

AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, OCTOBER 17, 2016, 7:00 P.M.

- 1) Call to Order**
- 2) Invocation** – Pastor Wayne Ondersma, The Pier Church
- 3) Pledge of Allegiance**
- 4) Roll Call**
- 5) Student Recognition**
- 6) Approval of Minutes**
From the October 3, 2016 Committee of the Whole, the October 3, 2016 Regular Meeting and the October 10, 2016 Work Session
- 7) Approval of Agenda**
- 8) Public Hearings**
- 9) Public Comment on Agenda Items** (3 minute limit per person)
- 10) Presentations and Proclamations**
 - a) Presentations
 1. Interurban Transit Partnership
 - b) Proclamations
- 11) Petitions and Communications**
 - a) Petitions
 - b) Communications
- 12) Reports from City Officers**
 - a) From City Council
 - b) From City Manager
 - 16-09 Acceptance of a Non-Motorized Trail Easement at 153 Canterbury Street SW (Robin Hinton)
- 13) Budget Amendments**
 - a) Budget Amendment No. 26 – To Appropriate \$616,700.00 of Additional Budgetary Authority for Completion of the Holland Interconnect Rebuilding Project
 - b) Budget Amendment No. 29 – To Appropriate \$6,009.00 of Additional Budgetary Authority and to Recognize Related Grant Revenue to be Received Through the Competitive Grant Assistance Program (CGAP) from the State of Michigan
- 14) Consent Agenda**

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

 - a) To Appoint James Ward as a Member of the Tree Commission for the City of Wyoming
 - b) To Appoint Jennifer Stowell as a Member of the Housing Commission for the City of Wyoming
- 15) Resolutions**
 - c) To Amend a Portion of the City of Wyoming Fee Schedule
 - d) To Declare a Surplus Property

- e) To Affirm the City Manager Entering into a Grant Agreement with Consumers Energy for a Community Tree Planting Project
- f) To Accept the United States Department of Justice Bulletproof Vest Partnership Grant
- g) To Accept the Edward Byrne Memorial Justice Assistance Grant (Budget Amendment No. 28)
- h) To Accept and Distribute Grant Funding Received from the Office of Highway Safety Planning (Budget Amendment No. 27)
- i) To Revoke the Business License of Cocktailz Bar & Grill
- j) To Set a Public Hearing to Consider Making a Request to the Michigan Liquor Control Commission to Revoke the Class C On-Premise Liquor License of Cocktailz Bar & Grill, 1001 Chicago Drive SW

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

- k) To Authorize the City Manager to Authorize Payment to the Kent County Drain Commissioner, Weick Bros., Inc. and Dykema Excavators, Inc. for the Emergency Cleanup Expenses
- l) For Award of Bid
 - 1. Valve Actuators

17) Ordinances

- 17-16 To Amend Chapter 34 of the Code of the City of Wyoming (Fire Prevention and Protection) (First Reading)

18) Informational Material

19) Acknowledgment of Visitors

20) Closed Session (as necessary)

21) Adjournment



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

October 17, 2016

Wyoming City Council
Wyoming, Michigan

City Manager's Report No. 16-09

Subject: Acceptance of a Non-Motorized Trail Easement at
153 Canterbury Street, SW (Robin Hinton)

Councilmembers:

Robin Hinton, owner of 153 Canterbury Street, SW, has submitted the following described Non-Motorized Trail Easement and Agreement for Incidental Items in conjunction with construction of Buchanan Avenue Watermain Replacement project. The Easement conveys an Easement for non-motorized trail purposes and the Agreement for Incidental Items identifies items and compensation amount for the relocation of landscape materials. The easement area is shown on the attached Estimate of Just Compensation drawing.

Grantor:	Robin Hinton
Parcel:	41-17-13-227-004
Right-of-way Size	104 sf – Non-motorized Trail Easement
Consideration:	\$2,050.00

It is recommended that the City Council accept the attached Non-motorized Trail Easement and Agreement for Incidental Items, which have been approved as to form by the City Attorney.

Respectfully submitted,

for 
Curtis L. Holt
City Manager

Attachments: Non-motorized Trail Easement
Agreement for Incidental Items
Estimate of Just Compensation

**CITY OF WYOMING
NON-MOTORIZED TRAIL EASEMENT
Parcel No. 41-17-13-227-004**

The Grantor, **Robin Hinton**, a single woman, whose address is 153 Canterbury Street, SW, Wyoming, MI 49548

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. 41-17-13-227-004)

For the full consideration of Five Hundred Dollars and No Cents (\$500.00).

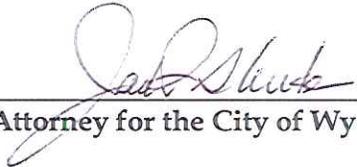
The City shall have the right to temporarily use the Grantor's property outside the Easement Area, but immediately adjoining the Easement Area, to accomplish the work; provided however, that the City shall restore the portion of the Grantor's property adjoining the Easement Area to as good or better 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 interfere with the intended use of the Easement.

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: 10-5-16

Approved as a form:



Attorney for the City of Wyoming

GRANTOR:

Robin Hinton

Robin Hinton, a single woman

STATE OF MICHIGAN)
COUNTY OF Kent)ss.
)

The foregoing instrument was acknowledged before me in Kent County, Michigan on this 5th day of October 2016 by Robin Hinton, a single woman.

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

Prepared by and after recording return to:
Deborah S. Poeder
Land Matters, LLC
O-11230 Tallmadge Woods Drive
Grand Rapids, Michigan 49534

Legal Descriptions prepared by:
Michael Manning, P.S.
Meyers, Bueche & Nies, Inc.
1638 Leonard Street, NW
Grand Rapids, Michigan 49504

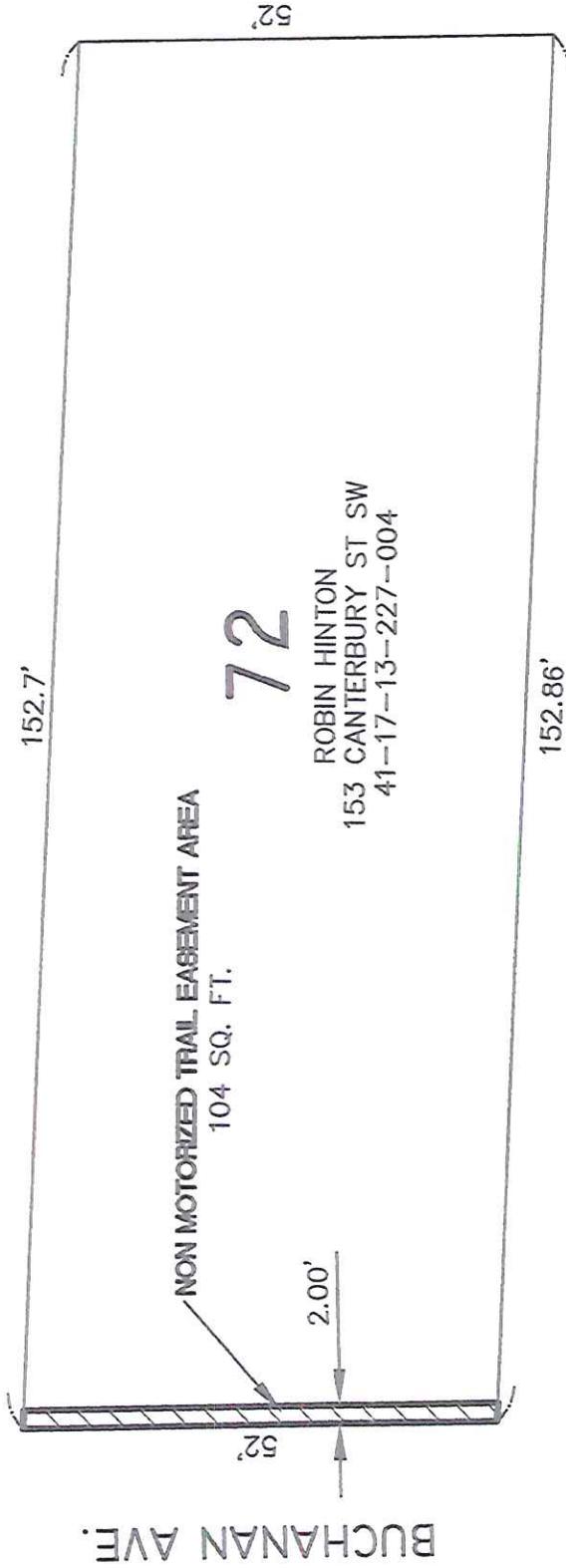
EXHIBIT A

DATE: 5-11-16

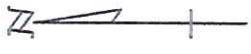
PROJECT NO: 15097

RE: 153 CANTERBURY ST SW

PROPERTY LEGAL DESCRIPTION (41-17-13-227-004):
LOT 72, HAZEN HEIGHTS, ACCORDING TO THE
RECORDED PLAT THEREOF AS RECORDED IN
LIBER 27 OF PLATS, PAGE 15.



NOTE: PROPERTY LEGAL DESCRIPTION FROM ATTORNEYS
TITLE AGENCY OF SOUTHWEST MICHIGAN, LLC, TITLE
COMMITMENT #41-16473129-KAZ, REVISION NO. 1,
DATED APRIL 15, 2016.



SCALE: 1"=20'

NON MOTORIZED TRAIL EASEMENT LEGAL DESCRIPTION: THE WEST 2 FEET OF
LOT 72, HAZEN HEIGHTS, ACCORDING TO THE RECORDED PLAT THEREOF
AS RECORDED IN LIBER 27 OF PLATS, PAGE 15.

mon
meyers, bueche & nies, inc.
civil engineers/surveyors
1638 leonard st nw
grand rapids, mi 49504
616-457-5030
fax 616-457-8244

LEGEND

= NON MOTORIZED
TRAIL EASEMENT
AREA

Agreement for Incidental Items

Property Owners: Robin Hinton, a single woman

Property Address: 153 Canterbury Street, SW, Wyoming, MI 49548

Parcel Number: 41-17-13-227-004

Project Name: Buchanan Avenue Watermain Replacement, including Non-Motorized Trail and Street Resurfacing from 28th Street to 32nd Street

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 Property Owner and the City of Wyoming (City) agree that the Property Owner will be responsible to remove the existing landscaping and fence in the easement area and install additional landscaping and reconstruct the fence in an area outside of the easement area. This work will be done pursuant to the attached estimate of costs determined by the Property Owner's landscaping firm, J & B Enterprises of Rockford, LLC. The City will pay the Property Owner the amount of \$1,550.00 for this work as referenced on said estimate of costs.

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: Deborah S. Poeder/kij 10/5/16
Deborah S. Poeder
Land Matters, LLC
Date

Accepted by: Robin Hinton 10/5/16
Robin Hinton
Property Owner
Date

Approved by: _____
Curtis Holt, City Manager
City of Wyoming
Date

CITY OF WYOMING ESTIMATE OF JUST COMPENSATION

PROJECT: Buchanan Avenue Watermain Replacement, including Non-Motorized Trail and Street Resurfacing from 28th Street to 32nd Street

SITE DATA:	Permanent Parcel No.: 41-17-13-227-004
Parcel: Robin Hinton	Land Use: Residential Size: 0.18 Ac (total)
Address: 153 Canterbury Street, SW	Zoning: 401

<p>ACQUISITION DESCRIPTION:</p> <p>Square foot values based on values obtained from the City of Wyoming Assessor's Office along with additional compensation factor.</p> <p>Summary of Costs:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><u>Non-Motorized Trail Easement:</u> A rectangular piece of property located adjacent to Buchanan Avenue as shown on sketch.</p> <p style="margin-left: 20px;">Area: 104 sft</p> </div>	<p>SKETCH:</p> <div style="text-align: right; margin-bottom: 10px;">North →</div>
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COMPUTATION OF VALUE:	
LAND ACQUISITION, NON-MOTORIZED TRAIL EASEMENT 104 s.f. (Area) X \$ 3.06 / s.f. = \$318.24. Recommended to make a minimum offer of \$500.00	\$ 500.00
AGREEMENT FOR INCIDENTAL ITEMS (LANDSCAPING)	1,550.00

REMARKS:

\$ 2,050.00

Signed: Deborah S Poeder/kij
Land Matters, llc
Deborah S. Poeder

For information call 616.791.9805

Agreed to by: Robin Hinton
Robin Hinton

J & B ENTERPRISES OF ROCKFORD, LLC
8700 SHANER AVE. NE
ROCKFORD, MI 49341
616-437-4205

August 31, 2016

Robin Hinton
153 Canterbury Street SW
Wyoming, MI 49548

RE: MOVING PRIVET AND SPIREA HEDGE BACK 2' FOR NEW BIKE PATH

J & B Enterprises of Rockford, LLC agrees to provide and install the following materials:

Material List

17	Golden Vicary Privet installed	5 gal.
5	Vanhoutte Spirea installed	7 gal.
4 hrs	Labor to remove existing shrubs	
1 hr	Trucking to dispose of existing shrubs	
1 cyd	Topsoil for installation of new shrubs	
1	4x4 post for fence	
1	treated 2x4	8'
2	Hangers for 2x4 rails	
4 mhrs.	Labor to remove 2' of existing fence and replace end post and 2x4 rails	

TOTAL PROJECT \$1,550.00

*NOTE: Due to the age of the existing hedge J & B Enterprises recommends to replace the existing hedge with new plants. We do not believe that the existing hedge will survive if transplanted.

A deposit of one half is required to be placed on the schedule with the remaining balance due upon completion of the project.

Signature

Date

STAFF REPORT

DATE: October 12, 2016

SUBJECT: Collaborative Water and Ice Rescue Grant

FROM: Lt. Dennis Van Tassell

MEETING DATE: October 17, 2016

RECOMMENDATION:

In 2014 the City of Wyoming was awarded a Competitive Grant Assistance Program (CGAP) from the State of Michigan for a Collaborative Water/Ice Rescue Team consisting of personnel from the Wyoming, Kentwood, and Grandville Fire Departments. Since the inception of this team and through funding, the team has been able to train for water and ice rescue emergencies and has evaluated additional needs for funding from this grant. An amended request was approved by the State for the following items.

It is recommended the City Council approve the purchase of loose equipment that is necessary for the proper safety and operations of a functioning water and ice rescue team. The listed equipment was recognized as a necessity after numerous evolutions involving hundreds of hours of rescue operations training. This is the final portion of monetary funds that will be requested. The previous grant money was not completely utilized, but only through the additional operations training was it discovered that the remaining grant funding was necessary to positively impact the rescue team. The total cost is \$4,490.44.

The following list of equipment is what the members for the Special Incident Response Team Committee have stated are necessary for continued operations of the Collaborative Water and Ice Rescue Team. We are seeking to purchase (6) personal flotation devices for Police Officers and Chief Officers assisting at an emergency scene, (1) spot light for the water rescue boat for nighttime operations, (50) strobes for the current member's personal flotation devices for visual recognition during nighttime operations, (30) rescue knives to stay compliant with NFPA 1670, (3) 200' rope rescue throw bags, (3) megaphones for shore based operations, and (6) rescue carabiners for the new rope bags.

The loose equipment has assorted vendors that have been found. Some vendors are asked to be utilized in order to keep equipment for newly hired personnel similar to previously purchased equipment. Other vendors have been found to have the lowest cost associated with the specific purchase.

	Estimated Quantity	Make & Model	Bid Price for One	Total Price for Estimated Quantity
Vendor:				
Personal Flotation Devices	6	NRS	\$129.95	\$779.70
Boat Spot Light	1	Internet Supplier	\$99.99	\$99.99
PFD Strobes	50	NRS	\$12.95	\$647.50
Caribeners	6	Sterling Rope	\$12.85	\$77.10
Rescue Knives	30	NRS	\$44.95	\$1,348.50
Megaphone	3	Internet Supplier	\$395.00	\$1,185.00
Rope Bags	3	Sterling Rope	\$117.55	<u>\$352.65</u> \$4,490.44

SUSTAINABILITY CRITERIA:

Environmental Quality – Does not significantly impact this criterion.

Social Equity - This recommendation will provide service to all residents of the City of Wyoming, Kentwood, and Grandville, along with any other citizen on or near the waterways within the three municipalities.

Economic Strength: The Wyoming Department of Public Safety Fire Bureau is committed to providing excellent customer service. This additional equipment will be purchased by utilizing CGAP funding that was granted from the State of Michigan. There is no additional cost. It is within the original grant and its current amendments.

BUDGET IMPACT:

A budget amendment is required to appropriate the funds to purchase the listed equipment, as well as recognize the associated grant income.

RESOLUTION NO. _____

RESOLUTION TO APPOINT JAMES WARD AS A MEMBER OF THE
TREE COMMISSION FOR THE CITY OF WYOMING

WHEREAS:

1. James Ward has submitted an application requesting appointment to the Tree Commission for the City of Wyoming.
2. A vacancy exists on the Tree Commission.
3. Mayor Jack Poll has recommended that James Ward be appointed as a member of the Tree 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 James Ward to the Wyoming Tree Commission.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on October 17, 2016.

Kelli A. VandenBerg, Wyoming City Clerk

RESOLUTION NO. _____

RESOLUTION TO APPOINT JENNIFER STOWELL AS A MEMBER OF THE
HOUSING COMMISSION FOR THE CITY OF WYOMING

WHEREAS:

1. Jennifer Stowell has submitted an application requesting appointment to the Housing Commission for the City of Wyoming.
2. A vacancy exists in an unexpired term ending June 30, 2018 on the Housing Commission.
3. It is the recommendation of the City Manager that Jennifer Stowell be appointed to serve on the Housing Commission for the City of Wyoming.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council does hereby concur with the recommendation of the City Manager to appoint Jennifer Stowell to the Wyoming Housing Commission for the unexpired term ending on June 30, 2018.

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 October 17, 2016.

Kelli A. Vandenberg, Wyoming City Clerk

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 IV of the existing Fee Schedule is in need of amendment.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council of the City of Wyoming hereby adopts the attached revision to Section IV – Engineering 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 October 17, 2016.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Memorandum

Proposed Fee Schedule

MEMORANDUM

DATE: October 10, 2016
TO: Kelli VandenBerg, City Clerk
FROM: Russ Henckel, Assistant Director of Public Works - Engineering
SUBJECT: Fee Schedule Change for October 17, 2016, Council Meeting

Please prepare a resolution to have City Council consider the following changes to the Fee Schedule.

In Section IV – Engineering Department, at the end there is a section for Telecommunications Permits, which reads:

Telecommunications Permits	
Telecommunications providers permit	500.00

Please replace that language with the following:

Telecommunications Permits	
Right-of-Way Telecommunications Permit	500.00
Modified Right-of-Way Telecommunications Permit for DAS/Small Cell License	500.00
DAS/Small Cell License Monthly Rates	
Tier 1 – co-located on existing pole, including City of Wyoming-owned	0.00
Tier 2 – located in area with existing above- ground utility installations	75.00/month/pole
Tier 3 – located in area that requires buried utilities for new installations	150.00/month/pole

pc: Heidi Isakson, Deputy City Manager
Bill Dooley, Director of Public Works
Jeff Oonk, Senior Civil Engineer

IV – ENGINEERING DEPARTMENT

Administrative Fees		
Preparation of Lien Contract		\$50.00
Preparation of Restrictive Covenant (waived when prepared in connection with special assessment roll)		\$100.00
Preparation or review of Easements		\$200.00
General Engineering Fees		
Fire Lines		
Based on Construction		4.00%
Minimum Fee		\$150.00
Testing and Chlorination of water mains		
Standard Rate		\$135.00/hr
Overtime Rate		\$150.00/hr
Double time Rate		\$180.00/hr
Subdivision Inspection		
Based on Construction Cost		4.00%
Minimum Fee		\$150.00

Standard Special Assessment Rates

Whenever the City Council decides to levy Special Assessment to defray the costs of any improvements, the following Standard Special Assessment Rates shall govern:

Street		
Rural Improvement – Residential		\$46.90 lf
Full Improvement – Residential		\$75.70 lf
Full Improvement – Commercial		\$95.50 lf
Sanitary Sewer		
Main – Residential		\$31.00 lf
Main – Commercial		\$45.50 lf
6 inch service		\$2,010.00 ea
8 inch service		\$2,950.00 ea
Watermain		
Main – Residential		\$19.20 lf
Main – Commercial		\$23.00 lf
1 inch service		\$1,160.00 ea
1 ½ inch service		\$1,160.00 ea
2 inch service		\$1,350.00 ea
6 inch service		\$3,310.00 ea
8 inch service		\$4,020.00 ea
Storm Sewer		
12 inch lateral		\$1,320.00 ea

15 inch lateral	\$1,700.00 ea
18 inch lateral	\$1,860.00 ea
Sidewalk	
4 inch - Residential	\$14.80 lf
6 inch – Commercial	\$20.60 lf
8 inch – Industrial	\$24.20 lf
Drive Approach	
Standard 4 inch – Residential	\$24.50 sy
Standard 8 inch – Commercial	\$34.90 sy
Standard 8 inch – Industrial	\$43.00 sy
Curb Return	\$2,340.00 ea
Tapered Curb Return	\$4,190.00 ea

Stormwater Fees

<u>Percent Impervious</u>	<u>Stormwater Fee (\$/AC)</u>
5%	\$ 1,690.00
10%	1,830.00
15%	1,970.00
20%	2,120.00
25%	2,260.00
30%	2,400.00
35%	2,540.00
40%	2,690.00
45%	2,830.00
50%	2,970.00
55%	3,110.00
60%	3,260.00
65%	3,400.00
70%	3,540.00
75%	3,680.00
80%	3,830.00
85%	3,970.00
90%	4,110.00
95%	4,250.00
100%	4,400.00

Street Permits

Minimum Insurance Policy Requirements Per Policy

General Liability Coverages (Occurrence/Aggregate)	\$1,000,000/\$2,000,000
Automotive Liability/Combined Single Limit	\$1,000,000
Workers Compensation	\$500,000
Policy must name the City of Wyoming as Additional Insured	

Banners and Signs over right-of-way	\$40.00
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Building Mover's Permit	\$100.00
Moving Oversized objects, less than 13 feet in width (per occurrence)	\$10.00
Moving Oversized objects, greater than 13 feet in width (per occurrence)	\$25.00
Moving Overweight objects (per occurrence)	\$75.00
Work performed outside of normal working hours requiring City Supervision	Actual Cost
Drive Culverts (City Installed)	Actual Cost
Underground Utilities (parallel to centerline)	
Per lineal Foot	\$0.20
Minimum Fee	\$125.00
Residential Drive Approach Construction	
Concrete	\$85.00
Asphalt	\$30.00
Reconstruction	\$20.00
Drive Removal (if performed separate from new Construction)	\$25.00
Landscaping Grades	\$50.00
Drive Grade Stakes (Only)	\$50.00
Commercial Drive Approach Construction	
Flared	\$145.00
Radius	\$220.00
Tapered	
Based on Construction Cost	4%
Minimum Fee	\$150.00
Reconstruct	\$50.00
Drive Removal (if performed separate from new Construction)	\$25.00
Sidewalk Construction	
New Construction	\$125.00
Reconstruction (>50 feet)	\$20.00
ADA Ramps	\$130.00
Restaking	\$50.00
Street Opening	\$350.00
Jack and Bore R.O.W	\$100.00
Traffic Closure (Detour)	\$350.00
Parkway Opening	\$45.00
Storm Sewer	\$25.00
Utility connection	\$25.00
Resurfacing Pavements	
Asphalt	Actual Cost plus 25%
Concrete	Actual Cost plus 25%
All street opening patches shall be replaced by a qualified Contractor or by the City of Wyoming (at the expense of the applicant)	
Miscellaneous	
All work within the right-of-way not covered in the above fees	\$25.00
Sign return	
For return of each sign removed from public property	\$5.00
Portable Basketball Hoop (PBH) Return	
For return of each PBH removed from public property	\$25.00

Telecommunications Permit

Right-of-Way Telecommunications Permit	\$500.00
Modified Right-of-Way Telecommunications Permit for DAS/Small Cell License	500.00
DAS/Small Cell License Monthly Rates	
Tier 1 – co-located on existing pole, including City of Wyoming-owned	0.00
Tier 2 – located in area with existing above- ground utility installations	75.00/month/pole
Tier 3 – located in area that requires buried utilities for new installations	150.00/month/pole

RESOLUTION NO. _____

RESOLUTION TO DECLARE A SURPLUS PARCEL

WHEREAS:

1. On August 8, 2007, Wyoming purchased a 34 acre parcel of land in Ottawa County located at 4500 96th Avenue, Zeeland, MI.
2. Said parcel was purchased for use as a future booster pump station site.
3. Said parcel is no longer necessary for the use for which it was purchased.
4. It is in Wyoming's best interest to dispose of said parcel in accordance with Section 9.04 of the City Council Policy Manual, which requires that said parcel be declared a surplus parcel prior to soliciting bids for its sale.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council hereby declares that the Wyoming owned parcel located at 4500 96th Avenue, Zeeland, MI, is a surplus parcel.

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 October 17, 2016.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Parcel Survey

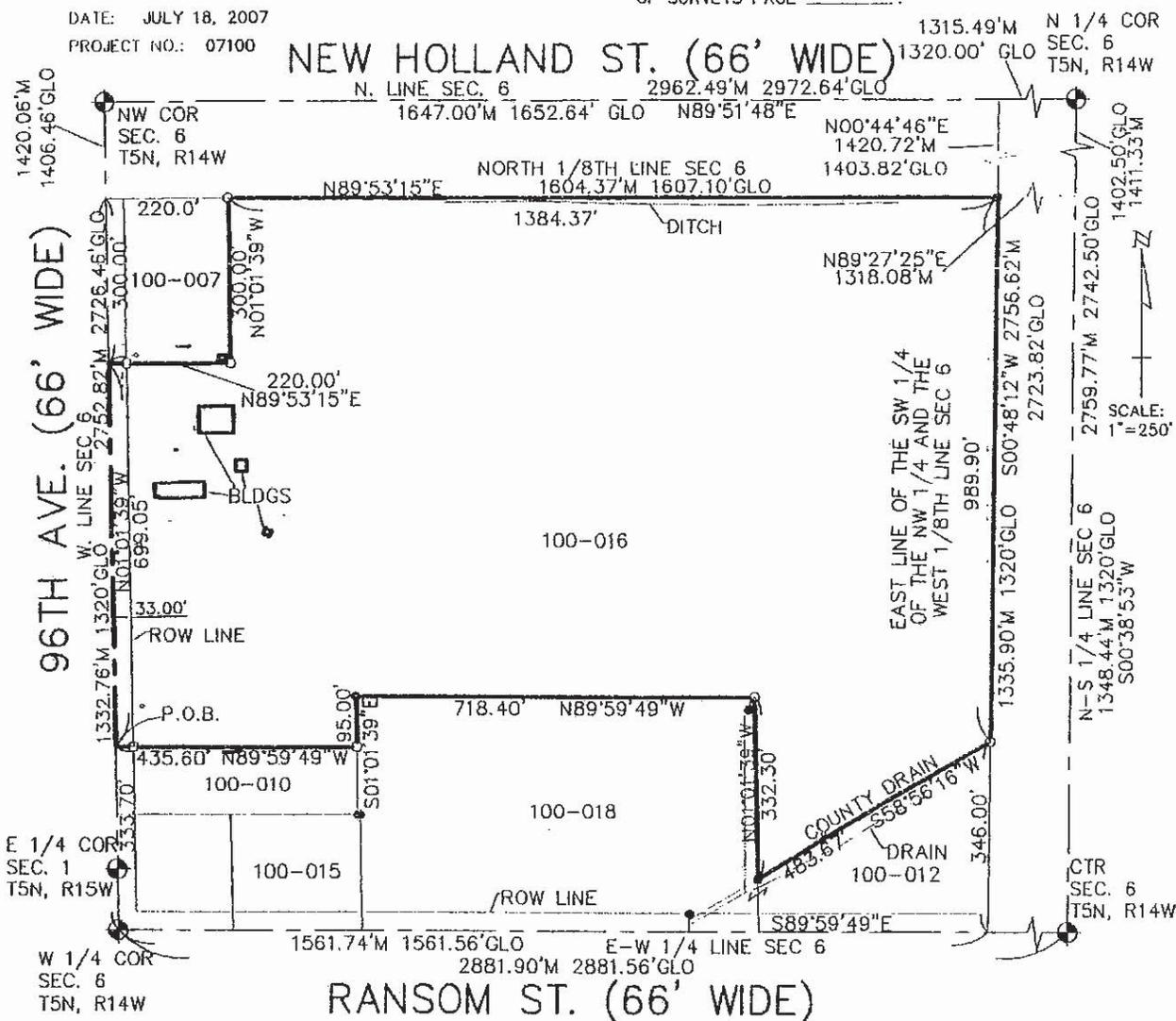
MAP OF SURVEY FOR: CITY OF WYOMING
UTILITIES DEPT.

STATE OF MICHIGAN,
COUNTY REGISTER OF DEEDS
THIS SURVEY WAS RECEIVED FOR RECORD ON
THE _____ DAY OF _____ 20____
AT _____ M RECORDED IN LIBER _____
OF SURVEYS PAGE _____.

PAGE 1 OF 2

DATE: JULY 18, 2007

PROJECT NO.: 07100



<p>LEGEND</p> <ul style="list-style-type: none"> ● IRON STAKE (Found) ○ IRON STAKE (Set) x-x FENCE R RECORDED DIMENSION D DEED DIMENSION M MEASURED DIMENSION ℄ CENTER LINE □ WOOD STAKE 	<p>This survey was made from the above legal description which was given to us as a complete description of the property. Both map and description should be compared with Abstract of Title or Title Policy for any exceptions, easements or differences in description.</p>	<p>STATE OF MICHIGAN PAUL E. SCHUTTER PROFESSIONAL SURVEYOR No. 62453 LICENSED PROFESSIONAL SURVEYOR</p>	<p>meyers, bueche & nies, inc. civil engineers/surveyors 505-507 baldwin street Jenison, MI. 49428 616-457-5030 fax 616-457-8244</p> <p><i>Paul E. Schutter</i></p> <p>PAUL E. SCHUTTER PROFESSIONAL SURVEYOR NO. 52453</p>
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RESOLUTION NO. _____

RESOLUTION TO AFFIRM THE CITY MANAGER ENTERING
INTO A GRANT AGREEMENT WITH CONSUMERS ENERGY
FOR A COMMUNITY TREE PLANTING PROJECT

WHEREAS:

1. The City lost an extensive number of old growth trees within Pinery Park from recent tornado damage.
2. The City desires to replace some of these with 25 trees of diverse species.
3. Consumers Energy has offered the City a grant of \$2300.00 to assist in this reforestation.
4. The City has programmed \$8,118.00 in matching funds in the 2016-2017 Parks & Recreation Department's budget in account 208-752-75600-987.151.
5. The trees are required to be planted by November 14, 2016 to receive the grant funds.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby affirm the City Manager signing the grant agreement.

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 October 17, 2016.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:
Memo
Agreement



- 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

Date: October 6, 2016

To: Curtis Holt, City Manager

Subject: Consumers Energy Tree Planting Grant

From: Tim Cochran, City Planner
Jeff Anderson, Parks and Facilities Supervisor

CC: Rebecca Rynbrandt, Director of Community Services

Meeting Date: October 17, 2016

Recommendation:

It is recommended that the City Council authorize the City Manager to enter into an agreement with Consumers Energy to obtain a grant to supplement the planting of 25 diverse trees within Pinery Park.

Sustainability Criteria:

Environmental Quality – The installation of trees will contribute to the reforestation of a major City park.

Social Equity – The enhancement of the public parks promotes wide spread community use.

Economic Strength – Quality public parks contribute to the overall community’s vitality and desirability.

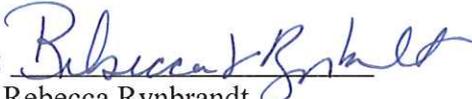
Discussion:

The tornado storm damage of 2016 resulted in a devastating loss of the old growth tree canopy within Pinery Park. For several years, the City has been replacing trees within this park that were lost due to emerald ash borer and less severe storm damage. The City replacement of these trees has been supported with the assistance of grant monies. Currently, City staff desires to plant 25 trees of diverse species and 3 - 4 inch caliper within the park. We recently applied for, and were awarded, a Consumers Energy Tree Planting Grant for \$2300.

Budget Impact:

The total project cost is estimated at \$10,418.00. The \$8,118.00 in matching funds is available under the 2016 – 2017 Parks & Recreation Department's budget account 208-752-75600-987.151. The trees must be planted by November 14, 2016 to receive the grant funds. Payment of the grant is provided upon installation of the trees.

With your support, we ask that this matter be placed before the City Council for their approval consideration at the Monday, October 17, 2016 Regular Meeting.

Authorized by: 
Rebecca Rynbrandt

CONSUMERS ENERGY COMPANY 2016 TREE PLANTING AGREEMENT

Community City of Wyoming			Grantee's Contact Name Jeff Anderson		
Address 1120 28 th Street SW			Work Location Address if different		
City Wyoming	State MI	Zip Code 49509	City	State	Zip Code
Contact Phone (8AM to 5PM) 616-530-7224			Email: andersonj@wyomingmi.gov		

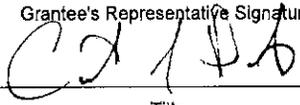
Consumers Energy Company agrees to pay the sum of **\$2,300.00** to the Grantee after successful completion of the tree planting project described below and on the Grant Application which is made a part hereof.

WORK DESCRIPTION

SPECIAL INSTRUCTIONS

GRANTEE ACKNOWLEDGES HAVING READ AND HEREBY ACCEPTS THE TERMS AND CONDITIONS OF THIS AGREEMENT INCLUDING THOSE PRINTED ON THE BACK OF THIS FORM AS WELL AS TERMS AND CONDITIONS SPECIFIED IN CONSUMERS ENERGY'S FORESTRY OPERATIONS 2016 COMMUNITY TREE PLANTING GRANT PROGRAM APPLICATION INFORMATION FORM ATTACHED HERETO AND MADE A PART HEREOF.

Grantee's Representative Signature



Date

10.11.16

Title

City Manager

Return signed agreement to Michigan Forestry and Park Association by email at 2016cetreplantinggrants@gmail.com

1. Scope of Service:

Consumers Energy Company shall pay to the Grantee the amount shown on the front of this Tree Planting Agreement after successful completion of the tree planting work described herein and on the Grant Application attached hereto and made a part hereof.

2. Service Location, Risk and Delivery:

All Services will be performed on the Grantee's premises as specified on the front of this Tree Planting Agreement and on the attached Grant Application. With respect to Consumers Energy Company's recommended planting list; no trees categorized as "Medium Trees" will be planted within 20 feet of the centerline and no trees categorized as "Large Trees" will be planted within 40 feet of the centerline of any existing overhead electric distribution line energized at or below 15,000 volts phase to ground or 25,000 volts phase to phase. No trees will be planted within 80 feet of any line energized above 15,000 volts phase to ground or above 25,000 volts phase to phase.

3. Time for Performance:

Grantee must complete all work described in their Grant Application attached hereto by November 14, 2016. Failure to complete the work by November 14, 2016 will result in forfeiture of the grant award by Consumers Energy Company.

4. Warranty and Disclaimer:

Grantee warrants that any service performed under this contract shall be performed by properly skilled personnel in accordance with generally accepted standards for the services being performed. Without limiting any other remedy available to Consumers Energy, if any such nonconformance or defect appears the Grantee shall make any and all repairs or replacements necessary to remedy same at its sole expense and within a reasonable time after notification by Consumers Energy.

5. Indemnity:

The Grantee shall indemnify and hold Consumers Energy Company, its agents, employees, vendors and contractors including the Michigan Forestry & Park Association, Inc. harmless from and against, and shall at Consumers Energy Company's option undertake the defense of, any and all claims, losses, liability and damage (including environmental harm) and including reasonable attorney's fees which Consumers Energy Company might sustain or incur or which might be asserted against Consumers Energy Company as a result of the services provided under this contract, whether based on warranty, contract, tort (including negligence), strict liability or otherwise. The provisions of this Section 5 shall survive the termination or expiration of this Agreement.

6. Limitation of Liability:

The total liability of Consumers Energy Company, its agents, employees, vendors and contractors including the Michigan Forestry & Park Association, Inc. with respect to any and all claims arising out of this contract including the performance of obligations in connection with the services hereunder, whether based on contract, warranty, tort (including negligence), strict liability or otherwise, shall not exceed \$5,000 and shall in no event include incidental or consequential damages of any nature. This Limitation of Liability section shall prevail over any conflicting or inconsistent provisions contained herein or in any other applicable document and shall be in effect even if the remedy or remedies set forth herein fail their essential purpose.

7. Assignment and Subcontracting:

Any assignment of this contract or any part thereof by the Grantee without the previous written permission of Consumers Energy Company shall be void and of no effect.

8. Changes in Contract:

The terms of this contract shall not be changed, superseded or supplemented, except in writing signed by a duly authorized representative of Consumers Energy Company and by a duly authorized representative of Grantee.

9. Governing Law:

This contract shall be deemed a Michigan contract and shall be construed in accordance with and governed by the laws of the State of Michigan. This Contract is intended for the benefit of the parties hereto and does not grant any rights to any third parties unless otherwise specifically stated herein.

10. Entire Agreement:

With respect to the subject matter hereof, this contract supersedes all previous representations, understandings and negotiations, either written or oral, between the parties hereto or their representatives and constitutes the entire contract between the parties. No part of any purchase order, request for proposal or other document issued by the Grantee shall be binding upon Consumers Energy Company or affect its rights or obligations hereunder unless signed by a duly authorized representative of Consumers Energy Company.

RESOLUTION NO. _____

RESOLUTION TO ACCEPT
THE UNITED STATES DEPARTMENT OF JUSTICE
BULLETPROOF VEST PARTNERSHIP GRANT

WHEREAS:

1. The Department of Public Safety applied for the United States Department of Justice, Bulletproof Vest Partnership Grant in the amount of \$5,200.00.
2. The grant will be used toward the procurement of bullet resistant vests directly related to law enforcement functions.
3. Acceptance of the grant requires yearly status reports to the United States Department of Justice and will be submitted by the program director, Chief James E. Carmody.
4. It is recommended the City Council accept the United States Department of Justice Bulletproof Vest partnership grant in the amount of \$5,200.00.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby accept the United States Department of Justice, Bulletproof Vest Partnership Grant in the amount of \$5,200.00.
2. The City Council does hereby authorize Chief James Carmody to serve as Program Director.

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 October 17, 2016.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENT:

Award Document

Resolution No. _____

APPLICATION DETAILS

APPLICATION PROFILE

Participant	WYOMING CITY
Fiscal Year	2016
Number of Agencies Applied	0
Total Number of Officers for Application	86
Number of Officers on Approved Applications	86

APPLICATION PROFILE

Fiscal Year	2016
Vest Replacement Cycle ⓘ	5
Number of Officers	86
Number of Stolen or Damaged Emergency Replacement Needs ⓘ	0
Number of Officer Turnover	3

APPLICATION DETAILS

NIJ#	Quantity	Unit Price	Extended Cost	Tax Shipping and Handling	Total Cost
RZRG2-A-II	16	\$650.00	\$10,400.00	\$0.00	\$10,400.00
Grand Totals	16		\$10,400.00	\$0.00	\$10,400.00

AWARD SUMMARY FOR FY2016 REGULAR FUND

Funds Type	Eligible Amount	Award	Date Approved	Status
Regular Fund	\$10,400.00	\$5,200.00	08/18/16	Approved by BVP
Grand Totals:	\$10,400.00	\$5,200.00		

RETURN

MI	ST IGNACE CITY	\$326.50	1
MI	ST JOSEPH COUNTY	\$2,110.75	5
MI	ST LOUIS CITY	\$752.44	2
MI	STERLING HEIGHTS CITY	\$52.88	60
MI	STURGIS CITY	\$1,465.80	4
MI	SWARTZ CREEK CITY	\$3,850.00	11
MI	ST. CLAIR COUNTY	\$12.85	21
MI	TAYLOR CITY	\$17,100.00	28
MI	TECUMSEH CITY	\$1,120.50	3
MI	THOMAS TOWNSHIP	\$1,500.00	4
MI	TRAVERSE CITY	\$7,938.00	28
MI	TROY CITY	\$12,687.50	35
MI	TUSCARORA TOWNSHIP	\$1,424.00	4
MI	TUSCOLA COUNTY	\$4,422.00	12
MI	UNADILLA TOWNSHIP	\$1,212.00	3
MI	UTICA CITY	\$1,300.00	4
MI	VICKSBURG VILLAGE	\$3,735.00	9
MI	WALKER CITY	\$1,600.00	4
MI	WALLED LAKE CITY	\$1,324.50	4
MI	WATERFORD CHARTER TOWNSHIP	\$2,392.50	6
MI	WAYLAND CITY	\$655.00	2
MI	WAYNE CITY	\$3,600.00	12
MI	WAYNE COUNTY AIRPORT AUTHORITY	\$16.31	20
MI	WEST BLOOMFIELD CHARTER TOWNSHIP	\$7,400.00	20
MI	WEST BRANCH CITY	\$757.00	2
MI	WESTLAND CITY	\$3,960.00	10
MI	WEXFORD COUNTY	\$1,390.00	5
MI	WHITE LAKE CHARTER TOWNSHIP	\$10,211.88	25
MI	WHITEHALL CITY	\$1,896.00	4
MI	WIXOM CITY	\$1,500.00	5
MI	WYOMING CITY	\$5,200.00	16
MI	ZEELAND CITY	\$755.00	2
	Totals for MI(189 Jurisdictions):	\$641,705.00	4720
MN	ADA CITY	\$1,680.00	3
MN	AITKIN COUNTY	\$800.00	2
MN	ALBERT LEA CITY	\$7,650.00	15
MN	ALEXANDRIA CITY	\$1,628.50	3
MN	ANOKA CITY	\$1,200.00	3
MN	ANOKA COUNTY	\$80.31	89
MN	BECKER CITY	\$495.00	1
MN	BECKER COUNTY	\$11,574.50	22
MN	BELTRAMI COUNTY	\$7,927.50	21
MN	BEMIDJI CITY	\$4,757.50	12
MN	BENTON COUNTY	\$502.50	1
MN	BIG LAKE CITY	\$2,000.00	5
MN	BLOOMINGTON CITY	\$14,366.25	27
MN	BLUE EARTH COUNTY	\$4,191.25	7
MN	BRAINERD CITY	\$975.00	2
MN	BROOKLYN CENTER CITY	\$6,337.50	13
MN	BROOKLYN PARK CITY	\$9,025.00	19
MN	BROWN COUNTY	\$1,025.00	2
MN	BUFFALO CITY	\$2,500.00	5
MN	BURNSVILLE CITY	\$19,787.50	34
MN	CAMBRIDGE CITY	\$2,097.00	6
MN	CANNON FALLS CITY	\$2,187.00	4
MN	CARLTON COUNTY	\$3,912.50	8
MN	CARVER COUNTY	\$10,424.75	21
MN	CASS COUNTY	\$8,831.25	15
MN	CHAMPLIN CITY	\$2,400.00	6
MN	CHASKA CITY	\$5,094.00	12
MN	CHISAGO COUNTY	\$3,607.70	9
MN	CHISHOLM CITY	\$1,530.00	3

10/17/2016
M.E.

RESOLUTION NO. _____

RESOLUTION TO ACCEPT
THE EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT

WHEREAS:

1. The Department of Public Safety applied for the Edward Byrne Memorial, Justice Assistance Grant in the amount of \$24,630.00.
2. The grant will be used toward the procurement of equipment, technology, and other items directly related to basic law enforcement functions.
3. Acceptance of the grant requires the City to submit quarterly federal financial reports and semi-annual performance reports to the U.S. Department of Justice.
4. Yearly status reports to the U.S. Department of Justice will be submitted by the program director Chief James E. Carmody.
5. It is recommended the City Council accept the Edward Byrne Memorial, Justice Assistance Grant in the amount of \$24,630.00.
6. Acceptance of the grant will require the approval of the attached budget amendment.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby accept the Edward Byrne Memorial Justice Assistance Grant in the amount of \$24,630.00.
2. The City Council does hereby authorize Chief James E. Carmody to serve as Program Director.
3. The City Council does hereby approve 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 October 17, 2016.

ATTACHMENTS:

Budget Amendment

Grant Award Document

Kelli A. Vandenberg, Wyoming City Clerk

Resolution No. _____



U.S. Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

September 8, 2016

Mr. Curtis Holt
City of Wyoming
1155 28th Street SW
Wyoming, MI 49509

Dear Mr. Holt:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 16 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation in the amount of \$24,630 for City of Wyoming.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

-
- Program Questions, Lesley Walker, Program Manager at (202) 307-0863; and
 - Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.
-

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Denise O'Donnell".

Denise O'Donnell
Director

Enclosures



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs
U.S. Department of Justice
810 7th Street, NW
Washington, DC 20531

Tel: (202) 307-0690
TTY: (202) 307-2027
E-mail: askOCR@usdoj.gov
Website: www.ojp.usdoj.gov/ocr

September 8, 2016

Mr. Curtis Holt
City of Wyoming
1155 28th Street SW
Wyoming, MI 49509

Dear Mr. Holt:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at <http://ojp.gov/about/ocr/vawafaqs.htm>.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, *Equal Treatment for Faith-Based Organizations*, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions.

Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See *Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964* (June 2013), available at http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmission@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

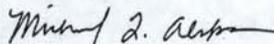
If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 13

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Wyoming 1155 28th Street SW Wyoming, MI 49509		4. AWARD NUMBER: 2016-DJ-BX-1032	
2a. GRANTEE IRS/VENDOR NO. 386006933		5. PROJECT PERIOD: FROM 10/01/2015 TO 09/30/2017 BUDGET PERIOD: FROM 10/01/2015 TO 09/30/2017	
2b. GRANTEE DUNS NO. 784309536		6. AWARD DATE 09/08/2016	7. ACTION Initial
3. PROJECT TITLE FY 2016 JAG Program		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 24,630	
		11. TOTAL AWARD \$ 24,630	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY 16(BJA - JAG) 42 USC 3750, et seq.			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.738 - Edward Byrne Memorial Justice Assistance Grant Program			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Denise O'Donnell Director		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Curtis Holt City Manager	
17. SIGNATURE OF APPROVING OFFICIAL <i>Denise O'Donnell</i>		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL <i>Curtis Holt</i>	19A. DATE 10-10-16
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. DIV. REG. SUB. POMS AMOUNT X B DJ 80 00 00 24630		21. RDJUGT1341	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 2 OF 13

PROJECT NUMBER 2016-DJ-BX-1032

AWARD DATE 09/08/2016

SPECIAL CONDITIONS

1. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this 2016 award from the Office of Justice Programs (OJP).

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this 2016 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded in 2014 or earlier years), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2016 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. Compliance with DOJ Grants Financial Guide

The recipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide"), including any updated version that may be posted during the period of performance.

3. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2015, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2015, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <http://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

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4. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

5. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

6. Requirements related to System for Award Management and Unique Entity Identifiers

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <http://www.sam.gov>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <http://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

7. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <http://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: Award Condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

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8. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$150,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$150,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <http://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$150,000)), and are incorporated by reference here.

9. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <http://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

10. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").

11. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of activities under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

12. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://ojp.gov/funding/ojptrainingguidingprinciples.htm>.

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13. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

14. The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

15. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

16. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

17. Restrictions on "lobbying"

Federal funds may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government.

Should any question arise as to whether a particular use of Federal funds by a recipient (or subrecipient) would or might fall within the scope of this prohibition, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

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18. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2016)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2016, are set out at <http://ojp.gov/funding/Explore/FY2016-AppropriationsLawRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

19. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

The recipient and any subrecipients ("subgrantees") must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530; (2) e-mail to: oig.hotline@usdoj.gov; and/or (3) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <http://www.usdoj.gov/oig>.

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20. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



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21. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

22. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

23. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

24. Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

25. In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: http://www.it.ojp.gov/gsp_grantcondition. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

26. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

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27. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.
28. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
29. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
30. Award recipients must verify Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.
31. The grantee agrees that within 120 days of award acceptance, each current member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. Additionally, all future task force members are required to complete this training once during the life of this award, or once every four years if multiple awards include this requirement. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. When BJA funding supports a task force, a task force personnel roster should be compiled and maintained, along with course completion certificates, by the grant recipient. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).
32. The recipient agrees to participate in BJA-sponsored training events, technical assistance events, or conferences held by BJA or its designees, upon BJA's request.
33. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.

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34. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.

The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

35. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate the grant funds in the trust fund (including any interest earned) during the period of the grant and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to the Office of Justice Programs at the time of closeout.
36. JAG funds may be used to purchase vests for an agency, but they may not be used as the 50% match for purposes of the Bulletproof Vest Partnership (BVP) program.
37. Ballistic-resistant and stab-resistant body armor purchased with JAG funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and are listed on the NIJ Compliant Body Armor Model List (<http://nij.gov>). In addition, ballistic-resistant and stab-resistant body armor purchased must be American-made. The latest NIJ standard information can be found here: <http://www.nij.gov/topics/technology/body-armor/safety-initiative.htm>.

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38. The recipient agrees to submit a signed certification that all law enforcement agencies receiving vests purchased with JAG funds have a written "mandatory wear" policy in effect. Fiscal agents and state agencies must keep signed certifications on file for any subrecipients planning to utilize JAG funds for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any JAG funding can be used by the agency for body armor. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.
39. The recipient agrees to monitor subawards under this JAG award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the DOJ Financial Guide, and to include the applicable conditions of this award in any subaward. The recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of JAG funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.
40. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.
41. Award recipients must submit quarterly Federal Financial Reports (SF-425) and semi-annual performance reports through GMS (<https://grants.ojp.usdoj.gov>). Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Therefore, quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) website (www.bjaperformancetools.org). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.
42. Any law enforcement agency receiving direct or sub-awarded JAG funding must submit quarterly accountability metrics data related to training that officers have received on the use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.
43. BJA strongly encourages the recipient to submit annual (or more frequent) JAG success stories. To submit a success story, sign in to your My BJA account at <https://www.bja.gov/Login.aspx> to access the Success Story Submission form. If you do not yet have a My BJA account, please register at <https://www.bja.gov/profile.aspx>. Once you register, one of the available areas on your My BJA page will be "My Success Stories". Within this box, you will see an option to add a Success Story. Once reviewed and approved by BJA, all success stories will appear on the new BJA Success Story web page at <https://www.bja.gov/SuccessStoryList.aspx>.
44. Recipient understands and agrees that award funds may not be used for items that are listed on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, without explicit written prior approval from BJA. The Controlled Expenditure List, and instructions on how to request approval for purchase or acquisitions may be accessed here: <https://www.bja.gov/funding/JAGControlledPurchaseList.pdf>

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SPECIAL CONDITIONS

45. The recipient understands that, pursuant to recommendation 2.1 of Executive Order 13688, law enforcement agencies that acquire controlled equipment through Federal programs must adopt robust and specific written policies and protocols governing General Policing Standards and Specific Controlled Equipment Standards. General Policing Standards includes policies on (a) Community Policing; (b) Constitutional Policing; and (c) Community Input and Impact Considerations. Specific Controlled Equipment Standards includes policies specifically related to (a) Appropriate Use of Controlled Equipment; (b) Supervision of Use; (c) Effectiveness Evaluation; (d) Auditing and Accountability; and (e) Transparency and Notice Considerations. Upon OJP's request, the recipient agrees to provide a copy of the General Policing Standards and Specific Controlled Equipment Standards, and any related policies and protocols.
46. Recipient understands and agrees that the purchase or acquisition of any item on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, with award funds by an agency will trigger a requirement that the agency collect and retain (for at least 3 years) certain information about the use of 1) any federally-acquired Controlled Equipment in the agency's inventory, and 2) any other controlled equipment in the same category as the federally-acquired controlled equipment in the agency's inventory, regardless of source; and make that information available to BJA upon request. Details about what information must be collected and retained may be accessed here: https://www.whitehouse.gov/sites/default/files/docs/le_equipment_wg_final_report_final.pdf
47. Recipient understands and agrees that failure to comply with conditions related to Prohibited or Controlled Expenditures may result in a prohibition from further Controlled Expenditure approval under this or other federal awards.
48. Recipient understands and agrees that award funds may not be used for items that are listed on the Prohibited Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time. The Prohibited Expenditure list may be accessed here: <https://www.bja.gov/funding/JAGControlledPurchaseList.pdf>.
49. Recipient understands and agrees that, notwithstanding 2 CFR § 200.313, no equipment listed on the Controlled Expenditure List that is purchased under this award may be transferred or sold to a third party, except as described below:
- a. Agencies may transfer or sell any controlled equipment, except riot helmets and riot shields, to a Law Enforcement Agency (LEA) after obtaining prior written approval from BJA. As a condition of that approval, the acquiring LEA will be required to submit information and certifications to BJA as if it was requesting approval to use award fund for the initial purchase of items on the Controlled Expenditure List.
 - b. Agencies may not transfer or sell any riot helmets or riot shields purchased under this award.
 - c. Agencies may not transfer or sell any Controlled Equipment purchased under this award to non-LEAs, with the exception of fixed wing aircraft, rotary wing aircraft, and command and control vehicles. Before any such transfer or sale is finalized, the agency must obtain prior written approval from BJA. All law enforcement-related and other sensitive or potentially dangerous components, and all law enforcement insignias and identifying markings must be removed prior to transfer or sale.
- Recipient further understands and agrees to notify BJA prior to the disposal of any items on the Controlled Expenditure List purchased under this award, and to abide by any applicable laws and regulations in such disposal.
50. Recipient understands that the initial period of availability of funds for this award is two years. Recipient further understands that any requests for additional time for performance of this award, up to two additional years, will be granted automatically, pursuant to 42 U.S.C. § 3751(f) and in accordance with current fiscal year solicitation. Requests for additional time beyond a four year grant period will be subject to the discretion of the Director of the Bureau of Justice Assistance.

CH



U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 13 OF 13

PROJECT NUMBER 2016-DJ-BX-1032

AWARD DATE 09/08/2016

SPECIAL CONDITIONS

51. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance (BJA) has received documentation demonstrating that the state or local governing body review requirements have been met and a Grant Adjustment Notice (GAN) has been approved releasing this special condition.

52. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance (BJA) has received documentation demonstrating that the recipient jurisdiction's public comment requirements have been met and a Grant Adjustment Notice (GAN) has been approved releasing this special condition.

CH

RESOLUTION NO. _____

RESOLUTION TO ACCEPT AND DISTRIBUTE GRANT FUNDING
RECEIVED FROM THE OFFICE OF HIGHWAY SAFETY PLANNING

WHEREAS:

1. The City of Wyoming has requested to serve as the host agency for the "Strategic Traffic Enforcement Program" Kent County Task Force, as appointed by the State of Michigan, Office of Highway Safety Planning.
2. The City of Wyoming would accept and reimburse \$190,993 in grant funds designated for overtime patrols to enforce safety restraint and operating while intoxicated violations to seven agencies participating in the Task Force.

NOW, THEREFORE, BE IT RESOLVED:

1. Chief James Carmody shall serve as the Director of the Task Force.
2. Rosa Ooms shall serve as the Finance Director of Task Force.
3. 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 October 17, 2016.

Kelli A. Vandenberg, Wyoming City Clerk

ATTACHMENTS:

Budget Amendment
Budget Detail Reports
OHSP Grant

CITY OF WYOMING BUDGET AMENDMENT

Date: October 17, 2016

Budget Amendment No. 027

To the Wyoming City Council:

A budget amendment is requested for the following reason: To appropriate \$190,993.00 of additional budgetary authority for funding of the Kent County Traffic Enforcement Grant and recognize the associated grant revenue from the Office of Highway Safety Planning per attached resolution.

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
<u>General Fund</u>				
Federal Grants OHSP - Strategic Traffic Enf (OHSP Enf.2017.001 Rev)				
101-505.003	-	190,993.00		190,993.00
Police - OHSP - Strategic Traffic Enf - Salaries - Uniform OT Salaries (OHSP Enf.2017.Traffic)				
101-305-31506-709.000	-	21,756.00		21,756.00
Police - OHSP - Strategic Traffic Enf - Salaries - Uniform OT Admin (OHSP Enf.2017.Traffic)				
101-305-31506-709.010	-	6,499.00		6,499.00
Police - OHSP - Strategic Traffic Enf - FICA (OHSP Enf.2017.Traffic)				
101-305-31506-715.000	-	2,161.00		2,161.00
Police - OHSP - Strategic Traffic Enf - Pension (OHSP Enf.2017.Traffic)				
101-305-31506-718.000	-	9,061.00		9,061.00
Police - OHSP - Strategic Traffic Enf - Workers Comp Insurance (OHSP Enf.2017.Traffic)				
101-305-31506-719.000	-	913.00		913.00
Police - OHSP - Strategic Traffic Enf - Other Services Grand Rapids Dist. (OHSP Enf.2017.Traffic)				
101-305-31506-956.520	-	20,975.00		20,975.00
Police - OHSP - Strategic Traffic Enf - Other Services Grandville Dist. (OHSP Enf.2017.Traffic)				
101-305-31506-956.521	-	22,239.00		22,239.00
Police - OHSP - Strategic Traffic Enf - Other Services Kentwood Dist. (OHSP Enf.2017.Traffic)				
101-305-31506-956.522	-	32,160.00		32,160.00
Police - OHSP - Strategic Traffic Enf - Other Services Walker Distribution (OHSP Enf.2017.Traffic)				
101-305-31506-956.523	-	18,783.00		18,783.00
Police - OHSP - Strategic Traffic Enf - Other Services Kent County Dist. (OHSP Enf.2017.Traffic)				
101-305-31506-956.525	-	28,124.00		28,124.00
Police - OHSP - Strategic Traffic Enf - Other Services Rockford Dist. (OHSP Enf.2017.Traffic)				
101-305-31506-956.527	-	23,326.00		23,326.00
Police - OHSP - Strategic Traffic Enf - Salaries - Uniform OT Admin (OHSP Enf.2017.DRE)				
101-305-31506-709.010	-	175.00		175.00
Police - OHSP - Strategic Traffic Enf - FICA (OHSP Enf.2017.DRE)				
101-305-31506-715.000	-	13.00		13.00
Police - OHSP - Strategic Traffic Enf - Pension (OHSP Enf.2017.DRE)				
101-305-31506-718.000	-	56.00		56.00
Police - OHSP - Strategic Traffic Enf - Workers Comp Insurance (OHSP Enf.2017.DRE)				
101-305-31506-719.000	-	6.00		6.00

CITY OF WYOMING BUDGET AMENDMENT

Date: October 17, 2016

Budget Amendment No. 027

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
Police - OHSP - Strategic Traffic Enf - Other Services Grand Rapids Dist. (OHSP Enf.2017.DRE) 101-305-31506-956.520	-	2,277.00		2,277.00
Police - OHSP - Strategic Traffic Enf - Other Services Kent County Dist. (OHSP Enf.2017.DRE) 101-305-31506-956.525	-	2,469.00		2,469.00
Fund Balance/Working Capital (Fund 101)		-	-	

Recommended: Kate Baugh
Senior Accountant

Hudie Isakson
Dep. City Manager

Motion by Councilmember _____, seconded by Councilmember _____
that the General Appropriations Act for Fiscal Year 2016-2017 be amended by adoption of the
foregoing budget amendment.

Motion carried: Yes _____, No _____

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

City Clerk



STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

RICK SNYDER
GOVERNOR

COL. KRISTE KIBBEY ETUE
DIRECTOR

September 29, 2016

Lt. Mark Easterly
Wyoming Department of Public Safety
2300 Dehoop SW
Wyoming, Michigan 49509

Subject: PT-17-28

Dear Lieutenant Easterly:

The Michigan Office of Highway Safety Planning (OHSP) has approved \$190,993 in federal funds for Highway Safety Project grant number PT-17-28, "Kent County Traffic Enforcement," for the grant period of October 1, 2016, through September 30, 2017.

This grant is approved with the following conditions:

1. **Funding is contingent upon the availability of U.S. Department of Transportation Highway Safety Funds.**
2. Quarterly progress and financial reports are due: January 30, April 30, July 30, and October 30.
3. Grantees must comply with the Grant Management Requirements set forth in this grant. Please consult the grant application for further details.
4. Any changes to the grant's objectives, activities, and/or approved budget must have OHSP approval.

If you have any questions regarding your grant, please contact your OHSP grant coordinator, Patricia Eliason at 517-284-3061. We look forward to working with you during the course of the project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael L. Prince".

Michael L. Prince, Director
Office of Highway Safety Planning

Enclosures

cc: Mr. Curtis Holt
Mr. Robert Luders

PAGE 1A - FOR OHSP USE ONLYFISCAL YEAR:
2017PROJECT TITLE:
Kent County Traffic EnforcementGRANT NUMBER:
PT-17-28APPLICANT:
Wyoming Department of Public SafetyAPPROVED GRANT PERIOD:
10/01/2016 through 09/30/2017**FUNDING BREAKDOWN**

FUND TYPE/CFDA #	PAP	TASK	FEDERAL FUNDS COMMITTED
402-20.600	17-PT	1	\$190,993

APPROVED BUDGET SUMMARY

COST CATEGORY	FEDERAL	NON-FEDERAL	TOTAL
PERSONNEL COSTS	\$190,993	\$ 0	\$190,993
CONTRACTUAL SERVICES	0	0	0
OPERATING COSTS	0	0	0
EQUIPMENT	0	0	0
INDIRECT COSTS	0		0
TOTAL APPROVED COSTS	\$190,993	\$ 0	\$190,993

OHSP APPROVAL

SIGNATURE	TITLE	DATE APPROVED
	Division Director	9/29/16



List of Federal CFDA Numbers for Highway Safety Grants

CFDA Number	Fund Type	Fund Description
20.600	402	State & Community Highway Safety
20.616	405b 405c 405d 405f	<ul style="list-style-type: none"> -Occupant Protection High Belt Use -Traffic Safety Information Systems -Impaired Driving and Ignition Interlock -Motorcyclist Safety

If your reporting entity receives \$750,000 or more in federal funds annually, you must report the amounts received on your audited financial statements per the requirements of OFM Circular A-133. The Page 1A lists the funding sources included in your grant. You can also find a breakdown of funding sources with the actual amounts spent on the Financial Report in MAGIC+, after your payment has been approved by OHSP. If you need additional information, please contact Heidi Ruis at 517-284-3122 or via email at RuisH@michigan.gov.

Updated: 7/13/15



Acceptable Financial Support Documentation for Federal Cost Claims

In order to fully utilize all available grant funds, the grantee must have a system in place to track expenditures and remaining balances on an on-going basis.

Financial support documentation is required to request reimbursement. Should a financial report be received without proper documentation, the financial report is considered incomplete and will not be processed.

Financial supporting documentation must be kept on file by the grantee and sub-grantee for **three (3) years** after completion of the grant. This documentation must be submitted or made available for review upon the request of OHSP. Documentation includes receipts, payroll records, general ledger reports, time documentation records, time certifications, daily records, and any other documents required to prove the costs claimed for reimbursement.

Documentation Requirements – All Grantees

- A copy of the detailed general ledger (a.k.a. trial balance, budget/expenditure report or payroll journal) produced by the grantee's official accounting system for the reporting period needs to be submitted with each reimbursement request. The report must meet the following criteria:
 1. It must reconcile to the reimbursement amount requested.
 2. A separate account line (or cost center) must be established within the report for **each** funding source.
 3. It must be tied to the agency's accounting system. A separately prepared spreadsheet or other document is not acceptable.
 4. It must be subject to an independent audit when the accounting period is over.
 5. It must provide detailed entries of costs incurred for the grant. A summary total is not acceptable.
 6. Costs incurred outside and after the grant period has ended will NOT be reimbursed.
 7. Reimbursement can only be claimed for a quarter that has already ended.
- Receipts for single item equipment purchases of \$5,000 or more, specialized purchases such as child passenger seats, or other items at OHSP's request must be submitted.

Specific Requirements for Enforcement Grantees

- The Officer Reimbursement spreadsheet provided by OHSP must be submitted with the Financial Report submitted on the MAGIC+ system.
- All dates for which reimbursement is requested must be included in the MAGIC+ Strategic Plan; otherwise the reimbursement requested will be denied.
- Officer time for activities completed during grant hours must be documented. Hours worked must agree with hours reported on the Officer Reimbursement spreadsheet and the General Ledger. This documentation (timesheets or dailies) must be signed by a supervisor and provided when requested by OHSP.

NOTE: It is the lead agency's responsibility to assure that costs of sub-grantees are accurately reported to them. The general ledgers of the sub-grantees do not have to be submitted to OHSP, but must be kept available for review by OHSP, if requested.

Specific Requirements for Non-Enforcement Grantees

For wages or salaries reimbursed through the grant, grantees must maintain activity logs which document the actual amount of time spent on this grant project, and describe the nature of the activities performed. If the grant is funded from multiple sources, the logs must show the breakdown of activity by fund source. This documentation must be submitted with the financial reimbursement request.

OHSP FY '16-'17 Grant

Kent County Traffic Safety Task Force

Budget Detail DRE Callout

AGENCY	Hours	Base OT Wage	Wage Amount	FICA Rate	FICA \$ Amount	Retirement Rate	Retirement \$ Amount	Comp Rate	Comp. \$ Amount	Fringe \$ Amount	Wage and Fringe Total
Grand Rapids Police Dept.	38.0	\$51.37	\$1,952	0.0145	\$28	0.1381	\$270	0.014	\$27.33	\$298	\$2,250
Grandville Police Department		\$46.15	\$0	0.0765	\$0	0.1000	\$0	0.0282	\$0	\$0	\$0
Kent County Sheriff's Dept.	39.5	\$51.49	\$2,034	0.0765	\$156	0.1307	\$266	0.0066	\$13	\$435	\$2,469
Kentwood Police Department		\$53.14	\$0	0.0765	\$0	0.4120	\$0	0.0245	\$0	\$0	\$0
Rockford Police Department		\$52.96	\$0	0.0765	\$0	0.1519	\$0	0.0282	\$0	\$0	\$0
Walker Police Department		\$48.58	\$0	0.0765	\$0	0.0000	\$0	0.0282	\$0	\$0	\$0
Wyoming Police Department		\$49.99	\$0	0.0765	\$0	0.2735	\$0	0.0323	\$0	\$0	\$0
Wyoming Police Dept. Admin.	3.5	\$49.99	\$175	0.0765	\$13	0.3207	\$56	0.0323	\$6	\$75	\$250
TOTAL	81.0		\$4,161		\$197		\$592		\$46	\$808	\$4,996



OHSP FY '16-'17 Grant

Kent County Traffic Safety Task Force

Budget Detail Traffic Enforcement

AGENCY	Hours	Base OT Wage	Wage Amount	FICA Rate	FICA \$ Amount	Retirement Rate	Retirement \$ Amount	Comp Rate	Comp. \$ Amount	Fringe \$ Amount	Wage and Fringe Total
Grand Rapids Police Dept.	350.0	\$51.37	\$17,980	0.0145	\$261	0.1381	\$2,483	0.014	\$252	\$2,995	\$20,975
Grandville Police Department	400.0	\$46.15	\$18,460	0.0765	\$1,412	0.1000	\$1,846	0.0282	\$521	\$3,779	\$22,239
Kent County Sheriff's Dept.	450.0	\$51.49	\$23,171	0.0765	\$1,773	0.1307	\$3,028	0.0066	\$153	\$4,954	\$28,124
Kentwood Police Department	400.0	\$53.14	\$21,256	0.0765	\$1,626	0.4120	\$8,757	0.0245	\$521	\$10,904	\$32,160
Rockford Police Department	350.5	\$52.96	\$18,562	0.0765	\$1,420	0.1519	\$2,820	0.0282	\$523	\$4,763	\$23,326
Walker Police Department	350.0	\$48.58	\$17,003	0.0765	\$1,301	0.0000	\$0	0.0282	\$479	\$1,780	\$18,783
Wyoming Police Department	435.2	\$49.99	\$21,756	0.0765	\$1,664	0.3207	\$6,977	0.0323	\$703	\$9,344	\$31,100
Wyoming Police Dept. Admin.	130.0	\$49.99	\$6,499	0.0765	\$497	0.3207	\$2,084	0.0323	\$210	\$2,791	\$9,290
TOTAL	2865.7		\$144,686		\$9,954		\$27,996		\$3,362	\$41,311	\$185,997



GRANT MANAGEMENT REQUIREMENTS

1. All correspondence to the Office of Highway Safety Planning (OHSP) regarding this project shall include the project number, example: OP-17-01.
2. A change in Project Director, Agency Contact, Financial Officer, Authorizing Official, addresses, or telephone numbers requires written notification to OHSP. These changes must also be made to the web based grant application.
3. OHSP may conduct a monitoring review of this highway safety grant. The purpose of this review is to determine adherence to stated project objectives, to review financial procedures, and to ensure compliance with grant requirements. All grantees are expected to cooperate with all reasonable requests for information as part of the Monitoring Review process.

For Enforcement Grants Only:

- a. A daily activity log with a listing of activities performed must be completed for all time requested for reimbursement. It must include the following information in the body of the document to be acceptable documentation:
 - The start time of the grant-funded enforcement detail.
 - A brief description of every stop.
 - The end time of the grant-funded detail.
 - All grant time must be accounted for. **Time must be documented at a minimum of every hour, regardless of whether a traffic stop is made.** This includes time spent on traffic stops, arrests, transporting and lodging of arrested subjects, report writing, serving as "zone spotters", and participating in saturation patrols.
 - b. The time on the daily must match the hours requested for reimbursement, and supervisor approval must be documented electronically or in writing. If supervisor approval is given by means other than a signature on the daily, explanation of the approval process must be provided at the time of grant monitoring.
4. All published reports generated from this project must include the following disclosure statement:

The opinions, findings, and conclusions expressed in this publication are those of the author(s) and not necessarily those of the Michigan Office of Highway Safety Planning or the U.S. Department of Transportation, National Highway Traffic Safety Administration. This report was prepared in cooperation with the Michigan Office of Highway Safety Planning and U.S. Department of Transportation, National Highway Traffic Safety Administration.

5. The grantee agrees to ensure that no person in the United States shall, on the grounds of race, color, religion, national origin, ancestry, age, sex, height, weight, marital status, physical or mental handicap or disability, political affiliation or beliefs, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under this program. The grantee shall adhere to all applicable federal, state and local laws, ordinances, rules, and regulations including, but not limited to, the following:

- a. The grantee will comply with all state and federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all

sub-recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the sale, rental, or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

b. The Elliott Larsen Civil Rights Act, 1976 PA 453, as amended.

c. The grantee's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks (23 USC 402(b) (1) (D)).

6. Debarment and Suspension:

By signing and submitting this proposal, the prospective lower tier participant grantee is providing the certification set out below.

a. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the grantee knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

b. The prospective lower tier participant (grantee) shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant (grantee) learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

c. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

d. The prospective lower tier participant (grantee) agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

e. The prospective lower tier participant (grantee) further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

f. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

- g. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

- a. The prospective lower tier participant (grantee) certifies, by submission of this proposal, neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- b. Where the prospective lower tier participant (grantee) is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

7. Restriction on Federal Lobbying:

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Restriction on State Lobbying:

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

8. Business Integrity Clause:

The Agency may immediately cancel the grant without further liability to the Agency or its employees if the grantee, an officer of the grantee, or an owner of a 25 percent or greater share of the grantee is convicted of a criminal offense incident to the application for or performance of a State, public, or private grant or subcontract; or convicted of a criminal offense including but not limited to any of the following: embezzlement, theft, forgery, bribery, falsification or

destruction of records, receiving stolen property, attempting to influence a public employee to breach the ethical conduct standards for State of Michigan employees; convicted under State or Federal antitrust statutes; or convicted of any other criminal offense which, in the sole discretion of the Agency, reflects on the grantee's business integrity.

9. Indemnification:

- a. To the extent allowable by law, all liability to third parties, loss, or damage as a result of claims, demands, costs, or judgments arising out of activities, such as direct service delivery, to be carried out by the grantee in the performance of this agreement shall be the responsibility of the grantee, and not the responsibility of OHSP, if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the grantee, any subcontractor, anyone directly or indirectly employed by the grantee, provided that nothing herein shall be construed as a waiver of any governmental immunity that has been provided to the grantee or its employees by statute or court decisions.
- b. To the extent allowable by law, all liability to third parties, loss, or damage as a result of claims, demands, costs, or judgments arising out of activities such as the provision of policy and procedural direction, to be carried out by OHSP in the performance of this agreement shall be the responsibility of OHSP and not the responsibility of the grantee if the liability, loss, or damage is caused by, or arises out of, the action or failure to act on the part of any OHSP employee or agent, provided that nothing herein shall be construed as a waiver of any governmental immunity by the State, its agencies (OHSP) or employees as provided by statute or court decisions.
- c. To the extent allowable by law, in the event that liability to third parties, loss, or damage arises as a result of activities conducted jointly by the grantee and OHSP in fulfillment of their responsibilities under this agreement, such liability, loss, or damage shall be borne by the grantee and OHSP in relation to each party's responsibilities under these joint activities, provided that nothing herein shall be construed as a waiver of any governmental immunity by the grantee, the State, its agencies (OHSP) or their employees, respectively, as provided by statute or court decisions.

10. The grantee agrees to abide by the Federal Drug-Free Workplace Act of 1988 (49 CFR Part 29 Sub-part F).

11. For Federally Funded Grants:

- a. **Buy America Act:** Only items produced in the United States may be purchased with Federal funds unless the State can show that such domestic purchases would be inconsistent with the public interest; that such materials are not reasonably available and are of an unsatisfactory quality; or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to OHSP for approval by the appropriate governing authority.
- b. The recipient or its contractor agrees to Federal Drug-Free Workplace Act of 1988 (49 CFR Part 29 Sub-part F).
- c. **The Hatch Act:** OHSP grantees and sub-grantees will comply with the provisions of 5 USC §§ 1501-1508 and implementing regulations of 5 CFR Part 151, concerning "Political Activity of State or Local Offices, or Employees."

GENERAL PUBLIC INFORMATION AND EDUCATION REQUIREMENTS

1. All original electronic files including designs, concepts, photographs, video, and audio financed with grant funds shall be delivered to OHSP by an agreed upon due date between OHSP and the grantee/contractor. The items will remain the property of OHSP and shall not be subject to copyright protection by the vendor or their agents. Items will

be submitted to OHSP immediately after production of the item. **OHSP will hold the final grant reimbursement until all of the above items have been submitted.** The grantee shall not enter into an agreement that includes any time limits on rights for music, talent, artwork, or photographs. The grantee shall inform all vendors, subcontractors, or their agents of this requirement before authorizing work to be performed.

2. All printed public information and education materials and videos are required to contain logos as designated by OHSP, which are available in electronic formats upon request. See printing requirements on page 6 for more details. Audio materials must include an OHSP tag line, see page 6. All materials, including audio and video materials, must be approved by your OHSP program coordinator prior to production. Audio and video scripts must first be submitted for review and approval. Approval will be given within one week of receipt by OHSP.

3. All videos, print photography, or graphics shall depict drivers and passengers to be properly restrained by seat belts or child passenger safety devices unless the lack of restraints is for demonstration or educational purposes.

4. Messaging costs which are of a public relations nature and designed in-whole or in-part to promote either an individual or a governmental unit is prohibited and not eligible for reimbursement.

5. Closed Captioning: All DVDs must be closed captioned. This includes any online videos.

6. All public communications or news releases concerning this project shall have prior approval from OHSP before being released and shall state that the project is financed with funds administered through OHSP.

7. Social Media Use and Approval: The creation of social media accounts such as Facebook and Twitter for state or federally funded grants and projects require prior approval from OHSP before release to the public. Approval will be granted on a case-by-case basis.

8. The purchase of program advertising space by grantees on TV, radio, magazines, newspapers, billboards, etc., is not an allowable expense and will not be reimbursed.

STATE OF MICHIGAN PRINTING REQUIREMENTS

1. The following items require the prior approval of your OHSP program coordinator:

- flyers, posters, brochures
- annual reports
- newsletters
- printing projects that include silk screened folders or binders, die-cut folder or covers, holograms, foil printing, embossing, or engraving

2. Paper stock shall be standard sizes, as unusual size or special-order paper stock is more expensive than standard sizes and results in additional waste.

3. For State/Federally Funded Grants:

The following tagline shall be placed on all printed public information and education materials:

"This material was developed through a project funded by the Michigan Office of Highway Safety Planning and the U.S. Department of Transportation."

COPIES

1. OHSP will require one electronic copy of any publication produced with traffic safety grant funds if print copies are absolutely not available, or if the items are not distributed statewide, and it is not available online. The copy can be submitted via email, CD, or flash drive.

2. OHSP will require fifteen copies of any of the following produced with traffic safety grant funds if they are distributed statewide and are not available online. These copies are distributed throughout the state of Michigan's library system:

- annual reports
- manuals, handbooks, and training materials
- news releases
- statistics

3. OHSP will require three copies of any of the following produced with traffic safety grant funds if they are distributed statewide and are not available online. These copies are housed as part of the state of Michigan's library system:

- posters
- brochures
- flyers

4. If the publication is available on a publicly accessible website, no printed copy is required. However; an email which includes a link to the document must be provided to OHSP. The State of Michigan's library system will then include it in its digital archive.

PROGRAM REQUIREMENTS

1. Progress reports are required to be submitted throughout the grant period. The due dates for these reports are specified in the approval letter and must be submitted online. Reports shall describe activities undertaken to accomplish each project goal, reason for non-activity if necessary, activities planned for the next quarter and obstacles encountered or anticipated. Progress reports must be submitted in order for OHSP to process financial reimbursement.

2. The final progress report is due on the date stated in the approval letter and shall include a summary of all activities and accomplishments for the entire grant period. Include the following information in the project summary:

- a. A list of significant accomplishments or activities of this project that addressed the project objectives.
- b. A summary of how this project impacted the initial stated problem.
- c. If no activity took place, a report must be submitted stating as such.

3. Out-of-state travel requires prior written approval by the OHSP Division Director. A written request shall be submitted on the form provided. **Requests shall be submitted at least 30 days in advance of anticipated travel.** Financial commitment (i.e. travel arrangements, conference fees, hotel reservations, etc.) shall not be made prior to OHSP approval.

4. If a project modification is required, the grantee shall contact the OHSP program coordinator for prior approval.

5. Grantees and contractors acting as a project director of a multi-agency grant must provide the participating agencies/sub-contractors with a copy of these Grant Management Requirements.

6. For Enforcement Grants Only:

- a. The grantee shall verify all officers working an impaired driving enforcement detail have completed the NHTSA-International Association of Chiefs of Police (IACP) approved Standardized Field Sobriety Testing (SFST) curriculum.
- b. Law enforcement agencies shall adopt the IACP model policy on seat belt use or have a written policy in place requiring the use of seat belts by all employees and passengers in department vehicles.
- c. Law enforcement agencies shall adopt the IACP guidelines on vehicle pursuits or have a written policy in place.

- d. Traffic enforcement activity data shall be submitted to OHSP within five days of the conclusion of the enforcement period. Agencies shall use the Enforcement Report connected to the web-based grant system.
- e. Only Michigan Commission On Law Enforcement Standards certified police officers or Michigan State Police Motor Carrier officers shall be used on enforcement projects.
- f. Use of part-time officers on enforcement projects is restricted and must comply with OHSP policy. **PRIOR APPROVAL IS REQUIRED.** Contact OHSP for a copy of this policy.
- g. Grant funds **CANNOT** be used for activities such as traffic control, motorcades, and dignitary protection. OHSP grant funds can only be used for activities approved in the grant.
- h. If a police emergency occurs requiring officers on a grant-funded detail to respond, officers shall have up to one hour to respond and return to the detail. If officers must remain beyond the hour or additional emergencies arise during this detail, the time charged to the grant ceases immediately and the agency shall incur the costs.
- i. All law enforcement officers participating in an OHSP grant-funded traffic enforcement detail shall wear a properly fastened seat belt in accordance with State law. Officers found in violation of this requirement while working a grant-funded detail may be ineligible for funding reimbursement from OHSP.
- j. Traffic enforcement shifts shall be scheduled for a minimum of two consecutive hours.
- k. A minimum of one seat belt enforcement patrol shall be conducted on the first day of the mandatory seat belt mobilization period.
- l. A minimum of one impaired driving enforcement patrol shall be conducted the first weekend of each mandatory impaired driving enforcement period.
- m. Traffic enforcement efforts shall be publicized by supporting media events as requested by OHSP.
 - The grantee shall assist OHSP with media events that will be conducted locally.
 - Banners or other signage provided by OHSP shall be displayed when patrols are conducted.
- n. The grantee must keep track of funds spent. In some cases, multiple funding sources are assigned to law enforcement grants. In these situations, the grantee must assign, document, and monitor expenditures to each designated funding source separately for underage drinking enforcement, seat belt enforcement, and impaired driving enforcement. These federal funding sources may not be used interchangeably. In the event the grantee overspends, the difference will need to be covered by the grantee. Additional funding will not be provided to support overspending of any federal or State program.

GENERAL FINANCIAL REQUIREMENTS

1. Only program activities and expenses detailed in the approved grant budget and incurred during the grant period are eligible for reimbursement. Expenses incurred that are not detailed in the approved grant budget or outside of the grant period will not be reimbursed. **Costs cannot EXCEED the approved grant award.**
2. Goods purchased through the grant shall be received in acceptable condition. If goods are not received in acceptable condition within thirty (30) days prior to the grant ending date, the grantee shall contact the OHSP program coordinator.
3. The grantee shall use generally accepted accounting principles.

4. Costs charged to this grant cannot be charged to any other program. Law enforcement agencies cannot offer comp time in lieu of overtime pay.
5. All costs shall be actual and supported by source documentation. Financial reimbursement will be delayed until all backup documentation is received by OHSP. A document entitled "Acceptable Backup Documentation for Federal Cost Claims" is available from OHSP to assist with identifying adequate backup documentation. OHSP utilizes this guidance for all grant recipients regardless if the source is federal or state grant funds.
6. A separate account or fund must be established for this project. A separate account is required to be maintained by all agencies receiving grant funds from the OHSP regardless of the dollar amount. In addition, grantees receiving funds from OHSP for multiple grant projects must have a separate account for each grant project. It is the responsibility of the lead agency to insure that all sub-agencies meet this requirement. The general ledgers of the sub-agencies are not required to be submitted with requests for payment unless specifically requested by OHSP.
7. Costs must be net of all applicable credits such as purchase discounts, rebates or adjustments of overpayments, or erroneous charges.
8. The following deviations from the approved budget require **PRIOR approval from OHSP**:
 - a. A specific item of cost not included in the approved budget.
 - b. An increase in the number of a specific item over and above the total authorized.
 - c. A transfer between major budget categories in excess of 10 percent of the category being increased.
9. Procurement Methods:
 - a. Competition: Grantees shall conduct all procurement and contractual transactions, without regard to dollar value, to provide maximum, open, and free competition. Maximum, open, and free competition shall be assured through the distribution of an adequate number of proposal solicitations.
 - b. Small Purchase Procedures: Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$25,000 in total. If small purchase procedures are used, price or rate quotations must be obtained from at least three (3) Buy America Act qualified sources.
 - c. Competitive Bids: For purchases over \$25,000, the grantee shall follow their competitive bid process providing it is at least as restrictive as the process required by the State of Michigan and complies with the Buy America Act. The grantee or their contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the maximum opportunity to participate in the performance of contracts and subcontracts financed, in whole or in part, with funds provided under this agreement. In those instances where three (3) bids have not been received, a full explanation, along with the names and addresses of those firms and individuals requested to bid, and including reasons why agencies failed to bid, must be forwarded to OHSP for approval **prior** to awarding a contract.
10. Documentation for costs shall be maintained for three years following final reimbursement.
11. Any program income received shall be used exclusively to further traffic safety project activities. Program income is defined as gross income earned by the grantee from grant supported activities. Some examples are proceeds from the sale of items purchased or developed with grant funds, or revenue received from attendees at trainings or

conferences paid for with grant funds. Program income must be netted against costs incurred within the grant or returned to OHSP, unless prior permission is obtained from OHSP to use the funds for other traffic safety projects. Contact OHSP for further information.

12. Supplanting: The replacement of routine and/or existing expenditures with the use of state or federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of a state or local agency or other grantee is considered to be supplanting and is not allowable.

The sub-grantee shall not use grant funds to supplant state or local funds, or, other resources that would otherwise have been made available for this program. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within 30 days. If the vacancy is not filled within 30 days, the sub-grantee must stop charging the grant for the new position. Upon filling the vacancy, the sub-grantee may resume charging the grant position.

The Financial Officer or Authorizing Official's straight time costs may not be funded under this grant

COST REIMBURSEMENT

1. All OHSP projects are based on the cost reimbursement concept; i.e., state, local, or private funds shall be expended before reimbursement is provided.

2. Reimbursement is based on submission of progress and financial reports. All requested information should be submitted electronically through the web-based application whenever possible. Otherwise backup information may be submitted via US mail or by fax. A Financial Report submitted to OHSP by a grantee shall contain the following to be considered complete:

- a. Electronic signatures as indicated by agency passwords for the agency's Financial Officer or Project Director.
- b. A copy of a report for the current period generated by the grantee's official accounting system which shows a description of the item and the actual amount spent. Some examples of acceptable reports include a detailed general ledger, a transaction ledger, a payroll journal, or a detailed budget/expenditure report. The report must match the amount being requested for reimbursement.
- c. For enforcement grants: Officer names, dates, and amounts paid for each agency participating in grant funded patrols.
- d. For non-enforcement grants with personnel costs: Activity logs as described in "Personnel Costs" under "Budget Cost Category Requirements."
- e. Additional documentation as requested by OHSP.

3. Financial Reports are due, at a minimum, on a quarterly basis. Financial Report due dates are specified in the grant approval letter. Monthly reporting is acceptable; however, grantees must notify OHSP if monthly reporting will be done. Financial Reports must be submitted even when the project experiences no costs. In this case, a "zero" Financial Report shall be submitted. The submission of Financial Reports is mandatory and non-compliance can result in termination of the grant.

4. The Project Director shall ensure that financial reports are submitted in compliance with reporting deadlines. If the financial report is submitted electronically without backup documentation, the financial report is not considered submitted and the grantee will receive a delinquent letter stating the same.

5. A delay in submitting support documentation may result in the suspension of all grant activity.

6. Failure to submit cost statements with adequate supporting documentation prior to the fiscal year close out deadline will result in non-reimbursement of those costs. Costs from one fiscal year cannot be paid in a subsequent fiscal year.

BUDGET COST CATEGORY REQUIREMENTS

(PLEASE REFER TO THE FOLLOWING FOR SPECIFIC REQUIREMENTS OF BUDGET COST CATEGORIES. ONLY REQUIREMENTS FOR COST CATEGORIES CONTAINED WITHIN YOUR APPROVED GRANT BUDGET APPLY.)

PERSONNEL COSTS

1. Payments for salaries and wages shall be supported by a time and attendance report, based on an after-the-fact distribution of time, which shows details of the activities performed.

For enforcement grantees (including sub-grantees) - a daily activity log with descriptions of the activities performed must be completed for all time requested for reimbursement, the time on the daily must agree with the hours requested, and approval must be documented electronically or in writing. Daily logs shall be kept on file at the agency and must be submitted with other supporting financial backup if requested by OHSP, or be made available during monitoring. A list of officer's names, dates worked, and amounts paid for each agency participating in grant-funded enforcement patrols must be submitted on the enforcement grantee reimbursement form provided by OHSP, or on an alternate form approved by OHSP.

For non-enforcement grantees - Grantees must maintain activity logs which document the actual amount of time spent on the grant project and describe the nature of the activities performed. If the grant is funded from multiple sources, the logs must show the activity by fund source. This documentation must be submitted with the financial reimbursement request.

2. Reimbursement for wages and fringe benefits shall be based on actual costs NOT budgeted rates. Only those fringe benefit costs that actually increase as a result of hours worked on this project can be claimed for reimbursement. For overtime wages, those costs typically include FICA, workers comp, and retirement, but if any of these costs are structured so that they don't increase with overtime, they cannot be reimbursed. For straight-time grant-funded positions, all fringe benefits associated with the position may be claimed to the extent that the position has been approved for reimbursement (e.g., if 50% of the position is grant funded, 50% of the fringes benefits can be claimed.) Fringe benefit rates must be reasonable and in accordance with federal cost principles.

3. The rate of pay for grant-funded enforcement shall be determined according to the grantee's policy, contract, or employment agreement. Overtime rates must be applied consistently to all activities of an agency – higher rates may not be established just for federal grants.

4. Agencies shall comply with all state labor laws.

CONTRACTUAL SERVICES

Contractual services are services of individual consultants or consulting firms engaged in performing special services pertinent to highway safety. All grantees or sub-grantees awarding contracts or sub-contracts shall comply with the terms and conditions of Title 49 Code of Federal Regulations, Part 18-Uniform Administrative Requirements For Grant And Cooperative Agreements To State And Local Governments, §18.36 Procurement. A copy of the contract when available shall be submitted in the web-based application.

NOTICE: All contracts for the purpose of developing public information materials (print, audio, or video) must be submitted to the appropriate OHSP program coordinator for review PRIOR to entering into the contractual agreement with the vendor.

OPERATING COSTS

1. Automotive expenses submitted shall be based on actual costs incurred. In most cases, this will be calculated by multiplying actual miles driven times a mileage rate. The rate will be determined when the grant is approved, but will generally be the IRS business mileage rate. With prior approval, reimbursement may be allowed based on the actual costs incurred for gasoline, maintenance, insurance, and other vehicle expenses.

2. Reimbursements for travel (meals, lodging, mileage, etc.) cannot exceed the lesser of the grantee's published travel rates or the allowable State of Michigan travel rates. Exceptions to this for unusual situations require approval by

OHSP prior to incurring the expense.

3. Postage, telephone, and grant-related travel costs shall be documented by log or meter and submitted with the reimbursement request.

4. Only eligible operating costs specifically listed in the approved grant budget will be reimbursed.

EQUIPMENT

1. Only eligible equipment specifically listed in the equipment section of the approved grant budget will be reimbursed. Equipment costs shall be reimbursed according to the match requirements as specified in the approved grant budget.

2. Equipment purchases shall be initiated within the time period specified in the approved grant. "Initiated" means bids were solicited, accepted, and items have been ordered. If there is a reason a grantee is unable to meet this requirement, the OHSP program coordinator shall be contacted immediately.

3. Equipment purchased through this grant shall be used only for highway safety activities throughout its useful life.

4. If the equipment is disposed of, or ceases to be used for highway safety activities, and the equipment is determined to have a Current Fair Market Value of \$5,000 or more, OHSP reserves the right to retain or transfer title to all items.

OHSP may allow the holder of the equipment to retain title of the equipment and reimburse the federal or State share of the fair market value of such equipment. The Current Fair Market Value shall be determined as follows:

a. Appraisal by an independent source with expertise in valuation of similar items is the preferred method of valuation for equipment.

b. For vehicles, blue book values, taking into consideration the physical condition of the vehicle, may be used.

c. If a fair market value based on appraisal or blue book values cannot be determined, the value may be based on IRS depreciation schedules. Only straight line depreciation may be used.

5. Equipment with a cost of \$5,000 or more shall be tagged by the grantee for inventory control purposes. In addition, the OHSP Equipment Record System Form with all applicable information completed shall be submitted with the grantee's reimbursement request. The grantee shall complete an equipment inventory form sent to them by OHSP each year that the value remains \$5,000 or more, and shall make the item available for physical review by OHSP staff when requested.

6. All equipment purchases with NHTSA funds shall comply with the Buy America Act requirements before costs will be reimbursed. Please refer to section eleven under the heading Grant Management Requirements for specific terms of the Buy America Act.

INDIRECT COSTS

Indirect costs cannot be specified in all situations because of the diverse characteristics and accounting practices of governmental units. Typical examples of indirect costs may include certain state/local-wide central service costs, general administration of the grantee department or agency, accounting and personnel services performed within the grantee department or agency, depreciation or use allowances on buildings and equipment, the costs of operating and maintaining facilities, etc. Indirect costs shall be provided at a negotiated rate mutually acceptable to the grantee and OHSP.

The indirect cost rate shall be developed in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (also known as the Super Circular) and shall be supported by the grantee's central service cost allocation plan or its equivalent. The indirect cost rate must be approved by the grantee's federal cognizant agency, with written documentation maintained by the grantee. If the grantee does not have a federal cognizant agency, OHSP will serve in this capacity.

TERMINATION

OHSP retains the right to terminate a grant for failure to meet the grant management requirements.

When a grant is terminated by OHSP, the grantee shall not be eligible to seek grant funding for a period of two years. In order to obtain a grant after the two-year period, the grantee will be required to submit written assurance that the identified deficiencies have been corrected. Additionally, the agency may be required to submit monthly financial reports to allow for increased financial monitoring.

Project Director Agreement *(required to submit Draft Application):*

- ✓ [Click here to affirm that you have read and agree to comply with the Grant Management Requirements.](#) *

Authorized Official Agreement *(required to submit Final Application):*

- ✓ [Click here to affirm that you have read and agree to comply with the Grant Management Requirements.](#) *

HIGHWAY SAFETY GRANT APPLICATION

Application Information

FY 2017

Project Title: Kent County Traffic Enforcement

Applicant: Wyoming Department of Public Safety

* Project Title Kent County Traffic Enforcement

* Activity Start Date (mm/dd/yyyy) 10/1/2016

* Activity End Date (mm/dd/yyyy) 9/30/2017

* Are you applying for a Truck Safety Grant? Yes No

* Project Type

Enforcement (*check all that apply*)

Belts

Impaired Driving

Underage Drinking

Other (describe) Distracted Driving

Does this project include funding for multiple agencies?

Yes No

Does this project include part-time officers?

Yes No

Non-Enforcement

* Please select your OHSP Program Coordinator Patricia Eliason

* County(ies) in which the project will operate

State Wide	Alcona	Alger	Allegan	Alpena
Antrim	Arenac	Baraga	Barry	Bay
Benzie	Berrien	Branch	Calhoun	Cass
Charlevoix	Cheboygan	Chippewa	Clare	Clinton
Crawford	Delta	Dickinson	Eaton	Emmet
Genesee	Gladwin	Gogebic	Grand Traverse	Gratiot
Hillsdale	Houghton	Huron	Ingham	Ionia
Iosco	Iron	Isabella	Jackson	Kalamazoo
Kalkaska	<input checked="" type="checkbox"/> Kent	Keweenaw	Lake	Lapeer
Leelanau	Lenawee	Livingston	Luce	Mackinac
Macomb	Manistee	Marquette	Mason	Mecosta
Menominee	Midland	Missaukee	Monroe	Montcalm
Montmorency	Muskegon	Newaygo	Oakland	Oceana
Ogemaw	Ontonagon	Osceola	Oscoda	Otsego
Ottawa	Presque Isle	Roscommon	Saginaw	St. Clair
St. Joseph	Sanilac	Schoolcraft	Shiawassee	Tuscola
Van Buren	Washtenaw	Wayne	Wexford	

HIGHWAY SAFETY GRANT APPLICATION
Statement of the Problem and Background Information
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Overtime Traffic Enforcement

The actions drivers take behind the wheel can have devastating consequences. With NHTSA data indicating that human (driver) related factors contribute to 94 percent of crashes, it is critical we continue to implement and augment strong, evidence-based education and enforcement programs and provide communities with the resources necessary to combat their specific challenges.

Numerous studies have shown that educational messages alone do little to change driver behavior. However, educational messages, when coupled with periodic, high visibility enforcement can bring about meaningful and lasting behavior change.

Despite decades of education and enforcement efforts, alcohol/drug impairment remains a devastating traffic safety and public health problem. Distracted driving, speed, and red-light running are becoming more prevalent as causal factors of injuries in crashes.

More than half the vehicle occupants who die in traffic crashes in Michigan are unbuckled and an average of 30 percent of traffic deaths involves alcohol.

Seat belt use in a traffic crash reduces the risk of serious injury or death by 45 percent.

Removing impaired drivers from behind the wheel of a car will reduce their immediate ability to hurt themselves or others, while enabling the state's criminal justice system to address the need for sanctions, treatment, and monitoring.

Traffic safety campaigns are most successful when accompanied by public information. The Wyoming Department of Public Safety requests that OHSP develop and assist with distribution of public information materials on our behalf to enhance the enforcement campaigns.

HIGHWAY SAFETY GRANT APPLICATION

Goals and Activities: 1

FY 2017

Project Title: Kent County Traffic Enforcement

Applicant: Wyoming Department of Public Safety

*** Goal(s):**

1. Plan and execute traffic enforcement focusing on at least one of the following: Impaired driving, seat belts, distracted driving (texting), careless driving, intersection, and/or speeding violations each quarter through September 30, 2017.
2. Plan and execute at least one traffic safety community outreach effort each quarter through September 30, 2017.
3. Average a minimum of 1.09 equivalent stops per billed hour of seat belt patrol through September 30, 2017.
4. Average a minimum of 1.29 (or .72 in the UP) equivalent stops per billed hour of impaired driving patrol through September 30, 2017.

*** Activity:**

1. Conduct mandatory seat belt and impaired driving enforcement.
March 16 – 29, 2017 (emphasis impaired driving)
May 22 – June 4, 2017 (emphasis seat belt)
A minimum of one seat belt enforcement detail shall be conducted on May 26, 2017.
August 18 – September 4, 2017 (emphasis impaired driving)
A minimum of one seat belt enforcement detail shall be conducted on September 1, 2017.
2. Conduct elective traffic enforcement.
3. Provide strategic plans at a minimum of quarterly.
4. Conduct community outreach efforts.
5. Report enforcement activity and community outreach efforts by the deadlines indicated in the grant management requirements.
6. Provide documentation and reports for DRE callouts that are reimbursed by grant overtime within 24 hours.

*** Date of anticipated Activity accomplishment:**

9/30/2017

HIGHWAY SAFETY GRANT APPLICATION

Acceptance of Audit Requirements

FY 2017

Project Title: Kent County Traffic Enforcement

Applicant: Wyoming Department of Public Safety

NOTE: The Audit Period is the organization's fiscal or calendar year to be audited. If your audit requirement period exceeds 365 days, sections 1.b. and 2.b. must be utilized to complete the audit requirement dates.

My reporting entity* receives less than \$750,000 a year.

The following information on the next organization-wide audit(s) which will include this agency:

1.a. Audit Period 1: Beginning 7/1/2016 Ending 6/30/2017

2.a. Audit or written certification will be submitted to MSP by: 11/30/2017

1.b. Audit Period 2: Beginning 7/1/2017 Ending 6/30/2018

2.b. Audit or written certification will be submitted to MSP by: 11/30/2018

This project is federally funded and therefore is subject to the Single Audit Act of 1984 (P.L. 98-502).

Effective July 1, 1996, if your agency receives \$750,000 or more in federal financial assistance a year, the grantee shall agree to have an audit conducted in compliance with OMB Circulars A-128 or A-133 if required. If a compliance audit is not required, at the end of each audit period we will certify in writing that we have not expended the amount of federal funds that would require a compliance audit (\$750,000). If required, we will forward a copy of the completed audit(s), *including the management letter covering the entire grant period to:*

ATTN: Tiffany Vedder

Michigan State Police Headquarters, 3rd Floor

7150 Harris Drive, Dimondale, MI 48821

NOTE: The audit or written certification must be submitted to OHSP *no later than the ninth month after the end of the audit period.*

Additionally, we have or will notify our auditor of the above audit requirements prior to performance of the audit for the period listed above. We will also ensure that, if required, the entire grant period will be covered by a compliance audit which in some cases will mean more than one audit must be submitted. We will advise the auditor to cite specifically that the audit was done in accordance with OMB Circulars A-128 or A-133. Any information regarding the OMB Circular audit requirements will be furnished by OHSP.

*** NOTE: The reporting entity is the government unit responsible for the overall administration of the grant, not just your agency. Failure to complete this section may result in your grant award being delayed or cancelled.**

HIGHWAY SAFETY GRANT APPLICATION

Sub-Recipient Informational Form

FY 2017

Project Title: Kent County Traffic Enforcement

Applicant: Wyoming Department of Public Safety

Instructions:

- The DUNS number is a unique nine-character number that enables the federal government to track how federal money is distributed. NOTE: If your organization does not have a DUNS number, use the Dun & Bradstreet (D&B) online registration to receive one free of charge: <http://fedgov.dnb.com/webform>.
- If you checked YES for both Annual Gross Revenue boxes list the names and compensation amounts of the five most highly compensated employees within your agency or institution.
- Please consult with your Financial Officer for accurate completion of this section.

<input type="checkbox"/> My agency receives less than \$25,000 of federal funding from the Office of Highway Safety Planning.	
* Sub-Recipient DUNS Number (Format: xx-xxx-xxxx):	78-430-9536
* In the preceding fiscal year, did your agency or institution receive 80 percent or more of its annual gross revenues in federal award?	Yes [] No [<input checked="" type="checkbox"/>]
* In the preceding fiscal year, did your agency's or institution's annual gross revenues equal or exceed \$25,000,000 in federal awards?	Yes [] No [<input checked="" type="checkbox"/>]

Complete this section if answering YES to both questions above:

Sub-Recipient Highly Compensated Officer

Officer Name	Officer Compensation

HIGHWAY SAFETY GRANT APPLICATION

Local Contribution

FY 2017

Project Title: Kent County Traffic Enforcement

Applicant: Wyoming Department of Public Safety

* Local Contribution:

1. Provide patrol vehicles and/or motorcycles where applicable. This shall include fuel, maintenance and proper police equipment.
2. Assume liability incurred through the use of volunteers, including, but not limited to, personal injury, civil liability, and workman's compensation responsibility.
3. Pay dispatchers and officer wages for training and court time.
4. Attend meetings as requested by OHSP.

HIGHWAY SAFETY GRANT APPLICATION

Project Continuation

FY 2017

Project Title: Kent County Traffic Enforcement

Applicant: Wyoming Department of Public Safety

* Project Continuation:

No local funds or in-kind contributions will be used to assist in funding this project.

HIGHWAY SAFETY GRANT APPLICATION
Multi-Agency Project: Grand Rapids Police Department
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

The undersigned individuals authorized to represent the participating agencies in this grant project have reviewed the OHSP Grant Management Requirements (found in the Forms Menu, titled Grant Management Requirements) and agree to comply with all conditions and requirements set forth.

* Name	David Rahinsky
* Title	Chief of Police
* Agency	Grand Rapids Police Department
* Address	1 Monroe Center NW
* City	Grand Rapids
* State	Michigan
* Zip Code	49503 -
* Email	drahinsky@grcity.us
* Telephone	(616) 456-3400
Fax	

HIGHWAY SAFETY GRANT APPLICATION
Multi-Agency Project: Grandville Police Department
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

The undersigned individuals authorized to represent the participating agencies in this grant project have reviewed the OHSP Grant Management Requirements (found in the Forms Menu, titled Grant Management Requirements) and agree to comply with all conditions and requirements set forth.

* Name	Dan Steere
* Title	Chief of Police
* Agency	Grandville Police Department
* Address	3161 Wilson Avenue SW
* City	Grandville
* State	Michigan
* Zip Code	49418 - 1274
* Email	steered@cityofgrandville.com
* Telephone	(616) 538-6110
Fax	

HIGHWAY SAFETY GRANT APPLICATION
Multi-Agency Project: Kent County Sheriff's Department
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

The undersigned individuals authorized to represent the participating agencies in this grant project have reviewed the OHSP Grant Management Requirements (found in the Forms Menu, titled Grant Management Requirements) and agree to comply with all conditions and requirements set forth.

* Name	Larry Stelma
* Title	Sheriff
* Agency	Kent County Sheriff's Department
* Address	701 Ball NE
* City	Grand Rapids
* State	Michigan
* Zip Code	49503 -
* Email	larry.stelma@kentcountymi.gov
* Telephone	(616) 632-3100
Fax	

HIGHWAY SAFETY GRANT APPLICATION
Multi-Agency Project: Kentwood Police Department
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

The undersigned individuals authorized to represent the participating agencies in this grant project have reviewed the OHSP Grant Management Requirements (found in the Forms Menu, titled Grant Management Requirements) and agree to comply with all conditions and requirements set forth.

* Name	Tom Hillen
* Title	Chief of Police
* Agency	Kentwood Police Department
* Address	4742 Walma SE
* City	Kentwood
* State	Michigan
* Zip Code	49512 -
* Email	hillent@ci.kentwood.mi.us
* Telephone	(616) 698-6460
Fax	

HIGHWAY SAFETY GRANT APPLICATION
Multi-Agency Project: Rockford Department of Public Safety
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

The undersigned individuals authorized to represent the participating agencies in this grant project have reviewed the OHSP Grant Management Requirements (found in the Forms Menu, titled Grant Management Requirements) and agree to comply with all conditions and requirements set forth.

* Name	David Jones
* Title	Director of Public Safety
* Agency	Rockford Department of Public Safety
* Address	7 South Monroe
* City	Rockford
* State	Michigan
* Zip Code	49341 -
* Email	djones@rockford.mi.us
* Telephone	(616) 866-9557
Fax	

HIGHWAY SAFETY GRANT APPLICATION
Multi-Agency Project: Walker Police Department
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

The undersigned individuals authorized to represent the participating agencies in this grant project have reviewed the OHSP Grant Management Requirements (found in the Forms Menu, titled Grant Management Requirements) and agree to comply with all conditions and requirements set forth.

* Name	Greg Long
* Title	Chief of Police
* Agency	Walker Police Department
* Address	4343 Remembrance Rd NW
* City	Walker
* State	Michigan
* Zip Code	49534 -
* Email	glong@ci.walker.mi.us
* Telephone	(616) 453-5441
Fax	

HIGHWAY SAFETY GRANT APPLICATION
Strategic Plan: Thanksgiving 2016 OWI Enforcement
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

* **Document Name:** Thanksgiving 2016 OWI Enforcement

Mandatory enforcement period	✓ Elective enforcement period		
* Agencies Involved	* Date	* Enforcement Type	* Total Hours
Grandville PD Kent County SD Kentwood PD Rockford PD Walker PD Wyoming PD	11/22/2016	Impaired Driving <u>Other:</u>	36
Grandville PD Kent County SD Kentwood PD Rockford PD Walker PD Wyoming PD	11/23/2016	Impaired Driving <u>Other:</u>	36
Grandville PD Kent County SD Kentwood PD Rockford PD Walker PD Wyoming PD	11/25/2016	Impaired Driving <u>Other:</u>	36
Grandville PD Kent County SD Kentwood PD Rockford PD Walker PD Wyoming PD	11/26/2016	Impaired Driving <u>Other:</u>	36
Grandville PD Kent County SD Kentwood PD Rockford PD Walker PD Wyoming PD	11/27/2016	Impaired Driving <u>Other:</u>	36

HIGHWAY SAFETY GRANT APPLICATION

**Overtime Salaries, Wages and Fringe Benefits: Grand Rapids Police Department DRE Callout
FY 2017**

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$1,952	\$0	\$1,952

Provide a specific description of this budget item (e.g., position title):
Grand Rapids Police Department DRE Callout

Number of hours (base):
38.00

Overtime hourly Rate:
\$51.37

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$325	\$0	\$325

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	1.4500
Retirement:	<input checked="" type="checkbox"/>	Rate:	13.8100
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	1.4000
Unemployment Insurance:	N/A		
Insurances:	N/A		
Other:		Rate:	

Describe:

Overall Rate: 16.66%

Attach fringe benefit support documentation here if rate exceeds 40%.

Total Overtime Salaries, Wages and Fringe Benefits \$2,277

HIGHWAY SAFETY GRANT APPLICATION

**Overtime Salaries, Wages and Fringe Benefits: Grand Rapids Police Department Traffic Enforcement
FY 2017**

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$17,980	\$0	\$17,980

Provide a specific description of this budget item (e.g., position title):
Grand Rapids Police Department Traffic Enforcement

Number of hours (base):
350.00

Overtime hourly Rate:
\$51.37

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$2,995	\$0	\$2,995

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	1.4500
Retirement:	<input checked="" type="checkbox"/>	Rate:	13.8100
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	1.4000
Unemployment Insurance:	N/A		
Insurances:	N/A		
Other:		Rate:	

Describe:

Overall Rate: 16.66%

Attach fringe benefit support documentation here if rate exceeds 40%.

Total Overtime Salaries, Wages and Fringe Benefits \$20,975

HIGHWAY SAFETY GRANT APPLICATION

**Overtime Salaries, Wages and Fringe Benefits: Grandville Police Department Traffic Enforcement
FY 2017**

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$18,460	\$0	\$18,460

Provide a specific description of this budget item (e.g., position title):
Grandville Police Department Traffic Enforcement

Number of hours (base):
400.00

Overtime hourly Rate:
\$46.15

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$3,779	\$0	\$3,779

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	7.6500
Retirement:	<input checked="" type="checkbox"/>	Rate:	10.0000
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	2.8200
Unemployment Insurance:	N/A		
Insurances:	N/A		
Other:		Rate:	

Describe:

Overall Rate: 20.47%

Attach fringe benefit support documentation here if rate exceeds 40%.

Total Overtime Salaries, Wages and Fringe Benefits \$22,239

HIGHWAY SAFETY GRANT APPLICATION

**Overtime Salaries, Wages and Fringe Benefits: Kent County Sheriff's Department DRE Callout
FY 2017**

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$2,034	\$0	\$2,034

Provide a specific description of this budget item (e.g., position title):
Kent County Sheriff's Department DRE Callout

Number of hours (base):
39.50

Overtime hourly Rate:
\$51.49

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$435	\$0	\$435

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	7.6500
Retirement:	<input checked="" type="checkbox"/>	Rate:	13.0700
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	0.6600
Unemployment Insurance:	N/A		
Insurances:	N/A		
Other:		Rate:	

Describe:

Overall Rate: 21.38%

Attach fringe benefit support documentation here if rate exceeds 40%.

Total Overtime Salaries, Wages and Fringe Benefits \$2,469

HIGHWAY SAFETY GRANT APPLICATION
Overtime Salaries, Wages and Fringe Benefits: Kent County Sheriff's Department Traffic Enforcement
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$23,171	\$0	\$23,171

Provide a specific description of this budget item (e.g., position title):
 Kent County Sheriff's Department Traffic Enforcement

Number of hours (base):
 450.00

Overtime hourly Rate:
 \$51.49

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$4,954	\$0	\$4,954

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	7.6500
Retirement:	<input checked="" type="checkbox"/>	Rate:	13.0700
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	0.6600
Unemployment Insurance:	<i>N/A</i>		
Insurances:	<i>N/A</i>		
Other:		Rate:	

Describe:

Overall Rate: 21.38%

Attach fringe benefit support documentation here if rate exceeds 40%.

Total Overtime Salaries, Wages and Fringe Benefits	\$28,125
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HIGHWAY SAFETY GRANT APPLICATION

**Overtime Salaries, Wages and Fringe Benefits: Kentwood Police Department Traffic Enforcement
FY 2017**

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$21,256	\$0	\$21,256

Provide a specific description of this budget item (e.g., position title):
Kentwood Police Department Traffic Enforcement

Number of hours (base):
400.00

Overtime hourly Rate:
\$53.14

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$10,904	\$0	\$10,904

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	7.6500
Retirement:	<input checked="" type="checkbox"/>	Rate:	41.2000
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	2.4500
Unemployment Insurance:	N/A		
Insurances:	N/A		
Other:		Rate:	

Describe:

Overall Rate: 51.3%

Attach fringe benefit support documentation here if rate exceeds 40%.
https://msp.intelligrants.com/_Upload/95457-FringeRateSolicitationSevenDepartments.pdf

Total Overtime Salaries, Wages and Fringe Benefits \$32,160

HIGHWAY SAFETY GRANT APPLICATION
Overtime Salaries, Wages and Fringe Benefits: Rockford Department of Public Safety Traffic Enforcement
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$18,562	\$0	\$18,562

Provide a specific description of this budget item (e.g., position title):
 Rockford Department of Public Safety Traffic Enforcement

Number of hours (base):
 350.50

Overtime hourly Rate:
 \$52.96

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$4,763	\$0	\$4,763

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	7.6500
Retirement:	<input checked="" type="checkbox"/>	Rate:	15.1900
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	2.8200
Unemployment Insurance:	<i>N/A</i>		
Insurances:	<i>N/A</i>		
Other:		Rate:	

Describe:

Overall Rate: 25.66%

Attach fringe benefit support documentation here if rate exceeds 40%.

Total Overtime Salaries, Wages and Fringe Benefits	\$23,325
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HIGHWAY SAFETY GRANT APPLICATION

**Overtime Salaries, Wages and Fringe Benefits: Walker Police Department Traffic Enforcement
FY 2017**

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$17,003	\$0	\$17,003

Provide a specific description of this budget item (e.g., position title):
Walker Police Department Traffic Enforcement

Number of hours (base):
350.00

Overtime hourly Rate:
\$48.58

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$1,780	\$0	\$1,780

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	7.6500
Retirement:		Rate:	
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	2.8200
Unemployment Insurance:	N/A		
Insurances:	N/A		
Other:		Rate:	

Describe:

Overall Rate: 10.47%

Attach fringe benefit support documentation here if rate exceeds 40%.

Total Overtime Salaries, Wages and Fringe Benefits \$18,783

HIGHWAY SAFETY GRANT APPLICATION

**Overtime Salaries, Wages and Fringe Benefits: Wyoming Department of Public Safety DRE Callout Administration
FY 2017**

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$175	\$0	\$175

Provide a specific description of this budget item (e.g., position title):
Wyoming Department of Public Safety DRE Callout Administration

Number of hours (base):
3.50

Overtime hourly Rate:
\$49.99

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$75	\$0	\$75

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	7.6500
Retirement:	<input checked="" type="checkbox"/>	Rate:	32.0700
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	3.2300
Unemployment Insurance:	N/A		
Insurances:	N/A		
Other:		Rate:	

Describe:

Overall Rate: 42.95%

Attach fringe benefit support documentation here if rate exceeds 40%.

https://msp.intelligrants.com/_Upload/95461-FringeRateSolicitationSevenDepartments.pdf

Total Overtime Salaries, Wages and Fringe Benefits \$250

HIGHWAY SAFETY GRANT APPLICATION

**Overtime Salaries, Wages and Fringe Benefits: Wyoming Department of Public Safety Traffic Enforcement
FY 2017**

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$21,756	\$0	\$21,756

Provide a specific description of this budget item (e.g., position title):
Wyoming Department of Public Safety Traffic Enforcement

Number of hours (base):
435.20

Overtime hourly Rate:
\$49.99

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$9,344	\$0	\$9,344

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	7.6500
Retirement:	<input checked="" type="checkbox"/>	Rate:	32.0700
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	3.2300
Unemployment Insurance:	N/A		
Insurances:	N/A		
Other:		Rate:	

Describe:

Overall Rate: 42.95%

Attach fringe benefit support documentation here if rate exceeds 40%.

https://msp.intelligrants.com/_Upload/95454-FringeRateSolicitationSevenDepartments.pdf

Total Overtime Salaries, Wages and Fringe Benefits \$31,100

HIGHWAY SAFETY GRANT APPLICATION
Overtime Salaries, Wages and Fringe Benefits: Wyoming Department of Public Safety Traffic Enforcement Administration
FY 2017

Project Title: Kent County Traffic Enforcement
Applicant: Wyoming Department of Public Safety

Are there Overtime Fringe Benefits expenses associated with this budget item? Yes No

Federal/State	Local Match	Total
\$6,499	\$0	\$6,499

Provide a specific description of this budget item (e.g., position title):
 Wyoming Department of Public Safety Traffic Enforcement Administration

Number of hours (base):
 130.00

Overtime hourly Rate:
 \$49.99

Provide a specific description of the fringes associated with this budget item:	Federal/State	Local Match	Total
	\$2,791	\$0	\$2,791

Fringe Benefits, Check all that apply

FICA:	<input checked="" type="checkbox"/>	Rate:	7.6500
Retirement:	<input checked="" type="checkbox"/>	Rate:	32.0700
Workers Compensation:	<input checked="" type="checkbox"/>	Rate:	3.2300
Unemployment Insurance:	<i>N/A</i>		
Insurances:	<i>N/A</i>		
Other:		Rate:	

Describe:

Overall Rate: 42.95%

Attach fringe benefit support documentation here if rate exceeds 40%.
https://msp.intelligrants.com/_Upload/95453-FringeRateSolicitationSevenDepartments.pdf

Total Overtime Salaries, Wages and Fringe Benefits	\$9,290
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HIGHWAY SAFETY GRANT APPLICATION

Budget Summary

FY 2017

Project Title: Kent County Traffic Enforcement

Applicant: Wyoming Department of Public Safety

FEIN	Starting Date	Ending Date	Fiscal Year
38-6006933	10/1/2016	9/30/2017	2017

Budget Summary			
Line Item Titles	Federal/State	Local Match	TOTAL
Salary and Wages	\$0	\$0	\$0
Salary Fringe Benefits	\$0	\$0	\$0
Overtime Wages	\$148,848	\$0	\$148,848
Overtime Fringe Benefits	\$42,145	\$0	\$42,145
Contractual Services	\$0	\$0	\$0
Travel	\$0	\$0	\$0
Supplies/Operating	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
SUBTOTAL	\$190,993	\$0	\$190,993
Indirect Cost Rate	\$0		\$0
%			
* Override	\$0		
TOTAL	\$190,993	\$0	\$190,993

* For multiple indirect cost rates, check override box and enter the total indirect cost. Please attach documentation of your calculations.

Budget Category Cost Totals			
Function Titles	Federal/State	Local Match	TOTAL
Personnel Costs	\$190,993	\$0	\$190,993
Contractual Services	\$0	\$0	\$0
Operating Costs	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Indirect	\$0		\$0
TOTAL	\$190,993	\$0	\$190,993

Approved Indirect Cost Rate (if applicable)

**Michigan State Police
Office of Highway Safety Planning**

7150 Harris Drive
P.O.Box 30634
Dimondale, Michigan 48821
(517) 241-2500

HIGHWAY SAFETY GRANT APPLICATION

1. PROJECT TITLE Kent County Traffic Enforcement	
2. APPLICANT Wyoming Department of Public Safety	
3. ADDRESS OF APPLICANT 2300 Dehoop SW	
7. FEDERAL IDENTIFICATION NO. 38-6006933	8. ANTICIPATED ACTIVITY START-UP DATE 10/1/2016

HIGHWAY SAFETY GRANT APPLICATION

Certification

FY 2017

Project Title: Kent County Traffic Enforcement

Applicant: Wyoming Department of Public Safety

CERTIFICATION BY PROJECT DIRECTOR

I certify and agree that a grant received as a result of this application is subject to the general requirements governing Office of Highway Safety Planning projects and Grant Management Requirements, including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of Project Director as they relate to the terms and conditions of this grant application; that costs incurred prior to grant approval may result in the expenses being absorbed by the subgrantee; and, that funds received through OHSP will not be used to supplant state or local funds.

NAME Lt. Mark Easterly	TITLE
ADDRESS 2300 Dehoop SW Wyoming Michigan-49509	
AGENCY Wyoming Department of Public Safety	PHONE NUMBER (616) 530-7308
FAX NUMBER	EMAIL ADDRESS easterlym@wyomingmi.gov

AGENCY CONTACT PERSON (if different than grant Project Director)

NAME	TITLE
ADDRESS	
AGENCY	PHONE NUMBER
FAX NUMBER	EMAIL ADDRESS

CERTIFICATION BY FINANCIAL OFFICER

I certify and agree that a grant received as a result of this application is subject to the general requirements governing

HIGHWAY SAFETY GRANT APPLICATION

Certification

FY 2017

Project Title: Kent County Traffic Enforcement

Applicant: Wyoming Department of Public Safety

Office of Highway Safety Planning projects and Grant Management Requirements, including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of Financial Officer as they relate to the fiscal terms and conditions of this grant application; that costs incurred prior to grant approval may result in the expenses being absorbed by the subgrantee; and, that funds received through OHSP will not be used to supplant state or local funds.

NAME Mr. Robert Luders	TITLE
ADDRESS 2300 Dehoop SW Wyoming Michigan-49509	
AGENCY Wyoming Department of Public Safety	PHONE NUMBER (616) 530-7308
FAX NUMBER	EMAIL ADDRESS ludersr@wyomingmi.gov

CERTIFICATION BY OFFICIAL AUTHORIZED TO SIGN

I certify and agree that a grant received as a result of this application is subject to the general requirements governing Office of Highway Safety Planning projects and Grant Management Requirements, including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized to commit the applicant to these requirements; that costs incurred prior to grant approval may result in the expenses being absorbed by the subgrantee; and, that funds received through OHSP will not be used to supplant state or local funds.

NAME Mr. Curtis Holt	TITLE City Manager
ADDRESS 1155 28th St. SW Wyoming Michigan-49509	
AGENCY Wyoming Department of Public Safety	PHONE NUMBER (616) 530-7272
FAX NUMBER (616) 530-3178	EMAIL ADDRESS holtc@ci.wyoming.mi.us

Attachments
FY 2017

Title: Safety Belt Policies

Budget Detail Traffic Enforcement
Budget Detail DRE Callout

Document Source: https://msp.intelligrants.com/_Upload/95464-SeatbeltPolicySevenDepartments.pdf
https://msp.intelligrants.com/_Upload/95464_2-FY2016-17BudgetDetailTrafficEnforcement.xls
https://msp.intelligrants.com/_Upload/95464_3-FY2016-17BudgetDetailDRECallout.xls

RESOLUTION NO. _____

A RESOLUTION TO REVOKE THE BUSINESS LICENSE
OF COCKTAILZ BAR & GRILL

WHEREAS:

1. On March 30, 2016, the City Clerk, at the request of the Director of Public Safety, suspended the business license of Cocktailz Bar & Grill, 1001 Chicago Drive SW, for violations of Section 14-52 and 14-180 of the Code of the City of Wyoming.
2. On April 4, 2016, the City Council appointed a committee of Council to conduct a hearing and to consider the request to revoke the business license, pursuant to Section 14-53 of the Code of the City of Wyoming.
3. A committee of Council held a hearing on April 14, 2016, and took testimony from the Wyoming Police Department, the Michigan Liquor Control Commission and representatives of Cocktailz Bar & Grill.
4. The committee of Council made findings and a determination to recommend that City Council not revoke the business license of Cocktailz Bar & Grill, with the stipulation that the committee would review the business license status six months after the hearing, which would be October 14, 2016.
5. A review of the license status finds the business owner of Cocktailz Bar & Grill has not fulfilled the requirements established by the determination, including failure to transfer the liquor license and failure to establish a security plan in cooperation with the Department of Public Safety.
6. The committee of Council is now recommending that City Council revoke the business license of Cocktailz Bar & Grill in order to protect the public health, safety and welfare of this community.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council of the City of Wyoming concurs with the recommendation of the committee appointed to consider the business license status for Cocktailz Bar & Grill.
2. The business license of Cocktailz Bar & Grill, 1001 Chicago Drive SW, Wyoming, Michigan, is hereby revoked.

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 October 17, 2016.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Letter from Attorney Sluiter dated October 4, 2016

Resolution No. _____

SLUITER, VAN GESSEL & CARLSON, P.C.

ATTORNEYS & COUNSELORS AT LAW

1799 R.W. BERENDS DR., SW
WYOMING, MICHIGAN 49519

JACK R. SLUITER
PAUL G. VAN GESSEL
DENNIS R. CARLSON
MICHAEL D. SHEEHAN

OF COUNSEL:
ROBERT E. AGENTS

October 4, 2016

Mayor Jack A. Poll
Council Member William VerHulst
Council Member Kent VanderWood
1155 – 28th St. S.W.
Wyoming, MI 49509



In Re: Cocktailz Bar and Grill
1001 Chicago Drive SW

Dear Mayor Poll and Councilmembers:

As you will recall, as the committee appointed by the Council to make recommendations regarding the request to revoke the business license of Cocktailz Bar and Grill at 1001 Chicago Drive S.W., a hearing was held on April 14, 2016. At that time the committee made certain recommendations and requirements of the business owner with a review in 6 months. Council approved those recommendations.

This letter will provide an update to the status of those conditions, additional information regarding the business and a recommendation for your consideration and possible concurrence.

The committee recommendation and their current status are as follows:

1. The business license shall be properly transferred and all necessary fees paid to the clerk within 7 days. The licensee shall timely file all necessary reports with the clerk's office.

This has been completed.

2. The licensee shall immediately apply for the transfer of the liquor license with the Michigan Liquor Control Commission. Proof of the application and progress report shall be timely provided to the Wyoming City Attorney.

Based upon the information that we have received, the application to apply for the transfer of the liquor license was not done until July 25, 2016. At that time the application was not accepted by the LCC as the credit card provided for the fee was declined. The fee was paid on August 3, 2016 but was not acted upon by the LCC since there were still outstanding fines and costs from previous violations.

Mayor Jack A. Poll
Council Member William VerHulst
Council Member Kent VanderWood
Page 2
October 4, 2016

3. The licensee shall within 30 days enter into a written security plan agreement approved by the Department of Public Safety, for security in the building and parking lot. Included in the plan shall be an agreement to not use outside promoters at the premises.

Although there have been some security improvements implemented at the property, there has been no written security plan approved by the Department of Public Safety.

4. All calls for service at or involving the licensed premises shall be forwarded by the Department of Public Safety to the City Attorney's Office for review by the committee.

There have been few if any calls for service at the premises to the Department of Public Safety. It should be noted that during this time there have been significant periods where the business has been closed due to the actions of the LCC.

5. The committee shall review the status of the business license in 6 months.

That period expires October 14, 2016.

The status of the liquor license remains as it has not yet been transferred to Ms. Guy. Our information is that the license was placed in escrow by the LCC as of August 5, 2016. At that time the owner had acknowledged responsibility for five LCC violations and had been fined for those violations. It is our understanding that the escrow status for the license remains as of this date. We will be attempting to obtain additional information and will update you on that status.

We have recently received information that the Circuit Court has reinstated the receivership on the property requested by the mortgage holder, Huntington Bank. That was done as of September 2, 2016. Receivership had previously been entered on April 1, 2016, but had been dismissed when a forbearance agreement and payment plan was agreed to by the bank. Apparently, the owner has not complied with that payment agreement and therefore the receivership has been reinstated. The Court has appointed Amicus Property Management as the receiver. That could include the operation of the premises but will more likely be liquidation with possible sale of the business and the liquor license. We will again be monitoring that situation.

Mayor Jack A. Poll
Council Member William VerHulst
Council Member Kent VanderWood
Page 3
October 4, 2016

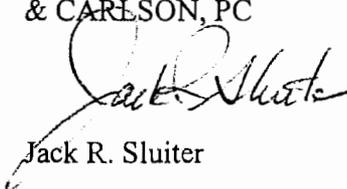
In conclusion, it has become apparent that this business is not viable in that the owner has not complied with either the conditions of the forbearance agreement with Huntington Bank or the requirements of the Liquor Control Commission. In addition, the conditions placed by this committee and approved by the City Council have only been partially complied with. Based upon this situation staff recommends to the committee as follows:

1. That the committee recommend to the City Council to revoke the business license of Cocktailz Bar and Grill.
2. That the committee recommend to the City Council to request the Liquor Control Commission to revoke the liquor license of Cocktailz Bar and Grill.

If you concur, please sign and return to the City Clerk. We will then place the necessary resolution on the agenda for the October 17 meeting. Please call if you have any questions.

Very truly yours,

SLUITER, VAN GESSEL
& CARLSON, PC

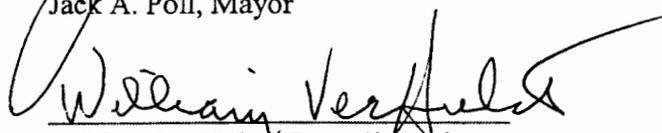


Jack R. Sluiter

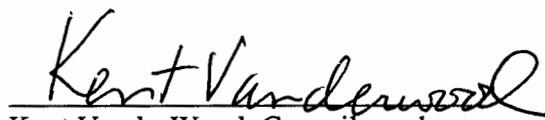
JRS/sak



Jack A. Poll, Mayor



William VerHulst, Councilmember



Kent VanderWood, Councilmember

RESOLUTION NO. _____

RESOLUTION TO SET A PUBLIC HEARING
TO CONSIDER MAKING A REQUEST TO THE MICHIGAN
LIQUOR CONTROL COMMISSION TO REVOKE
THE CLASS C ON-PREMISE LIQUOR LICENSE OF
COCKTAILZ BAR & GRILL, 1001 CHICAGO DRIVE SW

WHEREAS:

1. On March 30, 2016, the City Clerk, at the request of the Director of Public Safety, suspended the business license of Cocktailz Bar & Grill, 1001 Chicago Drive SW, Wyoming, Michigan, for violations of Sections 14-52 and 14-180 of the Code of the City of Wyoming.
2. On April 4, 2016, a committee of Council was appointed to conduct a hearing and to make findings and a recommendation to the City Council on whether to uphold the suspension and/or revoke the license.
3. The committee of Council held the hearing on April 14, 2016, and found that the license should not be revoked at that time, but that it should be reinstated and reviewed six months following the hearing for compliance with certain stipulations including securing a business license, transferring the liquor license and working with the Department of Public Safety to address security concerns.
4. On April 18, 2016, the City Council received the findings and recommendation of the committee, and adopted a resolution to reinstate the business license with the stipulations and the requirement to review the license in six months.
5. A six-month review of Cocktailz Bar & Grill shows only minimal compliance with the stipulations established by the committee of Council, as well as several violations and fines being imposed by the Liquor Control Commission and growing financial struggles resulting in a recent reinstatement of receivership.
6. The City Council desires to consider whether to ask the Michigan Liquor Control Commission to revoke the class C liquor license for Cocktailz Bar & Grill, after proper notice and hearing.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council will conduct a public hearing on November 7, 2016 at 7:01 p.m., or as soon thereafter as business of the Council permits, to consider whether to request the Michigan Liquor Control commission revoke the class C liquor license of Cocktailz Bar & Grill, 1001 Chicago Drive SW.
2. Notice of the public hearing shall be provided by first class mail to the licensee.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried Yes
 No

10/17/2016
Clerk/KAV

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 October 17, 2016.

Kelli A. Vandenberg, Wyoming City Clerk

Resolution No. _____

RESOLUTION NO. _____

RESOLUTION TO AUTHORIZE THE CITY MANAGER
TO AUTHORIZE PAYMENT TO THE KENT COUNTY DRAIN COMMISSIONER,
WEICK BROS., INC. AND DYKEMA EXCAVATORS, INC.
FOR THE EMERGENCY CLEANUP EXPENSES

WHEREAS:

1. As detailed in the attached Staff Report, the Kent County Drain Commissioner, Weick Bros., Inc. and Dykema Excavators, Inc. provided clean up assistance caused by the August 20, 2016 tornado and windstorm in the total amount of \$120,987.53.
2. Sufficient funds are currently available in the solid waste fund account number 230-441-44300-956000. At a later time and when all tornado-related expenses have been collected, a single resolution will be brought to the Council for a budget amendment inclusive of all City Department expenses. Reimbursement to the aforementioned solid waste fund account for these emergency cleanup expenses will occur at that time.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby authorize the City Manager to authorize payment for emergency clean up expenses to the Kent County Drain Commissioner in the total amount of \$31,946.28.
2. The City Council does hereby authorize the City Manager to authorize payment for emergency clean up expenses to Weick Bros., Inc. in the total amount of \$35,975.75.
3. The City Council does hereby authorize the City Manager to authorize payment for emergency clean up expenses to Dykema Excavators, Inc. in the total amount of \$53,065.50.

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 October 17, 2016.

ATTACHMENTS:
Staff Report
Invoices (3)

Kelli A. VandenBerg, Wyoming City Clerk

Resolution No. _____

STAFF REPORT

DATE: October 6, 2016

SUBJECT: Authorize Payment of Emergency Tornado Cleanup Expenses

FROM: Aaron Vis, Assistant Director of Public Works - Maintenance

Date of Meeting: October 17, 2016

RECOMMENDATION:

It is recommended that the City Council authorize payment of emergency cleanup expenses of \$31,946.28 to the Kent County Drain Commissioner, \$35,975.75 to Weick Bros., Inc. and \$53,065.50 to Dykema Excavators, Inc., totaling \$120,987.53 – all associated with the August 20, 2016 tornado.

SUSTAINABILITY CRITERIA:

Environmental Quality

The tornado created significant damage to both City owned and privately owned trees. The use of contractors to assist expedited cleanup activities and minimized additional damage that could have occurred.

Social Equity

Emergency response occurred throughout the entire affected area based on need, without regard to income level or socio-economic status.

Economic Strength

Emergency debris removal ensured that affected businesses and homeowners could resume normal activity in an expedited manner. Public Works staff do not have the proper type or quantity of equipment needed to respond to an event of this magnitude in a timely manner.

DISCUSSION:

The August 20, 2016 tornado and windstorm created widespread tree damage throughout the City. Public Works staff and equipment were used in cleanup effort; however, additional assistance was needed to cleanup up the affected areas in an expedited and effective manner.

Both Dykema Excavators, Inc. and Weick Bros., Inc. provided grappling loaders, large dump trucks, small tractors and/or skid-steers, and affiliated staffing to assist in the cleanup effort throughout the entire affected area. These efforts included picking up debris, transportation to the yard waste facility, and top-soiling/reseeding of damaged right-of-ways.

The Kent County Drain Commissioner retained Quantum Construction Company to perform work on the Behan and Foley Drain near its intersection with 52nd Avenue. This area sustained significant tree damage which affected proper drain operation. The County Drain Commissioner is responsible for drain maintenance, expenses of which are reimbursed to them by the City.

Several photos of these activities accompany this staff report. Also included are the invoices from the Kent County Drain Commissioner (\$31,946.28), Weick Bros., Inc. (\$35,975.75) and Dykema Excavators, Inc. (\$53,065.50) totaling \$120,987.53 - all associated with the emergency tornado cleanup efforts.

BUDGET IMPACT:

Sufficient funds are currently available in the solid waste fund account number 230-441-44300-956000. At a later time and when all tornado-related expenses have been collected, a single resolution will be brought to the Council for a budget amendment inclusive of all City Department expenses. Reimbursement to the aforementioned solid waste fund account for these emergency cleanup expenses will occur at that time.



Office of the Drain Commissioner

1500 Scribner Ave NW
Grand Rapids, MI 49504-3233
Phone: (616) 632-7910
Fax: (616) 632-7915



INVOICE

TO: Bill Dooley
City of Wyoming
2660 Burlingame Ave SW
Wyoming, MI 49509
(616) 261-3550
dooleyb@wyomingmi.gov

INVOICE DATE: 9/23/16
INVOICE NUMBER: 2016-078

DRAIN NAME

BEHAN AND FOLEY

QTY	DESCRIPTION	UNIT PRICE	TOTAL
	TORNADO DAMAGE CLEANUP		
1	Behan and Foley	31,946.28	31,946.28
	NET DUE 30 DAYS	TOTAL	\$ 31,946.28

Please make checks payable to: **KENT COUNTY DRAIN COMMISSIONER**

Weick Bros., Inc3029 Weick Dr
Hopkins, MI 49328
USA**INVOICE**Invoice Number: 1940
Invoice Date: Oct 6, 2016
Page: 1Voice: 269-793-0221
Fax: 269-793-7330

Bill To:
City of Wyoming 1155 28th St SW Wyoming, MI 49509

Ship to:
Tomado Clean up - various locations Wyoming, MI 49509

Customer ID	Customer PO	Payment Terms	
Wyoming, City of	Tomado Clean up	Net 10 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Hand Delivered		10/16/16

Quantity	Item	Description	Unit Price	Amount
		Tomado Clean up & restoration work - 8-22-16 thru 9-20-16 Machinery, Operators & laborers		33,995.75
		198 yds Topsoil @ \$ 10/y		1,980.00

Subtotal	35,975.75
Sales Tax	
Total Invoice Amount	35,975.75
Payment/Credit Applied	
TOTAL	35,975.75

Check/Credit Memo No:

Finance charges apply to all accounts 30 days past due at an annual rate of 18%



Dykema Excavators, Inc.

1730 Three Mile Road, N.E. • Grand Rapids, MI 49505 • Phone: (616) 363-6895 • Fax: (616) 363-1150
"An Equal Opportunity Employer"

INVOICE

INVOICE NO. : 45447

Date: 09/21/2016

CITY OF WYOMING
2660 BURLINGAME SW
WYOMING MI 49509

CITY OF WYOMING CLEAN UP

CUSTOMER NO. 5597	PURCH ORD NO.	JOB NUMBER 6171
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Date	Description	Quantity	Price	Amount
	SEE ATTACHED SCHEDULE		53065.50	53,065.50

Total 53,065.50

Job Number: 6171
City of Wyoming Clean Up

Last Billing Date 0/00/0000
Billed to Date: .00
Contract Amount: .00

			--- L I S T ---	
Rating Code	Description	Quantity	Unit	Extended
0000	MAINTENANCE - N	33.50	.00	.00
0001	LABOR	135.75	58.00	7,873.50
0004	FOREMAN LABOR	40.50	82.00	3,321.00
	Subtotals			11,194.50
1B81	JD 650H DOZER	12.00	107.00	1,284.00
1B88	CAT D6K DOZER	22.50	130.00	2,925.00
1L101	257D SCAT-STEER	14.00	90.00	1,260.00
1L75	CAT 966G LOADER	36.50	130.00	4,745.00
1L83	CAT 966F LOADER	14.00	130.00	1,820.00
1L87	CAT 962 LOADER	13.50	130.00	1,755.00
1L92	KUBOTA LOADER	41.00	75.00	3,075.00
1T103	K WORTH TRACTOR	43.00	100.00	4,300.00
1T106	K WORTH TRACTOR	45.50	100.00	4,550.00
1T110	KENWORTH TRI AX	20.25	88.00	1,782.00
1T114	WESTER STAR TRA	15.00	100.00	1,500.00
1T116	K WORTH TRACTOR	52.75	100.00	5,275.00
1T123	K WORTH TRACTOR	34.00	100.00	3,400.00
1T124	K WORTH TRACTOR	21.00	100.00	2,100.00
1T125	K WORTH TRACTOR	21.00	100.00	2,100.00
	Subtotals			41,871.00
9984	Material Hauled	2910.00	.00	.00
	Subtotals			.00
	Totals			53,065.50

RESOLUTION NO. _____

RESOLUTION FOR AWARD OF BID

WHEREAS:

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

NOW, THEREFORE, BE IT RESOLVED:

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

Item	Recommended Bidder	Cost
Valve Actuators	Actuator Specialties, Inc.	Bid prices as shown on the attached tabulation sheet.

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 October 17, 2016.

Kelli A. VandenBerg, Wyoming City Clerk

ATTACHMENTS:

Staff Report

Tabulation Sheet

Resolution No. _____

STAFF REPORT

DATE: October 3, 2016
SUBJECT: Award of Bid - Valve Actuators
FROM: Shimo Svabic, Public Works Supervisor
Date of Meeting: October 17, 2016

RECOMMENDATION:

It is recommended the City Council award the bid for Valve Actuators to Actuator Specialties, Inc., at the unit prices indicated on the attached tabulation sheet.

SUSTAINABILITY CRITERIA:

Environmental Quality - The Public Works Department is actively involved in the protection of Michigan's natural resources and public's health and welfare. In order to continue to protect the environment and the public, the water supply system needs to be maintained in an optimal working condition.

Social Equity - The water supply 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 water supply system.

Economic Strength - The use of valve actuators allows the Public Works Department to provide quality repairs and ensure that the water distribution system is properly maintained. Proper maintenance sustains the life of the distribution system.

DISCUSSION:

Tuesday, September 20, 2016, the City received three bids for valve actuators. Fourteen invitations to bid were sent to prospective bidders. Based on estimated quantities, it is recommended the City Council accept the low bid received from Actuator Specialties, Inc.

In the mid-1960's, a 36'' water main was constructed in Burlingame Avenue between 28th and 44th Streets. This water main serves as a major supply conduit for the City's businesses and residences north of Buck Creek as well as the Burlingame ground water storage tank.

There are eight ball valves located on this water main that are utilized to isolate portions of the water main if it fails or needs to be repaired. A valve actuator, or geared mechanism used for opening and closing valves, is placed on each valve. Valve actuators on this water main are either standard enclosure or submersible (if the potential exists for the valve to be under water).

Staff from Public Works have been exercising and operating these valves over the past year. To date, four valves have been checked; one of the four valve actuators was able to be repaired and put back into service. The remaining three valve actuators cannot be repaired and need to be replaced. Additionally, there are four more valves that need to be checked and there is a very good possibility that they will need new valve actuators.

BUDGET IMPACT:

Sufficient funds are available in the Water Fund, Capital Outlay Water Mains Account: 591-441-57300-972.573.

CITY OF WYOMING, MICHIGAN

TABULATION OF BIDS

VALVE ACTUATORS

Opened By City Clerk On September 20, 2016 At 11:00 a.m. o'clock

All bid prices reduced to net.

	Est. Amount to be Purchased	Actuator Specialties		Henry Pratt Company		System Specialties Company	
		Make and Model of Item Bid	Each Bid Price	Make and Model of Item Bid	Each Bid Price	Make and Model of Item Bid	Each Bid Price
Factory Submersible Enclosure- Rotork Light Duty IW 90 Degree Worm Gear Box, Position A, orientation to match current H4BH in ASI shop, 360:1, 2" AWWA drive block, Stainless input shaft drive sleeve, Pointer cap cover.	1	Rotork IW72/IR2 Can Not Reuse Mounting Plate	\$6,119.00	Rotork IW7/IR2 Worm Gear for buried service with AWWA nut, position A 360:1 Ratio	\$3,950.00	Rotork IW7R 360:1 SUB	\$8,968.00
Standard Enclosure- Limitorque Heavy Duty 90 Degree Worm Gear Box, Position A, 390:1, 2" AWWA drive block.	2	Limitorque H4BC/6	\$12,641.00	Limitorque HBC-4/12 Worm Gear for buried service with 2" AWWA nut, position A, 720:1 Ratio	\$30,742.00		No Bid
Sandblast existing mounting plate, prime and paint	4		\$ 240.00		\$ 620.00		\$257.00
Manufacture new mounting plate for valve actuator (gear box)	4		\$1,800.00		\$1,514.00		\$562.00
TOTAL COST BASED ON EST. PURCHASE			\$ 39,561.00		\$ 73,970.00		

STAFF REPORT

Date: October 3, 2016

Subject: Proposed Amendments to the Fire Prevention and Protection Ordinance

From: Chuck Lark, Fire Chief

Meeting Date: October 17, 2016

RECOMMENDATION:

It is recommended that the City Council adopt the proposed amendments that include an update of definitions, adoption of the 2012 International Fire Code, and Appeals process for permit requests.

SUSTAINABILITY CRITERIA:

Environmental Quality – There would be no environmental impact in adopting these amendments. The adoption of the 2012 International Fire Code (IFC) is consistent with all of our neighboring jurisdictions.

Social Equity – The requirements in the ordinance sections proposed will align the city with the current City of Wyoming referenced Michigan Building Code (MBC). Adoption of the proposed amendments will eliminate inconsistencies and improve public safety.

Economic Strength – No impact.

DISCUSSION:

Currently, there is no state fire code, making it the responsibility of a jurisdiction to adopt a Fire Code at the local level. The City of Wyoming is currently operating under the 2000 edition of the N.F.P.A. Fire Prevention Maintenance Code.

With this amendment neighboring jurisdictions will be able to work collaboratively, if requested, to assist in an investigation or inspection. In addition to adopting the most current International Fire Code staff updated definitions to reflect the administrative changes effected by the Public Safety Model.

The final change includes **Section 33-34 – Appeals**. Whenever a permit is refused the appeals process will now be required to appeal the decision to the City of Wyoming's Construction Board of Appeals. Our existing process would require them to make a final appeal to the City of Wyoming City Council.

Surrounding communities have adopted the IFC and it has proven to adequately protect the public health, safety, and welfare of the community.

ORDINANCE NO. 17-16

AN ORDINANCE TO AMEND CHAPTER 34
OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Chapter 34 of the Code of the City of Wyoming entitled FIRE PREVENTION AND PROTECTION is hereby amended to read as follows:

CHAPTER 34
FIRE PREVENTION AND PROTECTION

ARTICLE I. – GENERAL

Sec. 34-1. - Definitions.

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

Approved means that which has been accepted by the fire chief as a result of his own investigation or experience, or by reason of test, listing or approval by the Underwriter's Laboratories, Inc., the National Bureau of Standards, the American Gas Association Laboratories or other nationally recognized testing authorities.

Automatic fire alarm system means a system which automatically detects a fire condition and actuates a fire alarm signal device.

Combustible material means and includes any readily ignitable and fire-burning material such as shavings, excelsior, rubbish, sacks, bags, litter, hay, straw, boxes, barrels, rubber tires, baled cotton, paper, rubber or cork.

Dwelling means any house, building, structure, tent, shelter, trailer, or vehicle, or portions thereof (except railroad cars on tracks or rights-of-way) which is occupied, in whole or in part, as the home, residence, living or sleeping places of one or more human beings, either permanently or transiently.

Explosives means and includes any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion or that contains any oxidizing and combustible units or other ingredients, in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

Fire Chief means the City Fire Chief, Deputy Director of Fire Services, his designee or a substantially similar fire services administrative position.

Fire Department means the Fire Services Division of the Department of Public Safety of the city.

Flammable liquid means any liquid having a flashpoint below 200 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch.

Hazardous chemicals means those which are highly flammable, or which may react to cause fires or explosions, or which by their presence create or augment a fire or explosion hazard, or which, because of the toxicity, flammability or liability to explosion render firefighting abnormally dangerous or difficult. Hazardous chemicals include such material as compressed gases, flammable solids, corrosive liquids, radioactive materials, oxidizing materials, and poisonous gases.

I.C.C. container means any container approved by the Interstate Commerce Commission for shipping any liquid gaseous or solid material of a flammable, toxic or other hazardous nature.

Institutional building means a building in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes.

License means one which has been issued by the city clerk, or other licensing agent, pursuant to the provisions of this chapter or state statute.

Liquefied petroleum gas means any material which is composed predominately of any of the following hydrocarbons, or mixtures of them: propane, propylene, butane and butylenes.

Multifamily dwelling means a building, or portion thereof, used or designed as residence for three or more families living independently of each other and each doing their own cooking in the building, with the number of families in residence not exceeding the number of dwelling units provided.

Permit means one which has been issued by the fire chief pursuant to the provisions of this chapter. Such permit is distinguishable from and does not take the place of a license issued under this chapter or state statute.

Public building means a building in which persons congregate for civic, political, educational, religious, social or recreational purposes.

Residence building, except when classed as an institutional building, means a building in which sleeping accommodations are provided.

Sec. 34-2. - Violation of chapter.

- (a) Any person violating any provision of this chapter, except sections requiring permits or license, shall be served by the fire chief or his designee with a written notice stating the nature of the violation and specifying a reasonable time limit for the satisfactory correction thereof. Such person shall, within the period of time in such notice, permanently cease all violation.
- (b) The imposition of a fine or imprisonment shall not eliminate the necessity to correct, remove or otherwise abate any of the hazardous conditions.
- (c) Penalties for violations shall be as provided in Section 34-3(3) of this chapter and the city code.

Sec. 34-3. – Adoption of International Fire Code

(a) Adoption by reference. The city hereby adopts by reference International Fire Code, 2012 edition, as published by the International Code Council with appendix B, D, and F of said International Fire Code. A complete copy of this code is made available to the public at the Department of Public Safety- Fire Services office and the City Clerk’s Office in compliance with state law. The code is subject to the following amended subsections:

- (1) Section 101.1. Title. These regulations shall be known as the Fire Code of City of Wyoming, herein referred to as “this code.”
- (2) Section 102.4 of the code shall be amended to add the phrase “except new construction built in accordance with the Michigan Building Code”.
- (3) Section 109.4 Violation Penalties. Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who erect, install, alter, repair or to do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this chapter, shall be guilty of a municipal civil infraction for the offense. The penalty shall be as provided in section 1-27 of the city code. Subsequent offenses may be charged as a misdemeanor punishable by a fine of up to \$500, or imprisonment for up to 90 days, or both such fines and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense and a separate violation subject to enforcement action.
- (4) Section 307 shall be amended to read: City of Wyoming Code Section 30-35 does allow for open burning under certain conditions.
- (5) Section 5704.2.9.6 All above ground storage tanks shall comply with the provisions of NFPA 30 and 30a, Flammable and Combustible Liquids, the most current edition.
- (6) Section 6104.2 Maximum capacity with established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 500 gallons or two hundred ten pounds gas capacity.

ARTICLE II. - FIRE DEPARTMENT

Sec. 34-36. - Establishment; purpose.

Pursuant to the terms of Act No. 33 of the Public Acts of Michigan of 1951 (MCL 41.801 et seq.), as amended, there is hereby created the city fire department, the object of which shall be the prevention of fire and protection of life and property from fire within the limits of the city.

Sec. 34-37. – Personnel.

The fire department shall consist of a Fire Chief/Deputy Director of Fire Services, an Assistant Director of Fire Services, and such other officers and employees as the fire chief, subject to the approval of the City Manager, may deem necessary.

Sec. 34-38. - Fire chief.

- (a) *Appointment and removal.* The fire chief shall be appointed by the city manager, subject to the approval of the city council. The fire chief may be removed by the city manager. The fire chief shall be technically qualified by training and experience.
- (b) *Responsibility.* The fire chief shall be responsible to the city manager and director of public safety only and shall make such written and verbal reports thereto as may be provided for in subsection (e) of this section or as the city manager may, from time to time, require.
- (c) *Investigation of fires.* The fire chief or his designee shall be responsible for investigating the cause, origin and circumstances of all fires.
- (d) *Records.* The fire chief shall keep complete records of all fires, inspections, apparatus, equipment, personnel and all other necessary matters.
- (e) *Reports.* The fire chief shall submit a report to the city manager at least once monthly containing the number of fires, date, cause and amount of loss.

Sec. 34-39. - Inspection of buildings and premises.

The fire chief, or his designee, shall be permitted at all reasonable hours to enter any public or private building or any premises within the geographical limits of the city for the purpose of making any inspection and investigation required or otherwise provided for under the provisions of this chapter. In the case of public buildings, such inspection and investigation shall be made as often as necessary for the purpose of ascertaining and causing to be corrected any condition which may constitute a source of fire, or for the purpose of ascertaining and causing to be corrected any violations of the provisions of this chapter relating to fire hazards, or for the purpose of ensuring compliance in all places of assembly with all laws, regulations and orders concerning overcrowding, use of decorative materials, maintenance of exitways, maintenance of fire alarm and fire detecting systems, and maintenance of fire extinguishing systems and appliances. The fire chief, or his designee, shall investigate any complaints received concerning fire hazards or other violations of this chapter.

Sec. 34-40. - Remedial action.

Whenever the fire chief or his designee shall, in the course of an inspection or investigation referred to in section 34-39, find in any building or upon any premises any of the following dangerous or hazardous conditions, he shall direct that such dangerous conditions shall be

corrected or dangerous materials removed, in such a manner as may be specified by the fire chief or his designee:

- (1) Dangerous or unlawful accumulations of combustible or explosive material.
- (2) Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible or explosive material.
- (3) Dangerous accumulations of rubbish, wastepaper, boxes, shavings or other flammable material.
- (4) Accumulations of dust or waste material in air conditioning systems, or of grease in kitchen exhaust ducts.
- (5) Obstructions to or on fire escapes, stairs, passageways, doors or windows, which obstructions are likely to interfere with the operations of the fire department or to impede evacuation of the premises by the occupants in case of fire.

Sec. 34-41. - Evacuation of buildings.

Whenever, during the occurrence of any fire, it shall be deemed advisable or desirable to evacuate or exclude persons from the premises, the fire chief may order evacuation of all persons from the premises or forbid entry to the premises by any person.

Sec. 34-42. - Licenses and permits.

- (a) *Approval of fire department before issuance of license.* Wherever any provision of any section of this chapter or state statute, requires inspection by and approval of the fire chief as a condition precedent to the issuance of a license, the fire chief shall inspect and approve the place where the business, trade, occupation or employment is to be conducted before such license shall be issued by the licensing authority and shall file a report in writing with the city clerk indicating approval or disapproval of the application for license. Where the fire chief disapproves the application, the reasons therefor shall be clearly set forth in the report.
- (b) *Application for permits.* All applications for permits under any provision of any section of this chapter requiring approval or issuance by the fire department, shall be made to the fire chief, on such form and in such detail as the fire chief may from time to time prescribe. Once issued, such permit shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the fire chief. Such permit may be for an indefinite term but shall not be transferable and must be renewed in the event of a change in use or occupancy of the premises.
- (c) *Permit to engage in hazardous occupation required.* Any person who proposes to engage in a business or occupation which may produce or is likely to produce conditions conducive to fire, such as the storage or handling of hazardous chemicals, storage transportation or handling of liquified petroleum gases, storage or handling of combustible materials, or flammable liquids, or storage and handling of explosives, is hereby required to secure a permit to engage in such business or occupation from the fire

chief. Such permit shall be in addition to any permit which may be required by any other provision of any section of this chapter and its issuance shall be conditioned upon prior investigation or inspection by the fire chief.

- (d) *Number of permits required.* Only one permit shall be required by retail establishments dealing in, or manufacturing plants using two or more flammable, combustible or explosive materials to be kept in the establishment at any one time, but each of such materials must be listed on the permit.

Sec. 34-43. - Appeals.

Whenever the fire chief refuses to grant a permit, or the fire chief disapproves a modification applied for, or when it is claimed that the provisions of this chapter do not apply or that the true intent and meaning of this chapter have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire chief to the Board of Appeals within 30 days from the date of the decision. The Board shall hear the appeal. Except as provided by state law, the decision of the Board shall be final.

Board of Appeals established. In order to hear and decide appeals of orders, decision or determinations made by the Fire Chief or designee relative to the application and interpretation of this code there shall be a Board of Appeals. The Board of Appeals shall be the Construction Board of appeals of the City of Wyoming. All appeals shall be governed by the procedures for appeals to the Construction Board of Appeals and all applicable provisions of state law. On all appeals from this chapter, the fire code official or the designee of the fire chief will be an ex officio member of the board but shall not have a vote on the appeal

Sec. 34-44. - Liability for damages.

This chapter shall not be construed to relieve or lessen the responsibility or liability of any person owning, operating, controlling or installing any wiring or equipment, or making any use of any premises, or maintaining, storing or handling any flammable materials, for damage to persons or property caused by any improper or negligent use, operation, installation or storage; nor shall the city be deemed to have assumed any liability by reason of any inspection authorized in this article or by the issuance of any license or permit granted under the provisions of this chapter, nor by reason of the approval or disapproval of any equipment, or the use thereof, or the maintenance, handling and storage of materials, as authorized in this article.

Sec. 34-45. - New materials, processes or occupancies which may require permits.

The city manager, the fire chief and the city attorney or their designees shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in this chapter. The fire chief shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

Sec. 34-46. - Fire hydrants.

- (a) *Access.* All buildings in the city except one-family and two-family dwellings, shall be situated not more than 500 feet from a public fire hydrant by direct public or private road access. Any private road must be improved according to the minimum requirements of the county road commission and the city. Public fire hydrants shall be situated immediately adjacent to and not more than 20 feet from a public or private road.
- (b) *Supplemental fire protection hydrants.* Supplemental fire protection hydrants shall be provided for all buildings, except one-family and two-family dwellings, that are:
 - (1) Situated at a distance greater than 300 feet from a public road; or
 - (2) Of such size, construction, location or occupancy use in relationship to public roads and public fire hydrants as may be deemed by the fire chief to constitute a condition hazardous to life and property due to fire or explosion and as related to the ability of the fire department to serve the premises.
- (c) *Supplemental fire protection hydrant size and location.* Supplemental fire protection hydrants shall consist of water mains not less than six inches in diameter and dedicated to the public use of the city and its water system. The fire chief shall determine the number and location of hydrants deemed reasonable and necessary to provide sufficient supplemental fire protection to the premises.

Sec. 34-47. - Key box.

When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for lifesaving or firefighting purposes, the fire chief shall require a key box to be installed in an accessible location. The key box shall be a type approved by the fire chief and shall contain keys to gain necessary access as required by the fire chief.

ARTICLE III. - HAZARDOUS MATERIALS

Sec. 34-76. - Definitions.

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

Hazardous materials means material, waste, or a combination of waste and material, including solid, liquid, semisolid or contained gaseous material, which, because of its quantity, quality, concentration or other physical, chemical or general characteristics, poses a substantial present or potential hazard to human health or the environment if improperly treated, stored, transported, disposed of or otherwise managed.

HazMat unit means the vehicle provided by the city equipped with apparatus designed to provide emergency service in situations involving the suspected or actual spill, leak, accident or other similar occurrence involving hazardous materials.

Sec. 34-77. - Duty to remove.

It shall be the duty of any person who causes or has ownership or control of any property on which a spill, leakage or other dissemination of hazardous materials occurs to remove immediately such hazardous materials and undertake and complete a total cleanup of the area in

such a manner as to ensure that all leakage, spillage or other dissemination of hazardous material is fully removed and the area is fully restored to its condition prior to the placement, leakage, spillage or other dissemination of such hazardous materials.

Sec. 34-78. - Failure to remove.

Any person who fails to comply completely with section 34-77 shall be liable to the city, its agents, contractors and employees, for any costs incurred in the removal and cleanup of hazardous materials and the restoration of the property to its former condition.

Sec. 34-79. - Abatement by city; costs; collection.

If any person fails to remove hazardous material, after having been notified by the city to remove such materials, within the time specified in the notice, the city shall have the right to enter onto the property and remove and conduct a cleanup of any hazardous materials, either by city employees or by contractors and agents of the city. All costs of the removal shall be the responsibility of the person owning or in possession of such property. If such costs are not paid, the city may take whatever collection steps may be deemed appropriate, including the placement of all such charges on the tax roll to be added to the taxes for the property for the next year for collection as real property taxes.

Sec. 34-80. - Costs of HazMat unit.

If the HazMat unit is used for any aspects of the removal, cleanup, control or monitoring of any leakage, spillage or other incident involving hazardous materials, the owner or person in charge or possession of the property shall be responsible to the city for the cost incurred in the use of the HazMat unit. If the owner or person in charge fails to pay promptly such costs, the city may take such collection efforts as may be appropriate, including the placement of the charges on the tax roll to be added to the taxes for the property for the next tax year for collection as real property taxes.

ARTICLE IV. - FIREWORKS

Sec. 34-101. - Definitions.

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

Act 256 means the Michigan Fireworks Safety Act, Act 256 of the Public Acts of Michigan of 2011 as amended. (MCL 28.451 et seq.)

Articles pyrotechnic means pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, as defined in Act 256.

Consumer fireworks means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition and labeling requirements promulgated by the United States Consumer Product Safety Commission as defined in Act 256. Consumer Fireworks do not include low-impact fireworks.

Display fireworks means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration or deterioration as defined in Act 256.

Fireworks means any composition or device, except for a starting pistol, a flare gun or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks and special effects.

Low-impact fireworks means ground and handheld sparkling devices as defined in Act 256.

Retailer means a person who sells consumer fireworks or low-impact fireworks for resale to an individual for ultimate use.

Special effects means a combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical or thermal effect as an integral part of a motion picture, radio, television, theatrical or opera production or live entertainment.

Wholesaler means any person who sells consumer fireworks or low-impact fireworks to a retailer or any other person for resale. Wholesaler does not include a person who sells only display fireworks or special effects.

Sec. 34-102. - Sale of consumer fireworks.

A retailer or other person may not sell consumer fireworks within the city unless such person has obtained and has in effect a valid consumer fireworks certificate issued by the State of Michigan and otherwise complies with the requirements of Act 256 and any rules and regulations promulgated thereto including those related to storage.

Sec. 34-103. - Sale of low-impact fireworks.

A retailer or other person may not sell low-impact fireworks unless such person is currently registered, in accordance with Act 256, with the low-impact fireworks retail registry maintained by the State of Michigan.

Sec. 34-104. - Compliance with applicable ordinances and codes.

Except as provided in Act 256 and unless otherwise provided for in this article, a retailer or wholesaler of fireworks must comply with the requirements of the city's zoning code and building codes and regulations.

Sec. 34-105. - Use of consumer fireworks.

Except as otherwise provided in this article, a person may ignite, discharge or use consumer fireworks in the city only on the date proceeding, the day of, or the day after a national holiday as provided in Act 256.

Sec. 34-106. - Firework safety.

No person shall endanger the life, health or safety of any other person by the sale, use, possession, transport, display or discharge of any fireworks.

Sec. 34-107. - Location.

No person shall, at any time, ignite, discharge, use or display, except under the terms and conditions of a permit issued to this article, any fireworks upon another person's property or within 15 feet of another person's property without such property owner's permission. No person shall, at any time, ignite, discharge, use or display, except under the terms and conditions of a permit issued pursuant to this article, any fireworks in a public street or right-of-way, a public park, school property or any other place of public assembly.

Sec. 34-108. - Permits.

The city 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.

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.

Sec. 34-110. - Regulation of hours of discharge of consumer fireworks.

The ignition, discharge or use of consumer fireworks, as authorized by Act 256 of the Public Acts of 2011, as amended, shall be subject to the following:

- (1) No person shall ignite, discharge or use consumer fireworks between the hours of 1:00 a.m. and 8:00 a.m. on New Year's Day and 12:00 midnight and 8:00 a.m. on any other national holiday as authorized by Act 256.
- (2) Any person who violates this section shall be subject to a civil penalty of \$250.00 for a first offense and \$500.00 for any subsequent offense.
- (3) A civil citation issued under this section may be issued by any sworn police officer or fire department command or supervisory personnel.

ARTICLE V. - FIRE ALARMS

Sec. 34-120. - Definitions.

The following words, terms and phrases, when used in this article, shall have the following meaning:

Alarm/fire protection business means any individual or entity selling, leasing, maintaining, servicing, replacing, moving or installing any alarm or fire protection system in or on any land and/or buildings.

Alarm fee means a charge imposed upon an alarm user in accordance with the terms of this article.

Alarm user means the legal occupant, whether the owner or tenant, of the land and/or buildings in or on which an alarm system is maintained or operated within the city.

Chargeable alarm means an activation of an alarm system eliciting a response by fire department personnel where no evidence of criminal activity, fire, hazard or other emergency situation is found to exist. A chargeable alarm includes, but is not limited to, activation of an alarm system through mechanical failure, malfunction, improper installation or activation of an alarm system through the inadvertence of the alarm user or the alarm user's employee or agent.

Fire protection system is any alarm device or system or fire extinguishing device or system, or their combination, that is designed and installed for detecting, controlling, and/or extinguishing a fire or otherwise alerting occupants, or the fire department, or both, that a fire has occurred.

Nonchargeable alarm means:

- (1) Any alarm to which fire department personnel respond where there is found evidence of criminal activity, fire, hazard or other emergency for which the alarm was intended to notify the fire department.
- (2) Any alarm caused by:
 - a. Meteorological or geological condition;
 - b. Interruption of electrical or telephone service to the alarm user;
 - c. A hand pull station being activated accidentally or by malicious intent; or
 - d. Persons working on the alarm system with prior notification to the fire dispatch center.

Sec. 34-121. - Alarm fees.

- (a) No alarm fee will be imposed for the first three chargeable alarms occurring in any calendar year.
- (b) An alarm fee as set by resolution of the city council will be charged to the alarm user upon the occurrence of the fourth and subsequent chargeable alarm.
- (c) Following the third chargeable alarm in any calendar year, the fire department will send written notice to the alarm user and, if known to the fire department, to the maintaining alarm business, of the date and time of a conference at the fire department. The alarm user shall make all reasonable efforts to have a representative of the maintaining alarm business present at the conference. If the alarm user fails to appear at the conference, and makes no alternate arrangements for such a conference in advance, a fee as provided in the city fee schedule will be assessed. The purpose of the conference will be development of a written action plan to eliminate chargeable alarms. This action plan shall be signed by the alarm user, the fire department's representative, and, if appropriate, by the maintaining alarm business, and shall contain reasonable time deadlines and reporting requirements to demonstrate that the action plan has been carried out. An alarm user who

does not agree to an action plan satisfactory to the fire department's representative or who does not carry out the action plan, including its deadlines and reporting requirements, will be assessed a fee as set by resolution of the city council from time to time.

- (d) The fire department may schedule further conferences to amend the action plan if the initial plan has failed to rectify the problem generating the chargeable alarms.
- (e) The alarm/fire protection business shall be assessed a fee as provided in the city fee schedule for each occurrence if it is determined the false alarm was directly caused by an onsite employee or representative of the alarm/fire protection business. This would include the alarm/fire protection business conducting testing and/or repair work on the system when no notification was made to the dispatch center informing that work is being done on the system. In this event, the false alarm will not be counted against the owner.

Sec. 34-122. - Rules for collection and billing.

The city manager, the fire chief and the director of public safety shall prepare rules for collection and billing of the emergency response user fees as provided in this article.

Sec. 34-123. - User fee fund.

All amounts collected pursuant to this article shall be placed in a fund as established by the city to be used exclusively for the operation of the fire department.

Section 2. This ordinance shall be in full force and effect on the _____ day of _____, 2016.

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 _____, 2016.

Kelli A. VandenBerg
Wyoming City Clerk

Ordinance No. 17-16