

**AGENDA**  
**WYOMING CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**MONDAY, MARCH 3, 2014, 7:00 P.M.**

- 1) Call to Order**
- 2) Invocation**  
Pastor Dennis Gilbert, Church of the Open Door
- 3) Pledge of Allegiance**
- 4) Roll Call**
- 5) Student Recognition**
- 6) Approval of Minutes**  
From the Regular Meeting of February 17, 2014
- 7) Approval of Agenda**
- 8) Public Hearings**
- 9) Public Comment on Agenda Items** (3 minute limit per person)
- 10) Presentations and Proclamations**
  - a) Presentations
  - b) Proclamations
- 11) Petitions and Communications**
  - a) Petitions
  - b) Communications
    1. From Wyoming Planning Commission
      - a. Request for Preliminary Plat Tentative Approval for Rivertown Valley III
- 12) Reports from City Officers**
  - a) From City Council
  - b) From City Manager
    1. 14-03 Acceptance of a Warranty Deed and Temporary Permit for Construction for 5715 Division Avenue SW (5711, LLC)
- 13) Budget Amendments**
  - 1) Budget Amendment No. 43 – To Appropriate \$10,000 of Budgetary Authority to Provide Funding for Increased Costs for Legal Publishing
  - 2) Budget Amendment No. 44 – To Appropriate \$856,700 of Budgetary Authority to Provide Funding for Increased Costs for Major and Local Street Winter Maintenance
- 14) Consent Agenda**

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

  - a) Of Sympathy to the Family of Steve Wilber
  - b) Of Appreciation to Ed Edwardson for His Service as a Member of the Housing Commission for the City of Wyoming
  - c) To Set a Public Hearing for the Approval of an Application for an Industrial Facilities Exemption Certificate for Detail Technologies, LLC, in the City of Wyoming (March 17, 2014 at 7:01 p.m.)
  - d) To Set a Public Hearing for the Approval of an Application for an Industrial Facilities

Exemption Certificate for Metal Components, LLC, in the City of Wyoming (March 17, 2014 at 7:02 p.m.)

- e) To Authorize Members of the City Council to Attend the Michigan Municipal League 2014 Capital Conference

**15) Resolutions**

- f) To Waive Certain Requirements of the Code of the City of Wyoming for Playworld Unlimited Inc., Carnival to Be Held at the Loeks Theatres, Inc. Property from April 11 to April 20, 2014

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

- g) To Authorize Participation in the Regional Storm Water Pollution Prevention Initiative and the Regional Public Education Plan for the NPDES Phase II Storm Water Permit for 2015-2016
- h) To Authorize the Purchase and Installation of a Sludge Pump in the South Treatment Facility
- i) For Award of Bids
  - 1. Shredded Bark
  - 2. Fertilizer

**17) Ordinances**

- 3-14 To Amend Section 90-32 of the Code of the City of Wyoming by Adding Subsection (95) Thereto to Rezone the 28<sup>th</sup> Street Corridor from Clyde Park Avenue to Burlingame Avenue from DC Downtown Center, B-3 Planned Business, B-2 General Business and R-2 Single Family Residential to Form Based Code (FINAL READING)
- 6-14 To Amend Section 70-80(a) of the Code of the City of Wyoming (Odd-Even Parking) (EMERGENCY ADOPTION)

**18) Informational Material**

- a) Planning Commission Annual Report 2013

**19) Acknowledgment of Visitors**

**20) Closed Session** (as necessary)

**21) Adjournment**



February 26, 2014

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

Subject: Request for Preliminary Plat – Tentative Approval for Rivertown Valley III.

Recommendation: To approve the proposed plat.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on February 18, 2014. A motion was made by Hegyi, supported by Woodruff, to approve the proposed plat and recommend the same to City Council, subject to no further PUD phase approvals being accepted until either an amended Overall Development Plan is submitted for approval or the property is rezoned. After discussion the motion passed unanimously. While a more detailed review is available in the Planning Commission minutes, the following is provided as basic background information:

The petitioner proposes 38 lots on 14 acres developed to R-1 Residential standards. The prior two phases to the north have 93 lots, which are nearing build out. This proposed plat is part of the Rivertown Valley PUD, which was approved in 2001 (see attached Overall Development Plan). The Rivertown Valley PUD has had numerous land ownership, zoning and market changes that have significantly impacted the planning and development of the PUD as initially approved. These are summarized chronologically as follows:

Nile Drive – Shortly after adoption of the PUD, it was recognized that the wetlands along Wilson Avenue were more substantial than identified. This resulted in the planned alignment of Nile Drive with Wilson Avenue moving north. When Wilson Avenue was reconstructed to a four lane boulevard, the street opening and utility connections were constructed to align with this necessary relocation.

Potential Grandville Elementary School site: In the center of the PUD, the City of Wyoming held ownership of a 15 acre parcel for a future school. The potential for that facility influenced the planned land use surrounding it. When the rezoning of the surrounding property to PUD-1 and RO-1 Restricted Office occurred, that site retained ER Estate Residential zoning. Subsequently, the Grandville School

- 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

District decided to not utilize that property and the City transferred ownership to the petitioner. This property must be integrated with the surrounding land development.

City of Wyoming Land Use Plan 2020: In 2006, the City spent considerable resources developing a new Master Plan. Much of those resources were concentrated on the Wilson Avenue corridor. It was determined during those deliberations that the Wilson Avenue frontage adjoining the Rivertown Valley PUD was suitable for additional nonresidential zoning. After adoption of the Plan by City Council, the petitioner obtained additional B-1 Local Business zoning.

Rivertown Valley III: The approved ODP shows Nile Drive being extended south of the existing plats with two cul-de-sacs extending west from it and stopping adjacent to a PUD open space area. In 2006, the petitioners requested and obtained approval from the Planning Commission and City Council, for a plat for this Phase III area that showed 34 lots (see attached). The approval of that plat was conditioned upon no future phase approvals would be accepted until either an amended ODP is submitted or the property is rezoned. Subsequently, the recession began which brought new subdivision development within Wyoming to a halt. Plat approvals are valid for one year, with this prior approval now expired.

Regional stormwater detention basin: By ordinance, PUD's require at least 15% open space of the entire area. Of that, wetlands may not exceed 35% of the open space area. Along the southern part of the PUD, a large wetland area was developed as a regional stormwater detention basin. In 2007, the petitioners requested, and obtained, the City's purchase of the basin's 27.7 acres. This purchase eliminated the ability of the petitioner to include that acreage as part of the PUD open space requirements.

Market changes: The petitioners have approached city staff with a desire to change the arrangement of land uses within the PUD and surrounding area to capture emerging development opportunities. Specifically surrounding the proposed Phase III area, this would result in an expansion of the planned single family subdivision area to the west and expansion of the condominium area along the south side of Nile Drive to both the east and west. Such changes will require either approval of a change to the ODP or rezoning of the PUD and surrounding properties.

The Development Review Team suggested the Planning Commission grant Preliminary Plat – Tentative Approval for Rivertown Valley III, and recommend the same to the City Council, subject to no further PUD phase approvals being accepted until either an amended Overall Development Plan is submitted for

approval or the property is rezoned.

At the public hearing, one nearby property owner spoke. His concern pertained to suitable planning for utility extensions to service his property. A motion was made by Hegyi, supported by Micele, to grant Preliminary Plat – Tentative Approval for Rivertown Valley III and recommend the same to the City Council, subject to no further PUD phase approvals being accepted until either an amended Overall Development Plan is submitted for approval or the property is rezoned. After discussion, the motion passed unanimously.

Respectfully submitted,



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Timothy Cochran, City Planner  
Planning and Development Department

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

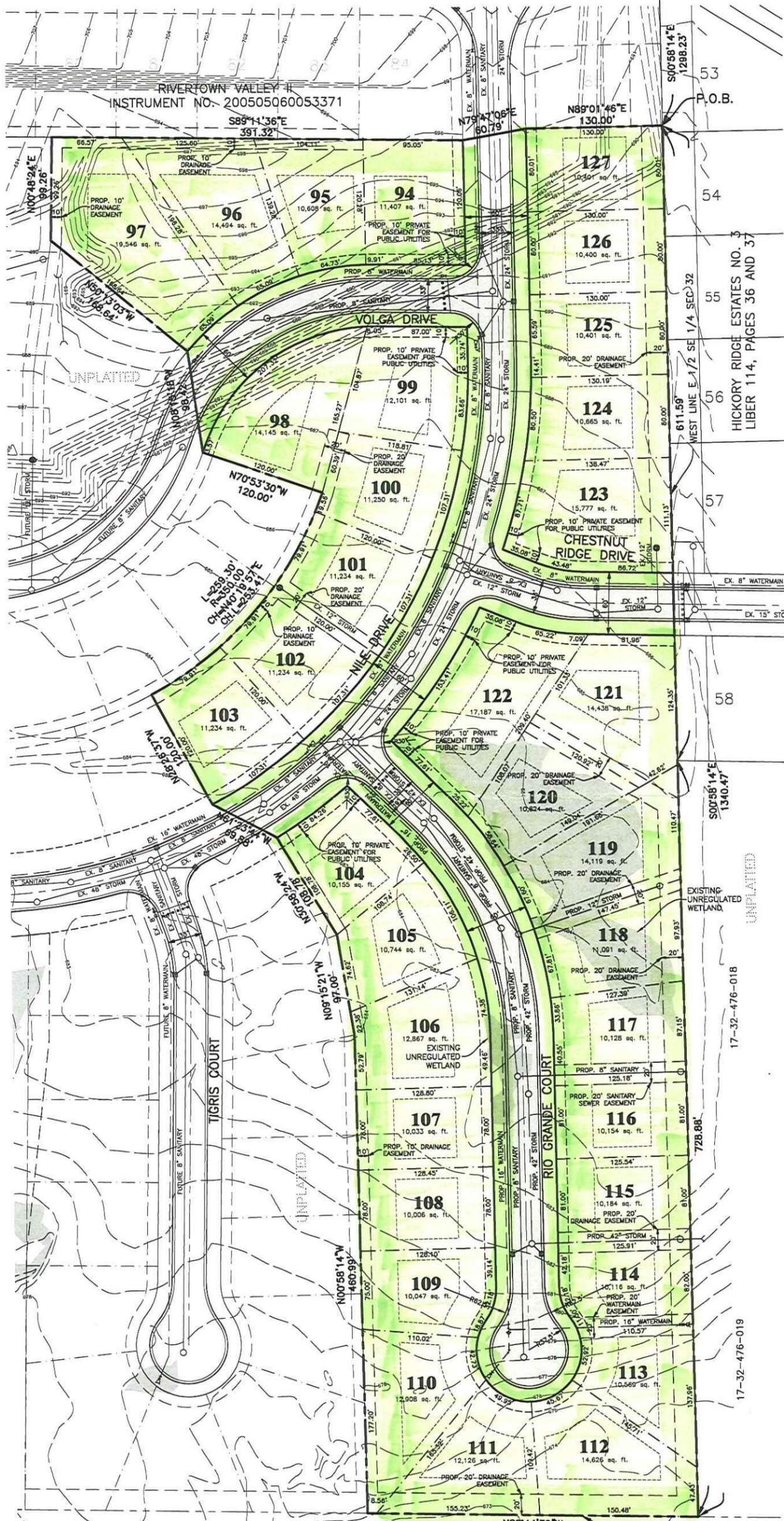


**RIVERTOWN VALLEY III**

N88°43'51"W 1308.21'

NE COR SE 1/4 SEC 32, T6NR12W

NORTH LINE SE 1/4 SEC 32



**LEGEND**

- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED WATER MAIN
- PROPOSED STORM SEWER

**GENERAL NOTES:**

- MAPPING:**
- A. EXISTING 1 FOOT CONTOUR INTERVAL GROUND CONTOURS AND TOPOGRAPHICAL FEATURES ARE BASED ON A TOPOGRAPHICAL SURVEY PERFORMED BY AEROGON PHOTOGRAMMETRIC SERVICES, INC. ON DECEMBER 17, 1997, COMBINED WITH GRADING PLAN CONTOURS FOR PHASES I & II.
  - B. BOUNDARY AND UTILITIES INFORMATION IS BASED ON AVAILABLE RECORDS.
- ZONING CLASSIFICATION:** ER (ESTATE RESIDENTIAL)
- R-1 RESIDENTIAL DISTRICT REGULATIONS FOR PLAT IN ER ZONE:**
- MIN. FRONT YARD SETBACK = 35 FEET
  - MIN. COMBINED SIDE YARD SETBACK = 20 FEET
  - MIN. REAR YARD SETBACK = 35 FEET
  - MIN. LOT AREA = 10,000 SFT.
  - MIN. LOT WIDTH = 75 FEET (AT SETBACK LINE)
- DETAILED CONSTRUCTION PLANS (INCLUDING GRADING, UTILITIES, DRAINAGE, ETC.) WILL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE CITY OF WYOMING PRIOR TO CONSTRUCTION.**
- PROPOSED IMPROVEMENTS:**
- A. ALL LOTS IN THIS PLAT WILL BE SERVICED BY PUBLIC WATER AND SANITARY SEWER.
  - B. SUBDIVISION STREETS INCLUDING ENCLOSED STORM DRAINS WILL CONFORM TO THE CITY OF WYOMING STANDARDS FOR SUBDIVISION STREETS.
  - C. DRAINAGE DESIGN AND MANAGEMENT WILL CONFORM TO THE CITY OF WYOMING AND KENT COUNTY DRAIN COMMISSION STANDARDS FOR SUBDIVISION DRAINAGE.
  - D. BURIED POWER, TELEPHONE, CABLE T.V. AND GAS LINES WILL BE INSTALLED TO SERVICE EACH LOT. THE FRONT 10 FEET OF EACH LOT SHALL BE RESERVED FOR INSTALLATION OF BURIED LINES.
  - E. CONSTRUCTION WILL CONFORM TO ALL STATE AND LOCAL CODES, INCLUDING, BUT NOT LIMITED TO:
    - SOIL EROSION AND SEDIMENTATION CONTROL
    - PROTECTION OF REGULATED AREAS
    - NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEMS (NPDES)
  - F. SIDEWALK CONSTRUCTION WILL BE DEFERRED.
  - G. STREET LIGHTS ARE PROPOSED TO BE CONSTRUCTED AT DEVELOPER'S EXPENSE.
  - H. CITY OF WYOMING IS PROPOSED TO OWN ALL STORMWATER MANAGEMENT FACILITIES WITHIN THE STREET R.O.W.'S AND OWN STORM SEWER PIPING OUTSIDE STREET R.O.W.'S.
  - I. EXISTING TEMPORARY DETENTION BASIN TO BE ABANDONED, PHASE III TO BE BUILT CONCURRENTLY WITH THE REGIONAL DETENTION BASIN AND THE ASSOCIATED STORM SEWER.

BENCHMARK NO. 1 ELEVATION 698.59  
 PLAT MONUMENT AT SOUTHWEST CORNER OF  
 PHASE I OF HICKORY RIDGE DEVELOPMENT



2006 PLAT

**PRELIMINARY PLAT OF:  
RIVERTOWN VALLEY III**

PREPARED FOR  
**T.M.G.B. WILSON L.L.C.**  
 675 CLYDE COURT SW  
 BYRON CENTER, MICHIGAN 49315  
 (616)878-5657

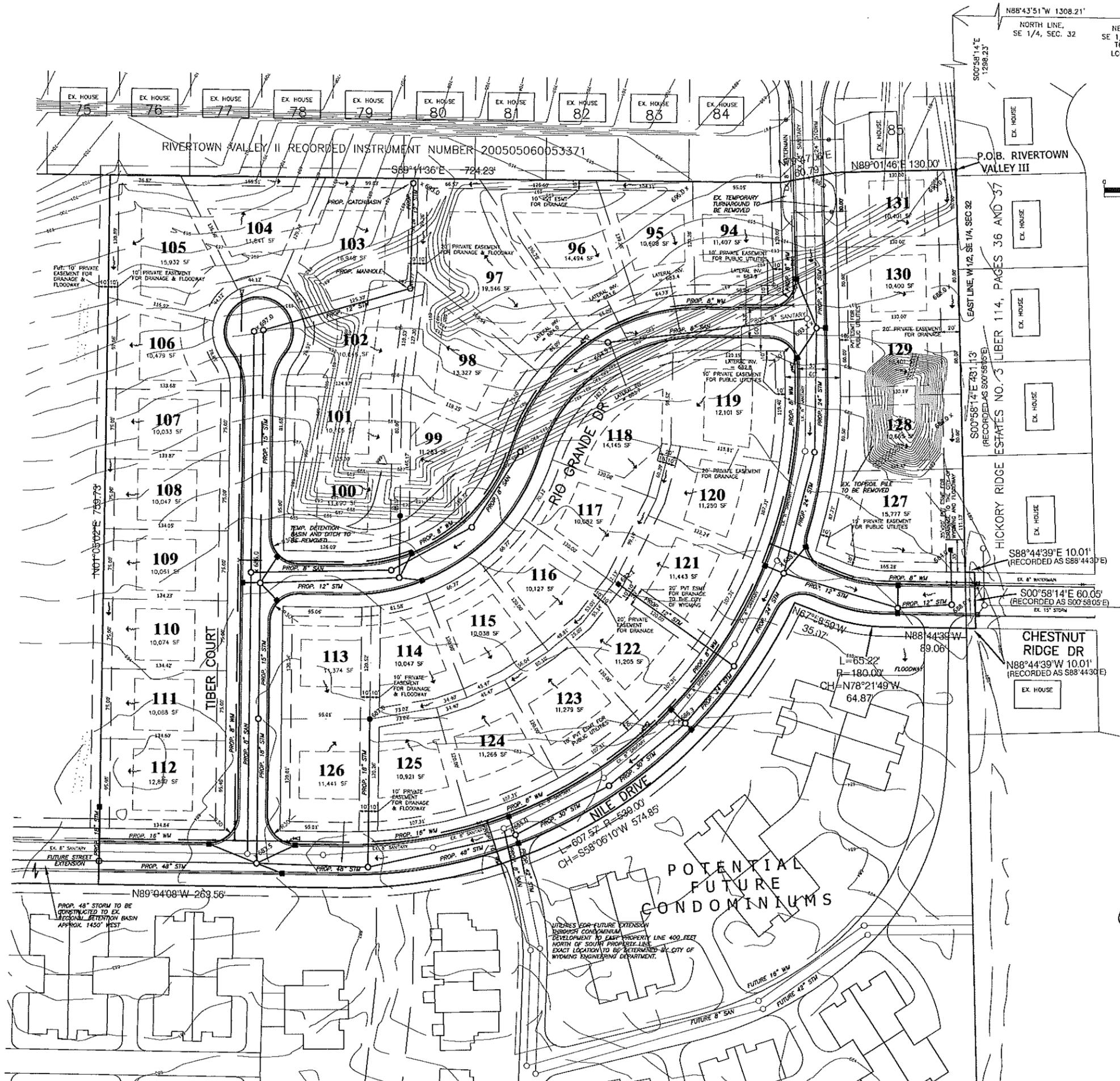
PART OF SECTION 32, CITY OF WYOMING  
 TOWN 6 NORTH, RANGE 12 WEST

**Pathfinder Engineering, Inc.**

795 Clyde Court S.W. Suite "C" Byron Center, MI 49315  
 Telephone: (616)878-3853 Fax: (616)878-4559

06018-38-PRELIMINARY PLAT  
 JUNE 15, 2006

**DESCRIPTION OF THE PROPOSED PHASE III DEVELOPMENT AREA**  
 PART OF THE SOUTHEAST 1/4 OF SECTION 32 T6N R12W, CITY OF WYOMING, KENT COUNTY, MICHIGAN DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 32; THENCE N88°43'51"W 1308.21 FEET AND THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 32 TO THE WEST LINE EAST 1/4 SOUTHEAST 1/4 OF SAID SECTION 32; THENCE S00°58'14"E 583.23 FEET ALONG THE WEST LINE OF THE EAST 1/4 SOUTHEAST 1/4 OF SAID SECTION 32 AND THE EAST LINE OF RIVERTOWN VALLEY I AND ITS EXTENSION THEREOF RECORDED IN LIBER 116 PAGES 34-39 AND THE WEST LINE OF HICKORY RIDGE ESTATES NO. 1 RECORDED IN LIBER 108 PAGES 10 AND 11 TO THE SOUTHEAST CORNER OF RIVERTOWN VALLEY I; THENCE CONTINUING S00°58'14"E 482.75 FEET ALONG THE WEST LINE OF THE EAST 1/4 SOUTHEAST 1/4 OF SAID SECTION 32 TO THE EAST LINE OF RIVERTOWN VALLEY II AND ITS EXTENSION THEREOF RECORDED IN INSTRUMENT NO. 200505060053371 AND THE WEST LINE OF HICKORY RIDGE ESTATES NO. 1 RECORDED IN LIBER 108, PAGES 10 AND 11 AND THE NORTHWEST CORNER OF HICKORY RIDGE ESTATES NO. 3 RECORDED IN LIBER 114, PAGES 36 AND 37; THENCE CONTINUING S00°58'14"E 232.25 FEET ALONG THE EAST LINE OF SAID RIVERTOWN VALLEY II AND ITS EXTENSION THEREOF, THE WEST LINE OF SAID HICKORY RIDGE ESTATES NO. 3 AND THE WEST LINE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING S00°58'14"E 611.59 FEET ALONG THE WEST LINE OF THE EAST 1/4 SOUTHEAST 1/4 OF SAID SECTION 32 TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 32; THENCE CONTINUING S00°58'14"E 728.88 FEET ALONG THE WEST LINE OF THE EAST 1/4 SOUTHEAST 1/4 OF SAID SECTION 32; THENCE N00°58'14"W 460.99 FEET; THENCE N09°15'21"W 97.00 FEET; THENCE N30°58'24"W 108.78 FEET; THENCE N61°23'44"W 69.88 FEET; THENCE N28°26'37"W 120.00 FEET; THENCE 259.30 FEET NORTHEASTERLY ON A 350.00 FOOT RADIUS CURVE TO THE LEFT THE LONG CHORD WHICH BEARS N40°19'57"W 253.41 FEET; THENCE N70°53'30"W 120.00 FEET; THENCE N08°15'18"W 98.42 FEET; THENCE N50°13'03"W 168.64 FEET; THENCE N00°48'24"E 99.26 FEET TO SAID SOUTH LINE OF RIVERTOWN VALLEY II; THENCE S89°11'36"E 391.32 FEET; THENCE N79°47'06"E 60.79 FEET; THENCE N89°01'46"E 130.00 FEET TO THE PLACE OF BEGINNING (THE PREVIOUS THREE CALLS ARE ALONG THE SOUTH LINE OF SAID RIVERTOWN VALLEY II). CONTAINS 11.99 ACRES MORE OR LESS AND 34 LOTS.



BENCHMARK #1 ELEVATION: 698.59'  
 PLAT MONUMENT AT THE S.W. CORNER OF PHASE I OF HICKORY RIDGE DEVELOPMENT

SCALE 1" = 50'

**DESCRIPTION FOR RIVERTOWN VALLEY III**  
 RIVERTOWN VALLEY III, PART OF THE SOUTHEAST QUARTER OF SECTION 32, T6N, R12W, CITY OF WYOMING, KENT COUNTY, MICHIGAN DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 32; THENCE N88°43'51"W 1308.21 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32 TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32; THENCE S00°58'14"E 1298.23 FEET ALONG THE SAID EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32 AND THE EAST LINE OF RIVERTOWN VALLEY I RECORDED IN LIBER 116 PAGES 34-39 AND RIVERTOWN VALLEY II RECORDED INSTRUMENT NUMBER 200505060053371 AND THE WEST LINE OF HICKORY RIDGE ESTATES NO. 1 RECORDED IN LIBER 108 PAGES 10 AND 11 AND HICKORY RIDGE ESTATES NO. 3 RECORDED IN LIBER 114 PAGES 36 AND 37 TO THE SOUTHWEST CORNER OF SAID RIVERTOWN VALLEY II AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 00°58'14" EAST 431.13 FEET ALONG SAID WEST LINE OF HICKORY RIDGE ESTATES NO. 3 (RECORDED AS SOUTH 00°58'05" EAST); THENCE SOUTH 88°44'39" EAST 10.01 FEET; THENCE SOUTH 09°58'14" EAST 60.05 FEET; THENCE NORTH 88°44'39" WEST 10.01 FEET; THENCE NORTH 88°44'39" WEST 89.06 FEET; THENCE 65.22 FEET ON A 180.00 FOOT RADIUS CURVE TO THE RIGHT, THE LONG CHORD WHICH BEARS NORTH 78°21'49" WEST 64.87 FEET; THENCE NORTH 67°58'59" WEST 35.07 FEET; THENCE 607.57 FEET ON A 530.00 FOOT RADIUS CURVE TO THE RIGHT, THE LONG CHORD WHICH BEARS SOUTH 58°06'10" WEST 574.85 FEET; THENCE NORTH 89°04'08" WEST 263.56 FEET; THENCE NORTH 01°05'02" EAST 759.73 FEET TO THE SOUTH LINE OF SAID RIVERTOWN VALLEY II; THENCE SOUTH 89°11'36" EAST 724.23 FEET ALONG SAID SOUTH LINE OF SAID RIVERTOWN VALLEY II; THENCE NORTH 79°47'05" EAST 60.79 FEET; THENCE NORTH 89°01'46" EAST 130.00 FEET TO THE SAID SOUTHWEST CORNER OF RIVERTOWN VALLEY II AND THE PLACE OF BEGINNING (THE PREVIOUS THREE CALLS WERE ALONG THE SOUTH LINE OF SAID RIVERTOWN VALLEY II). CONTAINS 38 LOTS. CONTAINS 14.02 ACRES MORE OR LESS.

**GENERAL NOTES:**  
**MAPPING:**  
 A. EXISTING 1 FOOT CONTOUR INTERVAL GROUND CONTOURS AND TOPOGRAPHICAL FEATURES ARE BASED ON A TOPOGRAPHICAL SURVEY PERFORMED BY AEROCON PHOTOGRAMMETRIC SERVICES, INC. ON DECEMBER 17, 1997, COMBINED WITH GRADING PLAN CONTOURS FOR PHASES I & II.  
 B. BOUNDARY AND UTILITIES INFORMATION IS BASED ON AVAILABLE RECORDS.  
 TOTAL ACREAGE: 14.02 MORE OR LESS  
 NET ACREAGE: 14.02 MORE OR LESS  
 DENSITY: 2.7 LOTS/ACRE  
 ZONING CLASSIFICATION: PUD-1  
 R-1 RESIDENTIAL DISTRICT REGULATIONS FOR PLAT IN PUD-1 ZONE.  
 MIN. FRONT YARD SETBACK = 35 FEET  
 MIN. COMBINED SIDE YARD SETBACK = 20 FEET  
 MIN. REAR YARD SETBACK = 35 FEET  
 MIN. LOT AREA = 10,000 SQ. FT.  
 MIN. LOT WIDTH = 75 FEET (AT SETBACK LINE)  
 MIN. LOT WIDTH (CORNER LOT) = 95 FEET (AT SETBACK LINE)  
 MIN. LOT DEPTH = 120 FEET (AT SETBACK LINE)  
 DETAILED CONSTRUCTION PLANS (INCLUDING GRADING, UTILITIES, DRAINAGE, ETC.) WILL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE CITY OF WYOMING PRIOR TO CONSTRUCTION.

**PROPOSED IMPROVEMENTS:**  
 A. ALL LOTS IN THIS PLAT WILL BE SERVICED BY PUBLIC WATER AND SANITARY SEWER.  
 B. SUBDIVISION STREETS INCLUDING ENCLOSED STORM DRAINS WILL CONFORM TO THE CITY OF WYOMING STANDARDS FOR SUBDIVISION STREETS.  
 C. DRAINAGE DESIGN AND MANAGEMENT WILL CONFORM TO THE CITY OF WYOMING AND KENT COUNTY DRAIN COMMISSION STANDARDS FOR SUBDIVISION DRAINAGE.  
 D. BURIED POWER, TELEPHONE, CABLE T.V. AND GAS LINES WILL BE INSTALLED TO SERVICE EACH LOT. THE FRONT 10 FEET OF EACH LOT SHALL BE RESERVED FOR INSTALLATION OF BURIED LINES.  
 E. CONSTRUCTION WILL CONFORM TO ALL STATE AND LOCAL CODES, INCLUDING, BUT NOT LIMITED TO:  
 SOIL EROSION AND SEDIMENTATION CONTROL  
 PROTECTION OF REGULATED AREAS  
 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEMS (NPDES)  
 F. SIDEWALK CONSTRUCTION WILL BE DEFERRED.  
 G. STREET LIGHTS ARE PROPOSED TO BE CONSTRUCTED AT DEVELOPER'S EXPENSE.  
 H. CITY OF WYOMING IS PROPOSED TO OWN ALL STORMWATER MANAGEMENT FACILITIES WITHIN THE STREET R.O.W.S AND OWN STORM SEWER PIPING OUTSIDE STREET R.O.W.S.  
 I. EXISTING TEMPORARY DETENTION BASIN TO BE ABANDONED. PHASE III STORMWATER RUNOFF TO BE DIRECTED TO THE EXISTING REGIONAL DETENTION BASIN.

*John C. Bueche 2-4-2014*  
 JOHN C. BUECHE  
 PROFESSIONAL SURVEYOR, NO. 13027

**PRELIMINARY PLAT OF RIVERTOWN VALLEY III**  
 CITY OF WYOMING, MICHIGAN

- LEGEND**
- EXISTING SANITARY SEWER
  - EXISTING WATERMAIN
  - EXISTING STORM SEWER
  - PROPOSED SANITARY SEWER
  - PROPOSED WATERMAIN
  - PROPOSED STORM SEWER
  - PROPOSED DIRECTION OF DRAINAGE
  - 690.0' PROPOSED SPOT ELEVATION

PREPARED FOR:  
 T.M.G.B. WILSON  
 2221 HEALTH DRIVE, SW, SUITE 2200  
 WYOMING, MICHIGAN 48519

PREPARED BY:  
**Pathfinder**  
 Engineering, Inc.  
 795 Clyde Court S.W., Suite "C" Byron Center, MI 49315  
 Phone 1-616-878-3885 Fax 1-616-878-4559

DATE: 1-17-14 PROJECT NO: 13067  
 REVISED: 2-4-14

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 5192923-00012593 OVERALL.DWG 2/4/2014 10:28:11 AM EST

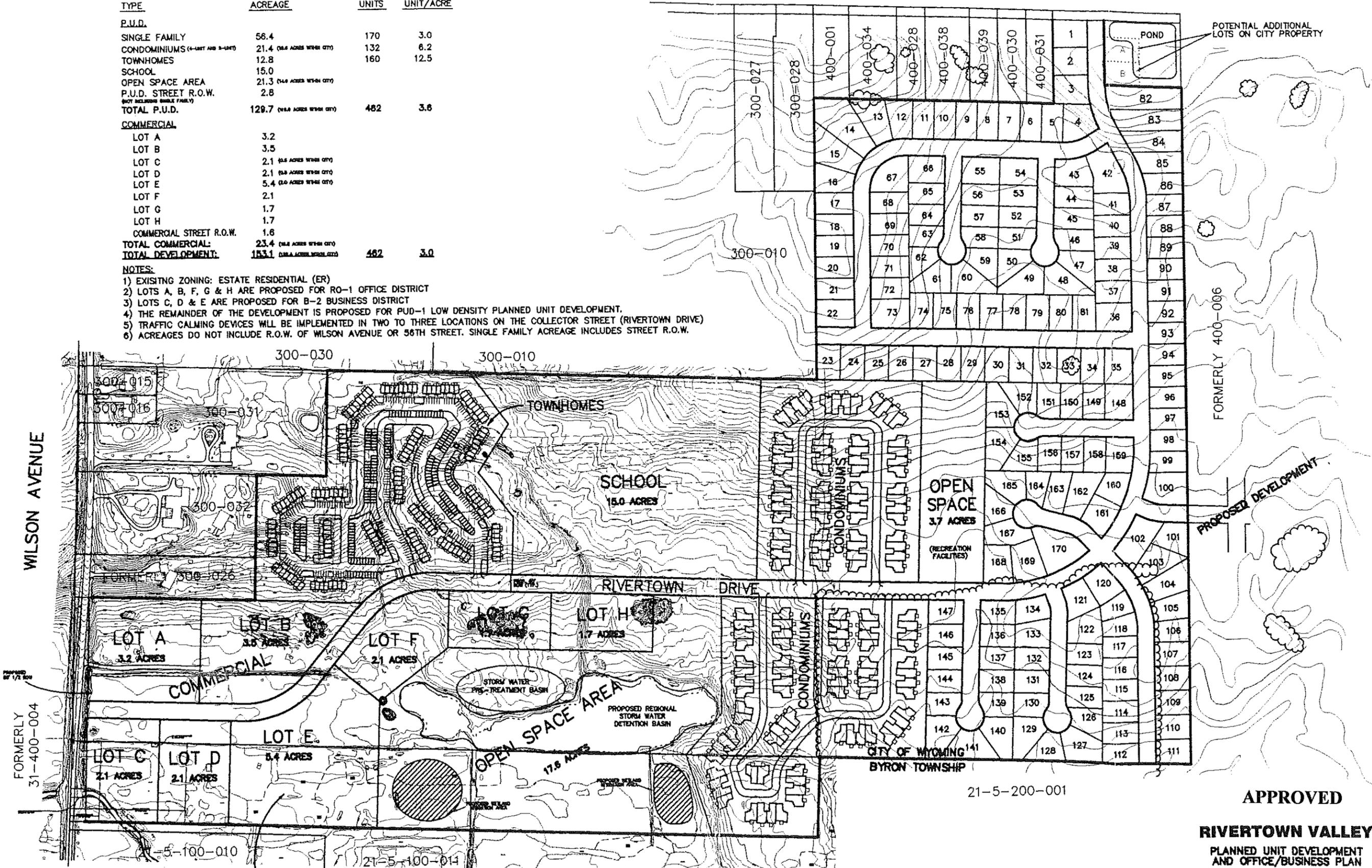
**DEVELOPMENT TABLE**

TYPE	ACREAGE	UNITS	UNIT/ACRE
<b>P.U.D.</b>			
SINGLE FAMILY	56.4	170	3.0
CONDOMINIUMS (4-UNIT AND 8-UNIT)	21.4 (16.6 ACRES WITHIN CITY)	132	6.2
TOWNHOMES	12.8	160	12.5
SCHOOL	15.0		
OPEN SPACE AREA	21.3 (14.8 ACRES WITHIN CITY)		
P.U.D. STREET R.O.W. (NOT INCLUDING SINGLE FAMILY)	2.8		
<b>TOTAL P.U.D.</b>	<b>129.7 (104.9 ACRES WITHIN CITY)</b>	<b>462</b>	<b>3.6</b>
<b>COMMERCIAL</b>			
LOT A	3.2		
LOT B	3.5		
LOT C	2.1 (16.6 ACRES WITHIN CITY)		
LOT D	2.1 (16.6 ACRES WITHIN CITY)		
LOT E	5.4 (16.6 ACRES WITHIN CITY)		
LOT F	2.1		
LOT G	1.7		
LOT H	1.7		
COMMERCIAL STREET R.O.W.	1.8		
<b>TOTAL COMMERCIAL:</b>	<b>23.4 (16.6 ACRES WITHIN CITY)</b>		
<b>TOTAL DEVELOPMENT:</b>	<b>153.1 (121.5 ACRES WITHIN CITY)</b>	<b>462</b>	<b>3.0</b>

**NOTES:**

- 1) EXISTING ZONING: ESTATE RESIDENTIAL (ER)
- 2) LOTS A, B, F, G & H ARE PROPOSED FOR RO-1 OFFICE DISTRICT
- 3) LOTS C, D & E ARE PROPOSED FOR B-2 BUSINESS DISTRICT
- 4) THE REMAINDER OF THE DEVELOPMENT IS PROPOSED FOR PUD-1 LOW DENSITY PLANNED UNIT DEVELOPMENT.
- 5) TRAFFIC CALMING DEVICES WILL BE IMPLEMENTED IN TWO TO THREE LOCATIONS ON THE COLLECTOR STREET (RIVERTOWN DRIVE)
- 6) ACREAGES DO NOT INCLUDE R.O.W. OF WILSON AVENUE OR 56TH STREET. SINGLE FAMILY ACREAGE INCLUDES STREET R.O.W.

56TH STREET



POTENTIAL ADDITIONAL LOTS ON CITY PROPERTY

FORMERLY 400-006

PROPOSED DEVELOPMENT

WILSON AVENUE

FORMERLY 31-400-004

PROPOSED 16.7 ACRES WITHIN BYRON TOWNSHIP

**APPROVED**

**RIVERTOWN VALLEY**

PLANNED UNIT DEVELOPMENT AND OFFICE/BUSINESS PLAN

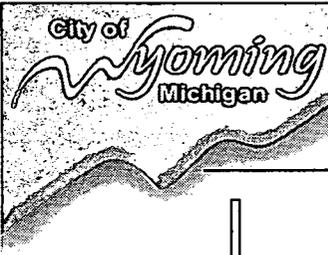
FOR T.M.G.B. WILSON LLC.

PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 SECTION 32, CITY OF WYOMING, TOWN & RANGE, RANGE 11 WEST, AND PART OF THE NORTHWEST 1/4 SECTION 3, BYRON TOWNSHIP, TOWN & RANGE, RANGE 12 WEST

Prepared by: *Frederick & Associates*

67704  
12/15/03





City Manager's Office

Telephone 616/530-7272

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

Web: www.wyomingmi.gov



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

March 3, 2014

Wyoming City Council  
Wyoming, Michigan

City Manager's Report No. 14-03

Subject: Acceptance of a Warranty Deed and Temporary Permit for  
Construction for 5715 Division Avenue, SW (5711, LLC)

Councilmembers:

David Hanenburg, Manager of 5711, LLC, owner of 5715 Division Avenue, SW, has submitted the following described Warranty Deed and Temporary Permit. The Warranty Deed conveys permanent right-of-way to the City of Wyoming for the additional street width required to widen Division Avenue to five lanes. The Temporary Permit will allow additional access for construction and grading purposes. The Warranty Deed and Temporary Permit areas are shown on the attached Estimate of Just Compensation drawing. Both acquisitions are for the reconstruction and widening of Division Avenue from 54<sup>th</sup> Street to 60<sup>th</sup> Street in 2015.

Grantor:	5711, LLC
Parent Parcel:	41-17-36-476-018
Right-of-way Size	510 sf – Land Acquisition – Warranty Deed 300 sf - Temporary Permit
Consideration:	\$14,638.13

It is recommended that the City Council accept the attached Warranty Deed and the Temporary Permit which have been approved as to form by the City Attorney.

Respectfully submitted,

Curtis L. Holt  
City Manager

Attachments: Warranty Deed  
Temporary Permit  
Estimate of Just Compensation

WARRANTY DEED

The Grantor, 5711, LLC, a Michigan limited liability company, whose address is 3603 Earle Avenue, SW, Grandville, Michigan 49418

DOES HEREBY CONVEY AND WARRANT TO

City of Wyoming, a Michigan Municipal Corporation whose address is 1155 28th Street, SW, Wyoming, Michigan 49509, the real property located in the City of Wyoming, County of Kent, and State of Michigan, known and described as follows:

See Exhibit "A" attached hereto for Warranty Deed Area, Warranty Deed Legal Description and Property Legal Description

for the full consideration of Eight Hundred Sixteen Dollars and No Cents (\$816.00)

This Warranty Deed is given to convey land for Public Right-of-Way, and is subject to easements and restrictions of record.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

The Grantor grants to the City of Wyoming the right to make zero (0) divisions under Section 108 of the Land Division Act, Act No. 288, of the Public Acts of 1967.

DATED: 2-6-14

Approved as a form:

[Signature]
Attorney for the City of Wyoming

GRANTOR:
5711, LLC, a Michigan limited liability company

[Signature]
By: DAVID HANENBURG
Its: MANAGER

STATE OF MICHIGAN )
)SS
COUNTY OF Kent )

The foregoing instrument was acknowledged before me in Kent County, Michigan on this 6th day of February, 2014, by David Hanenburg, Manager of 5711, LLC, a Michigan limited liability company.

[Signature]
John Jay Cooley, Notary Public
Kent County, Michigan
Acting in Kent County, Michigan
My Commission Expires: 3-29-18

Prepared by and after recording return to:
Deborah S. Poeder
Land Matters, llc
0-11230 Tallmadge Woods Drive
Grand Rapids, MI 49534

Legal Description Prepared by:
Michael Manning, PS
Meyers, Bueche & Nies, Inc.
1638 Leonard Street, NW
Grand Rapids, MI 49504

# EXHIBIT A

## PROPERTY LEGAL DESCRIPTION (41-17-36-476-018):

PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWN 6 NORTH, RANGE 12 WEST, CITY OF WYOMING, KENT COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING 699.5 FEET SOUTH OF THE EAST 1/4 CORNER OF SAID SECTION, WEST PARALLEL WITH THE EAST AND WEST 1/4 LINE 874.75 FEET TO THE EAST LINE OF RIGHT OF WAY OF THE MICHIGAN RAILWAY ENGINEERING COMPANY; THENCE SOUTH ALONG THE EAST LINE 290.5 FEET; THENCE EAST 878.2 FEET PARALLEL TO SAID EAST AND WEST 1/4 LINE, TO THE EAST SECTION LINE; THENCE NORTH TO THE BEGINNING, EXCEPT THE SOUTH 260.5 FEET OF THE EAST 343.0 FEET THEREOF.

## WARRANTY DEED LEGAL DESCRIPTION

THE EAST 50 FEET (PERPENDICULAR MEASUREMENT) OF THE FOLLOWING DESCRIBED PARCEL:

PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWN 6 NORTH, RANGE 12 WEST, CITY OF WYOMING, KENT COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING 699.5 FEET SOUTH OF THE EAST 1/4 CORNER OF SAID SECTION, WEST PARALLEL WITH THE EAST AND WEST 1/4 LINE 874.75 FEET TO THE EAST LINE OF RIGHT OF WAY OF THE MICHIGAN RAILWAY ENGINEERING COMPANY; THENCE SOUTH ALONG THE EAST LINE 290.5 FEET; THENCE EAST 878.2 FEET PARALLEL TO SAID EAST AND WEST 1/4 LINE, TO THE EAST SECTION LINE; THENCE NORTH TO THE BEGINNING, EXCEPT THE SOUTH 260.5 FEET OF THE EAST 343.0 FEET THEREOF.

EAST 1/4 CORNER SEC. 36

699.50'

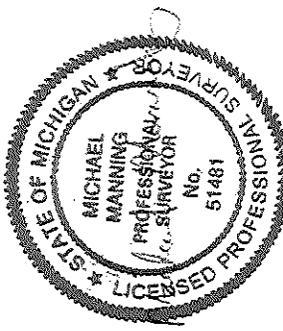
50.00' WIDE EASEMENT  
16.50' WIDE EASEMENT  
TO MICHIGAN BELL TEL. CO.  
LIBER 2218, PAGE 351

DIVISION AVE.

E. LINE SEC. 36

**mbn**

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



SCALE: 1"=100'

### LEGEND

- IRON STAKE (SET)
- IRON STAKE (FOUND)
- FENCE
- ▨ WARRANTY DEED AREA
- ▧ TEMPORARY PERMIT AREA

30' WIDE EASEMENT (#1)  
PER EASEMENT AGREEMENT  
LIBER 2084, PAGE 1237

874.75'

17.00'

343.0'

TEMPORARY PERMIT AREA

WARRANTY DEED AREA  
ADDITIONAL 17 FEET RIGHT OF WAY = 610 SQ. FT.  
EXISTING 33 FEET RIGHT OF WAY = 990 SQ. FT.

260.5'

5711 LLC  
41-17-36-476-018

290.5'

E. LINE OF R.O.W. MI  
RAILWAY ENG. CO.

343.0'

878.2'

33.00' EXISTING R/W

NOTE: IN OUR OPINION, EASEMENTS SPECIFIED IN #2 AND #3 OF THE EASEMENT AGREEMENT PER LIBER 2084, PAGE 1237 ARE NOT DESCRIBED SPECIFIC ENOUGH TO BE SHOWN ON SKETCH.

DATE: 11-25-13  
PROJECT NUMBER: 13028-5711

NOTE: PROPERTY LEGAL DESCRIPTION FROM TRANSNATION  
TITLE COMMITMENT-96334WMS (DATED 10-12-12)

**CITY OF WYOMING  
TEMPORARY PERMIT  
Parcel No. 41-17-36-476-018**

The Grantor, 5711, LLC, a Michigan limited liability company, whose address is 3603 Earle Avenue, SW, Grandville, Michigan 49418

**DOES HEREBY GRANT AND CONVEY TO:**

**CITY OF WYOMING**, a Michigan Municipal corporation, whose address is 1155 28<sup>th</sup> Street, SW, Wyoming, Michigan 49509, a Temporary Permit to change existing land contours, to remove trees and vegetation, and to construct and/or reconstruct side-slopes, service walks, sidewalks, driveways, parking lots, curb and gutter, and other facilities as required for the Division Avenue from 54<sup>th</sup> Street to 60<sup>th</sup> Street Reconstruction Project. All areas disturbed by the work in the Temporary Permit area will be properly restored. The Temporary Permit area is located on property in the City of Wyoming, County of Kent, State of Michigan, as follows:

See Exhibit A attached hereto for the Temporary Permit Area, Temporary Permit Legal Description, and Property Legal Description (Parcel No. 41-17-36-476-018)

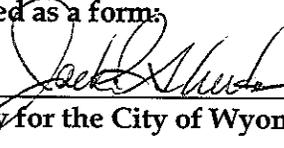
The Temporary Permit as referenced herein is granted and conveyed for the full consideration of Forty Eight Dollars and No Cents (\$48.00).

The Temporary Permit, including all rights granted or inferred, shall terminate upon completion of the Division Avenue from 54<sup>th</sup> Street to 60<sup>th</sup> Street Reconstruction Project, including restoration of the Temporary Permit Area.

**IN WITNESS, WHEREOF**, the undersigned have hereunto set their hand this day and year first above written.

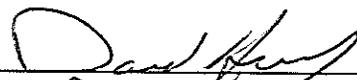
DATED: 2.10.14

Approved as a form:

  
\_\_\_\_\_  
Attorney for the City of Wyoming

**GRANTOR:**

5711, LLC, a Michigan limited liability company

  
\_\_\_\_\_  
By: David Hansen  
Its: manager

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

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

# EXHIBIT A

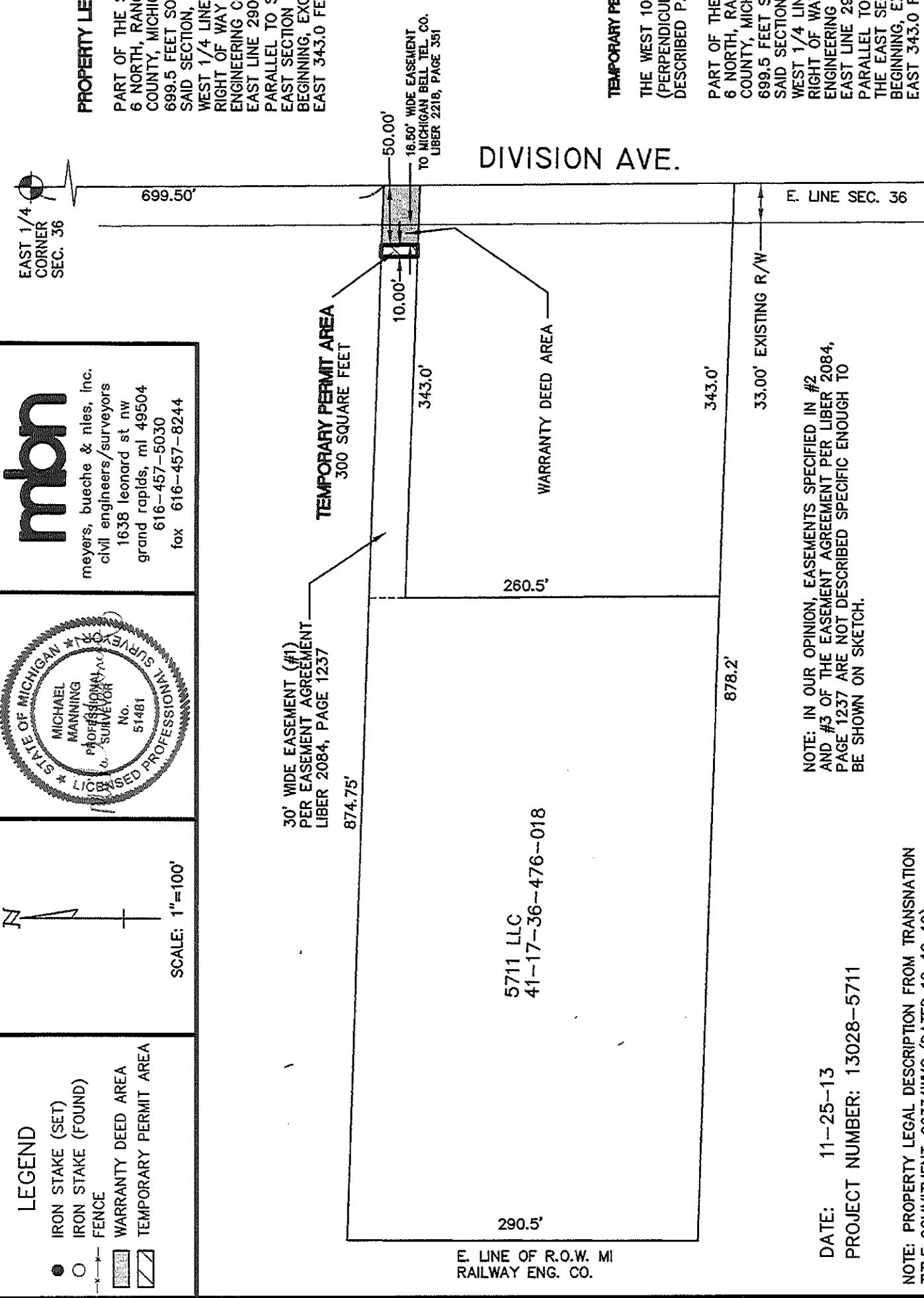
## PROPERTY LEGAL DESCRIPTION (41-17-36-476-018):

PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWN 6 NORTH, RANGE 12 WEST, CITY OF WYOMING, KENT COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING 699.5 FEET SOUTH OF THE EAST 1/4 CORNER OF SAID SECTION, WEST PARALLEL WITH THE EAST AND WEST 1/4 LINE 874.75 FEET TO THE EAST LINE OF RIGHT OF WAY OF THE MICHIGAN RAILWAY ENGINEERING COMPANY; THENCE SOUTH ALONG THE EAST LINE 290.5 FEET; THENCE EAST 878.2 FEET PARALLEL TO SAID EAST AND WEST 1/4 LINE, TO THE EAST SECTION LINE; THENCE NORTH TO THE BEGINNING, EXCEPT THE SOUTH 260.5 FEET OF THE EAST 343.0 FEET THEREOF.

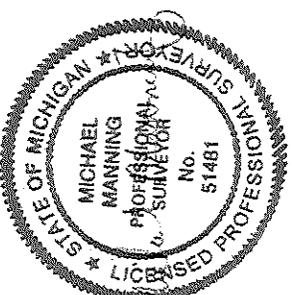
## TEMPORARY PERMIT LEGAL DESCRIPTION:

THE WEST 10 FEET OF THE EAST 60 FEET (PERPENDICULAR MEASUREMENT) OF THE FOLLOWING DESCRIBED PARCEL.

PART OF THE SOUTHEAST 1/4 OF SECTION 36, TOWN 6 NORTH, RANGE 12 WEST, CITY OF WYOMING, KENT COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING 699.5 FEET SOUTH OF THE EAST 1/4 CORNER OF SAID SECTION, WEST PARALLEL WITH THE EAST AND WEST 1/4 LINE 874.75 FEET TO THE EAST LINE OF RIGHT OF WAY OF THE MICHIGAN RAILWAY ENGINEERING COMPANY; THENCE SOUTH ALONG THE EAST LINE 290.5 FEET; THENCE EAST 878.2 FEET PARALLEL TO SAID EAST AND WEST 1/4 LINE, TO THE EAST SECTION LINE; THENCE NORTH TO THE BEGINNING, EXCEPT THE SOUTH 260.5 FEET OF THE EAST 343.0 FEET THEREOF.



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



SCALE: 1"=100'

- LEGEND**
- IRON STAKE (SET)
  - IRON STAKE (FOUND)
  - x-x- FENCE
  - ▨ WARRANTY DEED AREA
  - ▧ TEMPORARY PERMIT AREA

30' WIDE EASEMENT (#1)  
 PER EASEMENT AGREEMENT  
 LIBER 2084, PAGE 1237  
 874.75'

TEMPORARY PERMIT AREA  
 300 SQUARE FEET

5711 LLC  
 41-17-36-476-018

E. LINE OF R.O.W. MI  
 RAILWAY ENG. CO.

NOTE: IN OUR OPINION, EASEMENTS SPECIFIED IN #2  
 AND #3 OF THE EASEMENT AGREEMENT PER LIBER 2084,  
 PAGE 1237 ARE NOT DESCRIBED SPECIFIC ENOUGH TO  
 BE SHOWN ON SKETCH.

DATE: 11-25-13  
 PROJECT NUMBER: 13028-5711

NOTE: PROPERTY LEGAL DESCRIPTION FROM TRANSMATION  
 TITLE COMMITMENT-96334WMS (DATED 10-12-12)

# CITY OF WYOMING ESTIMATE OF JUST COMPENSATION

**PROJECT:** Reconstruction of Division Avenue from 54<sup>th</sup> Street to 60<sup>th</sup> Street

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

**SITE DATA:**

Permanent Parcel No.: 41-17-36-476-018

Parcel: 5711, LLC

Land Use: Commercial Size: 3.77 Ac (total)

Address: 5715 Division Avenue SW

Zoning: 201

<p><b>ACQUISITION DESCRIPTION:</b></p> <p>Square foot values based on Appraisal by Maturen &amp; Associates, Inc. Review Appraisal by R.S. Thomas &amp; Associates, Inc.</p> <p>Summary of Costs:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><u>Warranty Deed:</u> A generally rectangular parcel of land adjacent to the Division Avenue Right-of-Way as shown on sketch.</p> <p style="margin-left: 40px;">Area: 510 s.f. (Additional 17') 990 s.f. (Existing 33')</p> <p><u>Temporary Permit:</u> A generally rectangular parcel of land adjacent to the above referenced Warranty Deed Area.</p> <p style="margin-left: 40px;">Area: 300 s.f.</p> <p><u>Land Improvements (Asphalt):</u> Area: 510 s.f.</p> </div>	<p><b>SKETCH:</b></p>
---	-----------------------

<b>COMPUTATION OF VALUE:</b>	
LAND IMPROVEMENTS (ASPHALT)	<b>\$ 1,150.00</b>
RELOCATION OF SIGN (Including compliance with zoning regulations)	<b>\$ 12,624.13</b>
TEMPORARY PERMIT	<b>\$48.00</b>
<div style="display: flex; justify-content: space-between;"> <span>300 s.f. (Area) X</span> <span>\$0.16 /s.f</span> </div>	<b>\$48.00</b>
LAND ACQUISITION, WARRANTY DEED	<b>\$ 816.00</b>
<div style="display: flex; justify-content: space-between;"> <span>510 s.f. (Area) X</span> <span>\$1.60 / s.f.</span> </div>	<b>\$ 816.00</b>

REMARKS:

Signed:   
 Land Matters, llc  
 Deborah S. Poeder

For information call 616.791.9805

**\$ 14,638.13**

Agreed to by:   
 5711, LLC  
 By: DAVID HAVENBURG  
 Its: MANAGER



## Staff Report

Date: February 17, 2014  
Subject: Legal Publishing  
From: Heidi A. Isakson, City Clerk

Meeting Date: March 3, 2014

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### **Recommendation:**

It is recommended that the City Council cease using the Advance Newspapers for the publication of legal notices, begin using the Grand Rapids Press, adopt a budget amendment in the amount of \$10,000 to increase funding for legal publishing for FY 2014, and budget for increased funding in FY 2015. Since both newspapers were approved for legal publishing, no resolution is necessary. Adoption of the budget amendment would indicate Council approval of the change.

### **Sustainability Criteria:**

Environmental Quality – For the past several years, legal publishing requests submitted to the Clerk’s Office and forwarded to the newspapers have been in electronic form, reducing paper consumption.

Social Equity – The Advance Newspapers (Grand Valley and Southwest editions) are distributed free of charge to a majority of households in the City of Wyoming, and have publishing rates approximately 42% lower than the Grand Rapids Press. Use of the Advance Newspapers for most legal publishing reached the most Wyoming residents at the lowest cost. Unfortunately, changes in the publication date and deadline by the Advance Newspapers make it impossible to meet Charter requirements for legal publishing of minutes and ordinances, and would extend the time required to process applications to the Planning Commission and Board of Zoning Appeals. Also unfortunately, the necessary change to the Grand Rapids Press, the only alternative method of legal publishing, will result in fewer people receiving the information, at a higher cost.

Economic Strength – Costs for legal publishing, without accounting for fluctuations in the volume of required publishing, will increase approximately 73%. This increased spending is required to meet Charter requirements for legal publishing within certain time frames.

### **Discussion:**

Each fiscal year, we request bids from the Grand Rapids Press and The Advance Newspapers for legal publishing services. On July 1, 2014, the City Council adopted a resolution naming both newspapers as our “papers of record,” but the Advance Newspapers have been used for the vast majority of notices because of wider circulation and lower cost. At that time, the Advance notified us of a 9.6% increase in the rate for legal publishing compared to the previous year, and

a new \$10 charge for affidavits of publication. Affidavits of publication are evidence that required legal publishing has been done, and were previously provided without charge. A budget amendment adding \$5,500 to the previously estimated \$18,000 budget was approved at that time.

On February 7, 2014, we received notice from the Advance Newspapers that the publication date would change from Saturday to Sunday, and the deadline for submissions would change from Wednesday at noon (4 days lead time) to Friday at 5 p.m. one full week prior (10 days lead time). Since we are closed on Fridays, this is effectively 11 days lead time.

The effects of this change in publication day and submission lead time:

- We cannot meet Charter Section 7.3 and 7.4, the requirements for publishing ordinances after first and second reading.
- We cannot meet Charter Section 6.7(b), the requirements for publishing minutes.
- Depending on the timing of the application, an applicant's appearance before the Zoning Board of Appeals could be delayed by one meeting (meets twice a month).
- Depending on the timing of the application, an applicant's appearance before the Planning Commission could be delayed by one month (meets once a month).
- Council action to set a hearing for the budget would be required one month before the hearing, rather than two weeks.
- We publish notice of all hearings conducted by the City Council, even if there is not a legal requirement to do so. A hearing for a tax abatement, for example, is now published one week before the hearing; the changes at the Advance would mean the notice would be published the day before the hearing, or the hearing would have to be set two meetings in prior, rather than one.

We would consider publishing some items in the Advance Newspapers, when the timing is acceptable, and other items in the Grand Rapids Press, when it would be necessary to meet Charter requirements. I feel this would lead to confusion among residents and other readers as to where to find legal notices of any type on a consistent basis. I recommend we use just one newspaper, the Grand Rapids Press, for all legal publication.

We could consider asking the voters to change those provisions of the Charter with publishing requirements, to remove them, extend them, or allow alternative methods of notice.

Legislation has been considered several times in the past few years to expand the definition of communication methods that would meet publishing requirements for the more than 150 statutes that have them.

### **Budget Impact:**

Based on prior-year averages and the higher column inch charges for the Grand Rapids Press, our legal publishing costs will be approximately 73% higher with this change. We continue to examine the effect of having to pay for affidavits of publication (\$10 each), and whether we can eliminate this expense by relying on electronic tear sheets or other documentation of the publication.



2141 Port Sheldon St., Jenison, MI 49428 • Phone (616)669-2700

February 7, 2014

Dear City/Township,

Effective March 2, 2014 publication, the Advance Newspapers will have a Sunday publication date. Also, our deadlines will be changing. Legal notices will be due to the Advance Newspapers on Friday NOON, 10 days prior to publication date.

Enclosed is the Legal Cover Sheet with the new Legal Deadline. Also enclosed is the list of contact names and phone numbers you will want to keep for future references. Please share this information with other departments in your building that will send us legal notices during the year.

Thank you for publishing your legal advertising with the Advance Newspapers and we look forward to working with you in 2014.

Please feel free to call with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joel C. Holland', written over a large, stylized flourish.

Joel C. Holland  
Publisher  
Advance Newspapers  
616-209-0301 Direct  
Joel\_Holland@acsmi.com

RESOLUTION NO. 24535

RESOLUTION TO ACCEPT PROPOSALS FOR LEGAL ADVERTISING  
AND TO DESIGNATE THE CITY OF WYOMING'S  
OFFICIAL NEWSPAPERS OF RECORD

WHEREAS:

1. Proposals were received for legal advertising for the 2013-2014 fiscal year.
2. It is recommended the City Council accept the proposal received from the Advance Newspapers in the amounts listed below:

Southwest Advance	\$6.05 per column inch
Grand Valley Advance	\$6.05 per column inch
Affidavit Fee	\$10.00 (effective October 2013)

3. It is also recommended the City Council accept the proposal received from the Mlive Media Group for publishing certain legal notices to comply with time in the amounts listed below:

Daily	\$21.00 per column inch
Saturday	\$22.40 per column inch
Sunday	\$28.60 per column inch
Affidavit Fee	\$10.00

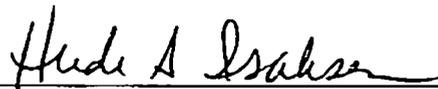
4. The attached budget amendment is necessary to provide funds for increased rates and affidavits of publication.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council does hereby accept the proposals from the Advance Newspapers and Mlive Media Group.
2. The City Council does hereby designate both the Advance Newspapers and the Mlive Media Group as the City's Official Newspapers of Record for the 2013-2014 fiscal year.
3. The City Council does hereby approve the attached budget amendment.

Moved by Councilmember:	Burrill	
Seconded by Councilmember:	Voorhees	
Motion Carried	Yes	5
	No	1 (Bolt)

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on July 1, 2013.

  
Heidi A. Isakson, Wyoming City Clerk

ATTACHMENTS:  
Proposals

Resolution No. 24535

**CITY OF WYOMING BUDGET AMENDMENT**

**Date: March 3, 2014**

**Budget Amendment No. 044**

**To the Wyoming City Council:**

A budget amendment is requested for the following reason: To appropriate \$856,700 of budgetary authority to provide funding for increased costs for Major and Local Street Winter Maintenance per attached staff report.

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
<b><u>Major Streets Fund</u></b>				
Public Works - Winter Maintenance - Salaries 202-441-47800-706.000	\$68,900	\$31,100		\$100,000
Public Works - Winter Maintenance - Salaries Temporary 202-441-47800-707.000	\$300	\$2,200		\$2,500
Public Works - Winter Maintenance - Salaries Overtime 202-441-47800-708.000	\$58,300	\$41,700		\$100,000
Public Works - Winter Maintenance - FICA 202-441-47800-715.000	\$9,760	\$5,800		\$15,560
Public Works - Winter Maintenance - Life Insurance 202-441-47800-717.000	\$100	\$100		\$200
Public Works - Winter Maintenance - Pension 202-441-47800-718.000	\$39,530	\$21,500		\$61,030
Public Works - Winter Maintenance - Pension DC Plan 202-441-47800-718.100	\$0	\$900		\$900
Public Works - Winter Maintenance - Pension DC Plan, Health 202-441-47800-718.200	\$0	\$300		\$300
Public Works - Winter Maintenance - Workers Compensation Insurance 202-441-47800-719.000	\$4,240	\$2,400		\$6,640
Public Works - Winter Maintenance - Operating Supplies 202-441-47800-740.000	\$307,200	\$95,600		\$402,800
Public Works - Winter Maintenance - Liability Insurance 202-441-47800-910.000	\$1,160	\$600		\$1,760
Public Works - Winter Maintenance - Motor Pool Rental Equipment Rental 202-441-47800-947.100	\$25,970	\$35,100		\$61,070
Public Works - Winter Maintenance - Motor Pool Rental Equipment Maintenance 202-441-47800-947.200	\$60,600	\$51,400		\$112,000
Public Works - Winter Maintenance - Motor Pool Rental Equipment Fuel 202-441-47800-947.300	\$21,600	\$35,500		\$57,100
Public Works - Winter Maintenance - Other Services 202-441-47800-956.000	\$1,000	\$1,000		\$2,000
Fund Balance/Working Capital (Fund 202)			\$ 325,200	
<b><u>Local Streets Fund</u></b>				
Public Works - Winter Maintenance - Salaries 203-441-47800-706.000	\$47,400	\$62,600		\$110,000
Public Works - Winter Maintenance - Salaries Temporary 203-441-47800-707.000	\$200	\$2,300		\$2,500
Public Works - Winter Maintenance - Salaries Overtime 203-441-47800-708.000	\$29,200	\$105,800		\$135,000

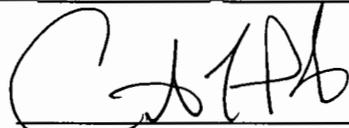
**CITY OF WYOMING BUDGET AMENDMENT**

**Date: March 3, 2014**

**Budget Amendment No. 044**

<u>Description/Account Code</u>	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Amended</u>
<b><u>Local Streets Fund, continued</u></b>				
Public Works - Winter Maintenance - FICA 203-441-47800-715.000	\$5,880	\$13,100		\$18,980
Public Works - Winter Maintenance - Life Insurance 203-441-47800-717.000	\$70	\$100		\$170
Public Works - Winter Maintenance - Pension 203-441-47800-718.000	\$23,820	\$50,000		\$73,820
Public Works - Winter Maintenance - Pension DC Plan 203-441-47800-718.100	\$0	\$1,700		\$1,700
Public Works - Winter Maintenance - Pension DC Plan, Health 203-441-47800-718.200	\$10	\$800		\$810
Public Works - Winter Maintenance - Workers Compensation Insurance 203-441-47800-719.000	\$2,630	\$5,400		\$8,030
Public Works - Winter Maintenance - Operating Supplies 203-441-47800-740.000	\$105,600	\$34,700		\$140,300
Public Works - Winter Maintenance - Liability Insurance 203-441-47800-910.000	\$800	\$1,100		\$1,900
Public Works - Winter Maintenance - Repairs and Maintenance 203-441-47800-930.000	\$40,000	\$40,000		\$80,000
Public Works - Winter Maintenance - Motor Pool Rental Equipment Rental 203-441-47800-947.100	\$29,400	\$35,100		\$64,500
Public Works - Winter Maintenance - Motor Pool Rental Equipment Maintenance 203-441-47800-947.200	\$49,100	\$113,900		\$163,000
Public Works - Winter Maintenance - Motor Pool Rental Equipment Fuel 203-441-47800-947.300	\$11,600	\$64,900		\$76,500
<b>Fund Balance/Working Capital (Fund 203)</b>			<b>\$531,500</b>	

Recommended:   
Finance Director

  
City Manager

Motion by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_ that the General Appropriations Act for Fiscal Year 2013-2014 be amended by adoption of the foregoing budget amendment.

Motion carried: \_\_\_\_\_ yeas, \_\_\_\_\_ nays

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

\_\_\_\_\_  
City Clerk

## STAFF REPORT

DATE: February 26, 2014  
SUBJECT: Budget Amendment, Winter Operations  
FROM: W. Scott Zastrow, Assistant Director of Public Works  
Date of Meeting: March 3, 2014

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### RECOMMENDATION

It is recommended that the City Council authorize a budget amendment of \$325,200 to the Major Street Fund, Winter Maintenance Activity, 202 441 47800, and a budget amendment of \$531,500 to the Local Street Fund, Winter Maintenance Activity, 203 441 47800.

### DISCUSSION

Currently we are in the midst of a record setting winter. Based on National Oceanic Atmospheric Administration records, we have received 103.9 inches of snowfall so far this winter. We anticipate finishing this winter with the second highest recorded snowfall in history. In addition to the snow fall, the air temperatures have been much below normal. The freezing temperature, combined with the above average snowfall, has resulted in much above average winter maintenance operations. Unfortunately a significant budget amendment is necessary for both the major and local street funds in order to continue our winter maintenance operations until spring.

To date, Wyoming has expended 100% of the Major Street Fund, Winter Maintenance budget and 146% of the Local Street Fund, Winter Maintenance budget.

	Budget	Expenses to Date	Estimated Expenses	Budget Amendment
Major Streets	\$ 617,900	\$ 614,300	\$ 943,100	\$325,200
Local Streets	\$ 362,700	\$ 581,400	\$ 894,200	\$531,500

Wyoming has received approximately 6,750 tons of its 7,150 ton allotment. There is approximately 4000 tons of salt in inventory, which should be sufficient for the remainder of the winter. Some of the other local agencies and businesses are beginning to see a shortage of salt and may struggle with deicing operations.

### BUDGET IMPACT

The \$856,700 in budget amendments will be taken from the existing fund balances. The Major Streets Fund Balance was approximately \$2,450,000 and the Local Street Fund Balance was approximately \$1,127,000 at the end of fiscal year 2013. The State of Michigan may give Wyoming approximately \$304,000 more for its street maintenance operations due to the severe winter weather.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF SYMPATHY TO THE FAMILY OF STEVE WILBER

WHEREAS:

1. Steve Wilber passed away on Friday, February 14, 2014.
2. He was a member of the Board of Review as the Public Accountant for sixteen years, giving generously of his time and talents.
3. His passing will be deeply felt by his family, relatives and friends.

NOW, THEREFORE, BE IT RESOLVED:

1. Mayor Jack A. Poll and the City Council, on behalf of the citizens of the City of Wyoming extend its deepest sympathy to his wife, Delores, children, relatives and friends.

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 March 3, 2014.

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF APPRECIATION TO ED EDWARDSON FOR HIS SERVICE  
AS A MEMBER OF THE HOUSING COMMISSION  
FOR THE CITY OF WYOMING

WHEREAS:

1. Ed Edwardson has served faithfully and effectively as a member of the Housing Commission since November 5, 2012.

NOW, THEREFORE, BE IT RESOLVED:

1. Council Members and citizens of the City of Wyoming wish to express their deep appreciation to Ed Edwardson for his dedicated service as a member of the Housing 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 March 3, 2014.

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO SET A PUBLIC HEARING FOR THE APPROVAL OF AN  
APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR  
DETAIL TECHNOLOGIES, LLC, IN THE CITY OF WYOMING

WHEREAS:

1. The City established Industrial Development District Number 253, under Act 198, Public Acts of 1974, as amended, by adopting Resolution Number 19774 on August 7, 2000.
2. Detail Technologies, LLC, has filed an application for an Industrial Facilities Exemption Certificate under Act 198 with respect to a new facility to be acquired and installed within Industrial Development District 253, with an estimated cost of \$5,000.00 for real property and \$993,000.00 for personal property to be located at 5900 Cross Roads Commerce Drive SW.
3. Act 198 requires the City to hold a public hearing on the approval of this application.

NOW, THEREFORE, BE IT RESOLVED:

1. A public hearing on whether to approve the application by Detail Technologies, LLC, for an Industrial Facilities Exemption Certificate shall be held at 7:01 p.m. on March 17, 2014, in the City Council Chambers, City Hall, 1155 28<sup>th</sup> Street SW, Wyoming, Michigan.
2. Notice of this hearing shall be given to the applicant, the City Assessor, and a representative of each affected taxing unit, and shall be published in a newspaper of general circulation in the City and posted in City Hall.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes  
                                  No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on March 3, 2014.

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

ATTACHMENT:  
Staff Report

Resolution No. \_\_\_\_\_

Staff Report

Date: 02/21/2014  
Subject: Detail Technologies, LLC  
From: Kelli VandenBerg, Assistant to the City Manager  
Meeting Date: March 3, 2014 City Council Meeting

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Recommendation:

Staff recommends a nine (9) year IFT abatement be granted to Detail Technologies, LLC based on the City of Wyoming's Economic Development Policy.

Sustainability Criteria:

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

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

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

Discussion:

Detail Technologies has been operating and growing in the City of Wyoming for 14 years and is requesting the approval of an Industrial Facilities Exemption Certificate (IFT). Staff has reviewed the IFT application, which is summarized below by facility:

Address of project:	5900 Cross Road Commerce Parkway SW Wyoming, MI 49519
Personal Property:	\$993,000.00
Real Property:	\$ 5,000.00
Estimated Jobs:	5 new jobs 48 retained jobs
Starting date of project:	October 2013

Detail Technologies, LLC seeks to increase production of the materials it supplies to the aerospace, medical, office furniture and automotive industries and intends to do so by

expanding its Cross Roads Commerce Parkway facility and adding additional equipment. This planned expansion will allow the company to increase production in order to support growing demand for its products and will require an additional 5 positions to support its operations.

**Budget Impact:**

The estimated first year tax savings for Detail Technologies, which is located in the Wyoming Public School District, is \$16,091.80.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO SET A PUBLIC HEARING FOR THE APPROVAL OF AN  
APPLICATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR  
METAL COMPONENTS, LLC, IN THE CITY OF WYOMING

WHEREAS:

1. The City established Industrial Development District Number 105, under Act 198, Public Acts of 1974, as amended, by adopting Resolution Number 11446 on May 6, 1985.
2. Metal Components, LLC, has filed an application for an Industrial Facilities Exemption Certificate under Act 198 with respect to a new facility to be acquired and installed within Industrial Development District 105, with an estimated cost of \$300,000.00 for real property and \$700,000.00 for personal property to be located at 3281 Roger B Chaffee Memorial Boulevard SW.
3. Act 198 requires the City to hold a public hearing on the approval of this application.

NOW, THEREFORE, BE IT RESOLVED:

1. A public hearing on whether to approve the application by Metal Components, LLC, for an Industrial Facilities Exemption Certificate shall be held at 7:02 p.m. on March 17, 2014, in the City Council Chambers, City Hall, 1155 28<sup>th</sup> Street SW, Wyoming, Michigan.
2. Notice of this hearing shall be given to the applicant, the City Assessor, and a representative of each affected taxing unit, and shall be published in a newspaper of general circulation in the City and posted in City Hall.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes  
                                  No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on March 3, 2014.

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

ATTACHMENT:  
Staff Report

Resolution No. \_\_\_\_\_

Staff Report

Date: 02/25/2014  
Subject: Metal Components, LLC  
From: Kelli Vandenberg, Assistant to the City Manager  
Meeting Date: March 3, 2014 City Council Meeting

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Recommendation:

Staff recommends a twelve (12) year IFT abatement be granted to Metal Components, LLC based on the City of Wyoming's Economic Development Policy.

Sustainability Criteria:

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

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

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

Discussion:

Metal Components has been operating and growing in the City of Wyoming for 32 years and is requesting the approval of an Industrial Facilities Exemption Certificate (IFT). Staff has reviewed the IFT application, which is summarized below by facility:

Address of project:	3281 Roger B. Chaffee Memorial Boulevard SW Wyoming, MI 49548
Personal Property:	\$700,000.00
Real Property:	\$300,000.00
Estimated Jobs:	1 new jobs 115 retained jobs
Starting date of project:	March 2014

Metal Components, LLC seeks this tax abatement to facilitate building renovations and to purchase additional equipment. This planned expansion will allow the company to increase

production in order to support growing demand for its products and will require one additional position to support its operations.

**Budget Impact:**

The estimated first year tax savings for Metal Components, which is located in the Godwin Public School District, is \$15,339.05.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO AUTHORIZE MEMBERS OF THE CITY COUNCIL TO ATTEND THE  
MICHIGAN MUNICIPAL LEAGUE 2014 CAPITAL CONFERENCE

WHEREAS:

1. The Michigan Municipal League 2014 Capital Conference will be held on March 18 and 19, 2014 and
2. It is the desire of the City Council that Wyoming be represented at the conference.

NOW, THEREFORE, BE IT RESOLVED:

1. That members of the Wyoming City Council are hereby authorized to attend the Michigan Municipal League 2014 Capital Conference in Lansing, Michigan on March 18 and 19, 2014 and
2. That Council members will submit their expense reports at the conclusion of the conference for approval at the next regular City Council meeting.

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 March 3, 2014.

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO WAIVE CERTAIN REQUIREMENTS OF THE CODE OF THE CITY OF WYOMING FOR PLAYWORLD UNLIMITED INC., CARNIVAL TO BE HELD AT THE LOEKS THEATRES, INC., PROPERTY FROM APRIL 11 – APRIL 20, 2014

WHEREAS:

1. Playworld Unlimited Inc. has submitted a request for a Carnival Permit.
2. Section 14-282 of the Code of the City of Wyoming allows the City Council to waive any of the restrictions of “DIVISION 3. CARNIVALS” if the sponsor is a nonprofit, religious, fraternal, school or community organization that has been established in the City for at least five years and a waiver is deemed to be in the best interest of the City.
3. Section 14-276 of the Code of the City of Wyoming states that the application must be accompanied by payment of all fees and bonds.
4. It has been deemed advisable by the Wyoming City Council to waive the fee requirements of Section 14-276.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby waive the fee requirement of Section 14-276 of the Code of the City of Wyoming and hereby allows Playworld Unlimited Inc., to hold a carnival April 11 – April 20, 2014.

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 March 3, 2014.

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

ATTACHMENTS:

Staff Report

Site Security Plan

Contract/Agreement

Resolution No. \_\_\_\_\_

## STAFF REPORT

Date: February 13, 2014

Subject: Wave Fees for Carnival

From: Jeffrey Anderson, Parks and Facilities Supervisor

Cc: Rebecca Rynbrandt, Director of Community Services

Meeting Date: March 3, 2014

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### RECOMMENDATION:

The City of Wyoming Parks and Recreation Department is sponsoring a carnival April 11-20 to raise funds for both department programs and the Greater Wyoming Community Resource Alliance, which provides scholarships for department programs and community grants. The carnival is run by Playworld Unlimited, Inc. who has operated the carnival, on behalf of the City, for the past 12 years in Wyoming. We have secured permission from Loeks Theaters to hold the carnival on the property behind the old Studio 28 Theater. We are requesting the City Council waive all fees for this event with the proceeds to be used for the Greater Wyoming Community Resource Alliance and the Parks and Recreation Department.

### SUSTAINABILITY CRITERIA:

Environmental Quality – The City of Wyoming through its Parks and Recreation Department are custodians of almost 700 acres of park lands and natural resources. This work is funded by the Parks and Recreation Millage, fundraising, and donations.

Social Equity – Funds raised by the carnival will allow for a greater level of access to scholarships and recreation services for disenfranchised populations within the community.

Economic Strength – With the partnership that has been created with Playworld Unlimited, they will provide twenty percent of the gross receipts of funding to be disbursed between the Parks and Recreation Department and the Greater Wyoming Community Resource Alliance, helping to maintain the financial viability of these programs and services.

### DISCUSSION:

The request to waive all fees will provide additional funding to be disbursed between the Parks and Recreation Department and the Greater Wyoming Community Resource Alliance. The proprietor will comply with all City ordinances and have the additional liability insurance required for a special event. They will also provide the required \$1,000 bond. We have secured

the required written permission from Loeks Theater. We have discussed the site approval with Jim DeLange, Chief Building Official, and the site security plan with Captain Kip Snyder and Fire Chief Bob Austin. Playworld Unlimited is a reputable carnival that has been in business for 30 years providing top quality rides.

**BUDGET IMPACT:**

The carnival allows for the attainment of budget goals related to fundraising. Expenses by the Parks and Recreation Department for set up and removal of security cattle fencing, and site security assistance during the carnival have already been budgeted for.

## Site Security Plan- Carnival 2014

The City of Wyoming Parks and Recreation will be sponsoring a carnival put on by Playworld Unlimited Inc. This will return a percentage of gross receipts back to the Parks and Recreation Department and the Greater Wyoming Community Resource Alliance. The carnival will operate from April 11 to April 20.

The event is located behind the old Studio 28 Theater. We have the written permission of Loeks Theaters and the hours of operation are as follows:

Monday --Thursday	4:00 - 10:00 pm
Fridays	12:00 - 11:00 pm
Saturdays	12:00 - 11:00 pm
Sundays	1:00 - 10:00 pm

### Security Plan:

There will be two Parks personnel assigned to the carnival for the ten days in which they are open. They will be identifiable with a Security safety vest and have no other duties with the carnival. They will be equipped with cell phones to contact Wyoming Police Department dispatch if necessary. We have reviewed and conferred with Captain Kip Snyder with the Wyoming Police Department and Fire Chief Bob Austin. The entire carnival will be enclosed with temporary cattle fencing provided by the Parks and Recreation Department.

Jeff Brady is the owner of Playworld Unlimited and will be the Emergency Contact. His cell phone number is 517-719-4937

Jeff Anderson  
Parks & Facilities Supervisor  
City of Wyoming  
893-2836

PLAYWORLD UNLIMITED, INC.  
7390 N. Winans Rd.  
ALMA, MICHIGAN 48801  
(989) 463-6043

CONTRACT AND AGREEMENT (1 YEAR TERM)

1. This agreement made and entered into this March 3, 2014, by and between PLAYWORLD UNLIMITED, INC of Alma, MI, also referred to in this contract as PLAYWORLD, and the CITY OF WYOMING, also referred to in this contract as SPONSOR, and LOEKS THEATRES, INC.

2. The sponsor will grant PLAYWORLD the exclusive privilege of amusement riding devices and concessions, which will be held on the following dates:

Commencing April 11, 2014 and ending April 20, 2014

Which will be held at the following location:

LOEKS THEATRES, INC. – 1400 28<sup>th</sup> Street SW, Wyoming, MI 49509

3. The SPONSOR will furnish PLAYWORLD with suitable locations, police or security protection, and any necessary city licenses.

4. The SPONSOR will furnish an area for a camp site for PLAYWORLD living quarters housing all employees.

5. PLAYWORLD agrees to pay the SPONSOR as follows:

20% of gross receipts of rides;

PLAYWORLD also agrees to pay LOEKS THEATRES, INC. as follows:

2.5% of gross receipts of rides.

6. PLAYWORLD agrees to furnish the SPONSOR and LOEKS THEATRES, INC. with an insurance certificate showing evidence of protection in the amount of \$3,000,000.00 satisfactory to the SPONSOR and LOEKS THEATRES, INC.

7. PLAYWORLD will provide top quality rides. All rides and concessions or shows will be under management and control of PLAYWORLD.

8. PLAYWORLD guarantees to keep their space occupied clean and neat throughout the event and to restore the site to the original condition upon their arrival.

9. All PLAYWORLD employees will wear uniforms including shirts/hats to be clearly identified during your event. They will be neat and clean at all times except for set up and tear down. All employees will be polite and mannerly to the public.

10. PLAYWORLD will provide customer services such as ticket sales, grounds clean up, hand sanitizing stations, photo opportunity boards, trash receptacles, electrical cable covers for safety, shade areas with bench seating, an office centrally located for sponsor and customer problem solving, and other services whenever space permits for these things.
11. It is specifically understood that nothing in this contract shall be construed as a partnership between the three parties. PLAYWORLD will operate as a separate contractor with each party being responsible for its separate debts, obligations, and other liabilities. All agree, however, to join hands in this contract to work together to make this event successful.
12. It shall be understood that in case of accidents, fire, floods, strikes, tornados, epidemic, governmental intervention, or any unforeseen occurrence over which the carnival has no control, PLAYWORLD shall not be held liable for any damages.
13. Any other additional terms, if any, will be attached on a separate page.
14. This contract, consisting of 2 (or more) pages, has been entered into and signed in triplicate this \_\_\_\_\_ day of \_\_\_\_\_ by all parties.

SPONSOR REPRESENTATIVES

PLAYWORLD UNLIMITED, INC.

\_\_\_\_\_  
CITY OF WYOMING –Representative

\_\_\_\_\_  
PLAYWORLD-President

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

LOEKS THEATRES, INC.

\_\_\_\_\_  
LOEKS THEATRES, INC.-Representative

\_\_\_\_\_  
Witness

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO AUTHORIZE PARTICIPATION IN THE  
REGIONAL STORM WATER POLLUTION PREVENTION INITIATIVE  
AND THE REGIONAL PUBLIC EDUCATION PLAN FOR THE  
NPDES PHASE II STORM WATER PERMIT FOR 2015-2016

WHEREAS:

1. The City of Wyoming has a NPDES Phase II Storm Water Permit issued by the Michigan Department of Natural Resources and Environment.
2. Said permit requires a Storm Water Pollution Prevention Initiative (SWPPI) and a Public Education Plan (PEP).
3. These two activities can be accomplished most efficiently and effectively on a regional basis.
4. The Grand Valley Metro Council offered to coordinate this regional effort on behalf of Wyoming and surrounding communities.
5. These costs can be financed from the Major and Local Street Fund accounts 202-441-46300-801.000 and 203-441-46300-801.000.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council hereby authorizes participation in the 2015-2016 Storm Water Pollution Prevention Initiative and the Regional Public Education Plan and approves payment each year in the amount of \$16,234 to the Grand Valley Metro Council.

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 March 3, 2014.

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

ATTACHMENT:

Spreadsheet

Resolution No. \_\_\_\_\_

Lower Grand River Watershed  
 NPDES Stormwater Regulations  
 January 1, 2014 to September 30, 2016

	Annual Fee
Cascade Charter Township	\$ 2,855
East Grand Rapids, City of	\$ 6,501
Ferrysburg, City of	\$ 6,362
Forest Hills Public Schools	\$ 6,115
Georgetown Charter Township	\$ 4,246
Grand Haven, City of	\$ 6,889
Grand Rapids, City of	\$ 23,925
Grand Rapids Charter Township	\$ 2,789
Grandville, City of	\$ 10,448
Hudsonville, City of	\$ 6,441
Kent County Drain Commissioner	\$ 19,829
Kent County Road Commission	\$ 15,653
Kentwood, City of	\$ 14,744
Ottawa County Administration and Water Resources Commissioner	\$ 3,580
Ottawa County Road Commission	\$ 968
Plainfield Charter Township	\$ 3,689
Rockford, City of	\$ 6,154
Sparta, Village of	\$ 6,115
Spring Lake, Village of	\$ 5,307
Walker, City of	\$ 13,621
Wyoming, City of	\$ 16,234

RESOLUTION NO. \_\_\_\_\_

RESOLUTION TO AUTHORIZE THE PURCHASE  
AND INSTALLATION OF A SLUDGE PUMP  
IN THE SOUTH TREATMENT FACILITY

WHEREAS:

1. As detailed in the attached Staff Report, quotations were received to purchase and install a new sludge pump in the South Treatment Facility.
2. It is recommended the quotation from Franklin Holwerda, Inc. in the amount of \$31,235.00 be accepted.
3. Adequate funds are available in account number 591-591-57300-986955 for the purchase and installation of the sludge pump.

NOW, THEREFORE, BE IT RESOLVED:

1. The Wyoming City Council does hereby authorize the purchase and installation of a sludge pump in the South Treatment Facility in the amount of \$31,235.00.
2. The Wyoming City Council does hereby waive the provisions of Sections 2-252, 2-253, 2-254 and 2-256 of the City Code regarding publication and posting of bid notices, notification of bidders and the bid opening procedure.

Moved by Councilmember:

Seconded by Councilmember:

Motion Carried        Yes  
                                  No

I hereby certify that the foregoing Resolution was adopted by the City Council for the City of Wyoming, Michigan at a regular session held on March 3, 2014.

ATTACHMENT:  
Staff Report

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

Resolution No. \_\_\_\_\_

## STAFF REPORT

Date: February 24, 2014  
Subject: South Treatment Sludge Pump  
From: Gerald Caron, Superintendent  
Meeting Date: March 3, 2014

---

### Recommendation:

It is recommended that the City Council authorize Franklin Holwerda, Inc. (FHC) to install a new six-inch Gorman Rupp sludge pump in the South Treatment Facility at the cost of \$31,235.00.

### Sustainability Criteria:

Environmental Quality – By installing this six-inch sludge pump, we are helping to ensure that the City of Wyoming and its customers have safe drinking water and fire protection.

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

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

### Discussion:

With the installation of the Gorman Rupp six-inch sludge pump the maintenance staff can clean and remove the sludge build-up in the three settling basins in the South Treatment Facility. Currently we need to hook up a large trash pump outside to pull the sludge out of the solid equalization basins. Since we typically perform this work in the winter months, we need to dedicate extra effort to keep the pump from being damaged by the freezing conditions.

With this in mind, we have requested quotes from two mechanical contractors. The quotes are as follows:

Allied Mechanical Services, Inc.	\$25,750.00
Franklin Holwerda, Inc.	\$31,235.00

Our recommendation is to authorize Franklin Holwerda, Inc., to install the new sludge pump at a cost of \$31,235.00. We recommend that we award this work to the FHC, who provided the higher quote, due to an unresolved contract dispute with Allied Mechanical Services, Inc., on another contract.

### Budget Impact:

Adequate funds are available in account 591-591-57300-986.955 for the purchase and installation of this pump.

attachment

cc: B. Dooley



MECHANICAL • SHEET METAL • FIRE PROTECTION • SERVICE

February 13, 2014

Rick Velderman  
City of Wyoming  
Water Treatment Plant

Dear Rick;

FHC is pleased to have the opportunity again to quote the following scope of work per our site visit last week. Upon your review of the scope of work below, if there are any questions please contact me at your convenience.

Project: The addition of one additional Gorman-Rupp Pump and associated process suction and discharge pipe.

**Scope of Work**

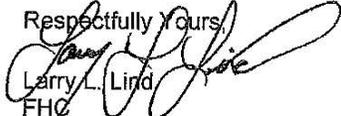
- Provide and install (1) new Gorman-Rupp model T6A3S-B - w/food grade oil.
- Provide and install (1) new concrete pump pad - 7" in height - includes grinding off existing floor finish, rebar, epoxy set, and pump anchors.
- Provide (1) concrete wall core for 6" discharge pipe - includes (1) set of Link-seal.
- Provide and install Ductile iron discharge piping - includes (1) 6" plug valve, (1) 6" Swing Check valve, fittings, pipe spools, pipe hangers/supports, and discharge pressure gauge assembly. Discharge pipe to stub out approximately 5 to 7 feet. Sidewalk demo/replacement and excavating to allow for the stub out is by others.
- Provide and install ductile iron suction piping at pump - includes (1) 6" pipe spool with PG tap, (1) 6x4 true wye, (2) 4" plug valves, (2) pipe floor supports, and (1) suction PG assembly.
- Provide and install to insure proper fit, PVC sch 80 suction pipe spool sections. FHC to re-use existing 4" PVC piping where appropriate. PVC VS flange ring to have Galv. backer plates, new zinc hardware and new NRR gaskets.
- Provide and install water flush line to a tap provided on the discharge vertical spool piece - includes pipe armaflex insulation.
- Provide and install a third pump suction location - includes demo of existing 6" Vic 90, rework existing grv spool, rework existing concrete pipe support, add (1) 6" Vic Tee, (1) 6" Vic Plug Valve, (1) 6 x 4 vic reducer (1) GRV Flg Adapter, (1) PVC Bld Flg, and 4" PVC sch 80 pipe and fittings to connect to suction piping.

**Not Included**

- Electrical.
- Painting.
- Pipe supports for PVC piping.
- Any work outside the building.

Cost for the scope of work as described above is ..... **\$31,235.00**

Add \$645.00 if a DeZurik GRV Plug valve is preferred over the Victaulic Plug Valve.

Respectfully Yours,  
  
Larry L. Lind  
FHC

RESOLUTION NO. \_\_\_\_\_

RESOLUTION FOR AWARD OF BIDS

WHEREAS:

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

NOW, THEREFORE, BE IT RESOLVED:

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

Item	Recommended Bidders	Cost
Shredded Bark	Superior Ground Cover, Inc. and Brink Wood Products, Inc.	Bid prices as shown on the attached tabulation sheet
Fertilizer	BFG Supply Company	Bid prices as shown on the attached tabulation sheet

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 March 3, 2014.

ATTACHMENTS:  
Staff Reports  
Tabulation Sheets

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

Resolution No. \_\_\_\_\_

## STAFF REPORT

DATE: February 26, 2014  
SUBJECT: Shredded Bark  
FROM: Jeff Anderson, Parks & Facilities Supervisor  
CC: Rebecca Rynbrandt, Director of Community Services  
MEETING DATE: March 3, 2014

### RECOMMENDATION:

It is recommended that the bid for shredded bark be awarded to the low bidders, Superior Ground Cover, Inc. and Brink Wood Products, Inc.

### SUSTAINABILITY CRITERIA:

Environmental Quality – The City uses shredded bark as mulch, to retain soil moisture and to help with weed prevention around the trees and shrubs in the Parks and other City Facilities. ADA compliant playground bark will be used in the Parks playground areas to comply with safety standards.

Social Equity – Does not significantly impact social equity.

Economic Strength – Well maintained properties have a positive direct impact on property values.

### DISCUSSION:

Bids were requested to provide shredded bark for the City's facilities and parks. Three bids were received, forty-three invitations were sent to prospective bidders.

It is recommended that the bid for shredded bark be awarded to the low bidders, Superior Ground Cover, Inc. and Brink Wood Products, Inc. based on bid price, bid price to blow bark into location and minimum truckload with no delivery charges.

### BUDGET IMPACT:

Funds for the purchase of the shredded bark are budgeted in various departmental accounts with the appropriate account being charged at the time of requisition. It is estimated the annual expenditure for shredded bark will total approximately \$11,000.00.

**CITY OF WYOMING, MICHIGAN**

**TABULATION OF BIDS**

**On Shredded Bark**

Opened By City Clerk On February 11, 2014 At 11:00 a.m.

All bid prices reduce to net. All bid prices shown are firm for orders placed within one year from date of award of bid unless otherwise noted.

	Miracle Midwest				Superior Groundcover Inc.				Brink Wood Products, Inc.			
	Bid Price (cu. yd.)	Bid Price (cu. yd.) to blow bark into location	Minimum Truckload Per Delivery (No Delivery Charges) (cu. yd.)	Delivery Charge for Deliveries Under the Minimum Truckload	Bid Price (cu. yd.)	Bid Price (cu. yd.) to blow bark into location	Minimum Truckload Per Delivery (No Delivery Charges) (cu. yd.)	Delivery Charge for Deliveries Under the Minimum Truckload	Bid Price (cu. yd.)	Bid Price (cu. yd.) to blow bark into location	Minimum Truckload Per Delivery (No Delivery Charges) (cu. yd.)	Delivery Charge for Deliveries Under the Minimum Truckload
<b>Delivered to any job site in the: CITY OF WYOMING</b>												
Hardwood (Brown) Shredded Bark					\$17.00	\$37.00	None		\$ 16.50	\$38.50	70 Yards	\$ 45.00
Red Enhanced Colored Bark					\$22.00	\$42.00	None		\$ 21.00	\$43.00	70 Yards	\$ 45.00
ADA Approved Playground Wood Chips	\$ 15.00		50	\$100 per delivery	\$13.50	\$23.00	None		\$ 13.00	\$22.00	70 Yards	\$ 45.00
<b>Delivered to: DRINKING WATER PLANT - 16700 NEW HOLLAND, HOLLAND, MI</b>												
Hardwood (Brown) Shredded Bark					\$17.00	\$37.00	None		\$ 16.50	\$38.50	70 Yards	\$ 60.00
Red Enhanced Colored Bark					\$22.00	\$42.00	None		\$ 21.00	\$43.00	70 Yards	\$ 60.00
ADA Approved Playground Wood Chips	\$ 15.00		50	\$100 per delivery	\$13.50	\$23.00	None		\$ 13.00	\$22.00	70 Yards	\$ 60.00
<b>Delivered to any job site in the: CITY OF KENTWOOD</b>												
Hardwood (Brown) Shredded Bark					\$17.00	\$37.00	None		\$ 16.50	\$38.50	70 Yards	\$ 45.00
Red Enhanced Colored Bark					\$22.00	\$42.00	None		\$ 21.00	\$43.00	70 Yards	\$ 45.00
ADA Approved Playground Wood Chips	\$ 15.00		50	\$100 per delivery	\$13.50	\$23.00	None		\$ 13.00	\$22.00	70 Yards	\$ 45.00

## STAFF REPORT

DATE: February 26, 2014  
SUBJECT: Fertilizer  
FROM: Jeff Anderson, Parks & Facilities Supervisor  
CC: Rebecca Rynbrandt, Director of Community Services  
MEETING DATE: March 3, 2014

### RECOMMENDATION:

It is recommended that the bid for fertilizer be awarded to BFG Supply Company indicated on the attached tabulation sheet.

### SUSTAINABILITY CRITERIA:

Environmental Quality – The City uses fertilizer to maintain the City’s parks and property.

Social Equity – Does not significantly impact social equity.

Economic Strength – Well maintained properties have a positive direct impact on property values.

### DISCUSSION:

Bids were requested to provide fertilizer for the City’s Parks and Facilities. Three bids were received, thirty-seven invitations were sent to prospective bidders.

It is recommended the bid be awarded to the lowest bidder BFG Supply Company for each type of fertilizer on the attached tabulation sheet based on the type of fertilizer, analysis, square foot per bag, minimum truckload and delivery charges.

### BUDGET IMPACT:

Funds for the purchase of the fertilizer are budgeted in various departmental accounts with the appropriate account being charged at the time of requisition. It is estimated the annual expenditure for fertilizer will total approximately \$7,500.00.

**CITY OF WYOMING, MICHIGAN**

**TABULATION OF BIDS**

**On Fertilizer**

Opened By City Clerk On February 11, 2014 At 11:00 a.m.

All bid prices reduce to net. All bid prices shown are firm for orders placed within one year from date of award of bid unless otherwise noted.

	Lowes Home Improvement Warehouse				BFG Supply Company				Tri-Turf			
	Price (Per Bag)	Size of Bag (Weight)	Square Foot Per Bag	Mfg.	Price (Per Bag)	Size of Bag (Weight)	Square Foot Per Bag	Mfg.	Price (Per Bag)	Size of Bag (Weight)	Square Foot Per Bag	Mfg.
23-0-8 Weed and Feed with Three Way Herbicide or equal					<b>\$16.88</b>	40 lbs.	10,000	Knox Fertilizer	<b>\$ 21.21</b>	50 lbs.	12,500	EC Grow
Substitute					15-0-5 w/Viper				22-0-5			
Percentage of Urea Nitrogen:					15.0%				22.0%			
Percentage of Slowly Available Urea Nitrogen:					3.8%				30.0%			
Soluble Potash:					5.0%				5.0%			
Free Sulfur:												
Chlorine Max:					5.0%							
19-0-6 Dimension 0.10% plus Fertilizer or equal					<b>\$17.12</b>	50 lb.	12,500	Knox Fertilizer	<b>\$ 20.35</b>	50 lb.	12,500	Andersons
Substitute					19-0-5 .1% Dimension				18-0-4 (1.03 Dimension, 25% Nutrisphere)			
Percentage of Urea Nitrogen:					19.0%				18.0%			
Percentage of Slowly Available Urea Nitrogen:					6.6%				25.0%			
Soluble Potash:					5.0%				4.0%			
Sulfur Total:												
Chlorine Max:					5.0%				3.419			
30-0-7 Professional Turf Fertilizer or Equal	<b>\$21.66</b>	50 lbs.	15,000	Gro-Tech Inc. & Sta-Green	<b>\$16.50</b>	50 lb.	20,000	Knox Fertilizer	<b>\$ 17.87</b>	50 lb.	16,500	EC Grow
Substitute	29-0-5				30-0-6				33-0-5			
Percentage of Slow Release Nitrogen:	6.80%				50.00%				100.00%			
Percentage of Slowly Available Urea Nitrogen:	13.00%				15.00%							
Nitrogen Total:	0.87				30.00%				33.00%			
Sulfur Total:												
Iron Total:	2.00								2.00%			
Chlorine Max:					6.00%				4.24%			
Minimum Truckload Quantity deliveries required (# of bags per delivery)	<b>50</b>				<b>1</b>				<b>1</b>			
Additional delivery charge for deliveries that fall below the minimum requirements	<b>\$20.00</b>				<b>\$50.00 Stop Charge</b>				<b>\$15.00 Stop Charge</b>			

ORDINANCE NO. 3-14

AN ORDINANCE TO AMEND SECTION 90-32 OF THE CODE  
OF THE CITY OF WYOMING BY ADDING  
SUBSECTION (95) THERETO

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 90-32 of the Code of the City of Wyoming is hereby amended by adding Subsection (95) thereto, to read as follows:

- (95) To rezone the 28<sup>th</sup> Street corridor from Clyde Park Avenue to Burlingame Avenue from DC Downtown Center, B-3 Planned Business, B-2 General Business and R-2 Single Family Residential to Form Based Code

LEGAL DESCRIPTION:

That part of Section 11 and Section 14, all of Town 6 North, Range 12 West, City of Wyoming, Kent County, Michigan, described as: Beginning at the SW corner of Section 11 and the NW corner of Section 14 (28<sup>th</sup> Street); thence North along said West line of Section 11 (Burlingame Avenue) to a point 716.13 feet North of the SW corner of Section 11; thence East parallel with the S 1/8 line of Section 11, 506.56 feet; thence Southeasterly 70.71 feet to a point on the East line of the West 557.0 feet of the W 1/2 of the SW 1/4 of Section 11; thence South along said East line to a point on the North line of the South 475.0 feet of the W 1/2 of the SW 1/4 of Section 11; thence East along said North line, 212.0 feet to a point on the West line of the East 220.0 feet of the W 3/4 of the S 1/2 of the SW 1/4 of the SW 1/4 of Section 11; thence North along the said West line to a point on the North line of the SE 1/4 of the SW 1/4 of the SW 1/4 of Section 11; thence East along said North line to a point on the East line of the SW 1/4 of the SW 1/4 of Section 11; thence North along said East line to a point on the North line of the South 754.3 feet of the SE 1/4 of the SW 1/4 of Section 11; thence East along said North line to a point on the East line of the West 231.0 feet of the SE 1/4 of the SW 1/4 of Section 11; thence South along said East line to a point on the North line of South 708.0 feet of the SE 1/4 of the SW 1/4 of Section 11; thence East along said North line to a point on the West line of the East 202.0 feet of the W 1/2 of the SE 1/4 of the SW 1/4 of Section 11; thence South along said West line to the point of intersection with the South line of Lot 19 of Madelyn Plat No. 1 extended West; thence East to the SW corner of said Lot 19; thence East along the South line of said Lot 19 to a point on the West line of Lot 18 of Madelyn Plat No. 1; thence South to the SW corner of Lot 16 of Madelyn Plat No. 1; thence Northeasterly to the SE corner of said Lot 16; thence Southerly and Easterly along the Westerly and Southerly right-of-way line of Madelyn Drive to the West right-of-way line of DeHoop Avenue; thence East on said Southerly right-of-way line extended to a point on the North-South 1/4 line of Section 11 (DeHoop Avenue); thence North along said North-South 1/4 line of Section 11 to the point of intersection with the South line of Lot 1 of Sherwood Forest extended West; thence East along the South line of Sherwood Forest to a point on the East line of West 250.0 feet of the SW 1/4 of the SE 1/4 of Section 11; thence South along said East line to a point on the North line of the South 891.0 feet of the SW 1/4 of the SE 1/4 of Section 11; thence East 60.0 feet along said North line to a point on the East line of the West 310.0 feet of the SW 1/4 of the SE 1/4 of Section 11; thence South along the said East line to the point of intersection with the North line of Lot 8 of

Lenger Plat extended West; thence East to the NW corner of said Lot 8; thence South to the SW corner of Lot 10 of Lenger Plat; thence East to the SE corner of Lot 10 of Lenger Plat and the West right-of-way line of Doncaster Avenue; thence South along said West right-of-way line 15.0 feet; thence East to a point on the East right-of-way line of Doncaster Avenue, said point lying 15.0 feet South of the SW corner of Lot 2 of the Lenger Plat; thence North along said East right-of-way line 15.0 feet to the SW corner of said Lot 2; thence East to the SE corner of said Lot 2 and West line of Sherwood Forest No. 1; thence South to the SW corner of said Sherwood Forest No. 1; thence East to the SE corner of Sherwood Forest No. 1; thence North along the East line of Sherwood Forest No. 1 to a point on the North line of the South 75.0 feet of the W  $\frac{1}{2}$  of the E  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 11; thence East along said North line to a point on the East line of the W  $\frac{1}{2}$  of the E  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 11; thence North along said East line to a point on the North line of the South 85.0 feet of the E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 11; thence East along said North line to a point on the West line of Clyde Park Hills; thence North to the NW corner of Lot 113 of Clyde Park Hills; thence East to NE corner of said Lot 113; thence East on North line of said Lot 113 extended to a point on the West line of Lot 142 of Clyde Park Hills; thence South to the NW corner of said Lot 143; thence East to NE corner of said Lot 143; thence Northeasterly to the most Northerly corner of Lot 148 of Clyde Park Hills; thence Southeasterly to the Northeasterly corner of said Lot 148; thence Southeasterly to the NW corner of Lot 87 of Clyde Park Hills; thence Southerly along the Easterly right-of-way line of Longfellow Avenue to a point 35.0 feet Northerly of the SW corner of Lot 88 of Clyde Park Hills; thence Southeasterly to a point on the East line of said Lot 88, halfway between the NE corner and the SE corner of said Lot 88; thence South to the NW corner of Lot 73 of Clyde Park Hills; thence East to the NE corner of said Lot 73; thence Easterly to the NW corner of Lot 62 of Clyde Park Hills; thence East to the NE corner of Lot 41 of Clyde Park Hills; thence South to the NE corner of said Lot 40; thence Easterly to the NW corner of Lot 31 of Clyde Park Hills; thence East to the NE corner of said Lot 31; thence North to the NW corner of Lot 9 of Clyde Park Hills; thence East to the NE corner of said Lot 9; thence East on the North line of said Lot 9 extended to the point of intersection with the East line of Section 11 (Clyde Park Avenue) and the West line of Section 12; thence South along said East line of Section 11 to the SE corner of Section 11 and the NE corner of Section 14 (28<sup>th</sup> Street); and continuing South along the East line of Section 14 to the centerline of Canterbury Street; thence West along said centerline of Canterbury Street to its point of intersection with the extended West line of Lot 94 of Rogers Height Plat No. 2; thence North along said extended West line to the NW corner of said Lot 94, thence West along the North line of Rogers Height Plat No. 2 and the extension thereof to a point lying 20 feet West of the NW corner of Lot 114 of Rogers Height Plat No. 2; thence South parallel with and 20 feet West of the West Lot line of said Lot 144 to the centerline of Canterbury Street; thence West along the centerline of Canterbury Street to the centerline of Rogers Lane; thence South along the centerline of Rogers Lane to the centerline of Colrain Street; thence West along the centerline of Colrain Street to the West line of Lot 423 of Rogers Height Plat No. 9; thence North along said line to the North line of Rogers Height Plat No. 9, thence West said North line to the centerline of Michael Avenue; thence South along the centerline of Micheal Avenue to the centerline of Prairie Parkway; thence Westerly along the centerline of Prairie Parkway to the centerline of Burlingame Avenue; thence North along the centerline of Burlingame Avenue to the NW corner of Section 14 and the SW corner of Section 11 (28<sup>th</sup> Street) and the Place of Beginning.

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

I hereby certify that the above-entitled Ordinance was adopted by the City of Wyoming at a regular session of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Heidi A. Isakson, Wyoming City Clerk

January 28, 2014

[www.wyomingmi.gov](http://www.wyomingmi.gov)

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

Ms. Heidi A. Isakson  
City Clerk  
Wyoming, MI

Subject: Request to rezone the 28<sup>th</sup> Street corridor from Clyde Park Avenue to Burlingame Avenue from DC Downtown Center, B-3 Planned Business, B-2 general Business and R-2 Single Family Residential to Form Based Code.

Recommendation: To approve the proposed rezoning.

Dear Ms. Isakson:

The above referenced request was reviewed by the Wyoming Planning Commission at its regular meeting on January 21, 2013. A motion was made by Hegyi, supported by Micele, to recommend to City Council approval of the proposed rezoning. After discussion the motion passed unanimously. While a more detailed review is available in the Planning Commission minutes, the following is provided as basic background information:

On March 5, 2012, the City Council approved the Turn On 28<sup>th</sup> Street Corridor Sub Area Plan as an amendment to the City of Wyoming Land Use Plan 2020. The Sub Area Plan was the culmination of a two year transparent and inclusive community effort to re-imagine a one mile section of 28<sup>th</sup> Street between Clyde Park Avenue and Burlingame Avenue. The Sub Area Plan strives to guide the City by establishing a practical strategy to transform the aged commercial corridor into a vibrant, inviting, and sustainable mixed use district.

In order to implement the Sub Area Plan, new zoning codes were required to articulate set standards to the business community what was desired. Conventional zoning codes were recognized as being inadequate to properly articulate the placement of buildings, their appearance and the mixture of uses necessary for place making and being an economic development tool. Shortly after adoption of the Sub Area Plan. a City Council appointed Steering Committee was established to work with the consulting firms of Nederveld and Williams & Works and City staff to develop an appropriate Form Based Code (FBC) to establish, under law, these requirements.

After a year of development, the draft FBC was completed and adopted by the Steering Committee. The FBC's provisions are unique. Rather than utilize text almost exclusively, the FBC uses extensive graphics and pictures along with the text to articulate the requirements to be very user friendly. The FBC identifies six

context zones within the 28th Street corridor (see attached exhibit), each with specific building design options, placements and uses. The FBC permits a wide range of land uses from a traditional downtown, retail, offices, educational, multifamily and single family residences. The FBC is structured to streamline the approval process by providing administrative approvals for projects meeting the specified project design options. The FBC also establishes specific street design standards to properly connect the public realm of streets and sidewalks with the buildings fronting upon them. This connectivity of buildings, mixed uses and public spaces is what creates vibrant place making. The FBC goes further by establishing maximum parking and shared parking standards. The combination of building and parking alternatives allows developers to achieve greater use of their properties.

On October 15, 2013 the Planning Commission recommended adoption of the FBC to the City Council. On December 16, 2013 the City Council adopted the FBC in final reading. Immediately thereafter, the process of rezoning the subject one mile corridor was initiated, with notices sent to all affected property owners and occupants, as well as those within 600 feet.

The FBC conforms to the City of Wyoming Sustainability Principals: Specifically, the proposed rezoning will establish the development and land use controls necessary for the redevelopment of this aging commercial corridor. A long term sustainable future is envisioned through new development that promotes greater walkability, far ranging building use opportunities and a greater economic vibrancy through the relation of buildings and their uses.

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

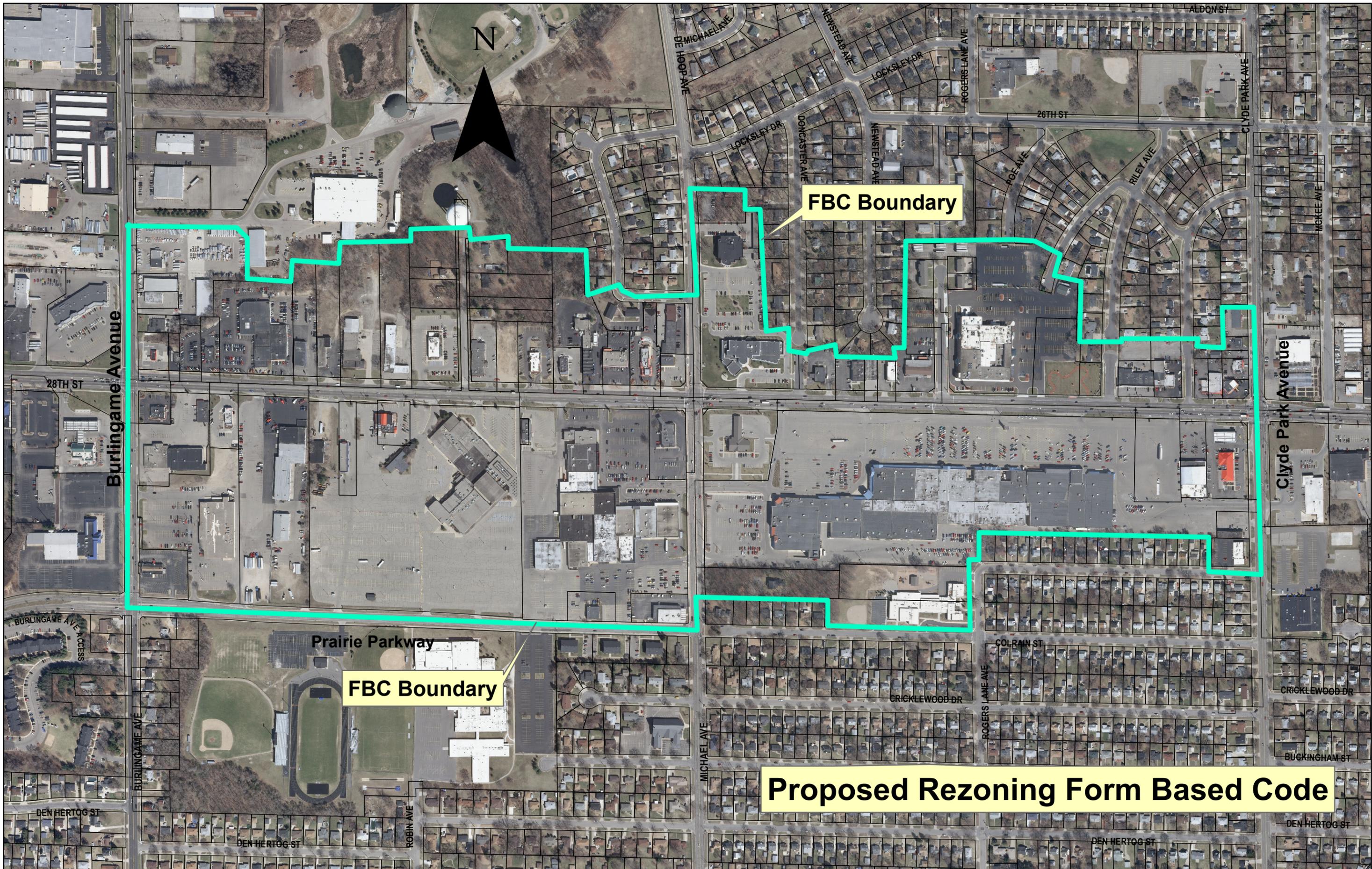
At the public hearing, five nearby residents spoke. Their concern was primarily what impact the proposed rezoning would have on their property values. A motion was made by Hegyi, supported by Micele, to recommend to the City Council approval of the proposed rezoning. After discussion, the motion passed unanimously.

Respectfully submitted,



Timothy Cochran, City Planner  
Planning and Development Department

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



N

FBC Boundary

Prairie Parkway  
FBC Boundary

Proposed Rezoning Form Based Code

Burlingame Avenue

Clyde Park Avenue

28TH ST

26TH ST

ALDON ST

BURLINGAME AVE ACCESS

Prairie Parkway

COLRAIN ST

CRICKLEWOOD DR

CRICKLEWOOD DR

BUCKINGHAM ST

DEN HERTOOG ST

DEN HERTOOG ST

ROBIN AVE

MICHAEL AVE

ROGERS LANE AVE

DEN HERTOOG ST

DEN HERTOOG ST

DE HOOP AVE

LOCKSLEY DR

NEWSHEAD AVE

LOCKSLEY DR

ROGERS LANE AVE

NEWSHEAD AVE

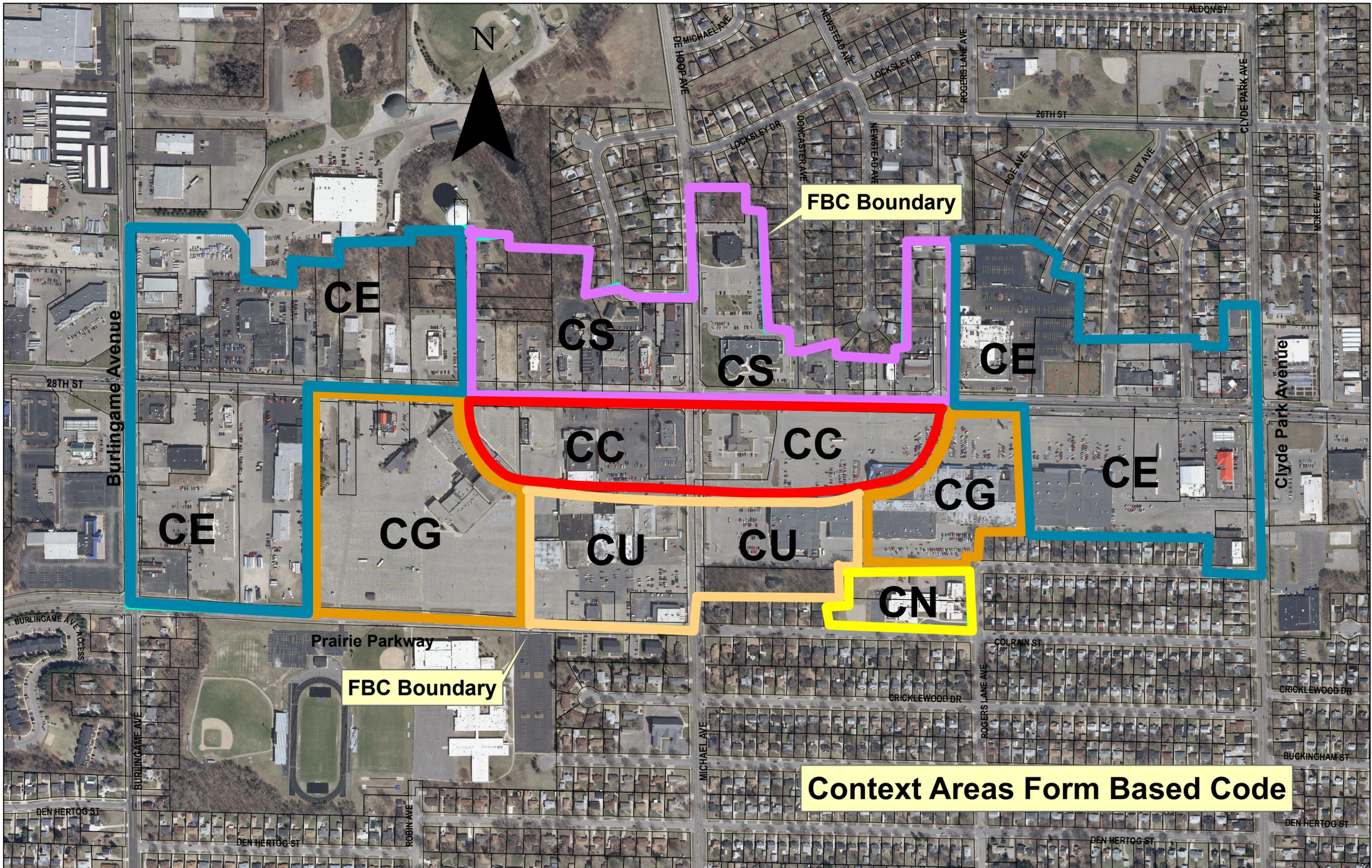
POE AVE

RILEY AVE

CLYDE PARK AVE

MCKEE AVE





FBC Boundary

FBC Boundary

Context Areas Form Based Code

CONTEXT AREAS AND USE

**90-1400 PURPOSE**

Division 4 identifies the Context Areas and Uses established for the City of Wyoming Form Based Code and provides the attributes that are allowed in each Area. These attributes include use, building types, and building height (measured in feet). These Context Areas ensure that proposed development is consistent with the Turn On 28th Street Corridor Sub Area Plan.

Each of the Context Areas described in this Division represent a spectrum of development character and intensity, ranging from the most urban intense (Corridor Center District) to the least urban intense (Corridor Neighborhood District). Each Zoning District establishes character through its use of Building Types (Division 6) and the associated Private Frontages (Division 7) that can be applied to those Building Types.

**90-1401 APPLICABILITY**

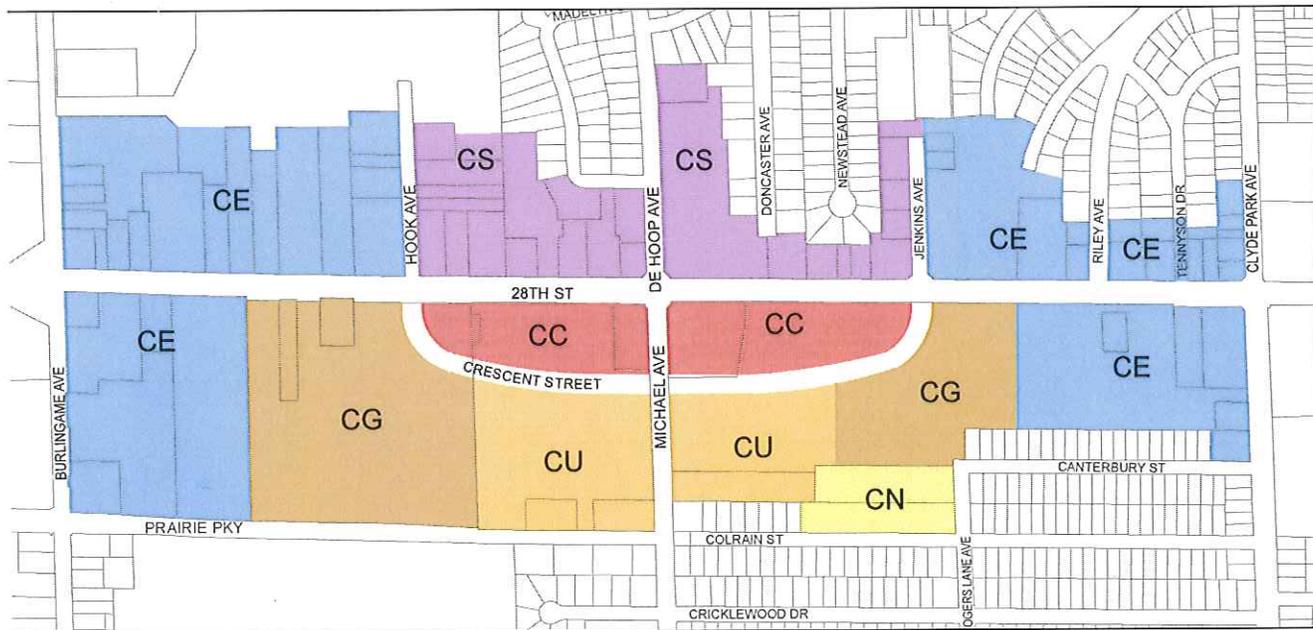
Each Context Area established in the Context Area Map shall meet the standards of this Division. Each Context Area includes permitted and special uses (if applicable) building types, and building height. Key maps are provided to quickly discern the district location within the 28th Street Corridor Sub Area.

**90-1402 CONTEXT AREAS**

The following Context Areas are specified in this Division:

**A. Corridor Center Area (CC):** The Corridor Center Area is the equivalent of a downtown, with the highest concentration of development and the busiest streets. This Area is characterized by mixed-use and retail buildings set close to the sidewalk. These buildings contain ground floor retail and commercial uses with housing and office uses on the upper floors. The Corridor Center Area is the physical, business and commercial hub of the City of Wyoming. The Area limits building heights to two (2) stories in order to provide visual connection from 28th Street.

- B. Corridor Urban Area (CU):** The Corridor Urban Area is the equivalent of a downtown, with the highest concentration of development, the tallest buildings, and the busiest streets. This Area is characterized by mixed-use and retail buildings set close to the sidewalk. These buildings contain ground floor retail and commercial uses with housing and office uses on the upper floors. The Corridor Center Area is the physical, business and commercial hub of the City of Wyoming. The Area has similar characteristics to the Corridor Center Area, except that it allows taller buildings and may permit large-format retail.
- C. Corridor General Area (CG):** The Corridor General Area represents a traditional urban development pattern with mixed use, retail, live / work and apartment buildings. The Area is characterized by a variety of Building Types set relatively close to the sidewalk, but also allows a range of building placement options that permit a varied street wall.
- D. Corridor Sub-Urban Area (CS):** The Corridor Sub-Urban Area represents a transition district within the development pattern by facilitating building placement that is varied and setback from the street edge and less emphasis on commercial uses. The Area permits flexible retail building placement to encourage a varied street edge and also allows for a variety of residential Building Types.
- E. Corridor Edge Area (CE):** The Corridor Edge Area represents a district which transitions from more urban districts to the existing development pattern of the City. This Area promotes retail and residential uses with building placement that is more consistent with existing City development patterns and includes the flexibility of locating limited parking in the front of retail buildings that front on 28th Street.
- F. Corridor Neighborhood Area (CN):** The Corridor Neighborhood Area is a residential district that allows rowhouses, two-family and single-family homes. It is intended to address redevelopment opportunities that are consistent with existing adjacent single-family residential neighborhoods.



City of Wyoming, Michigan  
Context Area Map

October 8, 2013

**Legend**

- CC, Corridor Center Context Area
- CU, Corridor Urban Context Area
- CG, Corridor General Context Area
- CS, Corridor Sub-urban Context Area
- CE, Corridor Edge Context Area
- CN, Corridor Neighborhood Context Area



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ORDINANCE NO. 6-14

AN ORDINANCE TO AMEND SECTION 70-80(a)  
OF THE CODE OF THE CITY OF WYOMING

THE CITY OF WYOMING ORDAINS:

Section 1. That Section 70-80(a) of the Code of the City of Wyoming is hereby amended to read as follows:

(a) From December 1 through March 31 of each year and during any declared snow emergency, any motor vehicles and any other licensed trailers or equipment shall be parked only on that side of the street having even numbers on even-numbered calendar days and on that side of the street having odd numbers on odd-numbered calendar days between the hours of 12:00 midnight and 7:00 pm of the same day; provided, however, that whenever a residence is on a cul-de-sac, parking shall only be on even-numbered calendar days.

Section 2. This ordinance shall be declared an emergency ordinance and shall be effective upon publication.

I hereby certify that the above-entitled Ordinance was adopted as an emergency ordinance by the City of Wyoming at a regular session of the City Council held on the \_\_\_\_ day of March, 2014.

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Heidi A. Isakson  
Wyoming City Clerk



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

February 26, 2014

Ms. Heidi Isakson  
City Clerk  
Wyoming, MI

Subject: Wyoming Planning Commission Annual Report

The Wyoming Planning Commission reviewed the attached 2013 Annual Report at their regular meeting on February 18, 2014. The Michigan Planning Enabling Act (Act 33 of 2008) stipulates that:

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

A motion was made by Micele, supported by Woodruff, to approve the Wyoming Planning Commission Annual Report and forward it to City Council. After discussion, the motion carried unanimously. The report is provided to the City Council for information purposes.

Respectfully submitted,

/s/ Timothy Cochran  
Timothy Cochran  
Planning and Development Department

Cc: Curtis Holt  
Rebecca Rynbrandt

WYOMING PLANNING COMMISSION  
2013 ANNUAL REPORT

Site Plan Reviews

- 1/15/13      Approved Site Plan for Veterans Affairs Outpatient Clinic at 5838 Metro Way, SW. (Section 34) (Grand Rapids VA, LLC)
- 3/19/13      Approved Site Plan for Wal-Mart Supercenter at 325 – 54<sup>th</sup> Street, SW. (Section 36) (Wal-Mart Real Estate Business Trust)
- 5/21/13      Approved Site Plan for an addition to Die-Tech & Engineering at 4600 & 4620 Herman Avenue, SW. (Section 26) (AMDG Architects)
- 8/20/13      Approved Site Plan for Gordman’s at 4830 Wilson Avenue. (Section 29) (National Retail Properties, LLC)
- 8/20/13      Approved Site Plan for Wimsatt Building Materials at 1456 – 28<sup>th</sup> Street, SW. (Section 14) (Robert Hoffman)
- 9/17/13      Approved building façade plan for Elite Training at 5920 and 5930 Clyde Park Avenue. (Section 36) (Elite Training)
- 11/19/13     Approved Site Plan for Metro Health POB No. 2 Expansion at 2122 Health Drive, SW. (Section 34) (Metro PB2, LLC)
- 12/16/13     Recommended to City Council approval of the Site Plan for J.O. Galloup at 3838 Clay Avenue, SW. (Section 24) (J.O. Galloup)

Special Use Reviews

- 3/19/13      Approved Special Use for Goodwill (secondhand goods) on the south side of 28<sup>th</sup> Street and 400 feet west of Clyde Park Avenue. (Section 14) (Architectural Concepts) (Included Site Plan Approval)
- 4/16/13      Approved Special Use for Wal-Mart Supercenter (open air business) at 325 – 54<sup>th</sup> Street, SW. (Section 36) (Wal-Mart Real Estate Business Trust) (Included Site Plan Approval)

- 5/21/13 Approved Special Use for Miller Pipeline (open contractor storage yard) at 4575 Clay Avenue, SW. (Section 25) (Miller Pipeline) (Included Site Plan Approval)
- 6/18/13 Approved Special Use for McDonald's Drive Through Restaurant at the northwest corner of Chicago Drive and Freeman Avenue, SW. (Section 2) (Williams & Works) (Included Site Plan Approval)
- 8/20/13 Denied Special Use for Buddha Temple at 5505 Division Avenue. (Section 36) (Richard Postema Associates)
- 8/20/13 Approved Special Use for Shops at 40<sup>th</sup> Street at 3975 Division Avenue. (Section 24) (RJM Design, Inc.) (Included Site Plan Approval)
- 9/17/13 Approved Special Use for the reconstruction and expansion of Speedway at 3605 Burlingame Avenue, SW. (Section 22) (exp.) (Included Site Plan Approval)
- 10/15/13 Approved Special Use for West Michigan Pawn (pawn shop) at 2811 Wyoming Avenue, SW. (Section 15) (Michael Friend) (Included Site Plan Approval)
- 10/15/13 Approved Special Use for For the Kids Gymnastics (athletic training facility) at 1374 – 56<sup>th</sup> Street, SW. (Section 35) (Scott Geerlings) (Included Site Plan Approval)
- 10/15/13 Approved Special Use for Fisher Station (restaurant drive through lane) at 5301 Division Avenue, SW. (Section 36) (Richard Postema Associates) (Included Site Plan Approval)
- 11/19/13 Approved Special Use for Fusion Used Auto Sales at 2615 – 28<sup>th</sup> Street, SW. (Section 9) (Uzo Iwuagwu) (Included Site Plan Approval)

#### Rezoning Recommendations

- 2/19/13 Recommended to City Council approval of the request to rezone 1.1 acres from RO-1 Restricted Office and ER Estate Residential to B-1 Local Business at the northwest corner of 56<sup>th</sup> Street and Wilson Avenue. (Section 31) (Bruce Lamphere)
- 3/19/13 Recommended to City Council approval of the request to rezone 0.84 acres from R-2 Single Family Residential to B-1 Local Business at the southwest corner of Rathbone Street and Freeman Avenue. (Section 2) (McDonald's USA, LLC)

- 5/21/13 Recommended to City Council denial of the request to rezone 5.1 acres from B-3 Planned Business to B-2 General Business at 155 – 28<sup>th</sup> Street, SW. (Section 12) (Speedway LLC)
- 10/15/13 Recommended to City Council approval of the request to rezone 21.3 acres from ER Estate Residential to R-7 Special Multiple Family Residential at the northwest corner of 56<sup>th</sup> Street and Canal Avenue. (Section 31) (Rivertown Homes By Design)

#### Street/Alley Vacation Recommendations

- 3/19/13 Recommended to City Council approval of the request to vacate a portion of an alley located between Rathbone Street and Chicago Drive and extending west from Freeman Avenue for a distance of 195.31 feet. (Section 2) (McDonald's USA, LLC)
- 5/21/13 Recommended to City Council approval of the request to vacate 50<sup>th</sup> Street commencing 400 feet west of Clay Avenue, SW. (Section 25) (584 – 50<sup>th</sup> Properties LLC)
- 5/21/13 Recommended to City Council approval of the request to vacate Alcoma Street (a paper only street) east of Godfrey Avenue, SW. (Section 2) (LINC Community Revitalization)

#### Zoning Code Text Recommendations

- 4/16/13 Recommended to City Council the request to amend Zoning Code Section 90-646 regarding vehicle parking and stacking for drive-through restaurants. (Wyoming Planning Department)
- 7/16/13 Recommended to City Council the request to amend Zoning Code Section 90-2 Definitions "A", Section 90-472 Special Use Approval I-1 Light Industrial District, Section 90-507 Special Use Approval I-2 General Industrial District, Section 90-542 Special Use Approval I-3 Restricted Industrial District and Section 90-371 Principal Permitted Uses B-2 General Business District to establish a definition and districts permitted for an athletic training facility. (Wyoming Planning Department)

- 7/16/13 Recommended to City Council the request to amend Zoning Code Section 90-61(2) Vision clearance corner to increase the permitted height. (Wyoming Planning Department)
- 7/16/13 Recommended to City Council the request to amend Zoning Code Section 90-796(3) Clear vision area, Section 90-798(5) Illumination of signs in residential districts, Section 90-799(2)(d) Directional signs, Table 90-799-2 Secondary sign requirements – nonresidential districts, and Table 90-799-4 Temporary signs – nonresidential districts to establish new signage requirements. (Wyoming Planning Department)
- 10/15/13 Recommended to City Council the request to amend Zoning Code Chapter 90 to establish Form Based Code provisions. (Wyoming Planning Department)

Resolutions, Reports & Correspondence

- 2/19/13 Approved the Wyoming Planning Commission 2012 Annual Report and forwarded it to City Council.

Election of Officers

- 7/16/13 Election of Officers

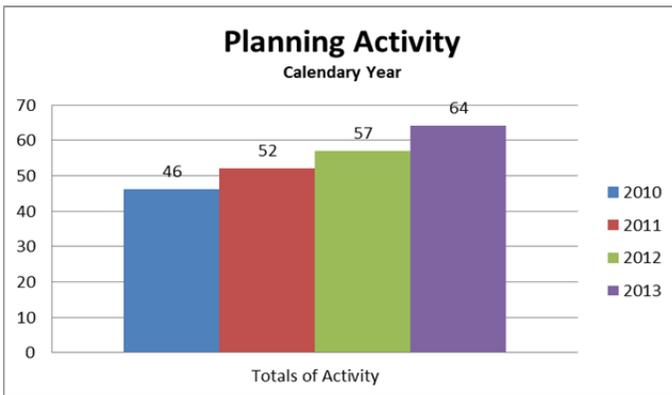
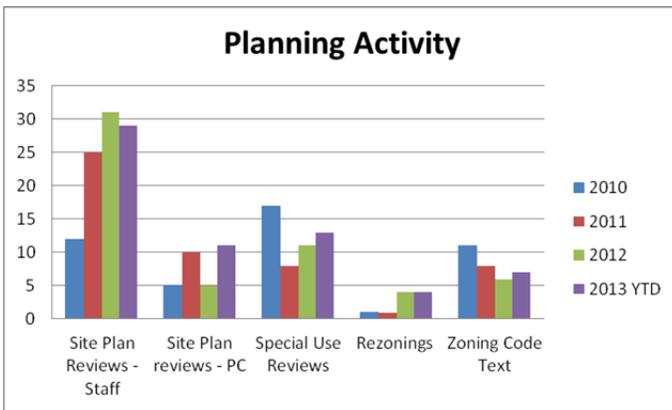
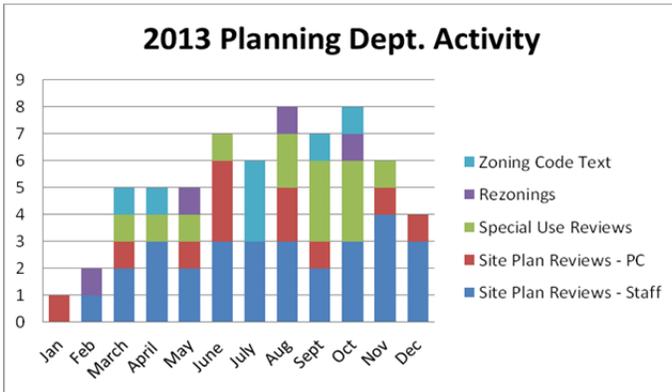
Presentations

- 5/21/13 28 West Fly-Through Marketing Video
- 5/30/13 Joint City Council, Planning Commission and Board of Zoning Appeals Meeting

Ongoing Planning Activities

- 28 West marketing/promotion efforts
- Form Based Code rezoning changes
- Bus Rapid Transit System – Division Avenue

Annual Comparisons:



Note: The number of reviews reflects multiple considerations of particular projects at different Planning Commission meetings.

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Anthony Woodruff, Secretary  
Wyoming Planning Commission