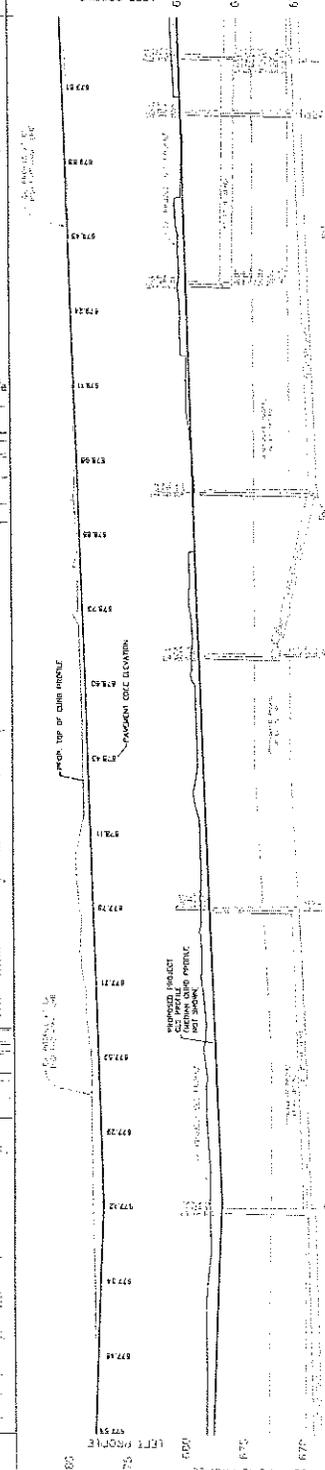
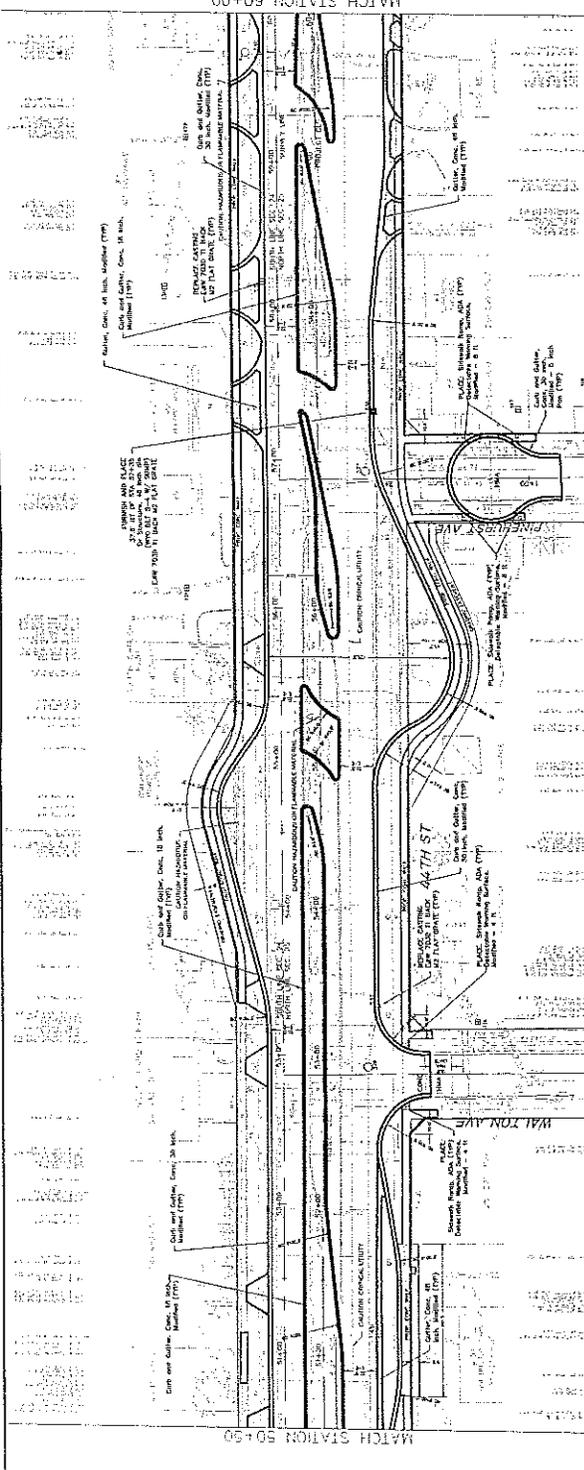
TO 300 E OF PINEHURST AVE

DATE: 10/1/11

FILE NO.

15131A

15131A



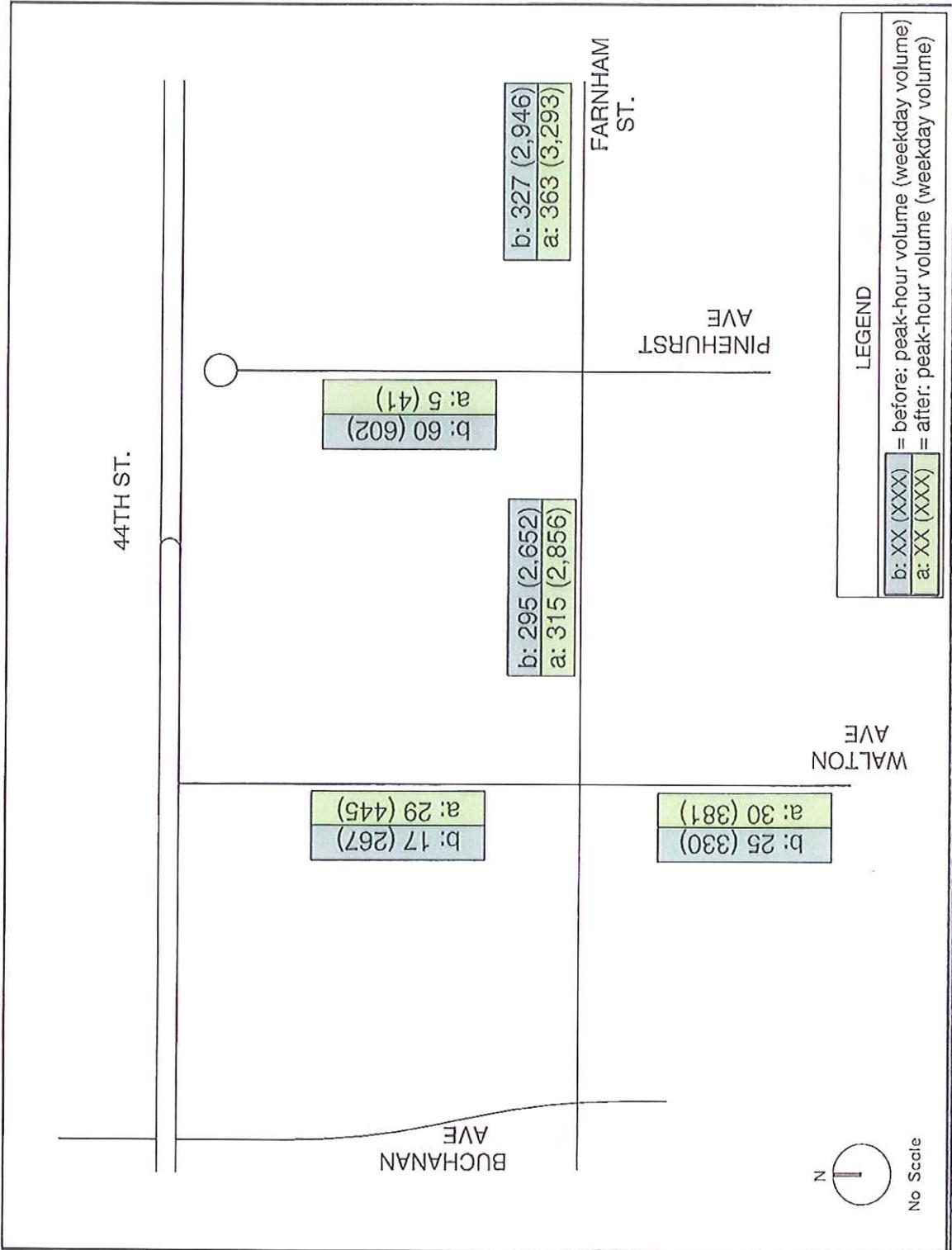


Figure 1

RESOLUTION NO. _____

RESOLUTION TO AMEND A PORTION OF THE
CITY OF WYOMING FEE SCHEDULE

WHEREAS:

1. The City of Wyoming establishes by resolution certain fees.
2. From time to time information related to fees is reviewed to ensure they cover related costs.
3. Section III – City Clerk Department of the existing Fee Schedule is in need of amendment to add application fee for Fireworks Display Permit.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council of the City of Wyoming hereby adopts the attached revision to Section III – City Clerk Department.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on July 21, 2014.

Heidi A. Isakson, Wyoming City Clerk

ATTACHMENT:

Proposed Fee Schedule

III - CITY CLERK

All Business Licenses, Except as Described or otherwise provided herein:	\$	40.00
Adult Bookstore and other Adult Businesses		250.00 initial 100.00 annual
Air Pollution Appeals or Variance		25.00
Assemblies, Outdoor		200.00
Auto Body Repair Garages		100.00
Automobile Sales New & Used Cars, Trucks, each lot		50.00
Automobile Wrecking Yard/Scrap Metal and Metal Processing		125.00
Billiards/Pool		125.00
Bowling Alleys		40.00
Carnival		
Nonrefundable application fee		75.00
Additional permit fee per day		50.00
Bond		1,000.00
Insurance: \$3,000,000 Combined Single Limit for Occurrence, Aggregate & Property Damage Naming the City of Wyoming as Additional Insured		
Christmas tree sales (outdoors)		50.00
Concrete Construction License (in Right-of-way)		50.00
Minimum Insurance Policy Limits per Project:		
Automotive Liability/Combined Single Limit \$1 Million		
Liability Coverage (Occurrence/Aggregate) \$1 Million/\$2 Million		
Policy must name the City of Wyoming as Additional Insured		
Dance Hall		125.00
Day Care (7 or more children)		50.00
Dealer of Precious Metal & Gems		50.00
Employment Placement Services		40.00
Fertilizing Services for Lawns, Shrubs or Trees		30.00 per vehicle
Fireworks Permit, Discharge of Fireworks		300.00
Worker's Compensation & Employer's Liability, Michigan Statutory Limits of Liability; General Liability \$3,000,000 Combined Single Limit for Occurrence, Aggregate & Property Damage Naming the City of Wyoming as Additional Insured; Vehicle Liability Coverage and Michigan No-fault Coverages for owned, non-owned and hired vehicles \$3,000,000 combined single limit.		
Gasoline Service Station		35.00 PLUS \$25.00 For each nozzle up to \$50.00 max per pump

Going out of Business/Auction	\$ 50.00
Health Club or Massage Establishment	50.00
Industrial Waste Disposal	300.00
Kennels	40.00
Mfg or Dist. of Paint, Lacquer, Varnish & Oil	100.00
Mfg or Dist. of Solvents & Chemicals	100.00
Pawn Shops/Second Hand Stores	50.00
Peddlers License	10.00 Plus 25.00 per week per person
Poison Gases (Inc. Exterminators & Fumigators)	100.00 Plus \$5.00 per employee
Private School	40.00
Rubbish Hauler	30.00 per vehicle
Insurance: \$500,000/\$1,000,000 Liability, \$100,000 Property Damage	
Solicitation for funds	25.00
Maximum 90 day permit	
Snow Plowing	30.00 per vehicle
Insurance: Automotive Liability/Combined Single Limit \$1 Million Liability Amount (Occurrence/Aggregate) \$1 Million/\$2 Million Policy must name the City of Wyoming as Additional Insured	
Sound Car	25.00
Taxicab/Limousine and other privately owned services providing transportation services to the public (based in the City of Wyoming)	40.00
Insurance: Property Damage \$20,000, Liability \$200,000/\$500,000 Naming the City of Wyoming as Additional Insured	
Taxicab/Limousine and other privately owned services providing transportation services to the public (not based in the City of Wyoming) Operator shall provide proof of insurance equal to or exceeding that required for business based in the City of Wyoming and a copy of the license issued to them by any other city.	
Theater	40.00
Late Renewal	
The late renewal penalty at 30 days shall be 25% of the renewal license fee but not less than \$10.00 and the late renewal penalty at 90 days shall be 50% of the renewal license fee but not less than \$20.00.	
Marriage Ceremonies performed by the Mayor	\$25.00
Notarization	2.00
On-Premise Liquor License Application	300.00
Precinct Maps	3.00
Code of Ordinances	100.00

Qualified Voter File Reports

N/C e-mail
.10 per printed page
.70 per label page
\$5.00 per CD

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

RESOLUTION NO. _____

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

called to order by Mayor Jack Poll on July 21, 2014 at 7:00 P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request from:

Tommy Brann's Steak & Seafood, Inc. for a new Class C licensed business to be located at 5316 Clyde Park Avenue SW, Wyoming, Michigan 49509, Kent County

be considered for Approval "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:

Recommended 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 July 21, 2014
(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: Kelli A. VandenBerg, Senior Deputy City Clerk

DATE: July 16, 2014

RE: Application for Class C Liquor License
Tommy Brann's Steak & Seafood, Inc., 5316 Clyde Park Avenue SW

Tommy Brann's Steak & Seafood, Inc. has applied for a Class C liquor license for a proposed new business at 5316 Clyde Park Avenue SW (Asian Garden Restaurant location). Brann's currently has a Class C license at 4157 Division Avenue SW; Mr. Brann intends to maintain that Class C license with that facility for future sale or lease.

A review of the application was requested from the Police Department, Treasurer, Chief Building Official and the City's Development Review Team. All entities have reviewed the application and have indicated approval. This facility will accommodate 245 guest; an additional 24 seats will be located in an outdoor seating area.

I have drafted a resolution to approve the application in the required Liquor Control Commission format for Council consideration.

CITY OF WYOMING, MICHIGAN
APPLICATION FOR LIQUOR LICENSE

APPLICANT: Tommy Brann's Steak & Seafood, Inc. <i>Tommy Brann</i>		<input checked="" type="checkbox"/> SOLE PROPRIETOR <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION
BUSINESS ADDRESS: <i>5316 Clyde Park Ave Suite N Wyoming MI 49509</i>		TELEPHONE: <i>616 690 7928</i> FAX: _____
LICENSE REQUESTED: <input type="checkbox"/> TAVERN <input checked="" type="checkbox"/> CLASS C <i>with outside deck seating around it</i> <input type="checkbox"/> CLASS B HOTEL		LOCATION OF THE PROPOSED BUSINESS: <i>5316</i>
WILL THE PROPOSED BUSINESS OCCUPY A(N): <input checked="" type="checkbox"/> EXISTING BUILDING <input type="checkbox"/> NEW BUILDING		DO YOU: <input checked="" type="checkbox"/> OWN BUILDING <input type="checkbox"/> LEASE BUILDING
ARE FURNITURE & FIXTURES: <input checked="" type="checkbox"/> OWNED <input type="checkbox"/> LEASED		BUILDING OWNER: <i>Tommy Brann</i>
FURNITURE & FIXTURE OWNER: <i>Tommy Brann</i>		
NAME OF PERSON RESPONSIBLE FOR DAILY OPERATION OF BUSINESS: <i>Tommy Brann</i>		
NAME OF BANK FOR BUSINESS ACCOUNT: <i>Fifth Third</i>		
FIRM, ACCOUNTANT OR PERSON RESPONSIBLE FOR FINANCIAL RECORDS: NAME: <i>CPA Inc</i> <i>Barry Bergsma</i> ADDRESS: <i>4267 Canal Ave SE Grandville MI 49410</i>		
NAME OF PERSON COMPLETING APPLICATION: <i>Tommy Brann</i>		TITLE OF PERSON COMPLETING APPLICATION: <i>OWNER</i>
SIGNATURE: <i>[Signature]</i>		DATE: <i>5/31/14</i>

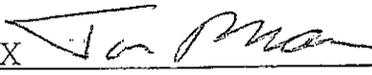
ATTACH:

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.

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

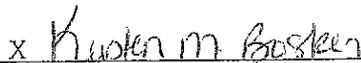
NAME: <u>Tommy Brann</u>	TITLE <u>Owner</u>
RESIDENT ADDRESS: <u>4335 56th St</u>	PHONE: <u>616 690 7428</u>
SOCIAL SECURITY NUMBER:	DATE OF BIRTH:
RESIDENT OF THE STATE OF MICHIGAN? <input checked="" type="checkbox"/> YES <u>62</u> YEARS <input type="checkbox"/> NO	
Describe similar business ventures or related experience: <u>Tommy Brann 4157 Division 42 years in Wyoming</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 checked="" type="checkbox"/> Yes - List type and location of each <input 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 <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 

State of Michigan
Kent County

Subscribed and sworn to before me on this 2nd day of June, 2014.

X 

Signature of Notary
Kristen M. Bosker

Printed Name

KRISTEN M. BOSKER
 Notary Public, State of Michigan
 County of Kent
 My Commission Expires 12-28-2018
 Acting in the County of Kent

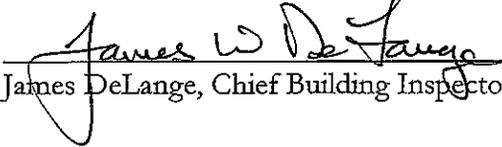
My commission expires: 12 28 18

LIQUOR LICENSE APPLICATION – DEPARTMENT REVIEW

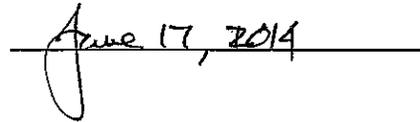
APPLICANT(S): Tommy Brann's Steak & Seafood Inc	PROPOSED LICENSE LOCATION: 5316 Clyde Park Ave SW
LICENSE TYPE: Class C	

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:


June 17, 2014

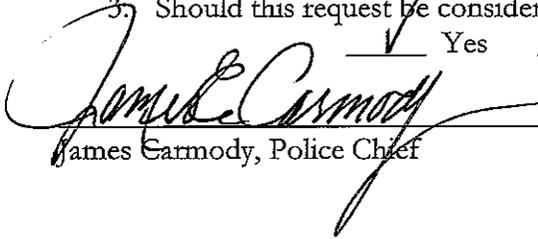
LIQUOR LICENSE APPLICATION - DEPARTMENT REVIEW

APPLICANT(S): Tommy Brann's Steak & Seafood Inc	PROPOSED LICENSE LOCATION: 5316 Clyde Park Avenue SW
LICENSE TYPE: <u>Class C</u>	

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: 6/5/2014

LIQUOR LICENSE APPLICATION - DEPARTMENT REVIEW

APPLICANT(S): Tommy Brann's Steak & Seafood Inc.	PROPOSED LICENSE LOCATION: 5316 Clyde Park Ave SW
LICENSE TYPE: <u>Class C</u>	

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)

for Jaci Naylor, Deputy Treas. Date: 6-3-2014
Andrea Boot, Treasurer

LIQUOR LICENSE APPLICATION - DEPARTMENT REVIEW

APPLICANT(S): <i>Tommy Brann's Steak & Seafood Inc</i>	PROPOSED LICENSE LOCATION: <i>5316 Clyde Park Aves W</i>
LICENSE TYPE: <i>C</i>	

DEVELOPMENT REVIEW TEAM

The Development Review Team has reviewed the application for the proposed liquor license and recommend

- approval
 denial

of the license application by the City Council.

Comments: _____

(Explain recommendation for denial)

Timothy Coleman

Development Review Team

Date: _____

6/19/14

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK
TO EXECUTE A COST SHARING AGREEMENT WITH TMGB WILSON, L.L.C.
FOR THE RIVERTOWN VALLEY PHASE III PLAT

WHEREAS:

1. TMGB Wilson, L.L.C., owner of the Rivertown Valley development, is in the process of constructing Phase III of the development located south of 56th Street and east of Wilson Avenue in Wyoming.
2. Phase III of the development includes 485 feet of oversized watermain and 3,134 lineal feet of trunk storm sewer ranging in size between 48 inches and 66 inches.
3. The developer's engineer has submitted an itemized Engineer's Estimate per the City's Utility Cost Sharing Policy in an amount not-to-exceed \$534,645.02.
4. The attached Cost Sharing Agreement has been prepared in accordance with the City's Utility Cost Sharing Policy, identifying the costs and obligations of TMGB Wilson, L.L.C. and the City of Wyoming for the construction of Phase III of Rivertown Valley Plat.
5. The City's participation in the utility cost can be financed out of the Capital Improvements Fund Account No. 400-441-45200-972.452 and the Water Fund Account No. 591-441-57300-972.573 but a budget amendment is necessary.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council hereby authorizes the Mayor and City Clerk to execute the attached Cost Sharing Agreement with TMGB Wilson, L.L.C. for the construction of Phase III of the Rivertown Valley plat in the amount of \$534,645.02.
2. The City Council hereby approves the attached budget amendment.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on July 21, 2014.

Heidi A. Isakson, Wyoming City Clerk

Staff Report

Date: July 16, 2014
Subject: Rivertown Valley Plat – Phase III Cost Sharing Agreement
From: Russ Henckel, Assistant Director of Public Works - Engineering
Meeting Date: July 21, 2014

Recommendation:

Staff recommends entering into a Cost Sharing Agreement with TMGB Wilson, L.L.C., developer of the Rivertown Valley Plat – Phase III, for the construction of 485 feet of oversized watermain and 3,134 lineal feet of trunk storm sewer ranging in size between 48 inches and 66 inches through the development in an amount not-to-exceed \$534,645.02.

Sustainability Criteria:

Environmental Quality – The Agreement has no effect on environmental quality.

Social Equity – The Agreement will not impact social equity.

Economic Strength – The Agreement will equally share costs for oversizing public utilities between a private developer and the City of Wyoming.

Discussion:

On May 13, 2014, Pathfinder Engineering submitted a proposal on behalf of TMGB Wilson, L.L.C. the construction of 485 feet of oversized watermain and 3,134 lineal feet of trunk storm sewer ranging in size between 48 inches and 66 inches through Rivertown Valley Phase III. The Cost Sharing Agreement for the Phase III development is an amount not-to-exceed \$534,645.02. The attached Cost Sharing Agreement outlines the rights and obligations of the developer and the City of Wyoming for the oversizing of the watermain and construction of the trunk storm sewer.

It is recommended that the City Council hereby authorizes the Mayor and City Clerk to execute the attached Cost Sharing Agreement with TMGB Wilson, L.L.C. for the construction of Phase III of Rivertown Valley plat in the amount not-to-exceed \$534,645.02.

Budget Impact:

Funds are available in the Capital Improvements Fund Account No. 400-441-45200-972.452 and the Water Fund Account No. 591-441-57300-972.573, but a budget amendment is necessary.

Attachments: Agreement
Proposal
Budget Amendment

AGREEMENT

COST SHARING AGREEMENT
BETWEEN THE CITY OF WYOMING
AND TMGB WILSON, L.L.C.

THIS AGREEMENT entered into on this _____ day of _____, 2014, by and between the CITY OF WYOMING, a Michigan Municipal Corporation, of 1155 - 28th Street, S.W., Wyoming, Michigan 49509, hereinafter referred to as the "City," and TMGB Wilson, L.L.C., whose address is 2221 Health Drive, Wyoming, MI 49509, hereinafter referred to as the "Developer," the terms and conditions of which are as follows:

1. The Developer is in the process of constructing Phase III of the Rivertown Valley plat located south of 56th Street and east of Wilson Avenue in Section 32 of the City of Wyoming, Kent County, Michigan. As part of said development, the parties are desirous of constructing additional trunk storm sewer and oversized watermain within the Phase III of the plat. This Agreement is designed to determine the rights and obligations of the parties hereto concerning said improvements.

2. Developer shall be responsible for constructing the aforementioned improvements and shall convey to the City the necessary easements for the said improvements in accordance with engineering construction plans (May 14, 2014) prepared by Pathfinder Engineering Inc. and approved by the City.

3. The City shall reimburse the Developer for the actual cost of constructing the oversized watermain and trunk storm sewer on behalf of the City of Wyoming. Additionally, payment including engineering costs, shall not exceed \$534,645.02, as shown on the attached Exhibit A, which amount shall be paid to the Developer by the City within 60 days from the date of completion, subject to acceptance by the City and upon the receipt of an invoice.

4. This Agreement, together with the Exhibit A and the City's Cost Sharing policy as incorporated herein, shall contain the entire agreement between the parties, any oral agreements to the contrary notwithstanding. No amendments shall be allowed unless made in writing and signed by all parties.

5. Developer shall indemnify and hold the City, its officers, agents and employees harmless from any and all claims, liabilities and expenses, including but not limited to actual attorney fees, as may arise from Developer's construction required pursuant to this Agreement. Developer shall provide a copy of their insurance to the City of Wyoming and list the City as a certificate holder.

6. This Agreement shall be binding upon the successors and assigns of the parties hereto. However, this Agreement may not be assigned by either party without the prior written consent of the other party.

WITNESSED

CITY OF WYOMING

By: _____
Jack Poll
Its Mayor

By: _____
Heidi A. Isakson
Its City Clerk

WITNESSED

DEVELOPER

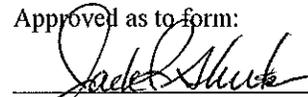
By: _____
Gary L. Granger
Member

STATE OF MICHIGAN
COUNTY OF KENT

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by Gary L. Granger to me personally known, is the Member of TMGB Wilson, L.L.C.

_____, Notary Public
My commission expires:

Drafted By:
Russ Henckel
City of Wyoming
2660 Burlingame Ave. S.W.
Wyoming, Michigan 49509
(616) 530-7254

Approved as to form:


Jack R. Sluiter
City Attorney

EXHIBIT "A"
 TMGB Wilson, L.L.C.
 Rivertown Valley Phase III
 City of Wyoming, Kent County, Michigan

Schippers Excavating Bid Including Change Order No. 1
 City of Wyoming Reimbursement Estimate

ITEM NO.	DESCRIPTION	CONTRACT QUANTITY	UNIT	UNIT PRICE	ASSUMED UNIT PRICE FOR 12" WATERMAIN ITEMS	UNIT PRICE FOR REIMBURSEMENT	AMOUNT
A. WATERMAIN ITEMS							
1.	Furnish and Place 16" Watermain, D.I. CL 53, Including Sand Backfill	485	LFT	\$ 77.00	\$ 55.00	\$ 22.00	\$ 10,670.00
2.	Furnish and Place 16" x 16" x 8" Tee	1	EACH	\$ 1,550.00	\$ 1,200.00	\$ 350.00	\$ 350.00
3.	Furnish and Place 16" x 16" x 6" Tee	1	EACH	\$ 1,450.00	\$ 1,100.00	\$ 350.00	\$ 350.00
4.	Furnish and Place 16" x 6" Reducer	2	EACH	\$ 840.00	\$ 600.00	\$ 240.00	\$ 480.00
5.	Furnish and Place 16" x 8" Reducer	1	EACH	\$ 840.00	\$ 700.00	\$ 140.00	\$ 140.00
6.	Furnish and Place 16" Valve and Box	3	EACH	\$ 5,900.00	\$ 3,000.00	\$ 2,900.00	\$ 8,700.00
TOTAL WATERMAIN ITEMS = \$							20,690.00
B. STORM SEWER ITEMS IN PHASE III							
1.	Furnish and Place 48" Storm Sewer C-76-III, Including Sand Backfill	456	LFT	\$ 115.00			\$ 52,440.00
2.	Furnish and Place 42" Storm Sewer C-76-III, Including Sand Backfill	25	LFT	\$ 100.00			\$ 2,500.00
3.	Furnish and Place 36" Storm Sewer C-76-III, Including Sand Backfill	227	LFT	\$ 85.00			\$ 19,295.00
4.	Furnish and Place 24" Storm Sewer C-76-III, Including Sand Backfill	533	LFT	\$ 38.00			\$ 20,254.00
5.	Furnish and Place 7' Diameter Manhole	4	EACH	\$ 4,900.00			\$ 19,600.00
6.	Furnish and Place 6' Diameter Manhole	1	EACH	\$ 3,950.00			\$ 3,950.00
7.	Furnish and Place 5' Diameter Manhole	3	EACH	\$ 2,550.00			\$ 7,650.00
TOTAL STORM SEWER ITEMS IN PHASE III = \$							125,689.00
C. STORM SEWER ITEMS OUTSIDE OF PHASE III							
1.	Furnish and Place 66" Storm Sewer C-76-III, Including Sand Backfill	272	LFT	\$ 186.00			\$ 50,592.00
2.	Furnish and Place 60" Storm Sewer C-76-III, Including Sand Backfill	515	LFT	\$ 160.00			\$ 82,400.00
3.	Furnish and Place 54" Storm Sewer C-76-III, Including Sand Backfill	16	LFT	\$ 138.00			\$ 2,208.00
4.	Furnish and Place 48" Storm Sewer C-76-III, Including Sand Backfill	1090	LFT	\$ 115.00			\$ 125,350.00
5.	Place 72" Flared End Section	1	EACH	\$ 3,500.00			\$ 3,500.00
6.	Place Junction Chamber	1	EACH	\$ 13,000.00			\$ 13,000.00
7.	Furnish and Place 8' Diameter Manhole	2	EACH	\$ 6,505.00			\$ 13,010.00
8.	Furnish and Place 7' Diameter Manhole	3	EACH	\$ 5,550.00			\$ 16,650.00
TOTAL STORM SEWER ITEMS OUTSIDE OF PHASE III = \$							306,710.00
SUBTOTAL = \$							453,089.00
SURVEYING AND ENGINEERING (13%) = \$							58,901.57
CONTINGENCY (5%) = \$							22,854.45
TOTAL REIMBURSEMENT AMOUNT = \$							534,645.02

RESOLUTION NO. _____

RESOLUTION FOR AWARD OF BIDS

WHEREAS:

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

NOW, THEREFORE, BE IT RESOLVED:

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

Item	Recommended Bidders	Cost
Re-Roofing of Maintenance Garage	Great Lakes Systems, Inc.	\$56,100.00
Automated Oil and Grease Extraction Instrument	Horizon Technology Inc.	\$31,305.73

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on July 21, 2014.

ATTACHMENTS:
Staff Reports

Heidi A. Isakson, Wyoming City Clerk

Resolution No. _____

STAFF REPORT

Date: July 15, 2014
Subject: Re-Roofing of Maintenance Garage
From: Rick Velderman, Maintenance Supervisor
Meeting Date: July 21, 2014

Recommendation:

It is recommended that the City Council authorize Great Lakes Systems, Inc. to re-roof the maintenance garage at the Water Treatment Plant at a cost of \$56,100.00.

Sustainability Criteria:

Environmental Quality – By re-roofing the garage at the City of Wyoming Water Treatment Plant we can protect all the equipment stored inside the garage.

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 soliciting proposals from qualified firms to perform this repair the Utilities Department is insuring that we get the best value for this necessary service. This results in the lowest rate possible for our residents and customers.

Discussion:

The north clarifier at the Water Treatment Plant has been converted to a large maintenance garage. This garage has enough room to store many pieces of equipment and vehicles used during the day. The roof on this section of the building was installed in 1996 and now has a number of leaks. The old ballast roof needs to be removed and replaced with a new 45 mil black EPDM ballasted roofing system. This new Carlisle roofing system will have a ten year watertight warranty.

Seventeen invitations to bid were sent to prospective bidders, four contractors visited the site and have submitted the following bids:

Great Lakes Systems, Inc.	\$56,100.00
Modern Roofing, Inc.	\$58,814.00
Holland Ready Roofing	\$71,418.00
J&L Roofing Co, Inc.	\$83,640.00

Our recommendation is to authorize Great Lakes Systems, Inc. to perform the replacement of the maintenance garage roof at a cost of \$56,100.00.

Budget Impact:

There is sufficient money in account 591-591-573.00-986.954 for re-roofing of the maintenance garage.

cc: B. Dooley
R. Veneklasen

Staff Report

Date: July 15, 2014

Subject: Automated Oil and Grease Extraction Instrument for the Clean Water Plant Lab

From: Jaime Petrovich, Utilities Laboratories Manager

Meeting Date: July 21, 2014

Recommendation:

It is recommended that the bid for the automated Oil and Grease extraction instrument be awarded to Horizon Technology Inc.

Sustainability Criteria:

Environmental Quality – The Clean Water Plant is actively engaged in the protection of Michigan’s natural water environment and the public health of Wyoming’s citizens. A large part of this work is conducting laboratory analysis to quantifiably document our compliance with permit limitations and treatment success. The laboratory also serves the Industrial Pretreatment Program by providing data to demonstrate compliance with limitations, assessing surcharges, and provide guidance to industrial sewer users.

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

Economic Strength – By maintaining our own independent laboratories in the Utilities Department, we are able to keep our costs as low as possible, while generating more analytical data in which we have higher confidence. Replacement of equipment reduces costs associated with failures of aging instrumentation.

Discussion:

Fats, oils, and grease (FOG) can be problematic in a wastewater collection system and treatment facility. These substances cling to pipe surfaces and can restrict or block flow. The presence of FOG compounds can also upset the treatment process and impede its performance. The best strategy for controlling FOG is to limit its entry into the system. Because the largest contributors of FOG are industrial and commercial sewer users (food producers, restaurants, etc.), the Industrial Pretreatment Program relies heavily on data from FOG analysis conducted in the Clean Water Plant laboratory. The data is used to demonstrate compliance with industrial limitations and assess surcharges. It can also be useful in providing guidance to an industry that has difficulty meeting its discharge limitation.



The analytical method for FOG analysis requires the sample to be processed using an analytical solvent extraction. This extraction can be achieved in different ways and the Clean Water Plant lab long ago chose to utilize an instrument that automates the process, therefore reducing labor, error, and solvent consumption.

The Oil and Grease Extraction Instrument in the Clean Water Plant lab is an obsolete model and has been in use for more than 15 years. The manufacturer no longer supports this model and replacement parts have limited availability. The instrument no longer functions well and does not consistently produce quality data. Purchase of a replacement is recommended at this time.

Budget Impact:

Thirty-four invitations to bid were sent to prospective bidders and the two bids are as follows:

Bidder	Total Bid Price (Includes one automated oil and grease extraction instrumentation, shipping & handling and on-site installation and training)
Horizon Technology Inc.	\$ 31,305.73
Environmental Express	\$ 35,297.12

It is recommended that the bid be awarded to Horizon Technology Inc. for one (1) automated oil and grease extraction instrument.

Funds are available in the current year's budget in capital outlay account 590-590-54400-980.200.

ORDINANCE NO. 12-14

AN ORDINANCE TO AMEND SECTIONS 34-108 AND 34-109
OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 34-108 of the Code of the City of Wyoming is hereby amended to read as follows:

Sec. 34-108. Permits.

The city council may issue nontransferable permits for the use of agricultural or wildlife fireworks, articles pyrotechnic, display fireworks, special effects or special effects manufactured for outdoor pest control or agricultural purposes or for public display provided that the applicable provisions of Act 256 are met.

Section 2. That Section 34-109 of the Code of the City of Wyoming is hereby amended to read as follows:

Sec. 34-109. Permit application.

An application for a permit on a form prescribed by the city shall be made for the use of fireworks requiring a permit at least 45 days in advance of such use. A permit fee for a fireworks permit shall be established by the city council.

Section 3. This ordinance shall be in full force and effect on the _____ day of _____, 2014.

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 _____, 2014.

Heidi A. Isakson
Wyoming City Clerk

ORDINANCE NO. 13-14

AN ORDINANCE TO ADD ARTICLE VI TO
CHAPTER 78 OF THE CODE OF THE CITY OF WYOMING
ENTITLED “BUS TRANSIT REGULATIONS”

THE CITY OF WYOMING ORDAINS:

Section 1. That Article VI entitled “Bus Transit Regulations” is hereby added to Chapter 78 of the Code of the City of Wyoming to read as follows:

ARTICLE VI
BUS TRANSIT REGULATIONS

Sec. 78-170. Definitions.

As used in this Article, the following definitions shall apply:

(1) *Proof of fare payment means:*

- (a) a transit pass valid for the day and time of use; or
- (b) a receipt showing payment of the applicable fare for use of the public

transportation vehicle during the day and time specified in the receipt.

(2) *Public transportation authority* means a public authority authorized to provide public transportation services or any other entity authorized under the laws of the State of Michigan to provide public transportation services.

(3) *Public transportation entity* means any legal or administrative entity authorized under the laws of the State of Michigan to enforce the provisions of this chapter, including the City of Wyoming and such other entities that may be created with the authority to enforce this chapter.

(4) *Public transportation vehicle* means a bus, train, or any other vehicle used by a public transportation authority to provide public transportation services.

(5) *Transit pass* means any pass, coupon, card, identification, token, ticket or other document used to obtain public transportation services.

Sec. 78-171. Fare Evasion.

No person shall occupy, ride in, or use a public transportation vehicle without paying the fare established by the public transportation authority. All persons that occupy, ride in, or use a public transportation vehicle must possess proof of fare payment and shall present such proof upon the demand of a police officer, security officer, or fare inspector authorized in accordance with this chapter. A violation of this section shall constitute a municipal civil infraction, as provided for in chapter 1 of this Code.

Sec. 78-172. Fare Inspectors.

(1) A public transportation entity may appoint or employ fare inspectors as necessary to enforce the provisions of this chapter. The employing public transportation entity shall determine the requirements for employment as a fare inspector.

(2) A fare inspector that is appointed or employed in accordance with this section is authorized to enforce the provisions of this chapter while acting with the scope or his or her authority and in the performance of his or her duties.

Sec. 78-173. Penalties for fare evasion.

Violation of the fare evasion provisions of this Article shall be a municipal civil infraction with the following penalties plus any statutory Justice System Assessment (or similar statutory assessment):

Initial offense	\$ 65.00
Repeat offense	\$130.00
Subsequent repeat offense	\$250.00

Sec. 78-174 – 78-179. Reserved.

Sec. 78-180. Traffic Lane Reserved for High Occupancy Vehicles Only.

(a) One (1) or more traffic lanes of any street or roadway may be designated by the City as reserved for use by buses, herein called High Occupancy Vehicle (HOVs), at such times and on such days as determined by the City. All lanes so designated shall be appropriately marked with such signs or other markers as the City shall direct.

(b) Notwithstanding the provisions of this subsection, the designation of any lane or lanes of any street or roadway as reserved for HOVs only shall not apply to the use of such lanes by:

1. Emergency vehicles such as fire-fighting vehicles, ambulances and rescue squad vehicles and tow trucks for purposes of providing emergency service in the HOV lane.
2. Vehicles operated by law enforcement agencies.
3. Vehicles of public utility companies operating in response to an emergency call.
4. City maintenance vehicles, such as street sweepers and snow plows, working on such lanes.
5. Private vehicles that must utilize HOV lane to permit a right-turn movement.
6. Bicycles.

7. School buses loading or unloading children.

(c) No operator of a vehicle shall operate that vehicle in a traffic lane designated for high occupancy vehicles as described in this section of the Code, unless authorized herein. A violation of this section shall constitute a civil infraction as provided in this Code.

Section 2. This ordinance shall be in full force and effect on the _____ day of _____, 2014.

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 _____, 2014.

Heidi A. Isakson
Wyoming City Clerk

Ordinance No. 13-14

JRS/sak
6/16/14

ORDINANCE NO. 14-14

AN ORDINANCE TO AMEND SECTION 90-44
OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-44 of the Code of the City of Wyoming is hereby amended to read as follows:

Sec. 90-44. Distance requirement for mechanical appurtenances.

Freestanding industrial and commercial mechanical appurtenances such as blowers, ventilating fans, generators and air conditioning units are prohibited in front yard areas. The appurtenances shall be screened with solid fence or evergreens. Duct work from appurtenances shall be directly into the building or be concealed below grade in commercial districts.

Section 2. This ordinance shall be in full force and effect on the _____ day of _____, 2014

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 _____, 2014.

Heidi A. Isakson
Wyoming City Clerk



- MAYOR
Jack A. Poll
- AT-LARGE COUNCILMEMBER
Sam Bolt
- AT-LARGE COUNCILMEMBER
Kent Vanderwood
- AT-LARGE COUNCILMEMBER
Dan Burrill
- 1ST WARD COUNCILMEMBER
William A. VerHulst
- 2ND WARD COUNCILMEMBER
Richard K. Pastoor
- 3RD WARD COUNCILMEMBER
Joanne M. Voorhees
- CITY MANAGER
Curtis L. Holt

May 27, 2014

Ms. Heidi A. Isakson
City Clerk
Wyoming, MI

Subject: Request to amend Zoning Code Section 90-44 Distance Requirement for Mechanical Appurtenances.

Recommendation: To approve the subject Zoning Code amendment.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meetings on April 15 and May 20, 2014. A motion was made by Hegyi, supported by Arnoys, to recommend to the City Council the subject Zoning Code amendment. After discussion the motion passed unanimously. While a more detailed review is available in the Planning Commission minutes, the following is provided as basic background information:

Zoning Code Section 90-44 restricts mechanical appurtenances (blowers, generators, air conditioning units, etc...) in the industrial and commercial districts from anywhere but the rear yard of properties. Recently, we have had several requests for variances from the Board of Zoning Appeals to locate generators in the side yard of properties. These requests have come from the VA Outpatient Clinic, Gordon Foods, Grand Rapids Plastics and others. Generators are desired for the facilities in order to maintain business operations during power outages. The generators have been reasonably placed in the side yards of the businesses where the electrical service to the buildings are provided. The variances have been granted by the BZA, with recommendations from staff.

In evaluating the ordinance restriction, staff believes that requiring mechanical appurtenances to be located only in the rear yard is overly restrictive. Devices can be screened when needed and a noise ordinance is in place to address any particular location concern. Staff believes it is appropriate to allow such appurtenances to be located in the side yards of industrial and commercial properties and to remove the 20 foot distance requirement. At the April 15, 2014 Planning Commission review, it was suggested that additional consideration be given for screening and duct work placements, which resulted in the amendment being deferred.

Existing Ordinance: Freestanding industrial and commercial mechanical appurtenances such as blowers, ventilating fans and air conditioning units are permitted only in the rear yard no closer than 20 feet to abutting properties.

Proposed Ordinance amendment (in bold): Freestanding industrial and commercial mechanical appurtenances such as blowers, ventilating fans, **generators** and air conditioning units are **prohibited in front yard areas. The appurtenances shall be screened with a solid fence or evergreens. Duct work from appurtenances shall be routed directly into the building or be concealed below grade in commercial districts.**

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendment to Section 90-44 Distance Requirement for Mechanical Appurtenances.

At the public hearing held on April 15, 2014 there were no public comments. On May 20, 2014, a motion was made by Hegyi, supported by Arnoys, to recommend to the City Council the subject Zoning Code amendment. After discussion, the motion passed unanimously.

Respectfully submitted,



Timothy Cochran, City Planner
Planning and Development Department

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

ORDINANCE NO. 15-14

AN ORDINANCE TO AMEND SECTIONS 90-31, 90-55, 90-892(5), 90-892(6),
A PORTION OF SECTION 90-895 (TABLE) AND TO REPEAL
SECTION 90-65, PORTIONS OF TABLES 90-646, 90-799, 90-799-2,
90-891, SECTIONS 90-892(24) AND 90-892(25), A PORTION OF
SECTION 90-893 (TABLE), SECTION 90-894(13) AND ARTICLE XXVII
OF CHAPTER 90 OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-31 of the Code of the City of Wyoming is hereby amended to read as follows:

Sec. 90-31. Districts enumerated.

The City is hereby divided into the following districts:

R-1 residential district, single-family
R-2 residential district, single-family
R-3 residential district, two-family
R-4 residential district, low density multiple-family
R-5 residential district, high-rise
R-7 residential district, special multiple family
ER residential district, estate
B-1 business district, local
B-2 business district, general
B-3 business district, planned shopping
FBC form based code district
RO-1 business district, restricted office
I-1 industrial district, light
I-2 industrial district, general
I-3 industrial district, restricted
P-1 vehicular parking district
PUD-1 planned unit development, low-density
PUD-2 planned commercial development district; and
PUD-3 planned health care district.

Section 2. That Section 90-55 of the Code of the City of Wyoming is hereby amended to read as follows:

Sec. 90-55. Dwellings in nonresidential districts.

No dwelling unit shall be erected in any business or industrial district except for sleeping quarters of a watchman or caretaker when necessary to the principal use.

Section 3. That Section 90-892(5) of the Code of the City of Wyoming is hereby amended to read as follows:

(5). In R-4, R-5 and R-7 districts, for every lot on which a multiple, row or terrace

dwelling is erected, there shall be a yard space on each side of the lot. This yard space shall be increased beyond the yard spaces indicated by two feet for each ten feet or part thereof, by which the length or width of the multiple, row or terrace dwelling exceeds 40 feet in overall dimension, along with the adjoining side lot line. Where two or more multiple, row or terrace dwellings are erected upon the same lot, there shall be a minimum of 20 feet in width between structures. This yard width shall be increased by two feet for each ten feet or part thereof, by which each multiple, row or terrace dwelling structure, having common yards, exceeds 40 feet in length on that side of the dwelling structure facing the common yard, or this yard space shall be increased by two feet for each five feet or part thereof, by which each permitted multiple dwelling structure, having common yards, exceeds 40 feet in height on that side of the dwelling structure facing the common yard, whichever is greater.

Section 4. That Section 90-892(6) of the Code of the City of Wyoming is hereby amended to read as follows:

(6) In R-4, R-5 and R-7 districts, where multiple-family dwellings are permitted, the required floor space per unit shall be as follows:

Efficiency unit	350 square feet
One-bedroom unit	600 square feet
Two-bedroom unit	800 square feet
Three-bedroom unit	1,000 square feet

(plus 80 square feet for each bedroom over three bedrooms in a dwelling unit)

However, not more than five percent of the units may be of efficiency type.

Section 5. That the Portion of Section 90-895 of the Code of the City of Wyoming entitled “Secondhand dealers”, “Zoning Districts Permitted” is hereby amended to read as follows:

B-1, B-2, B-3, PUD-1, PUD-2 and PUD-3

Section 6. That Section 90-65 of the Code of the City of Wyoming is hereby repealed.

Section 7. That the portion of Table 90-646 of the Code of the City of Wyoming entitled “Multiple-family residential dwellings in the DC, downtown center district” is hereby repealed.

Section 8. That the portion of Table 90-799 of the Code of the City of Wyoming entitled “DC” is hereby repealed.

Section 9. That the portion of Table 90-799-2 of the Code of the City of Wyoming entitled “DC” is hereby repealed.

Section 10. That the portion of Section 90-891 (Table) of the Code of the City of Wyoming entitled “DC Zone (residential use)” is hereby repealed.

Section 11. That Section 90-892(24) of the Code of the City of Wyoming is hereby repealed.

Section 12. That Section 90-892(25) of the Code of the City of Wyoming is hereby repealed.

Section 13. That the portion of Section 90-893 (Table) of the Code of the City of Wyoming entitled “DC downtown center district” is hereby repealed.

Section 14. That Section 90-894(13) of the Code of the City of Wyoming is hereby repealed.

Section 15. That Article XXVII of the Code of the City of Wyoming entitled “DC Downtown Center District” is hereby repealed.

Section 16. This ordinance shall be in full force and effect on the _____ day of _____, 2014.

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 _____, 2014.

Heidi A. Isakson
Wyoming City Clerk

Ordinance No. _____

MEMORANDUM
City of Wyoming, Michigan

TO : Mayor Poll and City Councilmembers

FROM: Heidi A. Isakson, City Clerk

DATE: June 12, 2014

RE: Ordinance 15-14 and Ordinance 16-14
DC - Downtown Center District, Remove From Code

What follows is information from the minutes of the Planning Commission meeting of May 20, 2014. City Planner Tim Cochran forwarded me information about the Planning Commission's recommendation to the City Council to amend the Code of Ordinances, as enumerated in proposed Ordinance 15-14.

The DC Downtown Center Zoning District was created in 2002. The DC District replaced the zoning of properties along 28th Street from Clyde Park Avenue to Burlingame Avenue. Its regulations were designed to implement the vision of the Downtown Plan, that was also adopted in 2002. The Downtown Plan was an attempt to halt the decline of this iconic and essential commercial center of the City. Although there were a few successful developments in this area since 2002, ultimately the market forces contributing to the decline of 28th Street proved to be too great for the Downtown Plan and DC Downtown Center to overcome.

Subsequently, the Wyoming community undertook an exhaustive and comprehensive master planning process to identify, and address, the issues limiting the redevelopment of the area. This process resulted in the Turn on 28th Street Sub Area Plan. This Plan then led to the creation of new innovative land use regulations established by a Form Based Code. This FBC subsequently has, or will, replace all properties in this corridor zoned DC Downtown Center. As such, there is no merit in maintaining the district within the Zoning Code. The proposed amendments will remove all references to the DC Downtown Center from the Zoning Code.

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendments, with the added additional amendment – removal of Table 90-646 Parking Requirements for multiple family dwellings in the DC District.

Chair Spencer opened the public hearing. There were no comments and the public hearing was closed.

Motion by Weller, supported by Arnoys, to recommend to the City Council the subject Zoning Code amendments, with the added additional amendment – removal of Table 90-646 Parking Requirements for multiple family dwellings in the DC District. Motion carried unanimously.

In addition, there is a reference to the DC District in Section 14 relating to the zoning districts where a carnival is permitted. Ordinance 16-14 removes that reference.

JRS/sak
6/16/14

ORDINANCE NO. 16-14

AN ORDINANCE TO AMEND SECTION 14-280
OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 14-280 of the Code of the City of Wyoming is hereby amended to read as follows:

Sec. 14-280. Location.

Outdoor carnivals may only be located within areas zoned B-2 (business district-general) or B-3 (business district-planned shopping). All outdoor carnivals shall be conducted at least 300 feet from any residential property line, except for any carnival where all rides are designated for children of 12 years or less in age. All outdoor carnivals must be located at a site containing no less than four acres of vacant area suitable for the carnival and parking. No part of any carnival shall obstruct or impede in any way the full and instant use of any designated fire lane, fire hydrant, sprinkler system connection or valve, or any other equipment or space intended for emergency use.

Section 2. This ordinance shall be in full force and effect on the _____ day of _____, 2014

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 _____, 2014.

Heidi A. Isakson
Wyoming City Clerk

Ordinance No. _____